105TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPORT 105–636

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FISCAL YEAR 1999

JULY 20, 1998.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 4276]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999.

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SUMMARY OF ESTIMATES AND RECOMMENDATIONS

The budget estimates for the departments and agencies included in the accompanying bill are contained in the Budget of the United States for 1999 submitted on February 2, 1998 (H. Doc. 105–177), budget amendments submitted on February 24, 1998 (H. Doc. 105–216), May 18, 1998 (H. Doc. 105–255), June 9, 1998 (H. Doc. 105–270), and July 9, 1998, and in a letter of transmittal from the State Justice Institute (dated February 2, 1998). This organization has the authority to transmit its budget directly to the Congress.

The Committee recommends a total $27,416,826,000 in general purpose discretionary budget authority for the departments and agencies funded in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill for fiscal year 1999, and $5,511,940,000 in discretionary budget authority from the Violent Crime Reduction Trust Fund for the Department of Justice and the Judiciary. The Committee also recommends $542,027,000 for mandatory programs funded within this bill.

For general purpose discretionary programs, the Committee recommendation is $967,130,000 below the President's budget request and $1,060,455,000 above the amounts enacted for the current fiscal year. The majority of this increase has been provided for law enforcement programs in the Department of Justice and the Judiciary to annualize the increase provided in fiscal year 1998 and to fund key initiatives in drug law enforcement, counterterrorism, juvenile crime and control of our borders. In addition, increases have been included to provide funding for preparations for the 2000 decennial census, and to provide payments for arrearages to the United Nations, subject to authorization.

For Violent Crime Reduction Trust Fund programs, the Committee recommendation provides $5,511,940,000, which is $2,037,000 below the budget request and $286,940,000 above the amounts provided in the current fiscal year. The majority of this increase has been provided for assistance to State and local law enforcement agencies to address juvenile crime, domestic violence and local crime fighting needs and for reimbursement to States for the incarceration of criminal aliens.

The Committee recommendation is within the Committee's section 302(b) allocation for the departments and agencies funded within the accompanying bill, subject to adjustment of the alloca-

tion for international arrearages, as provided in section 10203(a)(3) of the Balanced Budget Act of 1997 (Public Law 105–33). The current section 302(b) allocations for discretionary programs are $26,944,000,000 in budget authority and $26,502,000,000 in outlays, of which $386,000,000 in budget authority and $370,000,000 in outlays are for defense (050) programs. The 302(b) allocations for the Violent Crime Reduction Trust Fund are $5,512,000,000 in budget authority and $4,683,000,000 in outlays.

The Committee was faced with extremely difficult decisions in determining the funding levels for the various programs funded in this bill. In addition to a need for a significant increase in resources for the 2000 decennial census, the Committee was also faced with the need to provide increased funding for anti-drug efforts, juvenile crime, counterterrorism, immigration, and the Federal courts, and to restore funding for important programs to assist State and local law enforcement in reducing crime that the Administration's budget request sought to terminate. As a result, it has been necessary to scrutinize all other parts of the bill, and the Committee has prioritized by providing, and even increasing, funding for the highest priority programs, including law enforcement, and reducing, and in a number of cases, terminating, low priority programs.

The following table provides a comparison of the new budget authority and outlays recommended in the accompanying bill with the amounts appropriated for fiscal year 1998, and with the budget request for fiscal year 1999:

[In millions of dollars]

	1998 enacted	1999 request	1999 recommended	1999 recommendation compared with	
				1998 enacted	1998 request
Discretionary	26,356	28,384	27,417	+1,060	−967
Violent Crime Reduction Trust Fund	5,225	5,514	5,512	+287	−2
Mandatory	505	546	542	+37	−4
Total	32,086	34,444	33,471	+1,385	−973

HIGHLIGHTS OF THE BILL

Major initiatives and highlights of the bill contained in the Committee recommendations follow:

DEPARTMENT OF JUSTICE

[In millions of dollars]

	1998 enacted	1999 request	1999 recommended	1999 recommendation compared with	
				1998 enacted	1999 requested
Title I—Department of Justice:					
Discretionary	12,464	12,921	12,700	+236	−222
Violent Crime Reduction Trust Fund	5,185	5,454	5,452	+267	−2

—Over $4.8 billion for State and local law enforcement assistance, a $50 million increase, and $400 million more than requested by the Administration, including $533 million for juvenile crime

and prevention programs, $523 million for the Local Law Enforcement Block Grant, $553 million for the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program, $1.4 billion for Community Policing, $731 million for State Prison Grants, and $280 million for Violence Against Women Act programs.

—Over $8.4 billion for drug enforcement initiatives, a $124 million increase, including a net $74 million increase for the Drug Enforcement Administration, $31 million more than requested by the Administration. This includes $40 million to augment the source country, transit zone, and intelligence initiatives begun in fiscal year 1997 targeted at international drug trafficking, $31 million more than requested. For domestic enforcement, a $37 million increase is included for DEA to combat domestic methamphetamine and heroin trafficking, and $50 million is included under Community Policing to continue and bolster the COPS methamphetamine initiative and drug "hot spots" which the budget proposed to eliminate.

—Over $129 million for assistance to provide State and local first responders, including firefighters, emergency services personnel, and bomb technicians, with the tools and training needed to combat the increasing threat of domestic and international chemical and biological terrorist attacks.

—Nearly $3.2 billion, a $226 million increase to enforce our immigration laws, including an increase of 1,000 new border patrol agents and $46 million for an interior enforcement initiative to require INS cooperation with State and local law enforcement. Also included is $585 million to reimburse States for the incarceration of illegal aliens, an increase of $85 million over the request.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

[In millions of dollars]

	1998 enacted	1999 request	1999 recommended	1999 recommendation compared with	
				1998 enacted	1999 request
Title II—Department of Commerce and Related Agencies:					
Discretionary	4,323	4,967	4,891	+568	−76

—$4.88 billion for the Department of Commerce and related agencies, a reduction of $76 million below the request and $568 million above the fiscal year 1998 appropriation level, reflecting the cyclical increases necessary to prepare for the 2000 decennial census, while at the same time continuing to refocus the Commerce Department on its basic functions, including trade promotion and public safety.

—$956 million for the decennial census, $566 million above the fiscal year 1998 appropriation, and $107 million above the request to ensure that the Census Bureau is fully prepared to conduct the 2000 decennial census. Funding after March 31, 1999 is prohibited until the President submits to the Congress refined cost estimates for the decennial census and requests the release of the remaining funds, and Congress has enacted legislation to release the funds, to ensure a timely decision is made on the conduct of the 2000 Cen-

sus while protecting the multi-billion investment being made for this activity.

—$1.079 billion for the National Weather Service (NWS) and related programs, of which $640 million is for operations, research and maintenance programs of the NWS, including a $30 million increase over the current year for base operations, and continued funding for on-going NWS modernization activities. In addition, $439 million is provided for weather satellite development and procurement, a $110 million increase over the fiscal year 1998 appropriation.

—Does not include $2.9 billion in advance appropriations for fiscal years 2000 through 2011 as requested in the budget for capital assets acquisition.

THE JUDICIARY

[In millions of dollars]

	1998 enacted	1999 request	1999 recommended	1999 recommendation compared with	
				1998 enacted	1999 request
Title III—The Judiciary:					
Discretionary	3,157	3,466	3,356	+199	−110
Violent Crime Reduction Trust Fund	40	60	60	+20	--

—$3.4 billion for the discretionary and Crime Trust Fund programs of the Federal Judiciary, a 7 percent increase above the fiscal year 1998 appropriation level, to allow the Courts to keep up with their increasing workload. This increase is consistent with the increases provided for Federal law enforcement agencies funded in this bill, as part of the bill's priority on bringing the full force of the law to bear on crime and drugs.

DEPARTMENT OF STATE, USIA AND ARMS CONTROL

[In millions of dollars]

	1998 enacted	1999 request	1999 recommended	1999 recommendation compared with	
				1998 enacted	1999 request
Title IV—Department of State and Related Agencies:					
Discretionary	5,054	5,745	5,375	+321	−370

—$5.4 billion for the Department of State, United States Information Agency and the Arms Control and Disarmament Agency appropriations, an increase of $321 million above the current fiscal year, and $370 million below the request.

—$42 million for the second year of an initiative to expand broadcasting to China by Radio Free Asia and the Voice of America.

—$475 million for international organization arrearages, subject to authorization.

—$25 million in total resources for design of new embassies in Beijing and Berlin, instead of $250 million requested for construction.

RELATED AGENCIES

[In millions of dollars]

	1998 enacted	1999 request	1999 recommended	1999 recommendation compared with	
				1998 enacted	1999 request
Title V Related Agencies:					
Discretionary	1,489	2,044	1,662	+172	−383

—$1.66 billion for the related agencies funded in the bill, a reduction of $383 million from the request, and $172 million above the fiscal year 1998 appropriation, preserving core agencies and functions while reducing low priorities to conform spending with fiscal realities.

—$705.9 million for the Small Business Administration, including $100 million above the request to provide for $785 million in disaster loans.

—$260.5 million for the Equal Employment Opportunity Commission, an increase of $18.5 million above the fiscal year 1998 appropriation, to address the backlog of unresolved discrimination charges.

REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

The House and Senate reports accompanying the appropriations bills for the Departments of Commerce, Justice, and State, the Judiciary, and the Related Agencies for several years have contained language concerning the reprogramming of funds between programs and activities. This matter is addressed in section 605 of the General Provisions contained in the accompanying bill.

The Committee expects each department and agency to follow closely the reprogramming procedures listed below which are the same as provisions that applied in statute during fiscal year 1998. These procedures apply to funds provided under this Act, or provided under previous Appropriations Acts that remain available for obligation or expenditure in fiscal year 1999, or provided through the collection of fees to the agencies funded by this Act.

The Committee desires and expects that the Chairman of the Subcommittee on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies will be notified by letter a minimum of 15 days prior to—

(1) Reprogramming of funds, whether permanent or temporary, in excess of $500,000 or 10 percent, whichever is less, between programs or activities. This provision is also applicable in cases where several activities are involved with each receiving less than $500,000. In addition, the Committee desires to be notified of reprogramming actions which are less than these amounts if such actions would have the effect of committing the agency to significant funding requirements in future years.

(2) Increasing funds or personnel by any means for any project or activity for which funds have been denied or restricted.

(3) Creating new programs, offices, agencies or commissions or substantial augmentation of existing programs, offices, agencies or commissions.

(4) Relocating offices or employees.

(5) Reorganizing offices, programs, or activities.

In addition, the Committee desires and expects any department or agency funded in the accompanying bill which is planning to conduct a reduction-in-force to notify the Committee by letter 30 days in advance of the date of the proposed personnel action.

The Committee also expects that any items which are subject to interpretation will be reported.

The Committee is concerned that in some instances, the department or agencies funded within this Appropriations Act are not adhering to the Committee's reprogramming policy and procedures which are set forth in this report and in section 605 of the accompanying bill. The Committee expects each department and agency funded in the bill to follow these notification policies precisely and not reallocate resources or reorganize activities prior to submitting the required notifications to the Committee. The Committee has provided each of the departments, the Judiciary, and the United States Information Agency with transfer authority, which is the same as the transfer authority provided in the fiscal year 1998 Appropriations Act. The Committee believes such authority, together with the traditional reprogramming policy, gives each department, the Judiciary, and the United States Information Agency the needed discretion to respond to unanticipated circumstances and requirements which may arise throughout the fiscal year.

RELATIONSHIP WITH BUDGET AND COMPTROLLER'S OFFICES

Through the years the Appropriations Committee has channeled most of its inquiries and requests for information and assistance through the budget offices or comptroller organizations of the various departments, agencies, commissions and the Judiciary. The Committee has often pointed out the natural affinity and relationship between these organizations and the Appropriations Committee which makes such a relationship imperative. The Committee reiterates its position that while it always reserves the right to call upon all organizations in the departments, agencies, commissions and the Judiciary for information and assistance, the primary conjunction between the Committee and these entities must be through the budget offices and comptroller organizations.

The Committee appreciates all of the assistance received from each of the departments, agencies, commissions and the Judiciary during this past year. The workload generated in the budget process is large and growing, and therefore, a positive, responsive relationship between the Committee and the budget and/or comptroller offices is absolutely essential to the appropriations process of the United States Government.

STAFFING AND OPERATIONS OUTSIDE OF THE UNITED STATES

The Committee remains concerned that systematic control over the size and growth of Federal department and agency presence outside of the United States, raising the likelihood that resources are being misallocated. The Committee, in conjunction with the Administration, has begun a number of initiatives to improve the situation, including the overseas staffing model for the State Department, and the new International Cooperative Support Services sys-

tem, to better allocate costs of overseas presence to each agency, in order to make the decision to assign personnel overseas based on true cost. The Committee has addressed other areas of concern in this report.

This concern is due in large part to the cost implications. It costs two to three times as much to maintain an employee outside of the United States as it does within the United States. It is clear that rationalizing and systematizing staffing and operations in foreign countries has the potential for large budgetary savings.

The Committee wishes to make it clear that any expansion of staffing or presence overseas is to be brought to the attention of the Committee at the outset of the planning process, well in advance of the proposed use of any funds appropriated in this Act, or any prior or subsequent appropriations Acts, preferably through the annual budget submission, and as a last resort through the reprogramming process. The Committee remains intent upon finding the proper way to assure control of the deployment of personnel and resources outside of the United States.

GOVERNMENT PERFORMANCE AND RESULTS ACT

The Committee considers the full and effective implementation of the Government Performance and Results Act, Public Law 103–62, to be a priority for all agencies of government.

Starting with fiscal year 1999, the Results Act requires each agency to "prepare an annual performance plan covering each program activity set forth in the budget of such agency". Specifically, for each program activity the agency is required to "establish performance goals to define the level of performance to be achieved by a program activity" and "performance indicators to be used in assessing the relevant outputs, service levels, and outcomes of each program activity".

Thus far, the performance plans have generally been of mixed utility in considering the fiscal year 1999 budget request. The Committee requests that each agency consult with the Committee early in the process of formulating the fiscal year 2000 budget and performance plan in order to maximize the utility of the performance plan in the examination of the fiscal year 2000 request.

TITLE I—DEPARTMENT OF JUSTICE

The Committee recommends $18,288,009,000 in new budget (obligational) authority in the accompanying bill for the Department of Justice for fiscal year 1999. This amount is $523,549,000 more than the appropriation for the current year, and is $223,856,000 below the budget request for fiscal year 1999. However, once technical differences in the treatment of offsetting collections are taken into account, the net difference between the Committee recommendation and the request is $41,333,000.

Of the total amount provided $12,699,510,000 is derived from general purpose discretionary funds, which represents an increase of $235,553,000 above the current year. Of the total, $5,451,940,000 is derived from the Violent Crime Reduction Trust Fund, which is an increase of $266,940,000 in spending from the Trust Fund over the current year.

The Committee recommendation for the Department of Justice reflects the continuing commitment of the Congress to provide resources for the Nations' top domestic priority—fighting crime. Over the past three years, Congress has increased funding for the Department of Justice by over $5.5 billion, representing a 45 percent increase, and the results are showing. Crime rates for the most serious crimes are declining, communities are safer, and violent criminals are serving longer sentences and not being released back into the community. The recommendation continues to support crime fighting efforts and places emphasis on empowering communities to fight crime and drugs. Funding for State and Local Law Enforcement Assistance increases by $32,750,000, which is $554,750,000 more than requested by the President and includes a restoration of funding for the Local Law Enforcement Block Grant program at $523,000,000 and $250,000,000 for the second year of the Juvenile Accountability Incentive Block Grant, which the Administration proposed to eliminate. The COPS program will continue on the path of providing 100,000 new police officers and COPS funding will also be allowed for innovative technology, bullet-proof vests, school violence and drug initiatives. The recommendation includes continued funding for programs to prevent and punish juvenile crime, including $282,950,000 for juvenile crime prevention programs, an increase of $44,278,000 over last year. The bill includes significant funding for law enforcement programs to combat drugs. The recommendation includes a net increase of $73,912,000 for the Drug Enforcement Administration, $31,030,000 more than requested by the President, targeted at continuing efforts in source countries and transit zones, as well as domestic methamphetamine and heroin trafficking. In addition, to counter the increasing threat of domestic and international chemical and biological terrorist attacks, the Committee recommends $129,200,000 to provide the tools and training to State and local agencies which are the first responders in the event of such an attack, a $76,500,000 increase over the fiscal year 1998 level. The recommendation also continues funding to address the problem of illegal immigration, including a $225,523,000 increase for the INS for 1,000 new border patrol agents and an interior enforcement initiative to provide the means for INS to work with State and local law enforcement. In addition, $585,000,000 is provided to reimburse States for the incarceration of criminal aliens.

The Congress has done its part to dedicate resources during a time of severe fiscal constraint to the Department of Justice.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends a total of $79,488,000 for General Administration for fiscal year 1999. This amount is $3,289,000 more than the current year appropriation, and is $10,000,000 below the request.

This account funds the development of policy objectives and the overall management of the Department of Justice. The recommendation includes adjustments to base that will permit the activities funded under this account to continue at their current lev-

els. In addition, the Office of Information and Privacy will be augmented by four additional reimbursable workyears to meet the increased workload associated with the Electronic Freedom of Information Act.

Joint Automated Booking System.—The recommendation does not include $10,000,000 requested to initiate system design and development of the Joint Automated Booking System (JABS). The Committee assumes that this is an activity which may be funded with Super Surplus funds available under the Assets Forfeiture Fund. The JABS project would include participation from the five Department law enforcement components to develop a common automated booking station to facilitate the electronic collection, storage, and sharing of offender information. The purposes are to streamline the booking process through automation and eliminate duplication; provide the capability to update offender/prisoner information with regard to medical, physical, and arrest status; standardize Federal law enforcement data elements; and establish a more efficient process for identifying repeat offenders and persons with outstanding charges.

The Committee understands that development and implementation of this system will require a substantial investment of resources, and will be interested in examining the initial design and development to determine the feasibility of the project. The Committee expects the Department to report by March 1, 1999 on the overall scope of the project, its cost, timing, how it will be financed, and a determination of the relative priority of this project in relation to other major infrastructure and technology initiatives being undertaken by the Department.

Oversight of the Immigration and Naturalization Service (INS) Naturalization Program.—The Committee is aware of the aggressive efforts of the Justice Management Division (JMD) to direct and oversee the audit and review of persons improperly granted citizenship in 1996 as part of Citizenship USA and the development of necessary steps to revoke citizenship in those cases. The audits undertaken by JMD have documented the widespread failings of the INS under this effort, including the conclusion that 91 percent of the 1.05 million cases in which citizenship was granted contained at least one processing error, and the average case contained 2.2 processing errors, leading to the conclusion that 920,733 cases had insufficient documentation to support a proper decision, and the projection that 38,845 cases were presumptively ineligible to receive naturalization. The Committee expects JMD to continue to oversee the process of correcting the serious mistakes of this program, including the identification and revocation of citizenship of persons with disqualifying criminal records who were granted citizenship, and to report back to the Committee on the status of those efforts by March 1, 1999.

Further, the Committee understands that JMD will continue to be responsible for oversight of the process to redesign the naturalization program, now that significant improvements to assure the integrity of the system have been implemented, to address both the backlogs that continue to grow in processing despite the availability of significantly greater resources, and other weaknesses in

management at INS that continue to impede the operation of the agency.

In order to sustain these efforts, the Committee directs the Attorney General to transfer $5,000,000 from the INS Examinations Fee account to the General Administration account, to ensure sufficient funds are available to carry out these responsibilities. The Committee expects the Department to keep it fully informed of all changes being proposed to the naturalization program as a result of the redesign effort, and any new applications of technology to the program that could significantly improve its effectiveness.

The Committee recommends bill language, similar to language included in previous years that specifies the amount of funding provided for Department Leadership and Executive Support programs. The Committee also recommends bill language, as included in previous fiscal years, making up to $3,317,000 of this appropriation available until expended for the Facilities Program 2000.

The Committee urges the Department of Justice to work with the Inspectors General of the Departments of Labor and Education, the Railroad Retirement Board and the Social Security Administration for data on recoveries which resulted from cases initiated, and claims filed, by them. These Inspectors General are required to report on actual collections under the requirements of the Labor, Health and Human Services and Education Appropriations Acts of 1997 and 1998, but are unable to do so because they have not been able to obtain data on fines, restitutions or forfeitures from the Department of Justice.

NARROWBAND COMMUNICATIONS

The Committee recommendation does not include $85,894,000 requested to establish a new Fund, under the control of Attorney General, for the costs of Department of Justice organizations' conversion to narrowband communications systems. The Committee instead assumes that base requirements of $23,396,000 for DOJ components may be derived from Super Surplus balances in the Assets Forfeiture Fund.

The Committee notes that of the $85,894,000 requested for this new Fund, $23,396,000 was requested as base transfers from DOJ component budgets into the Fund, and $62,498,000 was requested as program increases for the Federal Bureau of Investigation for costs associated with narrowband conversion.

The Committee supports the consolidation of this activity under the Attorney General, as such a consolidation will ensure maximum coordination and system compatibility. The Committee understands that all Federal agencies, including Federal law enforcement, must convert to narrowband communications systems, by 2005. Under the standards established by the National Telecommunications and Information Administration (NTIA) in 1993, such conversion is to be accomplished as follows: (1) all new radio and systems purchased after January 1, 1995 are required to conform to narrowband standards; and (2) all other existing systems are required to be retrofitted to conform to such standards by 2005.

The Committee appreciates the critical importance of increasing spectrum efficiency to meet law enforcement agencies' spectrum needs. In addition, the Committee has long been concerned about

the continued interoperability problems of law enforcement communications systems. The Committee is aware of numerous instances in which Federal law enforcement agents were unable to communicate with one another, or with State and local law enforcement, due to incompatible equipment.

The Committee understands that the estimated cost for conversion for Department of Justice components totals almost $1.7 billion, of which almost $1.2 billion is for the Federal Bureau of Investigation. Given the scale of the investment that may be required, the Committee believes that any Department of Justice narrowband conversion initiative must be based upon a comprehensive strategy which achieves the following goals: (1) increased spectrum efficiency; (2) interoperability among all Department components, as well as other Federal law enforcement agencies; and (3) maximized efficiencies and savings through shared infrastructure and common procurement strategies.

The Committee is concerned that currently the Department of Justice lacks such a strategy. In fact, the current approach appears to be fragmented and agency-driven, emphasizing individual agency requirements or initiatives, which may or may not accomplish the goals outlined above in the most strategic, and efficient manner. Therefore, the Committee intends that this critical initiative be coordinated and implemented by the Department, rather than through individual DOJ components, and therefore directs the Justice Management Division (JMD) to develop and implement an integrated, Department-wide 5 year strategic plan which meets the narrowband conversion and interoperability requirements of the Department. The Committee expects such a plan to be submitted to the Committee not later than December 1, 1998. This plan shall include, but not be limited to, the following: (1) a complete inventory of all existing land mobile and portable radios and related infrastructure for each DOJ component, which separately identifies systems currently narrowband compliant; (2) a complete breakout of the base resources currently available for all radio and infrastructure replacement needs for each DOJ component; (3) a complete assessment of user requirements to achieve both narrowband conversion and interoperability goals; (4) the extent to which current component plans include capability enhancements outside the mandated requirements for narrowband conversion and increased interoperability, and the justification for such enhancements; and (5) an implementation strategy which outlines the proposed systems architecture, field testing, deployment schedule, and cost estimates. Such a strategy shall ensure that opportunities for common procurement strategies and shared infrastructure, including opportunities for private sector infrastructure-sharing, are fully utilized. Finally, the Committee directs that no Department of Justice component enter into any contract to develop or procure additional radio equipment or infrastructure without the prior approval of the Department of Justice through the Justice Management Division.

COUNTERTERRORISM FUND

The Committee recommends $129,200,000 for the Counterterrorism Fund which was established in the 1995 Supplemental Appropriation after the bombing of the Alfred P. Murrah

Federal Building in Oklahoma City. This Fund is under the control and direction of the Attorney General.

The recommended amount continues the initiative begun in fiscal year 1998 to respond to the increasing threat of chemical and biological attacks from domestic and international terrorism. The Committee notes that State and local agencies, including firefighters, emergency services personnel, law enforcement, bomb technicians, and other emergency response personnel represent the Nation's front line in response to a chemical or biological terrorist incident, and such "first responders" must have the necessary tools and training to detect such incidents and development management response capabilities. Therefore, the Committee recommends $129,200,000 for such activities, an increase of $76,500,000 over the current level, as follows:

Grants to Equip State and Local Agencies to Improve Response Capabilities.—The recommendation provides a total of $99,000,000 for equipment, an increase of $82,000,000 above the current level, to provide personnel protective gear, and detection, decontamination, and communications equipment to State and local agencies. Of this amount, the Committee recommends the following: (1) $64,000,000 is for grants for equipment for State and local first responders, including, but not limited to, firefighters and emergency services personnel; (2) $5,000,000 is specifically provided to continue the local firefighter and emergency service training and equipment grants program as authorized under section 819 of the Antiterrorism and Effective Death Penalty Act of 1996, the full amount requested and the same level as the current year appropriation; and (3) $30,000,000 for equipment for State and local bomb technicians to enhance their ability to respond to incidents involving improvised explosive devices.

Terrorism Training.—The Committee recommendation provides $17,200,000 for anti-terrorism training for State and local agencies, including law enforcement personnel, as authorized under section 822 of the Antiterrorism and Effective Death Penalty Act of 1996. This program provides funding for the development and implementation of anti-terrorism training programs and the procurement of necessary equipment for State and local law enforcement agencies.

Within the amount provided, $10,000,000 is for support of the National Domestic Preparedness Consortium to enhance the capabilities of State and local emergency responders to incidents of terrorism. The Department shall use these funds to address and sustain comprehensive and coordinated efforts through this consortium utilizing existing infrastructure and experienced training staffs as well as education, certification program, hands-on training, technical assistance, distance learning, test and evaluation and realistic confidence building exercises based on threat driven scenarios. The Committee expects the Department to use the Consortium's existing national assets for firefighters, law enforcement, emergency medical personnel, emergency communications personnel, and other public agency assets and their command and control elements to achieve the optimum state of readiness to respond to biological, nuclear, incendiary, chemical, explosive and other terrorist acts. The Committee recognizes that through the coordinated use of existing national assets, Federal resources can be maxi-

mized, training consistency can be ensured, and domestic first responders can achieve a critical state of readiness to respond to counterterrorism threats and incidents involving weapons of mass destruction. The Committee directs that the Department provide funds directly to each member of the consortium, rather than through one site, so that all existing national assets of the consortium are equally utilized.

In addition, $5,200,000 is for bomb technician training at the Hazardous Devices School at Redstone Arsenal, Alabama to improve capabilities of State and local agencies to respond to incidents involving improvised explosive devices to enable 1260 personnel to be trained in fiscal year 1999.

Development of Counterterrorism Technologies.—The Committee recommends $10,000,000 for development of counterterrorism technologies to help State and local law enforcement combat terrorism as authorized under section 821 of the Antiterrorism and Effective Death Penalty Act of 1996, the full amount requested. This program provides funding to identify, assess and develop technologies that can assist State and local law enforcement in combating terrorism, including technologies in the areas of detection of weapons, explosives, chemicals, and persons; tracking and surveillance; vulnerability assessment; and information technologies.

Technical Assistance/Needs Assessment.—In addition, the recommendation provides $3,000,000 for technical assistance to administer equipment and training programs. The Committee believes it is important that resources provided to prepare State and local first responders should reach the maximum number of communities possible. To achieve this goal, it is critical that activities are coordinated among agencies to ensure no duplication of effort, and to ensure that such assistance meets the needs of the State and local agencies involved. Therefore, the Committee directs that $1,000,000 be used by the Attorney General to conduct a comprehensive needs assessment of State and local agency requirements and to develop a three year interagency Government-wide implementation plan to meet these requirements. Such an assessment and implementation plan should be developed in coordination with all other Federal agencies providing assistance to State and local first responders, including the Department of Defense, and is to be submitted to the Committee not later than January 1, 1999.

The Committee does not recommend funding requested for critical infrastructure protection under the Counterterrorism Fund, as this initiative and the delineation of responsibilities among Federal agencies have not been fully defined. The Committee notes that the majority of the requested increase was proposed to be used to pay for the costs of other Federal agencies for their participation in this initiative. The Committee expects that all Federal agencies would make funding for their participation a priority from within their own budgets, and therefore believes it inappropriate to use Department of Justice resources to pay for such costs. Further, the Committee has addressed increased funding requirements for the Federal Bureau of Investigation for its participation in this initiative elsewhere in this Act.

Further, the Committee understands that approximately $48,000,000 is estimated to be available at the end of fiscal year

1998 from funds provided in prior fiscal years to reimburse any Department of Justice organization for the costs incurred from the reestablishment of an office or facility damaged or destroyed as a result of a domestic or international terrorist incident, and to cover extraordinary expenses necessary to counter, investigate or prosecute domestic or international terrorism activities. As in previous years, 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 for this purpose.

The Committee recommends bill language, similar to that carried in previous appropriations act, which: (1) makes funds available for training and equipment to State and local entities; and (2) makes funds available for equipment to State and local bomb technicians.

TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

The Committee recommendation does not include funding for the Telecommunications Carrier Compliance program to reimburse equipment manufacturers and telecommunications carriers and providers of telecommunications support services for implementation of the Communications Assistance for Law Enforcement Act of 1994 (CALEA), a decrease of $100,000,000 from the request. Funds have not been provided because to date no funds have been expended from amounts previously provided, resulting in an estimated $102,580,000 in unobligated balances carrying forward into fiscal year 1999. As in previous years, the Attorney General is required to notify the Committee through the reprogramming procedures included in section 605 of this bill, before any expenditure is made from the Fund.

ADMINISTRATIVE REVIEW AND APPEALS

The Committee recommends $134,563,000 for fiscal year 1999 for Administrative Review and Appeals, of which $59,251,000 is provided from the Violent Crime Reduction Trust Fund. This account funds (1) the Executive Office for Immigration Review (EOIR), which includes the Board of Immigration Appeals, Immigration Judges, and Administrative Law Judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged; and (2) the Office of the Pardon Attorney which receives, investigates and considers petitions for all forms of Executive clemency. Of the total amount provided, the Committee has included $132,963,000 for EOIR and $1,600,000 for the Office of the Pardon Attorney. The recommendation represents the funding necessary to maintain the current level of activities in fiscal year 1999.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $36,610,000 for the Office of Inspector General for fiscal year 1999, which is $2,000,000 above the request and $3,399,000 above the amount provided in the current year appropriation. The increase is provided to enable the Office to

appropriately monitor the increased resources being provided to the Department of Justice.

In addition to appropriated funds, the Committee notes that the Office will receive additional amounts, estimated in the budget at $17,464,000 and 119 workyears, in reimbursements for activities in connection with Immigration and Naturalization Service fee accounts, Violent Crime Reduction Trust Fund programs, the U.S. Trustees, and Financial System audits, subject to the reprogramming requirements that were in effect for fiscal year 1998.

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 manner; (2) funds available for the acquisition of motor vehicles; and (3) up to one-tenth of one percent of grant funds provided under the Violent Crime Reduction Trust Fund available to be transferred to the Office by the Attorney General.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The Committee recommends $7,400,000 for the Parole Commission for fiscal year 1998, $2,391,000 more than the current year appropriation, and $221,000 below the budget request.

This Commission is an independent body within the Department of Justice which makes decisions regarding requests for parole and supervision of Federal prisoners. As a result of legislation that established sentencing guidelines, the Parole Commission is phasing down its operations. Public Law 104–232 extended the termination of the Commission until November 1, 2003.

While there is a continuing downsizing of its operations related to Federal parole, the Commission is assuming jurisdiction over D.C. Code prisoners and parolees as of August 5, 1998, pursuant to the National Capital Revitalization and Self-Government Improvement Act. The request includes a base increase of $134,000, a program decrease of 3 workyears and $174,000 as part of the Commission's continuing down-sizing of its operations and a program increase of $2,431,000 for the District of Columbia parole program.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The Committee recommends a total of $470,425,000 for General Legal Activities for fiscal year 1999, of which $8,160,000 is provided from the Violent Crime Reduction Trust Fund. The total amount recommended is $18,256,000 more than the current year appropriation and $15,086,000 less than the request.

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

Special Counsel for Immigration Related Unfair Employment Practices), and INTERPOL—U.S. National Central Bureau.

The Committee recommendation provides pay and inflation increases for all divisions and the following program increases:

+$465,000 for the Criminal Division to improve coordination of interagency and bilateral U.S./Mexico efforts to combat drug trafficking; and

+$1,007,000 for the Civil Rights Division to increase enforcement under the Americans with Disabilities Act, and to enable the Division to maintain and expand the utilization of mediation services to resolve disability rights complaints.

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 for litigation support contracts available until expended; (3) makes up to $17,834,000 for office automation systems available until expended; and (4) makes up to $1,000 available to the U.S. National Central Bureau—INTERPOL for reception and representation expenses.

The Committee recommendation includes language directing the Attorney General to transfer $813,333 from funds available in the Department of Justice to the Presidential Advisory Commission on Holocaust Assets in the United States, subject to the reprogramming requirements of section 605 of this Act. This commission will examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and make recommendations to the President on further action.

The Committee recommends a reimbursement of $4,028,000 for fiscal year 1999 from the Vaccine Injury Compensation Trust Fund to cover Justice Department expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986. This represents the same level of funding as provided in the current year appropriation, and as requested in the budget.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The Committee recommendation assumes a total of $98,275,000 in budget (obligational) authority for the Antitrust Division for fiscal year 1999, the full amount requested and $4,780,000 above the current year appropriation. Of this amount, $68,275,000 will be derived from anticipated fee collections in fiscal year 1999, and $30,000,000 will be derived from unobligated fiscal year 1998 fee collections, resulting in no net direct appropriation. The Committee notes that any use of remaining unobligated fee collections from the prior year are subject to the reprogramming requirements outlined in section 605 of this Act.

This Division acts on antitrust cases before the Supreme Court, represents the interests of the United States in cases brought under Federal antitrust laws, reviews decisions of regulatory commissions, and prepares and files amicus briefs.

The Committee recommendation provides pay and inflation increases for the Division, and provides the requested program increase of $2,472,000 to support an additional 15 positions to respond to workload increases in the Division's Merger and Criminal Enforcement functions.

The recommendation includes bill language for the Antitrust Division, similar to that included in previous fiscal years, which: (1) allows $68,275,000 in fees to be credited to this account; (2) reduces appropriated funds as fees are collected; and (3) makes fees in excess of $68,275,000 available until expended in fiscal year 2000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommends a total of $1,091,702,000 for the U.S. Attorneys for fiscal year 1999, of which $54,231,000 is provided from the Violent Crime Reduction Trust Fund. The total amount provided is an increase of $56,414,000 above the current year appropriation and $15,291,000 below the request.

This appropriation supports the Executive Office for U.S. Attorneys and the 94 U.S. Attorneys Offices which serve as the principal litigators for the U.S. Government for criminal, civil and debt collection matters.

The Committee recommendation assumes requested adjustments to base, excluding a base restoration of $1,519,000, and $900,000 in estimated year 2000 computer compliance costs, for which other resources may be available, and program increases totaling $10,479,000 for the following activities:

Narcotics and Dangerous Drugs.—The recommendation provides the requested increase of $8,912,000 for 64 attorneys and 32 support staff to increase drug prosecutions. These resources are being provided in concert with additional resources for the Drug Enforcement Administration to assure that there is a coordinated effort within the Department of Justice not only to apprehend but also to prosecute illegal drug activity. The Committee is heartened that, in response to the Committee's expressed concern that the U.S. Attorney workload statistics for drug prosecutions were lagging far behind the percentage increase in resources that had been provided for drug prosecutions, the Executive Office for United States Attorneys (EOUSA) indicated in testimony that efforts were being made to increase these prosecutions.

Additional Resources.—The Committee also has provided $1,567,000 to be used for the highest priority program increases requested for computer crime, defensive civil litigation and violent crime in Indian country. In addition, the Committee has become aware that the U.S. Attorneys Offices have been significantly underburning their workyears over the past several years, and using the resulting funds for equipment and other resources. Those funds constitute an additional resource available to fund high priority program increases, and the Committee would be willing to entertain a proposal to reallocate these base resources for that purpose.

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 through fiscal year 2000; (2) makes available up to $8,000 to be used for official reception and representation expenses; (3) makes up to $10,000,000 for automated litigation support contracts available until expended; and (4) specifies the number of positions and workyears provided for the United States Attorneys.

The Committee directs that the General Accounting Office (GAO) monitor, and report to the Committees on Appropriations and the Judiciary no later than February 1, 1999 and August 2, 1999 on, the compliance of the Department of Justice and the United States Attorneys with the "Guidance on the Use of the False Claims Act in Civil Health Care Matters" issued by the Department of Justice on June 3, 1998, including any revisions. The GAO is expected to consult with the Committees as it formulates its workplan.

UNITED STATES TRUSTEE SYSTEM FUND

The Committee recommendation provides a total of $114,248,000 in budget (obligational) authority for the U.S. Trustees for fiscal year 1999, to be entirely funded from offsetting fee collections. The amount recommended is the same level as provided in fiscal year 1998 and $16,189,000 below the request.

The U.S. Trustees System provides administrative support to expeditiously move bankruptcy cases through the bankruptcy process and ensures accountability of private trustees appointed to administer bankruptcy estates and with regard to debtors. Public Law 99–554, the Bankruptcy Judges, U.S. Trustees, and Family Farmer Bankruptcy Act of 1986, 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 budget request proposed a new method of appropriating for this account, which would have involved direct appropriations for the fiscal year 1999 requirements of the Trustees, and reserving the fees collected in fiscal year 1999 for use in funding the fiscal year 2000 requirements of the Trustees. The Committee has not recommended this method, but rather has retained the language included in prior years to offset current year requirements with current year fees.

The recommended budget authority for fiscal year 1999 is made on the basis that the projections for fees under Chapter 11, the principal source of offsetting collections that finance this account, are uncertain, and that any program expansion would run the risk of not having the fees to support the expansion in future years. Consequently, the most prudent course of action is to maintain the program at its current level to assure a stable program over the next several years.

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 $114,248,000 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 $114,248,000 available until expended in fiscal year 2000.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The Committee recommends $1,335,000 for the Foreign Claims Settlement Commission for fiscal year 1998. This amount is an increase of $109,000 over the current year appropriation and the full amount requested. The Commission settles claims of American citizens arising out of nationalization, expropriation, or other takings of their properties and interests by foreign governments.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The Committee recommends $503,164,000 for the United States Marshals Service for fiscal year 1999, of which $25,553,000 is provided from the Violent Crime Reduction Trust Fund. This amount represents an increase of $9,778,000 above the current year appropriation, and $9,679,000 below the amount requested.

The primary mission of the 94 U.S. Marshals offices is 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 recommendation assumes requested adjustments to base, including the cost of the 1998 pay raise and program increases for the following activity:

Security at New and Expanded Courthouses.—The Committee recommendation also includes $9,300,000 for security at new and expanded courthouses anticipated to open in 1999, including $5,700,000 for security staffing and $3,600,000 for equipment. This amount assumes that several of the courthouses scheduled to open on the dates assumed in the budget request will be delayed until later in fiscal year 1999, as has been the experience in past years.

The Committee is also aware of the inadequate availability of jail space in Utah to address the growing influx of aliens and illegal drug trafficking. Both INS and the U.S. Marshals contract with facilities in Utah to address the detention needs of aliens and presentenced prisoners, and the Marshals have taken steps to help address this problem. Nonetheless, the need continues to outstrip available resources. The Committee requests that the U.S. Marshals evaluate the current requirements in the context of the Federal Detention Planning Committee and provide to the Committee a recommendation on alleviating jail space problems in Utah.

In addition, the recommendation does not include a separate new account requested for Marshals Service Construction in the amount of $6,300,000. Previously, construction of prisoner holding facilities for the Marshals Service has been funded under the Bureau of Prisons. The Committee believes that responsibility for construction of these facilities should remain with the Bureau of Prisons, and has addressed this request under that account.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which (1) allows up to $6,000 to be used for official reception and representation expenses; (2) allows for the acquisition of motor vehicles for police-type use without regard to the general purchase price limitation; and (3) makes up to $4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system available until expended.

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM FUND, UNITED STATES MARSHALS SERVICE

The recommendation includes requested language establishing a revolving fund for the operation of the Justice Prisoner and Alien Transportation System (JPATS), which provides air transportation for prisoners and others in the custody of the U.S. Marshals Service, the Immigration and Naturalization Service and the Bureau of

Prisons within the Department of Justice as well as other agencies, such as the Department of Defense, and state and local law enforcement on a space available basis. As a revolving fund, financing for the system will be based on full-cost recovery, by means of a mileage and cost-per-seat charge paid by these same agencies for actual usage. Previously, JPATS has been a part of the U.S. Marshals Service appropriation, and additional resources were available through reimbursements from user agencies. The Committee believes that operating this system on a full-cost recovery basis will assure operation of the system in a financially sound way based on best business practices. Each constituent Justice agency has funding in its base to provide for necessary reimbursement to the system.

In addition, the budget included a new request of $10,000,000 for JPATS, $5,000,000 to capitalize the revolving fund, and $5,000,000 to purchase a new airplane. The recommendation does not include any direct appropriation, and assumes that the funding to capitalize the new revolving fund is an eligible use of Super Surplus funds available under the Asset Forfeiture Fund.

Finally, the Committee understands that certain enhancements to the system are planned, although those enhancements have not been formally presented. In the future, it is presumed that funding for enhancements under the revolving fund will be presented as part of the annual budget submission, and to the extent that it is not, the reprogramming requirements of section 605 of this Act apply. With respect to fiscal year 1999, any enhancements, as well as the proposed funding source to pay for them, are expected to be presented to the Committee for examination and review.

FEDERAL PRISONER DETENTION

The Committee recommendation recommends $425,000,000 for the Federal Prisoner Detention account for fiscal year 1999, which is $19,738,000 over the level provided in the current year appropriation, and $25,848,000 below the request.

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 understands that in addition to the amounts recommended, at least $25,000,000 will also be available for this program from unobligated balances that will carry forward from fiscal year 1998, bringing the total availability for this account to $450,000,000, which is equivalent to the budget request.

FEES AND EXPENSES OF WITNESSES

The Committee recommends $95,000,000 for Fees and Expenses of Witnesses for fiscal year 1999, the full amount requested, and $20,000,000 more than the current year appropriation. The amount recommended is the full budget estimate for this mandatory program, which 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, mental competency examinations, and witness/informant protection. Funds are also used to provide private counsel to pay certain legal expenses

of Federal employees. The budget request included language intended to clarify the operation of this program, which the Committee has deferred, pending further information.

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

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The Committee recommends $6,699,000 for the Community Relations Service for fiscal year 1999, an increase of $1,380,000 over the current year appropriation. In addition, the recommendation includes a provision that allows the Attorney General to transfer $1,000,000 from funds made available to the Department of Justice to this account, thereby allowing for a total funding level of $7,699,000 which provides pay and inflation increases for this account.

The Community Relations Service (CRS) was established by Title X of the Civil Rights Act of 1964 to provide assistance to communities in resolving disagreements arising from discriminatory practices. The function of resettlement of Cuban and Haitian entrants, which was previously performed by CRS was transferred to the Immigration and Naturalization Service in fiscal year 1996. In addition, the transitional care of Mariel Cubans paroled from detention was funded from this account in previous years, but was transferred to the Federal Prison System, Salaries and Expenses appropriation in fiscal year 1995.

The Committee also recommends bill language, identical to that included in fiscal year 1998, 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

The Committee recommends $23,000,000 for the Assets Forfeiture Fund for fiscal year 1999, which is the full amount requested and the same level as provided in the current year appropriation.

This account provides funds for additional investigative expenses of the FBI, DEA, INS and U.S. Marshals, such as purchase of evidence, equipping of conveyances and investigative expenses leading to seizure. Funds for these activities are provided from receipts in the Assets Forfeiture Fund resulting from the forfeiture of assets. Expenses related to the management and disposal of assets are also provided from these receipts in the Assets Forfeiture Fund by a permanent indefinite appropriation.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

The Committee recommends $2,000,000 for fiscal year 1999, the full amount requested and the same level provided in the current year appropriation, for the expenses of the Civil Division necessary

to handle claims and litigation arising from the Radiation Exposure Compensation Act.

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.

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION FUND

The Committee recommendation includes no new appropriations for fiscal year 1999 to make payments to approved claimants under the Radiation Exposure Compensation Act of 1990. The carryover from 1998 is expected to be $19,000,000. Payments from the fund are expected to be $15,000,000.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The Committee recommends $304,014,000 for Interagency Crime and Drug Enforcement for fiscal year 1999, the full amount requested and $9,047,000 above the current year appropriation, to provide for inflationary increases as requested for Department of Justice agencies' participation in this program.

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

The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for intergovernmental agreements with State and local law enforcement agencies; (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.

The recommendation provides funds to the following agencies:

REIMBURSEMENTS BY AGENCY

	FTE	$(000)
DEA	987	99,612
FBI	981	108,829
INS	102	10,719
US Marshals	13	1,421
US Attorneys	847	79,832
Criminal Division	6	759
Tax Division	12	1,293
Administrative Ofc	12	1,549
Total	2,960	304,014

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The Committee recommends $2,965,971,000 for the Federal Bureau of Investigation (FBI) Salaries and Expenses account for fiscal

year 1999, which includes $215,356,000 from the Violent Crime Reduction Trust Fund. This amount is $35,929,000 above the appropriation for the current year and $52,353,000 below the request.

The Committee recommendation provides $76,104,000 for requested adjustments to base, including the costs to annualize 429 new positions provided in fiscal year 1998, as well as the cost of the 1999 pay raise, offset by $86,783,000 in base reductions for non-recurring costs resulting from reduced requirements necessary to complete the Integrated Automated Fingerprint Identification System (IAFIS) and equipment provided for in fiscal year 1998.

The Committee also recommends program increases totaling $46,608,000 as follows:

Counterterrorism.—$15,108,000 is provided to continue to build the FBI's capability to counter, investigate and prevent acts of terrorism, as follows:

+$6,120,000 and 31 positions to establish 3 new Computer Investigative and Infrastructure Threat Assessment (CITAC) Teams, to identify the nature and scope of the computer crime problem and investigate significant intrusions or threats to major information infrastructures or networks, including necessary technical equipment.

+$442,000 and 9 positions to staff the Watch and Threat Analysis Unit to provide enhanced coverage;

+$500,000 to support training programs and expand communications and information sharing of computer crime techniques and detection tools;

+$8,046,000 to procure mass spectrometers, polymer-chain reaction (PCR) technology, chemical/biological suits, and portable x-ray machines for each FBI field office for use by FBI Evidence Response Teams and bomb technicians.

Infrastructure Requirements.—The Committee recommendation includes an increase of $30,000,000 for the FBI to begin to improve its information systems by re-engineering its investigative, intelligence, and administrative automated data processing systems. This increase is in addition to $20,000,000 in base funds which have been identified for this requirement, resulting in a total availability of $50,000,000 for this initiative in fiscal year 1999, $20,000,000 below the request.

The Committee believes that such improvements are critical to successful FBI field and headquarters operations. The Committee notes that this is both an organizationally and technically challenging endeavor. Therefore, the Committee believes that the effective development and implementation of such a program is contingent upon strong oversight by the Department, strong program management, early and thorough planning, user input, clearly defined systems objectives and requirements, and appropriate milestones. However, absent a clearly defined strategic framework, the Committee is concerned that such an endeavor will be vulnerable to uncontrolled cost growth and mission failure. The Committee is aware that other Department of Justice components, such as the Drug Enforcement Administration, have successfully implemented similar information technology initiatives. The Committee believes that the experiences learned by the Department will prove invaluable in ensuring the success of FBI's system re-engineering, as well as en-

sure that such a system is compatible with other information technology initiatives currently being implemented Department-wide. Therefore, the Committee expects the Department of Justice to coordinate and oversee this initiative.

Further, the Committee directs that no funds, including existing base resources, be expended for such purpose until a comprehensive five year implementation plan has been submitted to the Committee by the Department and the FBI which includes, but is not limited to, the following: (1) a detailed documentation of user needs, as identified by the user community; (2) a detailed documentation of systems requirements and systems architecture which addresses the highest priority user needs; (3) a detailed procurement strategy which incorporates appropriate risk management and contract management strategies, and includes appropriate project milestones and deliverables; (4) an evaluation of the extent to which other successful Department information systems strategies and approaches can be utilized to help the FBI meet its systems requirements while maximizing efficiencies; (5) an evaluation of the ability of FBI systems to integrate with other separate and Department-wide information technology systems; and (6) a complete development and deployment schedule containing detailed cost estimates. The Committee directs that the FBI not proceed with the award of any contract to implement this initiative until such a plan has been provided to the Committee in accordance with section 605 of this Act.

Fraud Initiative.—The Committee has included $1,500,000 to allow for the FBI's participation in the Housing Fraud Initiative being conducted by the Department of Housing and Urban Development.

Violent Crime Reduction Program.—The Committee recommendation includes $215,356,000, derived from the Violent Crime Reduction Trust Fund, for FBI activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, as amended, and the Anti-terrorism and Effective Death Penalty Act. From within these funds, the Committee expects the FBI to provide funding as follows:

$9,500,000 for grants to States to establish, develop, update, or upgrade computerized identification systems that are compatible with NCIC, DNA forensic laboratories, and automated fingerprint identification systems that are compatible with IAFIS;

$5,500,000 for FBI's Combined DNA Identification System (CODIS), to establish standards to facilitate law enforcement exchange of DNA identification information; and

$4,000,000 for training and investigative assistance.

The Committee has included bill language, as proposed, providing funding for these programs under this heading. Previously, such funding had been provided in the bill under a separate heading for specific purposes.

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

automated data processing, telecommunications and technical equipment, and up to $1,000,000 for undercover operations to remain available until September 30, 2000; (4) not less than $282,473,000 for counterterrorism investigations, foreign counterintelligence, and national security activities; (5) up to $69,846,000 to remain available until expended, of which $8,046,000 is for equipment to address chemical and biological attacks; (7) up to $10,000,000 to reimburse State and local police for assistance related to violent crime, terrorism and drug investigations; (6) $1,500,000 for an independent office for automation of fingerprint identification services; and (7) up to $45,000 for official reception and representation expenses.

In addition, bill language is included, as carried in fiscal year 1998, prohibiting funds from being used to provide for ballistics equipment to State or local entities that have received similar equipment from other Federal agencies. The Committee is aware of concerns expressed regarding possible duplication and lack of interoperability of such systems, and notes that the National Integrated Ballistics Information Network (NIBIN) was created to address such concerns. The Committee urges the FBI to work closely with the NIBIN to ensure interoperability of systems to achieve the best possible technology for State and local law enforcement.

The Committee expects that of the resources provided, $47,800,000 will be used for expenses related to automation of fingerprint identification services, the full amount requested and $36,600,000 below the current level, reflecting the completion of this project. Any change to this amount requires notification to the Committee pursuant to reprogramming requirements outlined in section 605. Furthermore, should additional funds be required to provide for operation and maintenance of the system in fiscal year 1999, the Committee would be willing to entertain a reprogramming in accordance with section 605 of this Act.

In addition, the Committee is aware of concerns that have been expressed regarding the ability of the FBI to process requests for criminal background checks for school bus drivers. Due to the compressed timeframe for recruitment and hiring of such workers, the Committee believes that such checks must be handled in a timely fashion. Therefore, the Committee expects the FBI to take appropriate actions to ensure that sufficient resources are devoted to this activity to ensure expeditious processing of such requests.

CONSTRUCTION

The Committee recommendation includes $11,287,000 for FBI construction, which is $2,859,000 below the request and $33,219,000 below the current year appropriation, reflecting the completion of funding requirements in fiscal year 1998 for construction of a new FBI forensic laboratory. The recommendation provides funding in fiscal year 1999 for the following: (1) $1,287,000 to continue necessary improvements and maintenance at the FBI Academy; and (2) $10,000,000 to continue upgrades to the FBI Academy Firearms Training Facility.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $1,286,000,000 for the Drug Enforcement Administration (DEA) for fiscal year 1999, of which $76,710,000 is derived from the Diversion Control Fund, $405,000,000 is derived from the Violent Crime Reduction Trust Fund, and $8,000,000 is included under the DEA Construction program. The recommendation provides an overall net increase of $73,912,000 over the current year appropriation and $31,030,000 above the President's request.

The Committee continues to be concerned with the alarming increase in drug use by teenagers and the increasing availability of drugs in the United States. Data on supply levels indicate record low prices and record high purities for heroin and cocaine, record emergency room admissions for drug-related incidents, and an increase in juvenile drug use by 150% since 1992. In response, the Committee has included resources above the amount requested, to continue to wage a full-scale counternarcotics attack and focuses these resources on effective cocaine, heroin and methamphetamine strategies, including continued international efforts to ensure successful enforcement activities in Source Countries and Transit Zones, and investigation of major drug trafficking organizations. The Committee recommendation provides an increase of $43,258,000 for requested adjustments to base, including the costs to annualize 538 new positions provided for in fiscal year 1998, offset by $47,129,000 in base reductions from one-time costs provided for in fiscal year 1998 associated with these new positions. In addition, the recommendation provides the following program increases:

Source Country and Transit Zone Initiative.—The Committee recommendation includes $29,298,000 and 29 new agents to continue the Source Country and Transit Zone initiatives begun in fiscal year 1997, an increase of $20,630,000 above the request, as follows:

+$4,238,000, including 12 additional agents, to continue the Source Country and Transit Zone initiative initiated by the Committee in fiscal year 1997;

+$6,178,000, including 17 additional agents, to continue the Caribbean Strategy and other international enforcement efforts initiated by the Committee in fiscal year 1998, including office expansions in Ponce, St. Thomas, St. Croix, Barbados, Curacao, Jamaica, Haiti, the Dominican Republic, and the Philippines, and to establish new offices in Tashkent, Hanoi, and Trinidad-Tobago to address Asian drug trafficking and cocaine trafficking. In addition, $1,415,000 is provided for 5 additional intelligence analysts for DEA activities to address Mexico trafficking;

+$3,500,000 for advanced technical and aviation equipment to support regional operations in the Caribbean;

+$8,272,000 for continued implementation of DEA's FIREBIRD data processing system and MERLIN intelligence system to overseas locations;

+$4,500,000 for surveillance and electronic intercept equipment in source country and transit zones;

+$1,075,000 and 5 positions for improved security at DEA overseas locations; and

+$120,000 for equipment to improve DEA mobility along the Bolivian border.

The Committee is concerned about the DEA's inability to fully deploy the investigative resources provided for source and transit country activities in previous years, as evidenced by a recent report indicating overseas investigative strength at less than 75% of the total authorized and funded staffing level. Therefore, the Committee expects the DEA to review this situation and report back to the Committee, not later than February 1, 1999, on the actions taken to rectify this situation. In addition, the Committee expects the DEA to continue providing quarterly reports on the investigative workhours and funding, by type, within major drug source and transit country, delineated by country and function, with the first such report to be provided to the Committee by October 15, 1998.

In addition, the Committee is aware that coastal surveillance systems may exist which could enhance drug enforcement and interdiction efforts in the Caribbean and other transit zones. Within the amounts provided, the Committee expects the DEA to conduct a feasibility study, in collaboration with the Coast Guard, the Department of Defense and other appropriate Federal agencies, on the use of such a system. Such a study should identify the feasibility of such system to meet each agency's mission requirements, as well as identify the most appropriate agency or agencies to utilize such a system.

Domestic Support for Caribbean Initiative.—The Committee recommends $5,632,000 and 70 positions (42 new agents) to enhance DEA domestic offices being affected by the influx of trafficking from the Caribbean, as requested.

Methamphetamine Initiative.—The Committee recommendation also includes an increase of $24,459,000 and 223 positions (100 new agents) targeted at methamphetamine production and trafficking. The Committee recognizes that methamphetamine is quickly becoming the growth drug of the 1990's. Methamphetamine, known on the street as "crank", "ice" and "speed", is a dangerous stimulant that results in the same addiction cycle and physiological trauma associated with crack cocaine. Congress recognized the urgency of this problem and in fiscal year 1997 provided DEA with an additional 30 positions and $2,394,000 to focus on methamphetamine trafficking on the Southwest border, and an additional 54 agents and $11,046,000 in fiscal year 1998. In addition, $38,000,000 was also provided in fiscal year 1998 under the COPS program to assist State and local law enforcement in combating this problem. The recommendation provides a further enhancement for these efforts, for the following activities:

+$13,679,000 and 156 positions (100 new agents) for increased enforcement to target major methamphetamine trafficking organizations;

+$5,288,000 and 67 positions to augment domestic chemical control efforts to address the surge in methamphetamine trafficking;

+$4,100,000 for hazardous waste removal and laboratory service activities at clandestine laboratory sites;

+$1,000,000 to complete replacement of DEA's aging fleet of specialized vehicles; and

+$392,000 to establish a National Clandestine Laboratory Database at the El Paso Intelligence Center.

In addition, the Committee recommendation includes $50,000,000, not requested in the budget, under the Community Oriented Policing Services program solely to continue the Committee's initiative to address State and local law enforcement requirements for methamphetamine enforcement and other drug "hot spots."

Heroin Strategy.—The Committee recommendation includes $12,926,000 and 148 positions (95 special agents), the full amount requested, to continue a five year strategy to augment enforcement efforts against major heroin traffickers and to reduce the availability and purity of heroin within the United States.

Investigative and Intelligence Requirements.—The Committee recommendation also includes $20,468,000 to address crucial infrastructure needs, $10,400,000 above the request, including the following:

+$8,000,000 for 120 additional intelligence analysts, above the number requested;

+$2,400,000 for continued development and implementation of automation systems to support intelligence and investigative requirements;

+$7,002,000 for improvements in cooperative drug law enforcement operations at the Federal, State, and local level;

+$3,066,000 and 2 positions for establishment of an alternative backup site for DEA's Network Control Center.

Drug Diversion Control Fee Account.—The recommendation includes $76,710,000 for DEA's Drug Diversion Control Program for fiscal year 1998, the full amount requested, and $18,442,000 above the amount provided in 1998. The Drug Diversion Control Program is responsible for control of diversion, distribution, manufacture and abuse of legitimate pharmaceuticals. DEA annually registers in excess of 900,000 drug handlers, of which over 1,670 are manufacturers, distributors, importers, exporters, and others handling large volumes of controlled substances. These registrants pay fees which fully support the cost of this program.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to $70,000 for unforeseen emergencies; (2) for expenses for drug education and training programs; (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 $10,000,000 for automated data processing and telecommunications, and up to $2,000,000 for laboratory equipment, $4,000,000 for technical equipment and $2,000,000 for aircraft replacement parts to remain available until September 30, 2000; and (6) up to $50,000 for official reception and representation expenses. In addition, bill language is recommended, as requested, providing funds for the Violent Crime Re-

duction Program under this heading, instead of under a separate heading as provided for in previous appropriations acts.

CONSTRUCTION

The Committee recommendation includes $8,000,000 for DEA construction, the full amount requested for a multi-year project to reconstruct five of DEA's eight laboratory facilities which are severely deteriorating, have severe space shortages and have environmental conditions that pose health risks. This funding provides the second installment of a five year initiative to reconstruct these facilities.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

The Committee recommends total new budget (obligational) authority of $4,137,588,000 for the Immigration and Naturalization Service for fiscal year 1999. This is an increase of $340,199,000 over the current fiscal year, and $51,351,000 below the budget request. Of the total amount recommended, $866,490,000 is derived from the Violent Crime Reduction Trust Fund, $1,570,014,000 will be derived from offsetting fee collections and $81,570,000 is included under the INS construction program.

The total funding level of INS includes an increase of $225,523,000 in appropriated funding over fiscal year 1998 for base increases, 1,000 additional Border Patrol agents, and interior enforcement. An additional $79,598,000 is included over the request, based on the most recent INS estimates for the Immigration Examinations Fund, to be used for reductions in the backlog of naturalization and other immigration-related applications.

INS Organization and Management.—The Congress has recognized, and has attempted to correct, resource deficiencies in the INS which for years has jeopardized the agency's ability and effectiveness in controlling illegal immigration and providing timely service to those seeking admission under the legal immigration system. Over the past two years, INS has grown by almost 40%, as a result of Congress providing unprecedented increases in resources for INS—over $500 million each year in 1996, 1997 and 1998—and the largest growth in any Department of Justice agency during this period.

The Committee believes that a lack of adequate resources is no longer an acceptable response to INS's inability to adequately address its mission responsibilities. INS is overwhelmed with the task of handling its responsibilities, resulting in a broken immigration system.

Although there has been some level of progress on the border, primarily in California, control along the U.S.-Mexico border is only one facet of the problem of illegal immigration. By recent INS estimates, there are over 5 million illegal aliens in the U.S., the same peak level of illegal immigrants in the country as 1986, which prompted the passage of the Immigration Reform and Control Act of 1986. Each year, more illegal aliens enter the U.S. than are removed by the INS: while the INS estimates that about 250,000 additional illegal aliens are added to the U.S. population each year,

in fiscal year 1997, only about 112,000 illegal aliens were removed. And yet, today INS has more than triple the resources it had in 1986 to do its job.

Intending immigrants legitimately seeking green cards, naturalization, and other immigration benefits are not receiving the service they paid for due to inefficient INS processing. While the national average waiting time for naturalization processing is 15–16 months, in some parts of the country the wait can be two or more years. While the number of new naturalization applications received have decreased, the number of pending naturalization applications continues to increase. Fraudulent applications for immigration benefits are frequently not investigated.

In the past three years, resources have been increased by over 94% for enforcement activities and 150% for service activities, yet have yielded mixed results. As a result, last year the Committee directed the Attorney General to review recommendations for restructuring, organizing, and managing these responsibilities outlined in a report in September, 1997, by the Commission on Immigration Reform. That review, submitted by the White House, rejected the recommendations by the Commission and instead proposed a new reorganization structure, which would keep both the immigration enforcement and immigration-related services functions within INS but would establish separate chains of command for both functions from the field to headquarters.

The Committee believes that the establishment of clearer chains of command would be a start in making the INS a more efficient, accountable, and effective agency. Consistent with the concept of the separation of immigration enforcement from service proposed by both the Commission on Immigration Reform and the Administration, the Committee has provided for a separation of INS funds. Two new accounts have been included: Enforcement and Border Affairs, and Citizenship and Benefits, Immigration Support and Program Direction. These accounts correspond to existing decision units within the current INS Salaries and Expenses account. INS enforcement funds are placed under the Enforcement and Border Affairs account. All immigration-related benefits and naturalization, support and program resources are placed under the Citizenship and Benefits, Immigration Support and Program Direction account. Neither account includes revenues generated in various fee accounts to fund program activities in both enforcement and service functions which are in addition to the appropriated funds and are discussed below in this report. Funds for INS construction projects continue to fall within the INS construction account.

Under the new accounts, the Committee recommends for fiscal year 1999 $1,096,431,000 for Enforcement and Border Affairs, $523,083,000 for Citizenship and Benefits, Immigration Support and Program Direction, and $866,490,000 from the Violent Crime Reduction Trust Fund.

The Enforcement and Border Affairs account is comprised of the following amounts: $944,148,000, which assumes $24,612,000 in base restoration, instead of $50,938,000, as proposed in the budget, for the existing activities of Inspections, Border Patrol, Investigations, Detention and Deportation, and Intelligence; and program increases of $103,000,000 for the Border Patrol and $49,283,000 for

interior enforcement. This amount and the amounts from the Violent Crime Reduction Trust Fund provide the total appropriation for these activities.

The Citizenship and Benefits, Immigration Support and Program Direction account includes $521,083,000 for the existing activities of Citizenship and Benefits, Immigration Support and Management and Administration, and a program increase of $2,000,000 for the Office of Internal Audit.

The Committee has again included provisions that maintain the level of staffing for the INS Offices of Congressional and Public Affairs and the number of non-career employees at their current level.

Naturalization.—The Committee has expressed its disappointment with INS's handling of over 1.8 million applications for citizenship during fiscal year 1996. Although INS was fully aware that this workload was increasing, it did not implement critical changes to the applicant process to address integrity deficiencies which were pointed out as far back as 1994 by both the Inspector General and the General Accounting Office. This lack of management attention to this most significant responsibility is a clear example of the agency trying to handle too many priorities at once. The result of this management failure to correct the naturalization process, was not only the granting of citizenship to ineligible applicants, including criminals, but a degradation of this benefit for the many applicants who were deserving of citizenship.

Last year, the Committee supported a series of independent audits by KPMG Peat Marwick (KPMG) of all naturalization case files under this program. In January of 1998, KPMG issued its finding on a sampling of case reviews (a large enough sampling to project error rates for the entire 1.05 million cases of naturalized aliens) conducted to determine the extent to which naturalization applications were correctly processed during the Citizenship USA period. KPMG found that 91 percent of the cases contained at least one processing error, the most prevalent of which was the lack of evidence that a fingerprint card was sent to the FBI for a criminal background check. Of those cases, KPMG found that 38,845 cases can be projected to have been "presumptively ineligible" to receive naturalization due to lack of evidence to confirm the following statutory requirements: (1) the fulfillment of the U.S. residency requirement; (2) the successful passage of the history, civics or English requirements; (3) the absence of criminal records that might make the applicant ineligible; or (4) an applicant's possession of "good moral character."

The Committee believes that one of the highest priorities for INS continues to be the need to restore integrity to the naturalization process. The Committee provided an increase in spending for naturalizations of over $95 million during fiscal years 1996 and 1997 and $163 million for fiscal year 1998—a total of $258 million increase in 3 years.

The Committee continues to be concerned with the lack of accountability for these grave management failures that have occurred within the INS.

Fingerprinting of Applicants and Procedures for Criminal Record Checks.—In fiscal year 1998 the Committee recommendation in-

cluded funds to support the purchase and installation of live fingerprint scanners in all INS field offices and card scanners at the Service Centers, additional staff to take fingerprints and associated training, additional space and supplies, and staff to conduct audit and oversight activities.

The Committee understands that INS has opened 68 freestanding Application Support Centers (ASC) and 52 ASCs collocated within existing INS offices. Additionally, 41 law enforcement agencies have been designated as authorized to take fingerprints for applicants for immigration benefits requiring FBI background checks. By the end of July 1998, mobile routes are scheduled to be fully operational. Also, INS has purchased approximately 100 live scan fingerprint machines and intends to purchase approximately 300 additional machines. These machines will enable INS to electronically take, store, and transmit fingerprints, reducing total INS-FBI processing time, error rates, and lost cards.

Revocation of Citizenship for Criminals Improperly Naturalized.—As a result of the audit review of criminal records of 81,000 persons naturalized in 1996, the Committee understands that INS originally planned to initiate proceedings to revoke the citizenship of approximately 6,300 persons. While the Committee understands that this is not the entire number of persons who may have been improperly naturalized, this revocation initiative alone will be a significant undertaking for the INS, which in the past four years has revoked citizenship for a total of 14 persons.

The Committee understands that, as of June 18, 1998, 3,968 of the approximately 6,300 cases referred from the audits have been reviewed by the Central Revocation Unit. Of those, Notices of Intent to Revoke have been issued in 2,507 cases, and 1,461 cases have been found not legally sufficient to proceed with revocation. The Revocation Unit has issued 45 final decisions with six cases affirming naturalization, 27 cases terminating administrative proceedings and 13 cases revoking naturalization. To date, only 1 person has actually been removed. Additionally, a notice to appear for removal proceedings has been issued to one other person who is currently in prison following conviction on state arson charges and who is serving a minimum sentence of seven years.

Three years after discovering the scandal of Citizenship USA, only one wrongly naturalized person has been removed, even after assurances from the Commissioner that INS will not rest until all wrongly naturalized persons have had their naturalization revoked and have been removed. The results to date prove that the damage caused by Citizenship USA may never be repaired. The Committee, the Congress and the American people demand better from the INS and deserve better results.

Border Control.—While some level of border control is being witnessed on parts of the Southwest border, namely in San Diego, the Committee attributes this to a doubling of border patrol agents and technology in this region, and a targeted and focused plan for deployment of these resources to this location. Over the last three years the Committee has added over 2,800 new agents to the border, compared with budget requests totaling 1,900 new agents. In addition, the Committee has provided additional management, technology, infrastructure and training support in order to build

the capacity within INS to effectively recruit, hire, train and deploy border patrol agents and provide these agents with the equipment and technology necessary to control the border. The Committee recognizes that a large part of the Southwest border is still experiencing large influxes of illegal crossings and requires additional personnel. The Committee recommendation includes an increase of $103,000,000 to enhance border control to hire 1,000 new border patrol agents and 140 support personnel.

Over the past several years, the Committee has provided significant funding for a variety of high technology systems at the border, such as Intelligent Computer Aided Detection, Remote Video Surveillance, Integrated Surveillance Intelligence System, Unattended Ground Sensors, and agent support equipment to enhance the Border Patrol's capabilities. While the Committee supports the use of technology and believes that it enhances the effectiveness of Border Patrol officers, the Committee is concerned that it has inadequate information about INS's long-term modernization plan. The Committee directs the INS to develop and submit to the Committee by December 1, 1998, its plan for the development, testing, and deployment of all current technologies, as well as any other additional technologies that the INS is pursuing. The Committee also directs that this plan address INS's plans to train Border Patrol agents in the use of these technologies and how current operational doctrine would need to be adjusted to effectively utilize the information gathered with high technology systems. Additionally, the plan should include whether or not funds previously appropriated for detection systems on the Southwest border, including Smart Multisensor Acquisition and Remote Transmitting System, were actually spent for that purpose.

The Committee understands that a test is planned for use of unmanned aerial vehicles in the current fiscal year and directs the INS to provide a report by November 1, 1998 on INS's assessment of the feasibility of using this technology and whether or not it would enhance or duplicate current capabilities.

The Committee is aware of ongoing problems due to direct and indirect impacts of illegal immigration on the Cleveland National Forest near San Diego. Although improvements have occurred, the Committee directs the INS to work more closely with the Forest Service and the Bureau of Land Management in this area and other federal land areas near the Mexican border to protect natural and human resources and provide increased border protection.

The Committee directs the INS to report on current plans for Border patrol road and fence improvements, including preparatory archaeological or other assessments along the New Mexico border, by November 15, 1998.

Interior Enforcement/Removal of Deportable Aliens.—The Committee recognizes that addressing illegal border crossings is only one facet of controlling illegal immigration. The INS Investigations program and Detention and Deportation programs are the primary enforcement programs focused on apprehending and removing illegal aliens residing in the United States. Over the past three years, Congress has provided significant increases to these programs: an additional 662 positions and $94,576,000 or a 56 percent increase in the Investigations program; and an additional 1,530 positions

and $427,307,000 or a 150 percent increase in the Detention and Deportation program. The Committee is aware that INS has underutilized these resources.

The Committee understands that there are currently hundreds of thousands of outstanding orders of deportation in which an Immigration Judge has ordered someone deported and INS has failed to locate or remove these people from the United States. Additionally, INS's worksite enforcement strategy does not focus on the deportation of illegal workers. INS does not track and therefore was unable to provide to the Committee information on the number of deportations resulting from worksite apprehensions.

The Committee is also aware that the cornerstone of INS's strategy to deport criminal aliens—the Institutional Removal Program (IRP)—only produced 14,851 deportations in 1997—1,149 below their original goal of 16,000—despite increases in resources of 700 positions and over $80 million over the past two years specifically for this program. Currently, less than 30 percent of eligible prisoners complete IRP processing before they leave prison, and an even smaller percentage actually are deported. The General Accounting Office estimates that, as a result, the INS still spends tens of millions of dollars annually in preventable costs of detaining criminal aliens after their release. Therefore the Committee's recommendation does not include funds for the Administration's proposal to expand the existing program.

However, the Committee understands that the IRP currently uses special agents and instead may be able to use immigration agents to perform the same duties. The Committee directs the INS to fully explore this possibility. If the exchange is feasible, the Committee would entertain a request to move the special agents to more appropriate programs, such as alien smuggling and criminal alien identification and apprehension, and fill the IRP positions with immigration agents.

Last year, the Committee requested that INS submit an interior enforcement plan by April 1, 1998. Based on testimony by the Commissioner, it was apparent that the INS had no intention of meeting the deadline and, when pressed, cobbled together some existing materials. Instead, INS has promised a "real report" in the fall of 1998—just as the 1999 fiscal year begins. Yet INS has requested that the Committee provide $90,843,000 for its interior enforcement program increase—purportedly one of the INS's key initiatives for fiscal year 1999. Apparently the INS believes that this Committee should blindly fund a program for which INS itself does not even have a strategy. Therefore, the Committee's recommendation includes a new interior strategy and has not included funding for the Administration's proposal.

This Committee has heard numerous complaints from Members of Congress, state and local law enforcement officers, and U.S. citizens about how INS does not respond to calls to take into custody illegal aliens. The story is the same: State or local police apprehend persons they believe to be illegal aliens. They call INS to confirm that they are illegal and to ask INS to take the illegal aliens into custody. Frequently, INS does not even answer the phone. Other times, INS simply refuses to take the illegal aliens into custody. Time after time, in city after city, town after town, the police, with

no authority to detain the illegal aliens unless state criminal laws are broken, must let them go. The complaints do not just come from the States with the largest numbers of illegal aliens, like California and Texas—they come from Nebraska, North Carolina, Iowa, Arkansas, Tennessee, Utah, and Kentucky.

In 1996, Congress enacted a provision within the Illegal Immigration Reform and Immigrant Responsibility Act which called for INS to deputize State and local law enforcement officers to assist INS in carrying out any of the federal immigration laws. Nearly two years later, the INS has yet to deputize one state or local law enforcement officer. This type of neglect is not due to lack of resources or authority but lack of commitment to do a better job.

The Committee will not tolerate this unresponsiveness from INS any more. With over 5 million illegal and criminal aliens in the U.S., INS must find ways to enhance its capabilities by teaming with state and local law enforcement officials in identifying and removing illegal aliens. Other federal law enforcement agencies, such as the Federal Bureau of Investigation, the Drug Enforcement Administration and the Coast Guard, coordinate efforts with State and local law enforcement to maximize efforts and produce comprehensive strategies. INS needs to do the same.

The Committee recommendation includes $46,171,000, of which $24,800,000 is for the following:

—In order to provide for a coordinated response for illegal and criminal alien pickup and removal, $3,000,000 to establish a 24-hour 1–800 number for state and local law enforcement officers to call to arrange for the apprehension and removal of illegal and criminal aliens located by state and local law enforcement officials. The funding includes 17 positions and expenses for training and equipment. At the 1–800 number, staff will be responsible for contacting the appropriate INS office to arrange details for bringing the illegal aliens into custody.

—$21,800,000 for 50 Quick Response Teams (QRT) to work with State and local law enforcement officers to take into custody and remove those aliens determined to be removable. Each QRT will have at least four INS employees, made up of special agents, immigration officers, and detention and removal officers and will follow the cases through until the aliens are, where appropriate, removed. The makeup of the teams may vary, depending on the needs of the area they are serving. In order to further accommodate this program, each INS district office will have a contact person or persons on call 24 hours a day. In order for responses to State and local law enforcement to be timely, the QRTs must be available to be deployed soon after calls come in. Therefore, the Committee directs INS district directors to make this program a high priority and ensure that the teams may respond to calls in a timely manner.

The Committee further directs the INS to report to the Committee on its proposed deployment of the teams by December 1, 1999. The Committee directs that special attention be paid to areas with high concentration of illegal aliens, drug smuggling corridors, and areas which in recent years have experienced a substantial increase in illegal immigration.

In addition, the Committee recommendation includes $21,371,000 for the following detention and removal costs to support the new interior enforcement plan:

+$9,400,000 for activation of an additional 400 bedspaces at Port Isabel;

+$1,971,000 for additional 126 beds of juvenile detention space;

+$3,000,000 for additional contract detention space;

+$7,000,000 for other removal costs.

The Committee directs that, by the end of fiscal year 1999, the INS will improve its response rate to State and local law enforcement officers from the current 30 percent to 60 percent of all calls from State and local law enforcement officers. The Committee directs the INS to submit quarterly reports, beginning the second quarter of fiscal year 1999, indicating the number of calls to the 1–800 number, the number of aliens to be taken into custody per call, the actual response time from the time of the call to actual pick up, the number of aliens determined to be removable, and the actual disposition of each case.

In addition, the Committee recommendation includes $3,112,000 for participation in joint task forces on terrorism, to assist in the identification and apprehension of alien terrorists.

The Committee also has provided that unobligated funds available under the Community Oriented Policing Services program for technology for law enforcement may be used for State and local law enforcement officials to purchase videoteleconferencing equipment or other useful technology to allow them to contact INS after apprehending an illegal alien for a crime, for the purpose of confirming the alien's illegal status. The Committee understands that the INS has an ongoing pilot program in San Diego, the Criminal Alien Apprehension Program, using this technology to identify criminal aliens in local jails at the time of booking and directs INS to report on the results of this program by December 1, 1998. Both of these programs are intended to complement the Criminal Alien Identification and Intervention Program (P.L. 105-141), a successful cooperative effort between INS and California's Department of Justice and Department of Corrections, which allows local law enforcement agencies to quickly identify criminal aliens. In addition, the Committee expects that within the resources provided for detention and removal of aliens, the INS will continue to support this program at its current levels and provide an additional $5,000,000 for expansion of the program both in and outside of California from within existing resources.

Additional Detention Needs.—The Committee directs the INS to submit a report by May 1, 1999 on the anticipated detention needs of the INS over the next three years, including INS detention capacity on the Tohono O'odham Nation's reservation in southwest Arizona and in Utah.

The Committee recommends that the INS expand the ambulance service pilot project for Nogales, Arizona, established in the fiscal year 1998, to Imperial County in fiscal year 1999.

The Committee recommendation assumes continuation of base funding for verification systems. The Committee expects these resources to be used only for employment eligibility verification pilot

programs that comply with program requirements contained in sections 401 through 405, Subtitle A of Title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

The Committee is aware of successful interior enforcement operations at "choke points" (e.g., mountain passes) to halt illegal aliens heading towards the Southeastern states. The Committee believes that INS should continue to deploy personnel to these locations to conduct these operations on a seasonal or year-round basis.

Deployment of Resources.—The Committee expects that INS will continue to deploy new border patrol agents to the Southwest border and southern coastal states to support the greatest areas of illegal traffic. The Committee expects these personnel to be assigned to the "front-lines" on the immediate border. The Committee directs INS to consult with the Appropriations Committees of both the House and the Senate before a final allocation of new positions is determined.

Offsetting Fee Collections

The Committee recommends a total of $1,570,014,000 in offsetting fee collections, an increase of $114,676,000 over the current year, to support activities related to the legal admission of persons into the United States. These activities are supported primarily by fees paid by persons who are either traveling internationally or are applying for immigration benefits. The following increases are recommended:

Inspections User Fees.—The Committee recommendation includes $486,071,000 of spending from offsetting collections in this account and does not assume the removal of the exemption for cruise ship passengers. The Committee recommendation provides for the following inspections activities:

+$17,668,000 for pay and inflation base adjustments;

+$7,657,000 to provide 100 additional inspectors at airports to maintain the 45-minute standard at airports;

+$2,069,000 for 60 asylum officers and 20 support staff, for the expedited removal process;

+$1,875,000 for 12 positions, for mandatory detention necessary to support the expedited removal process;

+$19,520,000 for 217 positions for departure management automation initiatives to monitor the control of aliens departing the United States and to facilitate the pilot of a system of exit controls;

+$3,961,000 for 16 attorneys, 8 legal support, and 10 management support positions, for legal proceedings staffing to support the expedited removal program;

+$600,000 for 10 officers for international program to train international airline carrier personnel and other overseas operations in fraudulent document detection and antismuggling operations.

Immigration Examinations Fees.—The Committee recommendation includes $906,000,000 of spending from offsetting collections from persons applying for immigration benefits. This is an increase of $120,650,000 over last year, and $79,958,000 over the requested budget and represents INS's most recent estimate of collections available in fiscal year 1999.

The backlog for new naturalization applications has increased to 1.9 million cases, a 33 percent increase in the backlog from May of 1997, even though the number of new applications received has declined by 41 percent since a year ago—74,832 new cases in May of 1998 compared with 125,776 new cases in 1997. The backlog for immigration benefits has also grown—nearly 2 million cases were pending by the end of May 1998, even though in May 1998 the receipt of new immigration benefits applications had decreased from last May by 25 percent (314,946 new applications as of May 1998 versus 420,328 new applications as of May 1997). The Committee provided an increase in spending for naturalization processing of over $95 million during fiscal years 1996 and 1997 and $163 million for fiscal year 1998—a total increase of $258 million over 3 years.

Due to the extraordinarily long processing time for naturalization and other immigration-related benefits, the Committee recommends that the increase in funds estimated to be available under the Exams fee account be used to work exclusively on the backlogs. The Committee directs that Backlog Reduction Action Teams (BRAT) be formed with term employees to work on naturalization backlogs. The Committee directs INS to send these teams to the Service Centers and to any major INS processing location where the backlog for naturalization is greater than 18 months. When the backlog in those locations has been reduced to 12 months, the teams should be sent to the locations which have backlogs of 15 months or more. When all naturalization processing locations have reduced their backlogs so that processing can be completed within 15 months, INS may use these teams to address backlogs in other processing areas, such as adjustment of status applications.

Accessability to reliable records remains an important element of processing both immigration benefits and detecting benefits fraud. While the Committee continues to have concerns about the INS's $134,000,000 plan to create a records centralization center, the Committee will continue to work with INS to determine an acceptable solution to this problem. Until then, the Committee directs that resources be devoted to standardize records procedures, ensure that multiple files on any individual are consolidated and updated, and automate A files. Also, the Committee directs the INS to establish anti-fraud teams to be located at INS Service Centers and other high volume adjudications offices to assist in the detection and investigation of immigration benefit fraud.

The Committee directs that, based upon recent INS estimates of $79,598,000 of expected revenues to the Exams Fee Account for 1999, for which no use has yet been proposed, the following be done for the formation of Backlog Reduction Action Teams (BRAT):

+$61,598,000 for 520 term employees to adjudicate naturalization cases in the backlog and then, when backlogs have been reduced so that processing times are no more than 12 months, the teams of term employees may be used to reduce backlogs on other immigration benefits with excessively high waits, including $7,500,000 in contract clerical workers, $8,000,000 in overtime costs, $2,225,000 in costs associated

with reprinting expired fingerprints, and $790,000 in computer support costs;

+$10,100,000 for INS records to standardize records procedures and ensure that multiple files on any individual are consolidated and updated; and

+$7,900,000 for 70 positions, including 32 special agents, to anti-fraud teams to be located at INS Service Centers and other high volume adjudications offices to assist in the detection and investigation of immigration benefit fraud.

Land Border Inspections Fees.—The Committee recommendation includes $3,275,000 in spending from the Land Border Inspection Fund, an increase of $232,000 over the current year. The current revenues generated in this account are from Dedicated Commuter Lanes in Blaine and Port Roberts, Washington, Detroit Tunnel and Ambassador Bridge, Michigan, and Otay Mesa, California and Automated Permit Ports which provide pre-screened local border residents border crossing privileges by means of automated inspections.

Immigration Breached Bond/Detention Fund.—The recommendation includes $169,870,000 in spending for detention of illegal aliens from the Immigration Breached Bond/Detention Fund in fiscal year 1999, a decrease of $65,402,000 over the current year appropriation and $25,000,000 above the request. Resources available in this Fund are derived from the recovery of breached cash and surety bonds in excess of $8,000,000 which are deposited in the Fund as offsetting collections. In addition, resources are also available in this account from a portion of fees charged under section 245(i) of the Immigration and Nationality Act, which expired on January 14, 1998. Carryover balances from 245(i) fees collected in fiscal year 1998 remain in this account for expenditure in fiscal year 1999.

Other provisions.—The Committee has again included a provision in the bill that authorizes and directs the Attorney General to impose disciplinary actions, including the termination of employment, under the same policies and procedures applicable to employees of the Federal Bureau of Investigation, for any INS employee who violates Department policies and procedures relative to granting citizenship or who willfully deceives the Congress or Department Leadership on any matter.

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 of a confidential nature; (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; (4) for research up to $400,000 to be available until expended; (5) up to $10,000,000 for basic officer training; (6) up to $5,000,000 for payments to State and local law enforcement agencies engaged in cooperative activities related to immigration; (7) not in excess of $30,000 to be paid to individual employees for overtime; (8) up to $5,000 to be used for official reception and representation expenses; (9) funds in this Act or any other Act may not 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; (10) specifies the level of funding for the Office of Legislative and Public Affairs; (11) limits the amount of funding available for non-career positions; and (12) directs and authorizes the Attorney General to impose disciplinary actions, including termination of employment, for any INS employee who violates Department policies and procedures relative to granting citizenship or who willfully deceives the Congress or Department Leadership on any matter.

In addition, new bill language is included to (1) establish separate headings for Enforcement and Border Affairs and Citizenship and Benefits, Immigration Support, and Program Direction; and (2) provide authority to the Attorney General to align resources under these accounts, as well as from the Violent Crime Reduction Trust Fund account and fee accounts, among these functions.

CONSTRUCTION

The Committee recommends $81,570,000 for Construction projects for the Immigration and Naturalization Service for fiscal year 1999. The recommendation is $5,611,000 above the current year appropriation and $36,600,000 below the request.

Border Control Projects.—Of the amount recommended, $41,194,000 is for construction and engineering of the following border patrol facilities to meet space requirements for the additional agents on the Southwest border:

Full construction and renovation projects—

—Falfurrias, TX, Border Patrol Station, $4,625,000
—Hebbronville, TX Border Patrol Station, $3,612,000
—Sierra Blanca, TX Border Patrol Station, $2,752,000
—Brownsville, TX Border Patrol Station, $6,800,000
—Del Rio, TX Border Sector Headquarters, $3,097,000
—Yuma, AZ Border Patrol Sector Headquarters, $6,750,000
—El Centro, CA Border Patrol Station, $5,603,000
—El Centro, CA Border Patrol Sector Headquarters, $2,842,000

Planning/site acquisition/design projects—

—Harlingen, TX Border Patrol Station, $326,000
—Sanderson, TX, Border Patrol Station, $238,000
—McAllen, TX Border Patrol Sector Headquarters, $954,000
—Laredo, TX, Checkpoint stations (3 sites), $128,000
—Del Rio, TX Checkpoint stations (4 sites), $173,000
—Yuma, AZ Border Patrol Station, $537,000
—Tucson, AZ Border Patrol Sector Headquarters, $1,330,000
—Douglas, AZ, Border Patrol Station, $300,000
—Yuma, AZ, Checkpoint stations (3 sites), $128,000
—Tucson, AZ Checkpoint stations (3 sites), $128,000
—Campo, CA Border Patrol station, $424,000
—Temecula, CA Border Patrol station, $447,000

Military Engineering Support Projects for the Border Patrol.—Of the amount recommended, $7,039,000 is provided for military support projects.

Detention facilities projects.—Of the amount recommended, $12,649,000 is provided for construction of additional detention bedspaces, including the following projects:

New Construction—

—Port Isabel, TX Service Processing Center, $1,000,000
—Florence, AZ Service Processing Center $4,607,000
—El Centro, CA facility, $4,193,000
—Varick Street, NY Service Processing Center, $900,000
Planning/Site/Design Projects—
—Port Isabel, TX Service Processing Center, $300,000
—El Paso, TX Service Processing Center, $1,149,000
—El Centro, CA Service Processing Center, $500,000

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The Committee recommends $2,948,853,000 for the Salaries and Expenses of the Federal Prison System for fiscal year 1999, including $26,499,000 from the Violent Crime Reduction Trust Fund. This amount is $5,800,000 more than the budget request, and an increase of $101,076,000 over the total amount available in the current year.

The Committee recommendation recognizes the critical importance of providing adequate space for the incarceration of sentenced and unsentenced Federal prisoners, and the need to activate newly constructed prison facilities. The recommendation provides for requested adjustments to base, including $98,307,000 to annualize positions provided in 1998 for new prison activations.

Activation of New Prisons.—The Committee also includes $2,769,000, to fund 46 additional positions for activation of a low security expansion at the Federal Correctional Institution at Loretto, Pennsylvania. This expansion will add 200 beds to help relieve overcrowding at low security institutions in the Northeast Region.

The Committee understands that the Bureau of Prisons administers a parcel of land in San Joaquin County, which currently is unused. The Committee directs the Bureau to provide an assessment of whether it has any need for this site, recommendations as to the possible transfer of this land to the locality, and options for an exchange for other land, by August 15, 1998.

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 for activation of prisons to remain available until September 30, 2000; (7) up to $20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants; and (8) the Federal Prison System to enter into contracts and other agreements with private entities for a multi-year period for the confinement of Federal prisoners.

BUILDINGS AND FACILITIES

The Committee recommends a total of $413,997,000 for fiscal year 1999 for the construction, modernization, maintenance and re-

pair of prison and detention facilities housing Federal prisoners, which is the amount requested in the budget. This amount is $158,864,000 above the amount provided in fiscal year 1998. In addition, in fiscal year 1998, $302,000,000 was appropriated in the District of Columbia Appropriations Act for activities now funded under this account.

The recommendation provides the full request for adjustments to base and $300,000,000 for construction of three Federal Correctional Institutions and partial funding of a fourth to provide additional capacity to accommodate the space requirements for the transfer of D.C. sentenced felons to the Federal Prison System as mandated by the District of Columbia Revitalization Act. The Bureau is expected to consult with the Committee with respect to the siting and planning of these facilities.

In addition, the Committee recommendation provides that the Bureau of Prisons will continue construction of holding cells for use by the U.S. Marshals Service and provides $3,300,000 under this account for that purpose, including $1,000,000 for the construction of juvenile holding cells. This amount is $1,000,000 more than was provided in fiscal year 1998 and $3,000,000 less than the request, which would have funded this activity as a separate Construction account under the U.S. Marshals Service.

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; and (6) up to 10 percent of this appropriation to be transferred to the Salaries and Expenses account.

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

The Committee recommends a limitation on administrative expenses of $3,266,000 for the Federal Prison Industries, Incorporated for fiscal year 1999, which is the full amount requested and the same amount as the current year limitation.

OFFICE OF JUSTICE PROGRAMS

The Committee recommends a total of $3,427,909,000 in new budget (obligational) authority for fiscal year 1999, including $2,371,400,000 from the Violent Crime Reduction Trust Fund, for the various law enforcement assistance programs, juvenile prevention programs, and research and statistics programs of the Office of Justice Programs (OJP). This amount represents an increase of $57,734,000 over the current year appropriation and $400,539,000 above the budget request. Included in these amounts are funds for programs providing assistance to the State and local entities, such as the Local Law Enforcement Block Grant program, the State Prison Grant program, the State Criminal Alien Assistance program, the Violence Against Women Grant programs, the Byrne Grant program, the Weed and Seed program, Juvenile Justice and

Delinquency Prevention programs, and Victims of Child Abuse programs.

JUSTICE ASSISTANCE

The Committee recommends $155,000,000 in direct appropriations for Justice Assistance for fiscal year 1999, which is $18,600,000 below the amount provided in fiscal year 1998 and $152,711,000 below the budget request. The request included $144,500,000 as part of the counterterrorism budget amendment submitted on June 8, 1998. The Committee has considered these requests under the Counterterrorism Fund.

The funding provided for Justice Assistance provides assistance to States and localities 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. Funding for Grants to Firefighters, Counterterrorism Training, and Counterterrorism Technologies, which were funded under this account in fiscal year 1998, are included under the Counterterrorism Fund. Funding for the National Sexual Offender Registry Grant Program, which was funded under this account in fiscal year 1998, is considered under the Criminal Records Upgrade Program under State and Local Law Enforcement Assistance.

An explanation of the recommendation for each program funded under this account follows:

National Institute of Justice.—The Committee recommendation provides $52,577,000 for the National Institute of Justice (NIJ) for fiscal year 1999, which is $6,000,000 below the request and $10,000,000 above the current year appropriation. In addition, $20,000,000 will be provided to NIJ in fiscal year 1999, as was provided in fiscal years 1997 and 1998, from the Local Law Enforcement Block Grant for assisting local units of government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. The 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 1999, the Committee has provided resources for the following initiatives:

1. Defense Technology Network.—The Committee is supportive of efforts by the Justice Department, in conjunction with the Department of Defense, to convert non-lethal defense technology to law enforcement use. The recommendation includes, $15,277,000, the amount of the budget request and an increase of $5,000,000 over fiscal year 1998, to continue the law enforcement technology center network, which provides States with information on new equipment and technologies, and assists law enforcement agencies in locating high cost/low use equipment for use on a temporary or emergency basis. Of this amount, $2,800,000 is provided for the technology commercialization initiative at the National Technology Transfer Center.

2. DNA Technology Research and Development Program.—Within the amount provided to NIJ, $5,000,000 is to develop improved

DNA testing capabilities. The objectives of this program are to reduce the cost of DNA testing, reduce testing time, develop inexpensive, discardable DNA test systems suitable for use in the field, and increase the reliability and legal credibility of DNA testing.

The Committee is aware of a number of research and technology initiatives that will enhance law enforcement capabilities. Within the overall amounts recommended for NIJ, the Committee expects the Office of Justice Programs to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

—the continuation of the facial recognition and intelligent software agent technologies initiative, including pilot initiatives to further the development of these technologies;

—a grant for the dissemination of the results of the national study on the health status of soon-to-be-released inmates, which identifies problem areas, particularly as they relate to linkages which exist between correctional institutions and community health resources;

—$1,500,000 for information technology applications for High Intensity Drug Trafficking Areas; and

—$1,500,000 for a pilot program with a Department of Criminal Justice Training and a College of Criminal Justice to evaluate how advanced computer-based interactive training systems can enhance training for State and local law enforcement officers.

Bureau of Justice Statistics.—The Committee recommendation provides $25,029,000 for the Bureau of Justice Statistics (BJS) for fiscal year 1999, which is $3,500,000 above the amount provided in the current year appropriation, to fund ongoing activities at the current services level. The BJS is responsible for the collection, analysis and publication of statistical information on crime, criminal offenders, victims of crime, and the operations of the Nation's justice systems.

Missing Children.—The Committee recommendation provides $12,256,000 for the Missing Children program for fiscal year 1999, which is the same as the amount provided in the current year appropriation and requested in the budget. This program provides funds to combat crimes against children, particularly kidnapping and sexual exploitation. Within the amounts provided, the Committee recommendation includes $5,000,000 for the National Center for Missing and Exploited Children and $1,185,000 for operations at the Jimmy Ryce Law Enforcement Training Center, the same amounts as in the current year appropriation and in the budget request.

Regional Information Sharing System.—The Committee recommendation provides $20,000,000 for fiscal year 1999 for the Regional Information Sharing System (RISS), which is the same as the amount provided in the current year appropriation under this account, and the full amount requested. The RISS program provides funds to maintain six regionally-based information sharing centers throughout the United States which are connected electronically to form a nationwide network to allow for the automated exchange of information between law enforcement entities addressing major, multi-jurisdictional crimes.

White Collar Crime Information Center.—The Committee recommends a total of $7,350,000 for the National White Collar Crime Center (NWCCC) for fiscal year 1999, which is $2,000,000 more than the current year appropriation and the request. This program provides assistance to State and local law enforcement and regulatory agencies in addressing multi-jurisdictional white collar crimes. The additional funding is intended to be used for increased training and technical assistance relating to computer crimes to State and local law enforcement and regulatory agencies.

Management and Administration.—The Committee recommendation provides $37,788,000 for the management and administration (M&A) of the Office of Justice Programs. Funding for the administration of Juvenile Justice programs is provided within this amount, instead of by transfer from the Juvenile Justice Programs account, as in previous years. In addition, reimbursable funding will be provided from the Community Oriented Policing Services and the Violent Crime Reduction programs for the administration of grants under these activities.

The Committee notes the dramatic growth of the Office of Justice Programs in the last three years. In fact, since 1995, the budget has increased from $1,100,000,000 to $3,300,000,000 in 1998. With that growth, the complexity and scope of the Office of Justice Program's (OJP) programs have also increased greatly. The Committee is aware of instances of duplication and overlap among OJP's programs that are rooted in the agency's structure and have been magnified by its growth. Over the past several years, overlapping initiatives have been undertaken in areas ranging from gangs to domestic violence and youth crime. The current structure makes coordination difficult, and has promoted overlap and duplication. In the interest of insuring good stewardship of taxpayer dollars, this issue must be addressed through a management structure allowing for greater centralization of accountability and responsibility for obligation of all OJP funds. The Committee's experience with the existing OJP structure of five independent bureaus is that it cannot be as responsive to State and local needs as required to insure that appropriated funds are targeted in a planned, comprehensive and well-coordinated way. Therefore, the Committee directs the Assistant Attorney General of the Office of Justice Programs and the Department to develop proposed elements of a new OJP structure with streamlined, consolidated authorities which will ensure centralized management. These elements shall be provided to the House and Senate Appropriations Committees no later than March 1, 1999.

The Committee believes that the federal government needs to provide more effective support for communities seeking to develop creative solutions to the problem of care and treatment for people with severe mental illnesses. Since the treatment and community service needs of people with severe mental illness are so varied, no single federal department is in a position to provide resources and guidance to States and communities in dealing with this issue. The Committee therefore urges the Interagency Council on the Homeless to convene an interagency summit on severe mental illness and the inadvertent use of jails, prisons and homeless shelters as permanent housing for the severely and chronically mentally ill.

The Committee anticipates the summit will produce an end product which will highlight the best practices and strategies to cope with the challenges faced by communities in dealing with homelessness and mental illness. The following agencies should be involved: HUD (Public and Indian Housing, Community Planning and Development, Housing); Justice (Bureau of Justice Assistance, Office of Juvenile Justice and Delinquency Prevention, Federal Bureau of Prisons); HHS (National Institute of Mental Health, Substance Abuse and Mental Health Services Administration); Social Security Administration; and Veterans' Affairs (Veterans' Health Administration). The Interagency Council on the Homeless should make every effort to engage other stakeholders such as State and local officials and organizations representing people with severe mental illnesses and their families to participate in any such summit.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The Committee recommends a total of $2,924,150,000 for fiscal year 1999, of which $2,371,400,000 is provided from the Violent Crime Reduction Trust Fund, for State and Local Law Enforcement Assistance programs. This amount represents an increase of $32,750,000 above the current year appropriation and $554,750,000 above the amount requested. These funds will provide assistance to State and local governments in their drug control and crime fighting efforts as follows:

OFFICE OF JUSTICE PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[In thousands of dollars]

	1998	1999 request	1999 recommendation
Direct Appropriation:			
Byrne Grants (Discretionary)	46,500	.....	47,750
Byrne Grants (Formula)	462,500	.....	505,000
Subtotal, Direct Appropriation	509,000	0	552,750
Violent Crime Reduction Trust Fund:			
Byrne Grants (Discretionary)	.....	47,750	.....
Byrne Grants (Formula)	42,500	505,000	
Local Law Enforcement Block Grant	523,000	.....	523,000
Boys and Girls Club earmark	(20,000)	.....	(20,000)
Juvenile Crime Block Grant	250,000	.....	250,000
Youth Violence Courts	.....	50,000	.....
Juvenile Prosecutor Program	.....	100,000	.....
Community Prosecutors Program	.....	50,000	.....
Drug Intervention Treatment Program	.....	85,000	.....
Indian Tribal Courts Program	.....	10,000	.....
Juvenile Drug Prevent Program [1]	.....	5,000	.....
Drug Courts	30,000	30,000	40,000
Upgrade Criminal History Records	45,000	45,000	45,000
State Prison Grants	720,500	711,000	730,500
State Criminal Alien Asst. Program	420,000	350,000	420,000
Violence Against Women Grants	270,750	270,750	279,750
State Prison Drug Treatment	63,000	72,000	63,000
DNA Identification Grants	12,500	15,000	15,000
Counterterrorism Technologies [2]	.....	10,000	.....
Grants to Firefighters [2]	.....	5,000	.....
Other Crime Control Programs:			
Missing Alzheimer's Patient Program	900	900	900
Turberculosis in Prisons	.....	1,000	.....
Law Enforcement Family Support	1,000	2,000	1,500

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

[In thousands of dollars]

	1998	1999 request	1999 recommendation
Motor Vehicle Theft Prevention	750	2,000	750
Senior Citizens Against Marketing Scams	2,500	2,000	2,000
Total Crime Trust Fund	2,382,400	2,369,400	2,371,400
Total State and Local Assistance	2,891,400	2,369,400	2,924,150

[1] Funded under Juvenile Justice.
[2] Funded under Counterterrorism Fund.

DIRECT APPROPRIATIONS

Edward Byrne Grants to States.—The Committee recommendation provides $552,750,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $47,750,000 is for discretionary grants and $505,000,000 is for formula grants under this program. The recommended level is the full level requested, and $1,250,000 above the fiscal year 1998 level.

Discretionary Grants.—The Committee recommendation provides $47,750,000 for discretionary grants under Chapter A of the Edward Byrne Memorial State and Local Law Enforcement 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 discretionary grants, the Committee expects BJA to provide:

—continued funding for the National Crime Prevention Council at least at the current year level to continue and expand the National Citizens Crime Prevention Campaign (McGruff);

—$1,750,000 to continue and expand the Drug Abuse Resistance Education (DARE AMERICA) program;

—$2,500,000 for continued funding for the Washington Metropolitan Area Drug Enforcement Task Force and for expansion of the regional gang tracking system;

—continued funding to SEARCH Group, Inc. at least at the current year level to continue and expand the National Technical Assistance Program, which provides support to State and local criminal justice agencies to improve their use of computers and information technology;

—$1,000,000 for the National Judicial College to provide drug legal education and training to State and local trial judges;

—continued funding at least at the current year level for Project Return, a correctional options program which has achieved very high rates of employment placement along with few instances of reincarceration for ex-offenders, and consideration of additional funds for evaluation; and

—$3,500,000 for the National Motor Vehicle Title Information System, authorized by the Anti-Car Theft Improvement

Act, to modify state computer software, assist joint state research and development and establish network infrastructure.

—$3,000,000 for the Community Law Enforcement and Recovery (CLEAR) program, in which city and county law enforcement agencies collaborate with community agencies to target gang leadership and hard-core gang members to remove them from the community.

In addition, within the amounts appropriated for discretionary grants, the Committee also expects BJA to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal: continued funding for a public safety master plan for the 2002 Olympics, the Rural Crime Prevention and Prosecution Demonstration Project, the community security program of the Local Initiatives Support Corporation, Chicago's Family Violence Intervention Program, Haymarket House, the Ben Clark Public Safety Training Center, and Operation Clean Break.

In addition, within the amounts appropriated for discretionary grants, the Committee expects the Bureau of Justice Assistance to consider a grant to partially offset the extraordinary financial burden surrounding the requirements for the capital murder trial in Jasper County, Texas (or alternate trial venue). The Committee understands that the costs of this trial are estimated to exceed $350,000, which is more than 5 percent of Jasper County's total budget. The Committee expects that BJA will take into account any State funding for the trial when determining an appropriate amount of assistance.

Formula Grants.—The Committee recommendation provides $505,000,000 for formula grants to States under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program to improve the functioning of the criminal justice system with an emphasis on drugs, violent crime and serious offenders. This represents the full amount requested and the same level of funding as in the current year.

VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS

Local Law Enforcement Block Grant.—The Committee recommendation includes $523,000,000 for the Local Law Enforcement Block Grant program, which is the same as the level provided in the current fiscal year and $523,000,000 more than requested by the Administration, which proposed to eliminate funding for this block grant in its 1999 budget request. The budget included a request for $50,000,000 for a new discretionary community prosecutors program. The Committee notes that funding for prosecutors is an eligible use of the block grant.

This program provides grants to localities to reduce crime and improve public safety. Of the amount included, $20,000,000 will be provided to NIJ for assisting localities to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. The recommendation also includes language that allows up to $20,000,000 of these funds to be used for Boys and Girls Clubs.

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 the importance of this program as evidenced by the following list of activities for which localities used these resources in fiscal year 1997:

—$315,654,000, 79%, supported law enforcement hiring, overtime and equipment and technology;

—$41,946,000, 10%, supported crime prevention programs;

—$11,898,000 supported additional drug courts;

—$12,841,000 supported the adjudication of violent offenders, including violent juvenile offenders;

—$13,125,000 supported enhanced security measures in and around schools and public locations considered to have a high risk for incidents of crime; and

—$3,016,000 supported multi-jurisdictional task forces.

The Committee is aware of the unique relationship that exists in the State of Louisiana with regard to parish sheriffs and their eligibility for funding under the local law enforcement block grant. Language is included to assure that parish sheriffs are eligible to receive funding under this program.

Juvenile Accountability Incentive Block Grant.—The Committee recognizes the importance of supporting efforts that will continue to reduce juvenile crime. The recommendation includes $250,000,000 for the second year of funding for the juvenile accountability incentive block grant to address the needs of State and local entities in combating increasing violent crime among juveniles, the same level as in fiscal year 1998, and $250,000,000 above the request, since the Administration proposed to terminate this program. In order to provide communities with the resources and flexibility to meet their specific needs, the Committee has provided funding for this block grant, instead of including $50,000,000 for a new discretionary grant program for youth violence courts and $100,000,000 for a new discretionary grant program for State prosecutors, requested by the Administration to address juvenile crime. Language is included to provide for the distribution of block grant funding under the terms and conditions provided in the fiscal 1998 conference report, making funds available for the following purposes:

(1) building, expanding or operating juvenile detention and corrections facilities;

(2) developing and administering accountability-based sanctions for juvenile offenders;

(3) hiring additional juvenile judges, probation officers, and court-appointed defenders, and funding pre-trial services for juveniles, to ensure the smooth and expeditious administration of the juvenile justice system;

(4) hiring additional prosecutors so that more cases involving violent juvenile offenders can be prosecuted and backlogs can be reduced;

(5) enabling prosecutors to address drug, gang, and youth violence more effectively;

(6) providing technology, equipment and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

(7) enabling juvenile courts and probation offices to be more effective and efficient in holding juvenile offenders accountable;

(8) establishing court-based juvenile justice programs that target young firearms offenders through the establishment of juvenile gun courts for the adjudication and prosecution of juvenile firearms offenders;

(9) establishing drug court programs for juvenile offenders;

(10) establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice system, schools, and social services agencies to identify, control, supervise and treat serious juvenile offenders;

(11) establishing and maintaining accountability-based programs that work with the juvenile offenders who are referred by law enforcement agencies, or which are designed, in cooperation with law enforcement officials, to protect students and school personnel from drug, gang, and youth violence; and

(12) providing controlled substance testing for appropriate categories of juveniles within the juvenile justice system.

Criminal Records Upgrade Program.—The recommendation provides $45,000,000 for States to upgrade criminal history and records of protective orders involving domestic violence and stalking and to develop in-state sexual offender registries. The program supports State efforts for immediate identification of persons prohibited from firearms purchases through the National Instant Criminal Background Check System. This amount represents the full amount requested for this program, and the same level of funding as provided in fiscal year 1998.

State Prison Grants.—The recommendation provides $730,500,000 for the State Prison Grant program, which is $19,500,000 above the request and $10,000,000 above the current year level. Of this amount, $165,000,000 is available to States for the incarceration of criminal aliens, $25,000,000 is for the Cooperative Agreement Program and $15,000,000 is for facilities in Indian Country. 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 State prison grants is $525,500,000, which is the same amount as provided in fiscal year 1998, and $41,500,000 more than the request for this purpose.

The Committee understands that there is a particular need for facilities in Indian Country and has increased the funding for the overall program by $10,000,000 above the level provided in fiscal year 1998 in order to provide $15,000,000 to be used exclusively for jails and detention facilities in Indian Country.

State Criminal Alien Assistance Program.—The recommendation provides $420,000,000 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 $165,000,000 included for this purpose under the State Prison Grants program. Thus, the Committee recommends a total of $585,000,000 for reimbursement to States for the costs of alien incarceration, which is $85,000,000 more than the amount requested and the same level as the current year appropriation.

The Committee understands that there have been significant delays in the distribution of SCAAP funds. In the past, the Committee has strongly encouraged OJP to make SCAAP awards to States and localities within the fiscal year in which they are appropriated. The Office of Justice Programs explains that distribution of funds can be delayed due to conflicting fiscal year schedules of many States, the requirement for INS to validate State and local data, and the need to make a final evaluation after the submission of the application and validation of the data is completed, which has caused payments to fall into the next fiscal year.

The fiscal year 1997 SCAAP distribution announcement was not made until May of 1998. The Committee understands that an extension in the application deadline was made to accommodate a State that submitted its application late. While the Committee understands the need for OJP to work closely with State governments to be responsive to their needs, the Committee also notes that such extensions of deadlines delay awards to all States.

The Committee encourages OJP to use every means at its disposal to make SCAAP awards to States and localities within the fiscal year in which they are appropriated. The Committee directs OJP to work with State and local officials to determine an application process which allows distribution of funds within the same fiscal year and to report to the Committee by August 31, 1998. The Committee also directs INS to make validation of the data submitted by the States in support of their application a high priority in order to expedite the processing of such applications.

Indian Tribal Court Initiative.—The recommendation does not include funding for what was requested in the budget as an Indian Tribal Court Initiative, which is an initiative that is not defined or authorized, and was to be developed based on consultation with appropriate groups.

Violence Against Women Act.—The Committee recommends $279,750,000 for grants to support the Violence Against Women Act. This amount represents an increase of $9,000,000 over the current year appropriation and the request. Grants provided under this recommendation are for the following programs:

VIOLENCE AGAINST WOMEN ACT PROGRAMS

	1998	1999 request	1999 recommendation
General Grants	172,000	200,750	200,750
(Civil Legal Assistance)	(12,000)		(23,000)
Victims of Child Abuse Programs:			
Court-Appointed Special Advocates	7,000	7,000	7,000
Training for Judicial Personnel	2,000	2,000	2,000
Grants for Televised Testimony	1,000	1,000	1,000
Grants to Encourage Arrest Policies	59,000	30,000	39,000
Rural Domestic Violence	25,000	25,000	25,000
National Stalker & Domestic Violence	2,750		
Training Program	2,000	5,000	5,000
Total—VAWA programs	270,750	270,750	279,750

Funding included for Violence Against Women Programs will continue to provide resources to expand units of law enforcement officers and prosecutors specifically targeted at crimes against

women, to develop and implement effective arrest and prosecution policies to prevent, identify and respond to violent crimes against women, and to provide much needed victims services including specialized domestic violence court advocates to obtain protection orders.

The recommendation provides $200,750,000 for law enforcement and prosecution grants, commonly referred to as the STOP (Services-Training-Officers-Prosecutors) Violence Against Women Formula Grant Program, which is the level requested in the budget and an increase of $28,750,000 over the current fiscal year. The Committee recommendation includes $23,000,000 for the purpose of augmenting civil legal assistance programs to address domestic violence.

The recommendation includes $39,000,000 for Grants to Encourage Arrest Policies, $9,000,000 above the request.

The recommendation also provides $5,200,000 for research and evaluation of domestic violence programs, and $1,196,000 to support an enhanced domestic prosecution unit within the District of Columbia. In addition, to encourage efforts to enhance the availability of services to women and children who are victims of domestic violence, the Committee also encourages the design and evaluation of training and technical assistance programs which result in comprehensive community-based intervention and prevention programs.

Drug Courts.—The recommendation includes $40,000,000 for the Drug Court program, $10,000,000 above the current fiscal year and the budget request. This program provides grants to State, local, and Indian tribal governments to develop treatment drug courts that subject non-violent offenders to an integrated mix of treatment, drug testing, incentives, and sanctions.

Substance Abuse Treatment for State Prisoners.—The Committee recommends $63,000,000 for grants to States and units of local government for development and implementation of residential substance abuse treatment programs within State correctional facilities, and certain local correctional and detention facilities. This is the amount of the current year appropriation, and $9,000,000 below the request. The recommendation does not include requested language expanding the use of these grants to provide after-care for released State prisoners.

Drug Intervention Treatment Initiative.—The Committee does not recommend funding for this initiative, for which $85,000,000 was requested. The Committee is not aware that this initiative has been defined or legislation to authorize it submitted to the Congress.

DNA Identification State Grants.—The recommendation includes $15,000,000 for grants to States and units of local government to support programs and projects to develop or improve the capability to analyze DNA in a forensic laboratory. The amount provided is the same as the request and $2,500,000 above the amount provided in fiscal year 1998.

Safe Return Program.—The Committee recommendation includes $900,000 to continue and expand the national program to locate missing Alzheimer's patients, the same level as in fiscal year 1998 and the request.

Tuberculosis in Prisons.—The Committee recommendation does not include additional funds for treatment of tuberculosis in Federal and State prisons. In fiscal year 1998, no funding was provided for this purpose.

Law Enforcement Family Support programs.—The recommendation includes $1,500,000 for programs that provide support services to law enforcement officers and their families, $500,000 above the level in the current year appropriation.

Motor Vehicle Theft Prevention.—The recommendation provides $750,000 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 as the level provided in fiscal year 1998 for this program.

Senior Citizens Against Marketing Scams.—The recommendation includes $2,000,000, the full amount requested, for programs to assist law enforcement in preventing and stopping marketing scams against the elderly.

WEED AND SEED PROGRAM FUND

The Committee recommendation provides $33,500,000 for the Weed and Seed program from direct appropriations, instead of $40,000,000 from the Violent Crime Reduction Trust Fund, as requested in the budget. In addition, the Committee assumes that funding for this program is an eligible use of Super Surplus funds available under the Assets Forfeiture Fund, and that the additional $6,500,000 can be provided from that source to assure funding at the total requested level.

The Committee recognizes that crime disproportionately affects disadvantaged neighborhoods and that 10 percent of neighborhoods account for 60 percent of crimes. The Committee also recognizes that the best solutions to crime problems are customized to neighborhood needs. The Weed and Seed program serves as a crime prevention catalyst, coordinating existing anti-crime efforts in high-crime neighborhoods and leveraging other resources for activities such as truancy prevention, conflict resolution, mentoring, gun abatement, justice innovations, jobs for at-risk youth, and anti-gang initiatives. A funding level of $40,000,000 will provide 25 new communities with Weed and Seed funds, along with training from experienced Weed and Seed sites.

The Committee also recommends bill language, 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

VIOLENT CRIME REDUCTION PROGRAMS

The Committee recommendation includes $1,420,000,000 for Community Oriented Policing Services—the COPS Program—for fiscal year 1999. Of this amount, $20,000,000 is for the Police Corps program, the same amount as requested and $10,000,000

below the amount provided in fiscal year 1998. In addition, the Committee recommendation allows $170,000,000 of unobligated balances to be used for innovative community policing programs.

Police Hiring Initiatives.—The Committee has provided funding since fiscal year 1994 to support grants for the hiring of 75,615 police officers. The Committee's recommendation for fiscal year 1999 will provide funding for an additional 17,000 officer grants, bringing the total number of new police officer grants under this program to 106,005, which will exceed the goals of the program. The Committee expects that hiring grants will include grants under the Universal Hiring Program and the COPS MORE program in order to accomplish this goal.

Non-Hiring Initiatives.—The Committee is aware that $359,717,000 of funds provided for the COPS program in fiscal year 1997 carried forward into 1998. As a result of this carryover, total funding available for the COPS program in fiscal year 1998 was $1,789,717,000. The Committee understands that as of May 31, 1998, only $607,194,000 of these funds have been obligated and anticipates that the COPS program will carry over a similar amount of funding into fiscal year 1999 after completion of its hiring grant process for 1998.

With the significant progress being made toward the hiring goals of the program, the Committee also wants to ensure that there is adequate infrastructure for the new police officers, similar to the focus that has been provided for Federal law enforcement over the past several years, so that police officers may work more efficiently, equipped with the protection, tools and technology they need, and with the flexibility to design specific strategies to target specific crime problems, such as crime in and around schools, the emergence of methamphetamine in new areas, the challenges of policing "hot spots" of drug market activity, the problems of school violence, the need for additional community supervision officers in the District of Columbia, and additional assistance to meet the needs of law enforcement officers on Indian reservations. The Committee therefore believes that $170,000,000 of unobligated balances from fiscal year 1998 should be used to address these critical law enforcement requirements and directs the COPS program to establish the following non-hiring grant programs:

1. COPS Bulletproof Vests Initiative.—The Committee directs $25,000,000 of unobligated balances in the COPS program to be used to provide State and local law enforcement officers with bulletproof vests, in accordance with Public Law 105–181, recently enacted into law.

The Committee understands that the National Institute of Justice is currently in the process of establishing stabproof vest standards but is not expected to finalize these standards for several years. The Committee urges NIJ to develop preliminary stabproof guidelines by April 1, 1999. The Committee understands that some States have already developed stabproof guidelines and urges NIJ to look to these existing guidelines for guidance. The Committee intends that these funds will be expended to purchase vests that meet bulletproof or stabproof standards and guidelines.

2. COPS School Violence Initiatives.—The Committee directs $20,000,000 of unobligated balances in the COPS program to be

used for grants to policing agencies and schools for programs aimed at preventing violence in public schools, and to support the assignment of school resource officers to work in collaboration with schools and community-based organizations to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around an elementary or secondary school, to develop or expand crime prevention efforts for students, to provide education in crime prevention and safety, to develop or expand community justice initiatives, to train students in conflict resolution, to assist in identifying physical changes in the schools to reduce crime, and to assist with the development of anti-crime, school policy and procedural changes. These programs are necessary to address what appears to be a growing trend of extreme violence within schools by and against students. Within the overall amounts recommended for this program, the Committee expects the COPS office to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

—A grant to the Stop Violence in Youth program to teach elementary school children through role-playing about alternatives to violence;

—A grant to the Home Run Program to place probation officers in school districts to assist elementary schools with children beginning to engage in delinquent behavior; and

—A grant to support the Juvenile Anti-Violence Demonstration Project of Future Homemakers of America for a peer education program on alternatives to violence and crime.

3. COPS Technology Program.—The Committee recommendation directs that $50,000,000 of unobligated balances be used for continued development of technologies and automated systems to assist State and local law enforcement agencies in investigating, responding to and preventing crime. In particular, the Committee recognizes the importance of sharing criminal information and intelligence among State and local law enforcement agencies to address multi-jurisdictional crimes. Additionally, this program is to be used to purchase the technology, including videoteleconferencing equipment, necessary to assist State and local law enforcement in contacting the Immigration and Naturalization Service to allow them to confirm the identification of illegal and criminal aliens in their custody.

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

—$9,000,000 for the Southwest Border States Anti-Drug Information System, which will provide for the purchase and deployment of this technology network between all State and local law enforcement agencies in the four southwest border states—California, Arizona, New Mexico, and Texas—to provide information sharing of drug trafficking along the U.S.-Mexico border, by linking criminal and intelligence databases of these States, the El Paso Intelligence Center, and certain components of the Regional Information Sharing System; and

—a grant for the Law Enforcement On-Line system, to add State and local users to a secure national interactive computer

communications network currently being developed with the FBI, at least at the current level of funding.

In addition, the Committee is aware of communications and technology needs of various law enforcement agencies. Within the overall amounts recommended for the COPS Technology program, the Committee expects the COPS office to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

—a grant to the Jefferson Parish, Louisiana Sheriffs Department for completion of the enhanced radio communications project, at least at the current level of funding;

—a grant for the North Carolina Criminal Justice Information System, to complete development of a network to integrate data from various criminal justice agencies to meet North Carolina's public safety needs, at least at the current level of funding;

—a grant for the Regional Information Sharing System (RISS) for one-time system expansion requirements;

—a grant for a demonstration program enabling local law enforcement officers to field-test a portable hand-held digital fingerprint and photo device which would be compatible with NCIC 2000; and

—grants for technology to police departments in communities that are in need of modernizing their equipment and for which alternative sources of funding are not available, including, if contacted, the communities of Rockledge, Pennsylvania; Indianapolis, Indiana; Riverside, California; Gainesville, Florida; Jackson, Mississippi; Alhambra, California; Allegheny County, Pennsylvania; and Utica, New York and surrounding regional law enforcement.

4. COPS Methamphetamine/Drug Hot Spots Program.—The Committee directs $50,000,000 of unobligated balances in the COPS program to be used for State and local law enforcement programs to combat methamphetamine production and distribution and to target drug "hot spots." The Committee is aware that the production, trafficking, and usage of methamphetamine, an extremely destructive and addictive synthetic drug, is a growing national problem. Available data has shown that methamphetamine abuse has risen significantly in the West and Southwest, is threatening the Midwest and is spreading eastward. Despite some successes in the seizure of clandestine drug laboratories, limited State and local law enforcement resources coupled with the complexity of clandestine laboratory enforcement investigation and cleanup processes have made the fight against illicit methamphetamine manufacturing a difficult one.

The Committee also recognizes that most research on crime programs has concluded that the effective programs seem to share a key characteristic—they target specific types of crimes, convicts, or potential lawbreakers. The Committee believe that grants to policing agencies and community-based entities to fund directed patrols, proactive arrests and problem solving in drug "hot spots" will show evidence of drug and crime reduction. Within the amount provided, the Committee expects the COPS office to award grants for the following programs:

—continuation at the current year funding level to the California Bureau of Narcotics Enforcement's Methamphetamine Strategy to support additional law enforcement officers, intelligence gathering and forensic capabilities, training and community outreach programs;

—continuation at the current year funding level to the Tri-State Methamphetamine Training program to train officers from rural areas on methamphetamine interdiction, covert operations, intelligence gathering, locating clandestine laboratories, case development, and prosecution; and

—a grant for pilot projects in middle schools particularly at risk, to the Drug Abuse Resistance Education (DARE AMERICA) to test the recently agreed upon strategies resulting from consultations between the DARE program and prevention experts to improve the effectiveness of this important program.

5. COPS D.C. Offender Supervision Program.—The Committee directs that $10,000,000 of unobligated balances be used for hiring additional community supervision officers for probation, parole and pre-trial supervision activities and related program support for the District of Columbia Offender Supervision, Defender, and Court Services Agency. Within the $10,000,000, the Committee directs that $2,500,000 be used to provide enhanced information technology systems to improve communications among the offices of the D.C. Offender Supervision, Defender, and Court Services Agency, the Courts, and the U.S. Parole Commission, and to expand the case management information system to follow cases from arrest through any post-trial supervision. This recommendation is in response to the budget amendment submitted on July 9, 1998, which proposed additional resources for the D.C. Offender Supervision, Defender, and Court Services Agency earmarked out of unobligated balances under the COPS program and other programs.

6. COPS Indian Law Enforcement Training and Equipment Program.—The Committee directs $15,000,000 of unobligated balances in the COPS program to be used to provide law enforcement training and equipment to existing law enforcement officers in Indian Country. While hiring grants are available for increasing tribal law enforcement officers, and according to the Committee's understanding, an increase for tribal police has been provided in the Interior Appropriations bill, the Committee believes that there is an additional need for training, uniforms, and equipment, which this program is intended to provide.

Management and Administration.—The Committee recommendation provides 266 positions, the current level, and $32,023,000 for the management and administration of the Community Oriented Policing Services. The Committee would be willing to consider up to an additional $2,000,000, if required, to carry out the requirements of administering this program within the standard reprogramming procedures under section 605 of this Act.

JUVENILE JUSTICE PROGRAMS

The Committee recommendation provides a total of $282,950,000 for Juvenile Justice Programs for fiscal year 1999, $5,000,000 more than the request and $44,278,000 above the amount provided in the current fiscal year.

Juvenile Justice and Delinquency Prevention.—The Committee recognizes the dramatic increase in juvenile delinquency, particularly violent crime committed by juveniles. Approximately 20 percent of the individuals arrested for committing violent crime are less than 18 years of age and weapons offenses and homicides are two of the fastest growing crimes committed by juveniles. The Committee also understands that addressing juvenile violence requires a combination of strategies that involve: (1) focusing law enforcement on dangerous, violent youths and making sure the punishment fits the crime; (2) community intervention to help solve the underlying problems of first-time offenders; (3) quality prevention programs that are designed to reduce risks and develop competencies in at-risk juveniles; and (4) programs that hold juveniles accountable for their actions, including systems of graduated sanctions, victim restitution and community service.

The Committee further understands that changes to Juvenile Justice and Delinquency Prevention Programs are being considered in the reauthorization process of the Juvenile Justice and Delinquency Act of 1974. The Committee understands there is bi-partisan support for H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act of 1997, which passed the House of Representatives on July 15, 1997, and is awaiting action in the Senate, and which provides authorizations for juvenile crime prevention funding. The Administration's budget request was based on a proposal that is not being considered in the House or the Senate. Consequently, the Committee recommendation includes language that provides that funding for these programs is based on the authorizations included in H.R. 1818, as a model, and is subject to the provisions of authorization language that is enacted.

The Committee recommendation includes a total of $265,950,000 for fiscal year 1999, $54,278,000 over the current year appropriation, for grants to States and localities and administrative expenses for Juvenile Crime and Delinquency Prevention Programs. Using H.R. 1818 as a model, the recommendation provides funding for the following programs:

1. $200,000 for the Office of Juvenile Crime Control and Delinquency Prevention (OJCCDP) (Part A), for coordination of Federal efforts. Program Administration has been provided for under the Office of Justice Programs, instead of under this program.
2. $86,000,000 for Formula Grants for assistance to State and local programs (Part B).
3. $125,000,000 for a Juvenile Delinquency Prevention Block Grant Program (Part C).
4. $15,000,000 for Research, Evaluation, Technical Assistance and Training (Part D)
5. $39,750,000 for Developing, Testing, and Demonstrating Promising New Initiatives and Programs (Part E).

Within the amounts provided for Parts D and E discretionary grants, the Committee expects the OJCCDP to provide:

—a grant to continue funding at least at the current level to Parents Anonymous, which develops partnerships with local communities to build and support strong, safe families and to help break the cycle of abuse and delinquency; and

—$2,300,000 for a grant to continue and expand the National Council of Juvenile and Family Courts which provides continuing legal education in family and juvenile law.

In addition, the Committee is aware of a number of encouraging programs to develop partnerships with local communities and help prevent the cycle of abuse and delinquency. Within the overall amounts recommended for Parts D and E, the Committee expects the OJCCDP to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal: a grant to support Project O.A.S.I.S.; a grant to support the Intensive Services Program for Juveniles and Families at Risk; a grant to continue funding at the current level for law-related education; a grant to continue funding for the Violence Institute in New Jersey; a grant to the Suffolk University Center for Juvenile Justice; a grant to expand Women of Vision; a grant to the National Training and Information Center; a grant for the Delancy Street Foundation; a grant to the Shelby County Juvenile Offender Transition Program; a grant to L.A. Best and L.A. Bridges after school programs for youth at risk of gang affiliation; a grant to the Compton youth intervention center; a grant to Kids with a Promise; a grant to Operation Quality Time; continued support for the Hamilton Fish National Institute for School/Community Violence; and a grant for the Achievable Dream program for after school programs for youth at risk.

Drug Prevention Program.—The Committee recognizes that while crime is on the decline in certain parts of America, a dangerous precursor to crime, namely teenage drug use, is on the rise and may soon reach a 20-year high. Nearly a quarter of grade school children have been offered drugs, and too many children no longer believe drugs are harmful or dangerous. Teenage use of marijuana, a "gateway" to more serious drugs, has more than doubled since 1992.

The Committee recommendation includes $10,000,000 for the second year of this program to develop, demonstrate and test programs to increase the perception among children and youth that drug use is risky, harmful, or unattractive. This is $5,000,000 above last year and the request. The program was initiated last year because OJJDP was doing little in the area of targeting the problem of drug abuse by young people. This initiative is intended as part of a coordinated, government-wide strategy against teenage drug abuse that is consistent with existing research findings on effective prevention and treatment methods.

Victims of Child Abuse Act.—The Committee recommends a total of $7,000,000 for the various programs authorized under the Victims of Child Abuse Act (VOCA). In addition, funding of $7,000,000 is provided for Victims of Child Abuse programs under the Violence Against Women Programs funded under State and Local Law Enforcement Assistance, Violent Crime Reduction Programs. The total amounts recommended for Victims of Child Abuse Act provide the full amount requested, the same as the amount provided in the current fiscal year. The following programs are included in the recommendation to improve investigations and prosecutions:

—$1,000,000 to establish Regional Children's Advocacy Centers, as authorized by section 213 of VOCA;

—$4,000,000 to establish local Children's Advocacy Centers, as authorized by section 214 of VOCA;

—$1,500,000 for a continuation grant to the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 214a of VOCA; and

—$500,000 for a continuation grant to the National Network of Child Advocacy Centers for technical assistance and training, as authorized by section 214a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

The Committee recommendation provides a total of $32,059,000 for death benefits to public safety officers for fiscal year 1999, the full amount requested and an increase of $1,056,000 above the current year appropriation. 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.

As in the current appropriation, disability benefits will be funded from the program's expected 1998 unobligated carryover balance, which, as of April 30, 1998 was $7,218,000. This program provides disability benefits for Federal, state, and local public safety officers who are permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty.

In addition, the Committee recommendation includes $250,000 for the Federal Law Enforcement Dependents Assistance Program for fiscal year 1999, the full amount requested. This program provides payments for education purposes to the children and spouses of Federal, civilian law enforcement officers killed or disabled in the line of duty. This amount, together with anticipated 1998 unobligated balances, is sufficient to fund 1999 program needs.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

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

Section 102 provides language, included in previous appropriations acts, which continues certain authorities for the Justice Department in fiscal year 1999 that were contained in the Department of Justice Authorization Act, fiscal year 1980.

Section 103 provides language, included in the appropriations acts for the last three years and 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 use of the funds 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, included in previous appropriations acts, which allows the Department of Justice to spend up to $10,000,000 for rewards for information regarding criminal acts and acts of terrorism against a United States person or property at levels not to exceed $2,000,000 per award.

Section 107 provides language, 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, as proposed, that clarifies the authority of the Federal Prison System to provide telephone services through the commissary trust fund and pay operating costs for the benefit of inmates from the fund.

Section 109 provides language, as proposed, providing authority to the Attorney General to dispose of surplus property.

Section 110 provides language, as proposed, which replaces injury and death-related costs for INS officers with the same humanitarian expenses given to Federal Bureau of Investigation and Drug Enforcement Administration employees.

Section 111 provides language, as proposed, which merges the Legalization Account into the Examinations Fee Account.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of $4,883,474,000 for the programs of the United States Trade Representative, the International Trade Commission and the Department of Commerce for fiscal year 1999. This amount is $2,992,810,000 below the total request and is $568,069,000 above the total amount appropriated for the Department and related agencies for fiscal year 1998. Of the total $564,519,000 funding increase recommended for the Department of Commerce in fiscal year 1999, $556,074,000 is provided solely for the cyclical increases necessary to prepare for the 2000 decennial census.

The Committee has continued a structure initiated in fiscal year 1996 under this Title that reflects the fundamental functions that will need to be considered as the overall administrative structure of these programs is examined. This reflects the Committee's effort to identify and prioritize programs within these agencies and Departments.

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

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

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $24,000,000 for the Office of the United States Trade Representative (USTR) for fiscal year 1999. This amount is $550,000 above the amount appropriated for fiscal year 1998 and $836,000 below the request.

The Committee has provided full funding for the base program of USTR, including the full year costs required to support the 14 additional positions provided in fiscal year 1998. The Committee continues to believe that trade monitoring and enforcement is critical to ensure the success of negotiated free trade agreements, and expects the USTR to apply its resources toward monitoring and enforcement of over 180 trade agreements which have been negotiated in the last several years. The success of this enforcement policy should be reflected in a decline in the trade deficit, of which there has not yet been any evidence, given the fact that the trade deficit remains at an all time high.

The recommendation does not include funds requested for the additional staffing increases in fiscal year 1999 due to the delays experienced in bringing on the additional personnel provided in fiscal year 1998. Furthermore, increased funding has not been provided for USTR's computer replacement program, which the Committee notes USTR initiated in fiscal year 1998 through a reprogramming of existing resources. The Committee assumes that should USTR have additional needs in fiscal year 1999, such requirements will be met either through a reprogramming of existing resources, or by accessing funds that may be appropriated separately for U.S. Government-wide Year 2000 compliance. Finally, the recommendation does not include proposed bill language to provide extended availability for funding under this account based on information provided by the USTR indicating all funding provided will be expended in fiscal year 1999, thus making such authority unnecessary.

The Office of the United States Trade Representative is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and leading or directing negotiations with other countries on such matters.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends an appropriation of $44,200,000 for the International Trade Commission for fiscal year 1999. This amount is $3,000,000 above the appropriation for the current fiscal year and is $1,300,000 below the budget request.

The recommendation provides full funding to maintain base operations and staffing at the current level of 396 full-time equivalents, as well as to provide for an additional 22 FTE for direct activities related to sunset reviews as required under the Uruguay Round Agreements Act. The recommendation does not provide for an additional $1,300,000 and 7 additional FTE requested for administrative overhead.

The International Trade Commission is an independent, quasi-judicial agency responsible for conducting trade-related investigations; providing the Congress and the President with independent, expert technical advice to assist in the development and implementation of U.S. international trade policy; responding to the Congress and the President on various matters affecting international trade; maintaining the Harmonized Commodity Description and Coding System of internationally accepted product nomenclature; providing technical assistance to eligible small businesses seeking remedies and benefits under the trade laws; and performing other specific statutory responsibilities ranging from research and analysis to quasi-judicial functions on trade-related matters.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The Committee recommends $296,616,000 in total funding availability for the programs of the International Trade Administration (ITA) for fiscal year 1999, $4,164,000 above the amount requested. Of this amount, $282,523,000 is derived from direct appropriations, $2,000,000 from estimated carryover, $10,493,000 from excess revenues from trade activities collected in prior years, and $1,600,000 in new fee collections.

The recommendation reflects the Committee's continuing support for our nation's core trade promotion, enforcement and related activities, and its belief that the primary mission of ITA is to assist small and medium-sized companies who would be unable to successfully export without such assistance. As a result, the Committee recommendation has focused resources toward the U.S. & Foreign Commercial Service (US&FCS), the primary mechanism for providing such assistance to small and medium-sized businesses. While the Committee understands the importance of increased trade opportunities for all companies, the Committee is concerned that ITA's increased focus on advocacy efforts on behalf of large companies, as well as increased emphasis on using ITA programs to promote foreign policy, is detracting from the ITA's core mission which is to assist small and medium-sized companies. The Committee expects the ITA to refocus its priorities to this core mission.

The following table reflects the distribution of the Committee recommendation by subactivity:

[Dollars in thousands]

	FY 1998 enacted	FY 1999 base	FY 1999 request	FY 1999 recommended
Trade Development	$58,986	$47,325	$48,325	$49,225
Market Access & Compliance	17,340	17,779	20,379	17,779
Import Administration	28,770	29,447	31,047	31,047
US&FCS	171,070	178,736	180,786	186,650
Exec. Direction & Admin	11,700	11,915	11,915	11,915
Offsetting Fee Collections	0	0	(6,000)	(1,600)
Estimated Carryover	(4,800)	0	0	(12,493)
Total, ITA	283,066	285,202	286,452	282,523

Trade Development.—The recommendation provides a total of $49,225,000 for this component, an increase of $900,000 above the request. The Committee has provided the full base funding requested, with one modification. Funding is not included to provide the requested increase of $400,000 for the Advocacy Center, and instead the Committee directs that no more than $1,100,000 be spent on this activity in fiscal year 1999. In addition, the recommendation includes $2,200,000 in program increases, of which $1,700,000 is for a new trade statistics improvement initiative, not requested in the budget, to improve the quality of state and metropolitan export data and to improve merchandise trade data. The remaining increase is to be used to continue the program to assist small businesses to improve their international competitiveness funded in fiscal year 1998. Further, the Committee has discontinued funding for two export promotion programs related to textiles and apparel, as requested.

Market Access and Compliance.—The Committee recommends $17,779,000 for Market Access and Compliance. This funding level provides for all requested base adjustments, and includes $3,000,000 for the Trade Compliance Center. The recommendation does not provide for requested increases for headquarters trade policy analysts. In addition, the Committee has not provided additional funds for activities previously supported by the Agency for International Development (AID). The Committee believes that such specialized activities should continue to be supported by AID, and expects ITA to use carryover balances from amounts previously provided by AID, or to seek additional reimbursement from AID.

Import Administration.—The Committee recommends $31,047,000 for the Import Administration, providing full adjustments to base and a $1,600,000 program increase for additional workload requirements associated with the sunset reviews required under the Uruguay Round Agreements Act. In addition, the Committee remains concerned that no remedy exists for domestic producers under current antidumping laws where foreign producers sell through related party importers in the United States, and requests that the Department work with the Committee to identify possible administrative remedies to address this situation.

U.S. and Foreign Commercial Service.—The Committee recommends $186,650,000 for the US & FCS, an increase of $6,650,000 above the request and $15,580,000 above the amounts available in fiscal year 1998. Within the increase provided, $7,666,000 is for requested adjustments to base, and $6,914,000 is for increased staffing at domestic and overseas field offices. The amount provided is to be used to support no less than 1,277 full time equivalents (FTE) for the US & FCS in fiscal year 1999, an increase of 28 FTE above the requested level, and directs that ITA submit a plan for the allocation of these resources no later than November 15, 1998, in accordance with section 605 of this Act. In addition, the Committee has provided $1,000,000 to continue the Rural Export Initiative at its current funding level.

Executive Direction/Administration.—The Committee recommends $11,915,000 for the administrative and policy functions of ITA, the full amount requested. The Committee expects ITA to con-

tinue its support for Departmental trade activities in the same manner as it has in the past.

In addition, language is included in the bill, as carried in fiscal year 1998, designating the amounts available for each unit within ITA. The Committee reminds ITA that any changes from the funding distribution provided in the bill and report, including carryover balances, are subject to the standard reprogramming procedures set forth in section 605 of this Act. In addition, ITA is directed to provide to the Committee, not later than November 15, 1998, a spending plan for all ITA units, which incorporates any carryover balances.

Trade Missions.—Last year, the Committee was made aware that other Commerce Department agencies are initiating and sponsoring trade missions. The Committee continues its direction provided last year that all trade missions involving Department of Commerce agencies must be initiated, coordinated and administered through ITA.

Security Upgrades.—In fiscal year 1997, in response to heightened concerns over acts of terrorism, $9,400,000 was provided to upgrade the physical security of ITA facilities overseas. The Committee is concerned that in a report submitted on March 23, 1998, ITA indicated that to date only $1,972,000 had been obligated for these purposes. The Committee directs the Departments of Commerce and State to take the necessary actions to expeditiously complete these upgrades. Further, the Committee understands that the Department has considered diverting a portion of these funds to the creation of a new office to conduct research and disseminate findings on security threats overseas. The Committee notes that no funds have ever been requested for, or provided for, this function, and believes that the creation of this new function is duplicative of activities already carried out by the Department of State and Federal law enforcement agencies overseas. Therefore, the Committee directs the ITA not to take any action to create or support such an office. In addition, the Department is requested to submit a report to the Committee, no later than November 15, 1998, on the current status of the use of these funds for overseas facilities security upgrades.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The Committee recommends an appropriation of $47,777,000 for the Operations and Administration appropriation of the Bureau of Export Administration (BXA), an increase of $3,877,000 above the current level and $4,456,000 below the request. This amount, when combined with an additional $2,000,000 in carryover and recoveries estimated to be available in fiscal year 1999, will provide a total funding level of $49,777,000. Of the total amount available, the recommendation provides the following:

Export Administration.—$24,500,000 is provided for export administration activities, of which $23,250,000 is provided in direct appropriations and $1,250,000 is from unobligated balances from funds provided previously due to delays in implementation of the Chemical Weapons Convention (CWC) Treaty. The Committee has

provided an increase of $3,503,000 in fiscal year 1999 to pay for the full year costs associated with CWC implementation, including all costs related to the Department of Defense's On-Site Inspection Agency (OSIA) support for such activities. This action has been taken with the expectation that the necessary implementation legislation will be enacted prior to fiscal year 1999. Should such legislation not be enacted, the Committee expects the BXA to submit a reprogramming request in accordance with section 605 before using the funds provided for any other purpose.

Export Enforcement.—$22,097,000 is provided for export enforcement activities. Of this amount, $21,505,000 is provided to maintain base activities, and $592,000 is provided for increased field office staffing for enforcement.

Management and Policy Coordination.—$3,180,000 is provided for Management and Policy Coordination, the full amount requested to maintain base activities. However, the recommendation does not provide requested program increases to enable BXA to assume funding responsibility for activities previously supported by the Department of Defense and the Department of State. The Committee notes that the primary responsibility for non-proliferation activities lies with DOD and DOS, and believes that BXA support for such activities should be done using funds provided from those agencies.

In addition, language is included in the bill requiring the BXA to notify appropriate congressional committees prior to the expenditure of funds provided in this Act for the processing of licenses for the export of satellites of United States origin to the People's Republic of China.

ECONOMIC DEVELOPMENT ADMINISTRATION

The accompanying bill provides a total of $393,379,000 for the programs and administrative expenses of the Economic Development Administration (EDA) for fiscal year 1999, as described below:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

A total of $368,379,000 is recommended for fiscal year 1999 for Economic Development Assistance Programs, the same amount requested, and an increase of $28,379,000 above the current level.

The recommendation reflects the Committee's continued support for the traditional programs of the Economic Development Administration which provide needed assistance to communities struggling with long-term economic dislocation, as well as sudden and severe economic dislocation. The Committee does not recommend reducing funding for the traditional EDA programs in order to create a new, separate program solely for trade-impacted communities, as was requested in the budget. Instead, the Committee has provided increases for the traditional programs to support all communities facing economic hardship.

Of the amounts provided, $205,850,000 is for the Title I Public Works program, $34,629,000 is for Title IX Economic Adjustment Assistance, $84,800,000 is for Defense Conversion, $24,000,000 is for planning, $9,100,000 is for technical assistance, including uni-

versity centers, $9,500,000 is for trade adjustment assistance, and $500,000 is for research. The Committee expects EDA to continue its efforts to assist communities impacted by economic dislocations related to coal industry downswings and timber industry downturns due to environmental concerns at no less than the current level of effort.

The Committee commends EDA for its efforts to follow the Committee's directive to reform EDA programs to ensure that funds provided under this account are targeted to the most severely distressed areas, which, absent the assistance provided by the EDA, would have little to no access to resources for critical infrastructure development and capacity building. However, such actions by EDA do not diminish the Committee's support for enactment of reauthorization legislation, such as those considered by the authorization committees, to reform EDA programs and provide for the continuation of the basic program to provide infrastructure investments, revolving loan funds, and technical assistance to economically distressed areas, particularly rural areas. The Committee believes such a program provides the "seed capital" to distressed areas to allow local communities to increase their ability to create new economic opportunities and jobs in accordance with local priorities.

The Committee continues its directive for EDA to discontinue the use of single purpose grant loans.

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. The language has been carried in the bill for the last four years.

SALARIES AND EXPENSES

The Committee recommends $25,000,000 for the salaries and expenses of the Economic Development Administration. The amount provided is $4,590,000 below the request and equal to the total amount available in fiscal year 1998, to maintain the base operating level. Program increases have not been provided which were requested to create a new office to support community and economic adjustment issues arising from trade agreements, as such action would be contrary to the streamlining and reinvention initiatives which have been implemented by EDA over the last four years. Further, the Committee commends EDA on the success of these management reforms which have streamlined and better integrated EDA program delivery, thus enabling EDA to decrease its staffing by approximately 30%, while providing improved service to distressed communities.

The Committee has included language in the bill which provides the authority to use this appropriation to monitor projects approved under Title I of the Public Works Employment Act of 1976, Title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The Committee recommends $25,276,000 for the Minority Business Development Agency (MBDA) for fiscal year 1999. This amount is $2,811,000 below the budget request and is $276,000 above the amount provided in fiscal year 1998.

The recommendation provides for requested adjustment to base. In addition, the Committee recommendation assumes that the Entrepreneurial Technology Apprenticeship Program (ETAP) will continue to be supported at its current level.

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

The bill provides $48,000,000 for the economic and statistical analysis programs of the Department of Commerce, including the Bureau of Economic Analysis, for fiscal year 1999. This amount is $5,701,000 less than the budget request and $501,000 above the amount appropriated for fiscal year 1998.

The Committee is concerned that the current national economic statistical accounts are out-dated, particularly in the areas of foreign trade and fast-growing economic sectors. The Committee applauds the BEA for its efforts to prioritize its programs and privatize or eliminate lower priority activities. The Committee believes highest priority should be given to improvement of the national economic statistical accounts, and has provided an increase above the current year's funding to enable the BEA to continue these activities. In addition, the Committee intends that none of the funds provided under this appropriation, or under the Bureau of Census appropriation accounts, be used to carry out the Integrated Environmental-Economic Accounting or "Green GDP" initiative.

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 Under Secretary for Economic Affairs are funded in this account.

BUREAU OF THE CENSUS

The Committee recommends a total of $1,252,034,000 for the Bureau of the Census for fiscal year 1999. This amount is an increase of $64,148,000 above the budget request, and an increase of $558,943,000 above the amount provided for the current fiscal year.

SALARIES AND EXPENSES

The bill provides $140,147,000 for the Salaries and Expenses of the Bureau of the Census for fiscal year 1999, an increase of $2,869,000 above the current level, and $19,955,000 below the request. Of the funds requested under this account, $10,000,000 was to be used to address Year 2000 compliance. The Committee has not provided this funding and instead assumes this requirement will be met by accessing funds that may be appropriated separately for U.S. Government-wide Year 2000 compliance. Therefore, within the recommendation, the following program increases are provided: $4,346,000 for implementation of the North American Industry Classification System, and $4,000,000 for improved data collection for Gross Domestic Product estimates. In addition, the Committee continues to believe that the Bureau must continue to streamline and prioritize its programs funded under this account to ensure that the highest priority activities are supported. Further, the Committee expects the Bureau to be fully reimbursed for any noncore survey requested by any other Federal agency or private organization. The Committee directs the Bureau of the Census to make the Single Audit Clearinghouse database available to the public through the Internet.

This appropriation provides for the current statistical programs of the Bureau of the Census, which include the measurement of the Nation's economy and the demographic characteristics of the population. These programs are intended to provide a broad base of economic, demographic, and social information used for decision making by governments, private organizations, and individuals.

PERIODIC CENSUSES AND PROGRAMS

The Committee recommends a total of $1,111,887,000 for all periodic censuses and related programs funded under this heading in fiscal year 1999, an increase of $556,074,000 above the current fiscal year, and $84,103,000 above the request.

Decennial Census Programs.—The recommendation includes $951,936,000 for decennial census programs in a separate appropriation under this account for fiscal year 1999, an increase of $103,433,000 above the budget request and $566,049,000 above the amount provided for fiscal year 1998. The Committee recommends the following for decennial census programs:

	FY98 enacted	FY99 request	FY99 recommendation
Program Development & Management	23,928	20,242	20,242
Data Content & Products	21,718	139,806	139,806
Field Data Collection & Support	91,390	208,389	290,400
Address List Development	96,078	241,535	241,535
ADP & Telecommunications Support	58,981	142,705	142,705
Testing, Evaluation & Dress Rehearsal	51,736	33,930	33,930
Puerto Rico, Virgin Islands and Pacific	5,739	10,198	10,198
Marketing, Communications & Partnership	36,317	51,698	84,020
(Year 2000 Compliance Costs)	.....	.....	(10,900)
Total, Decennial Census	385,887	848,503	951,936

The Committee is extremely concerned that the Census Bureau is failing to make progress on key decennial census activities, ac-

tivities which are unrelated to the methodology for conducting the 2000 Census. Recent reports by both the General Accounting Office (GAO) and the Commerce Department's Inspector General identified serious problems in development and/or implementation of every major component and activity of the Census plan, including address list development and outreach and promotion, despite the fact that the 2000 Census is less than two years away. Even more troubling is the fact that due to such problems, critical components of the decennial census, such as address list development and use of complex computer systems for unduplication and matching of multiple responses, are not even being tested in the dress rehearsal. As a result, the Committee is extremely concerned that the 2000 Census is headed toward failure, putting at risk the $4,000,000,000 investment which will have been made for this effort.

Therefore, the Committee has provided the full amount requested to address these problems, including a $145,457,000 increase to remedy problems with address list development. In addition, in order to ensure the Census Bureau is fully prepared to implement the 2000 decennial census, the Committee has provided an additional $104,433,000 above the request as follows: $82,011,000 to enable the Bureau to fully staff all Census offices at the beginning of fiscal year 1999 which the Bureau has indicated are necessary to be fully prepared under the dual track agreement; and $32,322,000 for additional marketing, promotion and outreach.

In addition, the recommendation recognizes and facilitates the agreement reached last year between the Congress and the Administration to come to a final decision on the conduct of the 2000 Census in March, 1999. The Committee believes that the provisions included in fiscal year 1998 Act, which included an expedited judicial review process, and created a bipartisan Census Monitoring Board to oversee all aspects of the Census, will provide Congress and the Administration the opportunity to fully review this matter prior to March 1999. Further, it is the Committee's expectation that at that time better information regarding revised cost estimates will be available. The Committee believes that a final agreement must be reached on the conduct of the decennial census, and better information provided on funding requirements, prior to the expenditure of billions of dollars in taxpayer's money. Therefore, the Committee has taken the following actions to ensure that a final determination is made in the time frame agreed upon last year:

—$475,968,000 is provided to fund decennial census activities and operations through March 31, 1999. The Committee directs that the Bureau allocate such funds based on a pro-rata basis for each line item in the table above, and directs the Bureau to provide monthly obligation reports on the expenditure of the funds provided.

—$475,968,000 is provided, to become available only after March 31, 1999, and only after the following has occurred:

(1) the President has requested the release of such funds and has submitted, by March 15, 1999, revised cost estimates for completion of the 2000 Census; and

(2) Congress has passed, and the President has signed, a subsequent Act authorizing the release of such funds. In

addition, to ensure that this critical matter is addressed expeditiously, the bill includes language requiring the Congress to take action on the President's request no later than March 31, 1999.

The Committee notes that for the first time the Census Bureau is planning to use paid advertising in the decennial census. In October 1997, the Bureau awarded the advertising contract for the 2000 Census. The Committee is aware that concerns have been expressed that both the content and the media outlets used during the dress rehearsal for the 2000 Census did not adequately convey to minorities the importance of everyone being counted in the census and did not adequately address the reasons why some people did not participate in the 1990 Census. The Committee therefore directs the Bureau to ensure that diversity in the target audiences is fully addressed and that the advertising for the 2000 Census builds on the experience of the 1990 Census, and to report to the Committee every three months on the advertising contractor's progress in these areas.

Census Monitoring Board.—The recommendation includes $4,000,000 as a separate appropriation for the bipartisan Census Monitoring Board in accordance with section 210 of Public Law 105–119, the same level provided in fiscal year 1998.

Other Periodic Programs.—In addition, the Committee recommends $155,951,000 for other periodic censuses and programs, a decrease of $9,975,000 below the amounts provided in fiscal year 1998, and $23,330,000 below the request. The following table represents the distribution of funds provided for other non-decennial periodic censuses and related programs:

Economic Censuses	$50,546,000
Census of Governments	4,574,000
Intercensal Demographic Estimates	5,260,000
Continuous Measurement	20,000,000
Sample Redesign	5,000,000
Electronic Information Collection (CASIC)	6,081,000
Geographic Support	41,742,000
Data Processing Systems	22,748,000
Total	155,951,000

Continuous Measurement.—The recommendation provides $20,000,000 for this program, also known as the "American Community Survey", an increase of $3,400,000 above the current level, and a decrease of $18,577,000 below the request. The Committee has not provided the full requested increase because of the lack of progress in addressing any of the concerns and issues raised by the Committee last year. The Committee reiterates that, while it is supportive of this effort to replace the long-form in the 2010 decennial census and provide for better data collection, there are serious policy and budgetary ramifications which must be fully examined and decided prior to the creation of a $100,000,000 per year program. Such issues include, but are not limited to, the continuing inability of the Office of Management and Budget and the Bureau of the Census to reduce the burden of data collection and to pursue cost recovery from other Federal agencies for these activities. Further, serious questions remain about how such data will be used for the purposes of funding formulas, given concerns about poten-

tial discrepancies in both the timeliness and completeness of data among rural and urban areas. The Committee urges the Administration to work with the appropriate congressional committees to resolve these issues expeditiously.

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

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The Committee recommends a total of $47,940,000 for the National Telecommunications and Information Administration (NTIA) for fiscal year 1999. This amount is equal to the budget request, and a decrease of $9,610,000 below the amount provided in fiscal year 1998.

SALARIES AND EXPENSES

The Committee recommends $10,940,000 for the Salaries and Expenses appropriation of the National Telecommunications and Information Administration, an amount equal to the budget request and $5,610,000 below the amount appropriated for fiscal year 1998. The Committee recommendation assumes an additional $19,271,000 will be available to the NTIA through reimbursements from other agencies for the costs of providing spectrum management, analysis and research services to those agencies, reflecting implementation of a policy of 80 percent reimbursement for such services beginning in fiscal year 1999.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The Committee recommends $21,000,000 for planning and construction grants for public television, radio, and non-broadcast facilities, an increase of $6,000,000 above the request and the same amount provided in fiscal year 1998. This amount will allow the continuation of the existing equipment and facilities replacement program. The Committee does not include bill language, proposed in the budget, to change the purpose of this program to a digital conversion program. Language has been included in the bill, carried in previous years, which: (1) provides authority to use a portion of funds under this heading for program administration as authorized by law; and (2) permits prior year unobligated balances to be available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

The Committee recommends $16,000,000 for the Information Infrastructure Grant program under NTIA for demonstrations of new telecommunications technology applications. The recommendation is $4,000,000 below the current year funding level, and $6,000,000 below the budget request.

The Committee recommendation reflects the fact that the universal service requirements of the Telecommunications Act of 1996

(Public Law 104-104) will provide significant new opportunities for bringing the information superhighway to schools and libraries, which were not previously envisioned when this program was created. It is the Committee's expectation that this action will reduce the burden on the NII program. The Committee expects NTIA to give particular consideration to applications which would lead to increased telecommunications access in areas where such service is not readily available, and for those activities for which assistance is not available through other mechanisms.

The Committee has also included bill language making $3,000,000 of the funds provided under this heading available for program administration and related program support activities. The bill also includes language carried in previous appropriations act which will allow up to five percent of this appropriation to be available for telecommunications research activities directly related to the development of a national information infrastructure (NII). The Committee does not recommend proposed changes to expand the use of these research funds.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The bill provides total funding of $785,526,000 for the Patent and Trademark Office in fiscal year 1999, the full amount requested, and an increase of $69,526,000 above the current year.

Of this amount, $653,526,000 is to be derived from offsetting fee collections based on the current statutory fee schedule; $102,000,000 is to be derived from additional collections pursuant to the PTO Reauthorization Act (H.R. 3723) which passed the House on May 12, 1998; and $30,000,000 is to be derived from prior year unobligated balances. Within the amounts available to the PTO in fiscal year 1999, the Committee expects that not less than $5,000,000 will be provided to expand PTO's relationship with the National Inventor's Hall of Fame and Inventure Place.

Beginning in fiscal year 1999, upon expiration of the Omnibus Budget Reconciliation Act (OBRA) of 1993, PTO will become fully self-financed by offsetting fee collections. Prior to fiscal year 1999, under the terms of OBRA, a surcharge was levied on patents to provide mandatory savings for deficit reduction. To mitigate the impact of this diversion mandated by OBRA for deficit reduction, direct discretionary appropriations were provided to maintain PTO's operational needs. The Committee is pleased that this diversion will end in fiscal year 1998, but notes that the expiration of OBRA has created a situation whereby an adjustment in the fee schedule is necessary to maintain PTO's operations. The Committee commends the authorization committee for moving expeditiously to address this situation, and has included bill language making fees collected pursuant to this legislation available to the PTO upon enactment of such legislation. In addition, bill language is continued providing for the collection and expenditure of fees pursuant to current statutory authority.

The Patent and Trademark Office is charged with administering the patent and trademark laws of the United States. PTO examines patent applications, grants patent protection for qualified in-

ventions, disseminates technological information disclosed in patents. PTO also examines trademark applications and provides Federal registration to owners of qualified trademarks.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

The Committee recommends $9,000,000 for the Technology Administration's Office of the Under Secretary/Office of Technology Policy. This amount is a reduction of $993,000 from the budget request, and $500,000 above the amount appropriated for the current fiscal year.

The Committee recommendation provides $2,100,000 in fiscal year 1999 for the Experimental Program to Stimulate Competitive Technology (EPSCoT), and $6,900,000 for the base program of the Technology Administration (TA).

The Committee continues its direction included in the fiscal year 1998 Act regarding the use of TA and Department of Commerce resources to support foreign policy initiatives and programs.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The Committee recommends a total of $624,184,000 for the appropriations accounts under the National Institute of Standards and Technology (NIST) for fiscal year 1999. The recommendation is $90,857,000 below the budget request, exclusive of advance appropriations, and a decrease of $53,668,000 below the amount appropriated for fiscal year 1998. In addition, the recommendation does not include requested advance appropriations for FY 2000 through FY 2002 for NIST construction. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The Committee has provided $280,470,000 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 $3,618,000 above the current level and $11,166,000 below the budget request. The amounts provided in this account reflect the Committee's continuing commitment to funding basic research programs that benefit the nation's industries.

The Committee notes that, in an era of declining budgets, the core programs of NIST have enjoyed significant support, receiving continued program increases. While the Committee has not provided the full amount in program increases requested in the budget, the Committee points out that the Administration's budget proposed to pay for the requested increases out of revenues generated by tobacco settlement legislation, which is outside of the control of this Committee. However, given the importance of NIST core research programs, the Committee has worked to identify additional

discretionary funds to support the highest priority NIST research programs.

The following is a breakdown of the amounts provided under this account by activity, reflecting the priorities included in the National Institute of Standards and Technology Authorization Act of 1998 (H.R.1274), which passed the House by voice vote on April 24, 1997:

	Fiscal year 1999		
	Base	Request	Recommended
Electronics & Electrical Engineering	36,627	38,627	38,627
Manufacturing Engineering	19,368	19,368	19,368
Chemical Science & Technology	32,493	39,493	32,493
Physics	28,434	28,434	28,434
Material Sciences and Engineering	52,035	51,335	51,335
Building and Fire Research	13,698	16,698	15,698
Computer Science & Applied Mathematics	43,943	43,943	43,943
Technology Assistance	15,131	19,131	15,965
Baldrige Quality Awards	3,070	5,370	5,370
Research Support	29,237	29,237	29,237
Total, STRS	274,036	291,636	280,470

The recommendation provides full funding for all base activities for the internal research programs of NIST, and includes selected program increases for the highest priority programs. Within the amounts provided, the Committee has included the following program increases: (1) $2,000,000 for semiconductor metrology; (2) $2,000,000 to continue the disaster research program on effects of windstorms begun in fiscal year 1998; (3) $834,000 for increased support for international standards activities; and (4) $2,300,000 to expand the Malcolm Baldrige program to health care and education. The Committee has not provided requested increases proposed to give NIST new responsibilities related to implementation of the Kyoto Protocol on Climate and Global Change and disaster mitigation, because these proposed activities represent new responsibilities for NIST and are duplicative of activities already conducted by other Federal, State, and local agencies. In an era of fiscal constraint, the Committee has been, and remains, supportive of NIST's critical research function and believes that scarce resources should be targeted to supporting NIST's core research mission. Further, while the Committee has provided an increase to bolster NIST's activities related to international standards, the Committee continues its directive included in previous years regarding the placement of additional NIST personnel overseas or support for foreign service nationals.

INDUSTRIAL TECHNOLOGY SERVICES

The Committee recommends $287,000,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology. This amount is $19,000,000 below the current year appropriation, and is $79,691,000 below the budget request.

Advanced Technology Program: The Committee provides $180,200,000 for the Advanced Technology Program (ATP), a decrease of $12,300,000 below the fiscal year 1998 appropriation, and

$79,691,000 below the request. The recommendation, when combined with $23,800,000 in excess balances from prior years, will provide a total funding level of $204,000,000 for the program.

The recommendation provides the following: (1) $43,000,000 in fiscal year 1999 funds for new awards; (2) $120,200,000 for continued funding requirements for awards made in fiscal years 1996, 1997, and 1998 to be derived from $96,400,000 in fiscal year 1999 funding and $23,800,000 from excess balances available from prior years; and (3) $40,800,000 for administration, internal lab support, and Small Business Innovation Research requirements.

In addition, bill language is included designating the amounts available for new ATP awards, pursuant to the agreement reached in fiscal year 1997. The Committee reminds NIST that changes to this funding distribution, including changes resulting from carryover, recoveries and project cancellations, are subject to the reprogramming requirements set forth in section 605 of this Act.

The Committee has been frustrated by NIST's continuing inability to accurately project its funding requirements for this program, as evidenced by the $23,800,000 in excess funds NIST has available which are not necessary to meet current requirements. In a time of fiscal constraint, accurate information is critical. The Committee appreciates the actions taken by NIST and the Department to provide quarterly reports to the Committee of current year deobligations. The Committee requests that such reports be expanded to include quarterly obligation data. In addition, NIST is directed to review the current standard formula used for estimation of mortgages requirements and provide a report to the Committee, not later than February 1, 1999, which includes a comparison of estimated mortgages requirements versus actual requirements for new awards made in each of fiscal years 1994, 1995, 1996, and 1997, as well as recommendations for revisions to the formula which would more accurately reflect true requirements.

Manufacturing Extension Partnership Program: The Committee has included $106,800,000 for the Manufacturing Extension Partnership (MEP) Program, the full amount requested. Of this amount, $98,300,000 is provided for the Regional Centers program, the full amount necessary for continuation of all existing centers, including those centers which have reached their statutory six-year time limit, as well as to continue the existing SBDC-manufacturing field offices at the fiscal year 1998 level. In addition, $8,500,000 is provided for program administration. While the recommendation does not include the requested increase for program administration, the Committee believes any inflationary adjustments can be absorbed within savings realized through the elimination of the national programs office, as funding for this program was eliminated in fiscal year 1998.

In addition, the Committee recommends bill language, as proposed in the budget, to lift the statutory six-year time limitation for center funding.

CONSTRUCTION OF RESEARCH FACILITIES

The Committee recommendation includes $56,714,000 for construction, renovation, and maintenance of NIST facilities, the full amount requested for fiscal year 1999, and $38,286,000 below the

fiscal year 1998 level. In addition, the recommendation does not include $115,000,000 requested for advance appropriations for FY 2000 through FY 2002 for this account.

The Committee remains frustrated that NIST and the Administration do not make facilities requirements an integral part of NIST's overall mission requirements and budget priorities. This is once again evidenced by the fact that the budget proposes significant increases for other NIST programs, while forcing NIST to rely on unacceptable budget gimmicks to address facilities needs. In addition, the Committee is disappointed that the report submitted by NIST, as requested by the Committee, failed to undertake a comprehensive review of NIST facilities requirements in light of fiscal realities and changing requirements.

Therefore, the Committee has included bill language again this year, making the $40,000,000 provided for construction of the Advanced Metrology Laboratory contingent upon submission of a plan for the expenditure of these funds. Such a plan should include an updated, comprehensive review of the requirements for the AML and a realistic funding profile and construction schedule for completion of the project.

This program supports all NIST activities by providing the facilities necessary to carry out the NIST mission. The Institute has proposed a multiyear effort to construct advanced technology laboratories and to renovate NIST's current buildings and laboratory facilities in compliance with more stringent science and engineering program requirements.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommends a total of $2,009,861,000 in new budget (obligational) authority for the five appropriation items of the National Oceanic and Atmospheric Administration (NOAA) and transfers totaling $62,381,000. This amount is an increase of $7,722,000 above the regular amounts appropriated under these accounts for fiscal year 1998, and a decrease of $78,314,000 below the request for direct appropriations and a decrease of $22,281,000 below the request for increases to be paid for through the imposition of controversial new fisheries and navigation safety fees. In addition, the Committee has not provided $2,797,815,000 requested for advance appropriations for fiscal years 2000 through 2011.

The Committee recommendation includes significant resources to address NOAA's highest priority needs, including: $92,805,000 for critical navigation safety programs, an 11% increase over the request; $70,125,000 for Clean Water programs, a 17% increase over the fiscal year 1998 level, including $8,725,000 devoted exclusively to research on the causes and effects of harmful algal blooms such as pfisteria and hypoxia; $642,172,000 for the activities of the National Weather Service, including a $33,483,000 increase over fiscal year 1998 for base operations, research and maintenance activities, as well as funding to complete the ongoing NWS modernization activities; and $439,444,000 for weather satellite programs, a $109,539,000 increase over fiscal year 1998.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The bill includes $1,470,042,000 in new budget (obligational) authority for the coastal, fisheries, marine, weather, environmental, satellite, and other programs funded in this appropriation. This amount is a reduction of $17,439,000 from the budget request for direct appropriations under this account. In addition, the recommendation does not include an additional $22,281,000 in funding requested for certain fisheries programs as the budget proposed to finance such programs through increased revenues from unacceptable new fisheries and navigation fees.

In addition to the new budget authority provided for the NOAA ORF account, the Committee recommends a transfer of $62,381,000 from balances in the account entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries." This amount is equal to the budget request, and will support a $3,353,000 Saltonstall-Kennedy grant program, in addition to any carryover realized in the Fund from fiscal year 1998. The total amount provided also includes a transfer of $4,714,000 from the Damage Assessment Revolving Fund, as included in the budget request, $1,700,000 from the Federal Ship Financing Fund to cover administrative expenses related to that account, and prior year deobligations and carryover funding totaling $31,327,000. The bill also includes language allowing NOAA to retain gifts and contributions made under the Marine Sanctuary Program. The Committee expects NOAA to fully utilize the authorities provided for this program.

Language is also included in the bill specifying the total amount of direct obligations available for each of the six NOAA line organizations and other related activities funded through this account. The Committee has taken this action to provide greater clarity and accountability in budgeting and management for the diverse activities funded in this account. In addition, the bill also includes language regarding the practice of assessing NOAA line organizations, programs, projects, and activities, to support NOAA and line organization overhead and programs over and above the amounts specifically provided. Language is also included regarding use of deobligations in excess of amounts estimated in the budget.

Further, the Committee expects NOAA to follow the directions given in this section of the report, as well as the sections addressing the Committee's reprogramming requirements.

NOAA Budgetary and Financial Management.—The Committee is frustrated by NOAA's continued inability to address the serious budgetary and financial management problems which have been highlighted by this Committee, the General Accounting Office, the Inspector General, and its own independent auditors for the last three years. These problems include, but are not limited to, the following: (1) NOAA's inability to project its funding requirements for any given fiscal year; (2) NOAA's complete disregard for the direction included in the fiscal years 1996, 1997, and 1998 House Reports and Statement of Managers included in the Conference Report accompanying the fiscal years 1996, 1997 and 1998 Appropriations Acts, for the Department of Commerce and NOAA regarding

development of a revised budget structure that displays the amounts requested under a true program office and activity structure, and which also segregates amounts requested for headquarters and field office components for various activities, as well as indicates the amounts intended for external grants and contracts; and (3) NOAA's refusal to follow the guidance given by both its independent auditors and the Inspector General which have recommended that its financial information be presented under a true program office and activity structure to allow for better oversight and management of its resources.

The Committee is aware that a new Chief Financial Officer (CFO) has been appointed by NOAA, and the Committee looks forward to working with the CFO to expeditiously resolve these problems. Therefore, the Committee directs NOAA, through the Department of Commerce, to take the following actions to improve its budgetary and financial management practices: (1) submit to the Committee, not later than September 15, 1998, a draft outline for a revised budget structure in accordance with the direction given in previous Committee reports; (2) submit to the Committee, not later than September 15, 1998, a plan for implementing the independent auditors' recommendations regarding the presentation of its financial information; and (3) submit to the Committee, not later than November 1, 1998, an operating plan for expenditure of funds available to NOAA in fiscal year 1999 based on the Committee's distribution shown in the accompanying table, and report to the Committee on a quarterly basis, the status of obligations against the Committee's distribution.

NOAA Corps.—On January 25, 1996, in response to the Vice-President's reinventing government initiative, the Administrator of NOAA announced the elimination of the NOAA Commissioned Corps by October 1, 1998. Despite this policy, the Administration failed to transmit to the Congress in a timely fashion the necessary legislation to implement the Administration's stated policy. Such delay contributed to uncertainty and hardship on Corps officers, and resulted in an imbalance in the complement of Corps officers which could adversely affect the ability of NOAA to meet its mission requirements. The Committee is pleased that on June 17, 1998, the Administration took action to resolve this uncertainty, by announcing a series of management changes to reorient the NOAA Corps to its critical mission, in lieu of complete dismantlement. These changes include: (1) creating a civilian head for the NOAA's Corps, whose responsibility will be to partner with private industry and academia to meet NOAA's ship and aircraft requirements; (2) providing a complement of 240 Corps officers to operate current ships and aircraft, while requiring continued reliance on contracting out for similar services to meet mission requirements; (3) realigning the NOAA Corps staffing structure to refocus it on the central mission of ship and aircraft services and support; and (4) conducting periodic reviews of Corps staffing needs as ships and aircraft are decommissioned and mission requirements change.

The Committee encourages NOAA to work expeditiously to implement this proposal, and directs NOAA to provide to the Committee a complete implementation plan, not later than November 1, 1998, in accordance with section 605 of this Act. Upon submission

of this implementation plan, the Committee will support the recruitment of new classes of NOAA Corps officers. Reflecting this new proposal, the bill includes language, similar to that carried in previous years, placing a ceiling of not to exceed 240 commissioned officers as of September 30, 1999. The Committee notes that NOAA expects 236 officers to be on-board at the end of FY 1998, and therefore assumes NOAA will be able to meet the ceiling included in the recommendation while fully implementing the proposed changes to the Corps.

The following table compares the Committee recommendation to the 1998 enacted appropriation and the fiscal year 1999 budget request for the activities, sub-activities, and projects funded in this appropriation:

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 1999

[In thousands of dollars]

	Fiscal years—		
	1998 enacted	1999 request	1999 recommended
NATIONAL OCEAN SERVICE			
Navigation Services:			
Mapping and Charting	30,100	30,100	31,100
Address Survey Backlog	13,900	8,500	16,000
Subtotal	44,000	38,600	47,100
Geodesy	20,700	19,159	19,159
Tide and Current Data	11,350	11,000	12,000
Acquisition of Data	14,546	14,546	14,546
Total, Navigation Services	90,596	83,305	92,805
Ocean Resources Conservation Assessment:			
Estuarine and Coastal Assessment	2,674	2,674	2,674
Ocean Assessment Program	35,300	41,336	33,861
Damage Assessment	3,000	4,500	4,000
Transfer from Damage Assessment Fund	6,915	5,683	5,683
Oil Pollution Act of 1990	1,000	1,000	1,000
Ocean Services	2,500	.....	.....
Oceanic and Coastal Research	7,910	7,410	7,410
Subtotal—Est & Coastal Assess	59,299	62,603	54,628
Coastal Ocean Program	17,200	17,800	19,000
Total, ORCA	76,499	80,403	73,628
Ocean and Coastal Management:			
Coastal Management:			
CZM Grants	49,700	55,700	52,700
Estuarine Research Reserve System	5,650	4,300	4,300
Nonpoint Pollution Control	1,000	6,000	2,000
Program Administration	4,500	4,500	4,500
Subtotal	60,850	70,500	63,500
Marine Sanctuary Program	14,000	13,200	15,000
Total, Ocean & Coastal Management	74,850	83,700	78,500
Total, NOS	241,945	247,408	244,933

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 1999—Continued

[In thousands of dollars]

	Fiscal years—		
	1998 enacted	1999 request	1999 recommended
NATIONAL MARINE FISHERIES SERVICE			
Information Collection and Analysis:			
Resource Information	99,300	92,714	94,741
Antarctic Research	1,200	1,200	1,200
Chesapeake Bay Studies	1,890	1,500	1,890
Right Whale Research	400	200	250
MARFIN	3,500	3,000	3,000
SEAMAP	1,200	1,200	1,200
Alaskan Groundfish Surveys	950	661	661
Bering Sea Pollock Research	945	945	945
West Coast groundfish	780	780	780
New England Stock Depletion	1,000	1,000	1,000
Hawaii Stock Management Plan	500	.....	.....
Yukon River Chinook Salmon	700	700	700
Atlantic Salmon Research	710	710	710
Gulf of Maine Groundfish Survey	567	567	567
Dolphin/Yellowfin Tuna Research	250	250	250
Habitat Research/Evaluation	450	.....	.....
Pacific Salmon Treaty Program	5,587	5,587	5,587
Hawaiian Monk Seals	550	500	550
Steller Sea Lion Recovery Plan	2,770	1,440	1,770
Hawaiian Sea Turtles	248	248	248
Bluefish/Striped Bass	800	.....	1,000
Halibut/Sablefish	1,200	1,200	1,200
Subtotal	125,497	114,402	118,249
Fishery Industry Information:			
Fish Statistics	13,000	14,500	13,000
Alaska Groundfish Monitoring	5,500	5,200	5,200
PACFIN/Catch Effort Data	4,700	3,000	4,700
Recreational Fishery Harvest Monitoring	3,900	3,100	3,900
GULF FIN Data Collection Effort	.....	.....	3,000
Subtotal	27,100	25,800	29,800
Information Analyses and Dissemination	20,900	20,900	20,900
Computer Hardware and Software	4,000	4,000	4,000
Subtotal	24,900	24,900	24,900
Acquisition of Data	25,098	25,098	25,098
Total, Information, Collection and Analyses	202,595	190,200	198,047
Conservation and Management Operations:			
Fisheries Management Programs	27,250	34,400	25,450
Columbia River Hatcheries	12,055	10,300	10,300
Columbia River Endangered Species	288	288	288
Regional Councils	11,900	12,800	12,800
International Fisheries Commissions	400	400	400
Management of George's Bank	478	478	478
Beluga Whale Committee	200	200	200
Pacific Tuna Management	2,300	1,250	1,250
Subtotal, Fisheries Mgmt Programs	54,871	60,116	51,166
Protected Species Management	6,200	6,200	6,200
Driftnet Act Implementation	3,278	3,278	3,278

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 1999—Continued

[In thousands of dollars]

	Fiscal years—		
	1998 enacted	1999 request	1999 recommended
Marine Mammal Protection Act	9,500	9,500	9,500
Endangered Species Act Recovery Plan	20,200	30,450	20,200
Dolphin Encirclement	.....	3,300	3,300
Fishery Observer Training	417	.....	417
East Coast Observers	350	350	350
Subtotal, Protected Species Mgmt	39,945	53,078	43,245
Habitat Conservation	8,500	10,700	8,400
Enforcement & Surveillance	17,600	18,500	17,600
Total, Conservation, Mgmt & Operations	120,916	142,394	120,411
State and Industry Assistance Programs:			
Interjuridsictional Fisheries Grants	2,600	2,600	2,600
Anadromous Grants	2,100	2,100	2,100
Anadromous Fishery Project	.....	258	.....
Interstate Fish Commissions	6,750	4,000	6,750
Subtotal, State & Industry Assistance	11,450	8,958	11,450
Fisheries Development Program:			
Product quality and safety/Seafood Inspect	10,524	9,824	9,824
Hawaiian Fisheries Development	750	.....	.....
Subtotal, Fisheries Development	11,274	9,824	9,824
Total, State and Industry Programs	22,724	18,782	21,274
Total, NMFS	346,235	351,376	339,732
OCEANIC AND ATMOSPHERIC RESEARCH			
Climate and Air Quality Research:			
Interannual & Seasonal	12,900	12,900	12,900
Climate & Global Change Research	60,000	62,000	60,000
GLOBE	5,000	6,000	.....
Subtotal	77,900	80,900	72,900
Long-term climate & Air Quality Research	29,402	30,387	29,757
High Performance Computing	7,500	12,500	9,000
Subtotal	36,902	42,887	38,757
Total, Climate and Air Quality Research	114,802	123,787	111,657
Atmospheric Programs:			
Weather Research	37,213	34,613	34,613
Wind Profiler	4,350	4,350	4,350
Subtotal	41,563	38,963	38,963
Solar/Geomagnetic Research	5,700	6,000	6,000
Total, Atmospheric Programs	47,263	44,963	44,963
Ocean and Great Lakes Programs:			
Marine Research Prediction	22,976	15,251	19,501
GLERL	6,000	.....	6,825

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 1999—Continued

[In thousands of dollars]

	Fiscal years—		
	1998 enacted	1999 request	1999 recommended
Subtotal	28,976	15,251	26,326
Sea Grant	56,000	50,182	59,000
National Undersea Research Program	15,500	4,150	.....
Total, Ocean and Great Lake Program	100,476	69,583	85,326
Acquisition of Data	15,000	12,884	12,884
Total, OAR	277,541	251,217	254,830
NATIONAL WEATHER SERVICE			
Operations and Research:			
Local Warnings and Forecasts	324,000	354,851	352,650
MARDI	73,674	64,036	64,036
Advanced Hydrological Prediction System	.....	4,200	.....
Radiosonde Replacement	910	4,340	2,000
Susquehanna River Basin flood system	1,120	619	1,250
Aviation forecasts	35,596	35,596	35,596
Subtotal	435,300	463,642	455,532
Central Forecast Guidance	29,543	35,574	31,000
Atmospheric and Hydrological Research	2,489	2,964	2,964
Total, Operations and Research	467,332	502,180	489,496
Systems Acquisition:			
Public Warnings and Forecast Systems:			
NEXRAD	39,591	38,346	38,346
ASOS	5,341	7,116	7,116
AWIPS/NOAA Port	.....	12,189	12,189
Computer Facilities Upgrades	8,000	4,600	4,600
Total, Systems Acquisition	52,932	62,251	62,251
Total, NWS	520,264	564,431	551,747
NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE			
Satellite Observing Systems:			
Polar Convergence/IPO	34,000	.....	.....
Ocean Remote Sensing	4,000	4,000	1,500
Environmental Observing Systems	50,347	51,486	50,347
Total, Satellite Observing Systems	88,347	55,486	51,847
Environmental Data Management Systems	27,500	28,550	33,550
Data and Information Services	16,335	16,335	16,335
Regional Climate Centers	2,500	.....	2,500
Total, EDMS	46,335	44,885	52,385
Total, NESDIS	134,682	100,371	104,232
PROGRAM SUPPORT			
Administration and Services:			
Executive Direction and Administration	19,200	19,200	19,200
Systems Acquisition Office	1,420	.....	.....
Subtotal	20,620	19,200	19,200

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 1999—Continued

[In thousands of dollars]

	Fiscal years—		
	1998 enacted	1999 request	1999 recommended
Central Administrative Support	31,850	31,850	31,850
Retired Pay Commissioned Officers	8,000	7,000	7,000
Total, Administration and Services	60,470	58,050	58,050
Aircraft Services	10,400	10,500	10,500
Rent Savings	(4,656)	.....	(4,656)
Total, Program Support	66,214	68,550	63,894
Fleet Maintenance	13,500	9,600	6,300
FACILITIES			
NOAA Facilities Maintenance	1,800	1,800	1,800
NOAA-wide Space Planning	.....	735	.....
Sandy Hook Lease	2,000	2,000	2,000
Environmental Compliance	2,000	2,000	2,000
WFO Maintenance	1,000	5,400	3,000
Columbia River Facilities	4,465	4,465	4,465
Total, Facilities	11,265	16,400	13,265
Direct Obligations	1,611,646	1,609,353	1,578,933
Reimbursable Obligations	317,015	195,767	195,767
Offsetting Collections (data sales)	2,400	3,600	3,600
Anticipated Offsetting Collections (aerocharts)	3,000	.....	.....
New Offsetting Collections (fish fees)	.....	19,781	.....
New Offsetting Collections (navigations fees)	.....	2,500	.....
Subtotal, Reimbursables	322,415	199,367	199,367
Total, Obligations	1,934,061	1,808,720	1,778,300
FINANCING			
Deobligations	(24,000)	(28,527)	(31,327)
Unobligated Balance transferred, net	(1,500)	(969)	(969)
Federal Ship Financing Fund	(1,700)	.....	(1,700)
Coastal Zone Management Fund	(7,800)	(4,000)	(7,800)
Offsetting Collections (data sales)	(2,400)	(3,600)	(3,600)
Anticipated Offsetting Collections (aerocharts)	(3,000)	.....	.....
New Offsetting Collections (fish fees)	.....	(19,781)	.....
New Offsetting Collections (navigation fees)	.....	(2,500)	.....
Federal Funds	(172,000)	(134,927)	(134,927)
Non-federal Funds	(145,015)	(60,840)	(60,840)
Subtotal, Financing	(357,415)	(232,863)	(241,163)
Budget Authority	1,576,646	1,575,857	1,537,137
FINANCING FROM			
Promote and Develop American Fisheries	(62,381)	(62,381)	(62,381)
Damage Assess. & Restor. Revolving Fund	(5,200)	(4,714)	(4,714)
Appropriation, ORF	1,509,065	1,508,762	1,470,042

National Ocean Service

The Committee has included a total of $244,933,000 for activities of the National Ocean Service (NOS) for fiscal year 1999, instead

of $241,945,000 provided for fiscal year 1998 and $247,408,000 requested.

Navigation Safety Programs.—The Committee has included $92,805,000 for NOAA's navigation safety programs. This amount represents a $2,209,000 increase over the current fiscal year, and $9,500,000 above the request for these activities and programs. The Committee remains frustrated by the low priority the Administration continues to place on these critical safety programs. The Committee notes that once again, the fiscal year 1999 budget proposed significant reductions in these critical programs while requesting increases in other programs not traditionally part of the NOS mission. Further, the Committee is bewildered at the Administration's proposal to levy new fees for navigation services, while proposing significant cuts in navigation programs. The Committee has rejected such a proposal and has increased funds for these critical programs. The Committee continues to believe that a 30 year backlog in updated charts and surveys for critical navigable waters is completely unacceptable and expects NOAA and the Administration to make navigation safety a high priority in future budget requests.

Mapping and Charting.—The recommendation includes $47,100,000 for mapping and charting activities, an increase of $9,500,000 above the request and $3,100,000 above the amounts provided in fiscal year 1998. In addition, $14,565,000 is provided under Acquisition of Data line to support these activities. The recommendation reflects the Committee's continued commitment to the navigation-safety programs of NOS, and its concerns regarding the ability of the NOS to continue to meet its mission requirements over the long term.

The recommendation includes $16,000,000 under the line item Address Survey Backlog/Contracts exclusively for contracting out with the private sector for data acquisition needs, an increase of $2,500,000 above the current level and $7,500,000 above the request. The Committee remains concerned that the NOS and NOAA have not taken sufficient steps to develop a viable short-term and long-term plan for hydrographic services. Given the age of NOAA's current hydrographic ships, and the fact that fiscal constraints will preclude additional government-owned replacement vessels, such failure jeopardizes NOAA's ability to meet this critical mission requirement. While the Committee appreciates the efforts of NOS to work with the Committee and all interested parties to address this matter, the Committee was disappointed that the report lacked specific plans to comply with some of the direction provided in the fiscal year 1998 report, including a plan for 50% outsourcing, as well as the development of innovative mechanisms and alternatives to maintain core capabilities for appropriate oversight to ensure data quality. The Committee is aware that an independent study is currently being conducted to address these issues. Therefore, the Committee directs NOAA to provide a report to the Committee no later than February 1, 1999, which address these issues and includes a plan for outsourcing not less than 50% of hydrographic survey work by fiscal year 2000.

Geodesy.—The Committee has included $19,159,000 for NOAA's geodesy programs, the full amount requested. The Committee notes

that the National Geodetic Survey (NGS) has failed to submit to the Committee the study funded in fiscal years 1997 and 1998 concerning the National Height Modernization survey, and urges NGS to move expeditiously to provide the results of this study to the Committee.

Tide and Current Data.—The Committee has recommended $12,000,000 for this activity, an increase of $1,000,000 above the request, to enable NOS to implement and maintain the necessary quality controls for real-time tide and current data systems.

Ocean Assessment Program.—The Committee recommendation provides $33,861,000 for this line item. The recommendation provides the following: $12,600,000 for the base program; $12,500,000 for the NOAA Coastal Services Center, including funding for defense technology activities; $2,000,000 to continue outreach and education on coastal and ocean environments under the JASON project; $2,436,000 for the NOAA Beaufort/Oxford Laboratory; $2,925,000 for pfisteria and other harmful algal bloom research and monitoring; and $1,400,000 for coastal hazards modeling activities. The Committee has not provided any additional funds under this activity for the South Florida Ecosystem Restoration project or for a new hypoxia research program, as resources have been provided elsewhere within NOAA for these items.

The recommendation reflects the transfer of the Beaufort/Oxford Laboratory to the NOS, as proposed, as the activities of this laboratory more appropriately belong in NOS and such action is consistent with actions taken last year transferring the Charleston laboratory from NMFS to NOS. The Committee supports the further consolidation of ocean and coastal research and assessment programs into a single line organization as such action would ensure greater coordination and cooperation and guard against duplication of efforts. However, the Committee believes that NOAA's recent proposal falls short of this goal by proposing to move only a portion of coastal and ocean-related programs from Oceanic and Atmospheric Research (OAR) to NOS. This is further evidenced by the fact that the budget request continues to fund similar programs in both NOS and OAR. Therefore, the Committee has not recommended the transfer of the Great Lakes Environmental Laboratory from OAR at this time, but would be willing to consider such action in the context of a reorganization which fully consolidates all ocean and coastal research and monitoring programs into NOS.

Damage Assessment Restoration Program.—The recommendation provides a total of $10,683,000 for the Damage Assessment program in fiscal year 1999, including a $1,000,000 increase in direct appropriations for these activities.

Coastal Ocean Program.—The recommendation includes $19,000,000 for this program, an increase of $1,200,000 above the request and $1,800,000 above the amount provided in fiscal year 1998. Within the amount provided, the Committee has included $4,800,000 for research related to hypoxia, pfisteria and other harmful algal blooms, an increase of $1,200,000 above the request. Within the funds provided, the Committee expects the Coastal Ocean Program managers to give maximum priority to hypoxia research in the Gulf of Mexico and Lake Ponchartrain, and expects that any program be conducted utilizing the expertise of university

partners in the area. In addition, the Committee strongly urges the Coastal Ocean Program to continue its work on the Brown Tide Research Initiative to address algal blooms in the Peconic estuary system, the South Shore Estuary Reserve and adjacent Long Island waters which have devastated the area's recreational and commercial fishing industry, as well as to continue systematic mapping of the estuary to identify contaminants and profile the trouble that has plagued the shellfish industry. Such efforts should supplement other efforts to maintain the health and integrity of the entire Peconic system. Further, the Committee recommendation assumes funding for South Florida Ecosystems at the current level, and expects that any program will be conducted utilizing the expertise of university partners in the area.

Coastal Zone Management.—The Committee recommendation provides a total of $63,500,000 under the National Ocean Service to assist coastal states in implementing Clean Water programs. Of this amount, $54,700,000 is provided for grants under sections 306, 306A, 309 and 6217 of the Coastal Zone Management Act (CZMA), an increase of $4,000,000 above the current level. The Committee has not provided a separate appropriation for section 309 grants, because such action is inconsistent with the CZMA. Under the CZMA, NOAA is authorized to set aside up to 20% of the funds appropriated under section 306 and 306A grants for section 309 activities. Therefore, the Committee has provided an increase under the regular 306 and 306A program, which will enable NOAA to make up to $10,540,000 available for section 309 grants. In addition, the Committee has provided $2,000,000 for the Non-Point Source Pollution program under section 6217 of the CZMA.

While the Committee has provided an increase for the the Non-Point Source Pollution program, the Committee is concerned that the program remains unauthorized, and that such program may be duplicative of programs funded under the Environmental Protection Agency (EPA) and the Department of Agriculture (DOA). Such duplication would drain much needed resources from other important NOAA coastal programs. Therefore, the Committee urges NOAA to re-examine this program and submit a report to the Committee, not later than March 1, 1999, containing the following: (1) a description of the recipients and projects funded in FY 1998 and FY 1999 through NOAA's program; (2) a description of how these activities differ from projects supported under sections 306, 306A and 309 of the CZMA; (3) an explanation of all other programs administered by other Federal agencies, including the EPA and DOA, to support clean water and non-point source pollution efforts; (4) the total resources provided for all Federal agencies in fiscal years 1998 and 1999 for these activities; (5) an assessment of the unique role each agency's program fulfills in supporting non-point pollution efforts; and (6) a description of the mechanism used to ensure no duplication of effort among Federal programs.

Marine Sanctuary Program.—The Committee has included $15,000,000 for the National Marine Sanctuary Program, an increase of $1,800,000 above the request. Within the amount provided, $500,000 is to be provided to support the activities of the Northwest Straits Citizens Advisory Commission. The Commission was established to provide an ecosystem focus on the marine re-

sources in the area, mobilize science and support marine resource committees, and establish a forum for coordination and consensus building, in lieu of Federal designation of the area as a marine sanctuary. The Committee believes that such a consensus-based approach is an innovative and novel way to promote marine conservation, the goal of the Marine Sanctuary Program. In addition, the Committee supports use of a portion of the increase to complete NOAA's on-going activities regarding an environmental impact statement being conducted for the U.S.S. Monitor. However, the Committee expects that additional resources to implement the Monitor project will be derived from other Federal and non-Federal sources.

Further, the Committee continues to believe that NOAA should redouble its efforts to pursue revenue enhancement initiatives to explore other voluntary, innovative means to identify partners and raise additional resources for the sanctuaries. In addition, the bill includes language, carried in previous years, allowing the collection of user fees for the sanctuaries. The Committee believes that, given these tools, and with continued diligence, additional resources could be made available to provide support to the sanctuaries program, and directs NOAA to report to the Committee not later than March 1, 1999 on the progress of its efforts.

National Estuarine Research Reserve.—In addition, the Committee has provided $4,300,000 for the National Estuarine Research Reserve program under this account, the same amount as requested.

NATIONAL MARINE FISHERIES SERVICE

The Committee has provided a total of $339,732,000 for the programs of the National Marine Fisheries Service (NMFS), as compared to $346,235,000 provided in fiscal year 1998 and $351,376,000 requested. The Committee notes that the budget proposed that $19,781,000 of the requested increases in NMFS be paid by new fisheries fees, a proposal which has already been rejected by the Congress. Therefore, in light of the unrealistic funding mechanisms proposed in the budget to finance increases in NMFS, the Committee has prioritized to provide the necessary resources to support NMFS programs. The Committee notes that despite tremendous fiscal constraints, funding for NMFS programs has increased by more than 26% over the last three years, reflecting the Committee's commitment to building sustainable fisheries.

The Committee's actions reflect the fact that the key to any actions related to the building of sustainable fisheries lies in the ability to accurately assess the status of the stocks. Early assessment enables more accurate and timely decisions by managers of the resource to ensure continued viability of the resource. Thus the Committee has placed highest priority on, and provided increases for, programs and activities which ensure that NMFS and its resource management partners have access to the necessary information to make sound fishery management decisions.

Resource Information.—The Committee recommendation includes $94,741,000 for this item, of which $5,127,000 is provided for adjustments to base and program increases to enhance NOAA's base stock assessment and survey programs. The Committee also in-

cludes funding at the fiscal year 1998 level to continue the activities of the Gulf and South Atlantic Fisheries Development Foundation for data collection and analyses in the red snapper and shrimp fisheries, as well as to continue the aquatic resources environmental initiative at the current level. In addition, the Committee recommends $450,000 for a study of hard clam population dynamics in the South Shore Estuary Reserve in Long Island utilizing the expertise of university partners in the area.

The recommendation also includes reductions to reflect the following transfers requested in the budget: (1) a $1,686,000 reduction in Resource Information and a $100,000 reduction in Habitat Conservation to reflect the transfer of funding for the Beaufort/Oxford Laboratory from NMFS to NOS; and (2) a $3,800,000 reduction in Resource Information to reflect the transfer of funding for Tuna Dolphin/Dolphin Encirclement activities to NMFS Protected Species Management.

The Committee is concerned that, despite existing fishery management practices, the bluefin tuna fishery off the coast of Long Island has been shut down during each of the past three seasons due to inaccurate collection of the data necessary to determine the quota for this fishery. The bluefin tuna fishery is an integral part of the commercial and recreational fishing industry in the area, and such closure causes significant hardship. Therefore, the Committee directs the Secretary of Commerce to report back to the Committee, not later than 90 days after enactment of this Act, on the Department's efforts to fully resolve this problem, which to this point has only been partially addressed due to the inability of the NOAA to accurately count and allocate the bluefin tuna fishery.

Sea Turtle Protection.—The Committee expects NMFS to continue to improve its activities in the area of protecting, recovering and improving beach monitoring of the Kemps Ridley and other sea turtles. The Committee directs NMFS to provide not less than $250,000, within the amounts provided for conservation and management activities, to continue ongoing efforts at Rancho Nuevo to protect and enhance sea turtle recovery efforts, and $100,000 for loggerhead nesting and research programs in Florida and Georgia.

The Committee continues to concur with the direction included in the conference report accompanying the fiscal year 1998 Act, and directs NMFS and the Secretary of Commerce to comply with such direction regarding a prohibition on developing or implementing any new or revised biological opinions regarding shrimp fishing and turtle interaction until the Secretary of Commerce establishes a shrimp-turtle panel to develop and review such biological opinions only as outlined in the fiscal year 1998 House Report H. Rept. 105–207).

Bycatch Reduction.—The Committee remains concerned that the Department has moved forward to implement a final rule for the shrimp fishery mandating the use of fish excluder or bycatch reduction devices in shrimp nets and the potential reduction of the total allowable catch of red snapper in the Gulf of Mexico. Despite the availability of significant scientific data to the contrary, NMFS and the Department continue to rely on stock assessment analysis methods that are significantly different from models and ap-

proaches used for most fisheries and that overlook increases in the red snapper stock.

Atlantic Bluefish/Striped Bass.—The Committee recommendation includes $1,000,000 in funding under Resource Information to continue the on-going program to study the decline of nearshore Atlantic bluefish stocks, an increase of $200,000 above the amount provided in fiscal year 1998. The Committee intends that the increase be used to establish a cooperative relationship between NMFS and the Southampton College of Long Island University to support striped bass/bluefish research.

PACFIN/catch effort data.—The Committee has provided $4,700,000 for this activity, the same amount provided in fiscal year 1998, and an increase of $1,700,000 above the request.

RECFIN.—The Committee has provided $3,900,000 for the RECFIN program, an increase of $800,000 above the request. The Committee expects that the programs for the West Coast, Atlantic States, and Gulf States shall each receive one-third of these funds. Funding for any supplemental region-specific projects is to be derived from the overall "Fish Statistics" line item.

GulfFIN.—The Committee has provided $3,000,000 to establish a data collection and analyses program for fisheries catch and stock assessment data in both the commercial and recreational areas of the Gulf of Mexico. The Committee has taken such action due to the fact that many of the problems related to fisheries in the Gulf stem from continued disagreement over the adequacy and accuracy of data collection and analyses efforts. The Committee notes that the creation and success of PACFIN has resolved many similar disputes in the Pacific fisheries, and thus believes this is a model to address the situation in the Gulf. Therefore, funding has been included to implement the recommendations included in the report submitted by the Gulf States Marine Fisheries Commission, at the request of the Committee in fiscal year 1998, to address the dearth of reliable fishery data collection and analyses in this area. The Committee directs that these efforts shall not be duplicated within NMFS or the Gulf of Mexico Regional Fisheries Management Council.

Conservation Management and Operations.—The Committee recommendation includes $120,411,000 for these programs, $405,000 below the current level and $21,478,000 below the request. The Committee was unable to provide the requested increases for many of the programs under this account due to the fact that the Administration's budget submission proposed to pay for these increases for management and enforcement programs through $19,780,000 in controversial new commercial fisheries user fees, which the Congress has rejected in the past. While the Committee has not been able to provide these increases, the Committee notes that funding for these programs has increased by over 37% in the last three years, and has therefore tried to prioritize to provide some additional resources to the highest priority programs, including additional funds for Regional Fisheries Management Councils. Within the amount provided for Protected Species Management, the Committee expects NMFS to continue to work with the States and other interested parties to complete an investigation into the im-

pacts of California sea lions and harbor seals on salmonids and the West Coast ecosystem.

The Committee is aware of two recent court cases in which the Department was found deficient in conducting the required economic and scientific analysis required under the Sustainable Fisheries Act for fishery management plans for summer flounder and shark. The Committee notes that incorrectly devised quotas could have a devastating impact on the fishing industries in North Carolina and Virginia, and thus directs the Department to conduct these analyses appropriately, in consultation with commercial and recreational industry representatives, and report its results to the Committee by November 15, 1998.

Interstate Fish Commissions.—The recommendation includes $6,750,000 for interstate fish commissions, an increase of $2,750,000 above the request, and the same amount provided in fiscal year 1998. The Committee directs that $750,000 be provided to the three interstate commissions, with the remaining funds to be provided for implementation of the Atlantic Coastal Fisheries Cooperative Management Act.

The Committee expects NOAA to include as a priority under the Saltonstall-Kennedy grant program, proposals for research and education efforts directed at the protection of high-risk consumers from naturally occurring bacteria associated with raw molluscan shellfish. Specifically, the Committee expects $250,000 in S–K funds to be provided to support ongoing efforts by the Interstate Shellfish Sanitation Conference (ISSC) to address concerns associated with *Vibrio vulnificus*.

OCEANIC AND ATMOSPHERIC RESEARCH

The Committee has provided a total of $254,830,000 for the Oceanic and Atmospheric Research programs of NOAA, instead of $251,217,000 as requested.

The Committee recommendations includes the following amounts for basic laboratory research and support under Oceanic and Atmospheric Research:

Climate and Air Quality Research and Atmospheric Programs.—The Committee has included $12,900,000 for the base Interannual and Seasonal Climate research program, the full amount requested. The recommendation also includes $60,000,000 for the Climate and Global Change program, the same level provided in fiscal year 1998 and $2,000,000 below the request. Of this amount not less than $12,000,000 is for the International Research Institute and related regional application centers programs, the full amount requested for the IRI and related activities, and a $2,000,000 increase over the current year. The Committee recommendation reflects the priority placed on short- and medium-term climate forecasting, such as the El Niño and La Niña phenomena. The Committee directs that these increases be offset by reductions in lower priority programs which are not core NOAA mission requirements and are duplicative of other Federal agencies programs, including social science-related economic and human dimensions assessments.

The recommendation also includes $38,757,000 for Long-Term Climate and Air Quality Research, including $9,000,000 to begin

development and procurement of a massively parallel processing system. While the Committee has not provided the full increase requested for this activity, the Committee is supportive of this proposal and looks forward to working with NOAA to identify the resources to move this initiative forward. In addition, $34,613,000 is provided for the base weather research program, a $1,000,000 increase over the current year to address base funding requirements.

Marine Prediction Research.—The recommendation includes a total of $19,501,000 for this activity in fiscal year 1999. Within the total recommended, the Committee has provided $8,801,000 for the base Marine Prediction Research program, $1,450,000 to reflect the transfer of the Ocean Services activity from NOS to OAR, and $1,750,000 to continue the Arctic Research Initiative. In addition, within this amount, the Committee has also provided $1,300,000 for implementation of the National Invasive Species Act, including $500,000 above the request to continue the ballast water demonstration program. Funding is also provided to continue the aquatic ecosystems initiative and the VENTS program at their fiscal year 1998 levels.

GLERL.—The Committee has included $6,825,000 for the Great Lakes Environmental Research Laboratory, the full amount requested. The Committee has continued funding for GLERL within OAR, given the other Great Lakes-related programs funded in this line organization. Should NOAA propose to consolidate all related programs into one line organization, the Committee would be willing to consider such a transfer in accordance with the direction included under the National Ocean Service.

Sea Grant.—The Committee recommendation includes $59,000,000 for the Sea Grant program, an increase of $8,818,000 above the budget request, and $3,000,000 above the current year's funding. Within this amount, $2,800,000 is included for zebra mussel research in accordance with the Non-Indigenous Aquatic Nuisance Prevention and Control Act, and $2,500,000 is for oyster disease research, including $1,000,000 to continue the Gulf of Mexico initiative on oyster-related human health risks. In addition, within the amounts provided for aquatic nuisance research, the Committee encourages the Sea Grant program to conduct research related to the public health risks posed by pathogens released in ballast water discharges in ports around the country.

The Committee has provided no funding for the undersea research program and no funding for the Global Learning Observations to Benefit the Environment (GLOBE) program.

NATIONAL WEATHER SERVICE

The Committee recommendation includes a total of $642,172,000 for all programs and activities of the National Weather Service for fiscal year 1999. Of the total amount available, $551,747,000 is included under this heading for the operational programs of the National Weather Service (NWS), an increase of $31,483,000 above the fiscal year 1998 level. In addition, the Committee has provided an additional $90,425,000 under Facilities Maintenance line item, and within the Procurement, Acquisition and Construction account, to support NWS systems modernization and facilities requirements.

Local Warnings and Forecasts/Base Operations.—The Committee recommendation provides $352,650,000 for the base operations of the National Weather Service, an increase of $28,650,000 above the amounts provided in fiscal year 1998. Within the increase provided, the Committee has included $9,053,000 for pay-related inflationary costs and $9,266,000 to provide the full year costs associated with maintaining a total NWS personnel base of 4,788 FTE, as requested. It is the Committee's understanding that funds provided to maintain the NWS personnel base include the additional costs to support 106 FTE required due to the delay in the deployment of AWIPS Build 4.2. The Committee further understands these additional FTE represent a temporary requirement for fiscal year 1999, and expects the fiscal year 2000 budget to reflect savings due to the elimination of this temporary requirement once Build 4.2 is deployed. In addition, the recommendation provides $1,650,000 to maintain the existing suite of data buoys and coastal marine automated stations, as requested. The recommendation also includes $1,000,000 for the procurement of additional NWS transmitters, including $800,000 to increase NOAA Weather Radio coverage in Northeastern Georgia, and $200,000 for such requirements in Illinois. The Committee requests that NOAA provide a report to the Committee on its plans for the expenditure of these funds.

In addition, the Committee has provided an increase of $7,681,000 for non-labor requirements, a $2,379,000 reduction from the request, due to concerns regarding the validity of non-labor cost estimates. Non-labor costs represent almost 40% of the total NWS base budget. The Committee notes that the independent assessment of funding requirements for the NWS found huge variances in non-labor costs among NWS regions, and indicated that the NWS did not have an understanding of its true non-labor cost requirements. The assessment stated that it was essential for NOAA to analyze this issue, as such an analysis could result in substantial budget savings. Therefore, the Committee believes such an analysis is warranted and expects NOAA and NWS to undertake such a review, and report the findings back to the Committee through the Department no later than December 1, 1998. The Committee believes such a review will enable NWS to meet all its non-labor requirements within the amount provided. However, should the findings of the review indicate the need for additional funds, the Committee would be willing to entertain a reprogramming in accordance with section 605 of this Act.

Further, the Committee believes that increased use of technology, including video teleconferencing, could provide NWS significant opportunities for delivering its training programs in a more efficient and cost effective manner. The NWS is encouraged to explore the viability of such technologies to meet its needs and report back to the Committee on its findings.

The Committee is aware that the National Severe Storms Laboratory, in partnership with the Oklahoma Climatological Survey, is developing a system, OK-FIRST, to enhance weather information dissemination and decision-support systems to public safety agencies. Within the total amount provided to NWS, the Committee expects the NWS to continue this partnership in order to complete a

feasibility study and develop a national prototype for such a system in weather hazard mitigation.

In addition, the Committee notes that on March 6, 1998, the Secretary of Commerce transmitted to the Committee the conclusions of the two year operational evaluations recommended by the 1995 Secretary's Report to Congress regarding the adequacy of NEXRAD coverage in certain areas. The Committee expects the NWS and the Department to implement the mitigation activities contained in the March report and submit a reprogramming of funds if necessary to fully implement these activities. Further, the Committee understands that the March report recommended that the existing WSR–74C radar at Erie, PA remain in operation until such time as AWIPS is operational, and the necessary capabilities and sufficient operational experience is gained to reach a final conclusion on the requirements in that area. Therefore, the Committee expects the NWS to make the appropriate arrangements necessary to maintain a local presence for the maintenance of this radar.

Modernization and Associated Restructuring Demonstration (MARDI) Program.—The Committee recommendation provides $64,036,000, the full amount requested, and a decrease of $9,638,000 below the amount provided in fiscal year 1998, reflecting the continued consolidation of field offices in accordance with the modernization plan.

New and Expanded Programs.—The recommendation provides $2,000,000 for the NOAA radiosonde network replacement program, an increase of $1,090,000 above the current level, and $2,340,000 below the request. While the Committee has provided an increase for this initiative, the Committee is concerned that little information has been provided regarding the implementation plan and associated funding requirements for this program. Prior to significant additional resources being provided for this activity, the Committee expects NWS to provide an implementation plan for this initiative which incorporates the current capabilities of the radiosonde network, a needs assessment for complete system replacement, and an outyear funding profile for the replacement initiative. Finally, the Committee has not included funding to begin a new Advanced Hydrological Prediction System program. The Committee is concerned that such activities are duplicative of the capabilities which are being included in the AWIPS program which is scheduled for deployment in fiscal year 1999.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The Committee has included $104,232,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service (NESDIS), an increase of $3,861,000 above the budget request, and $30,450,000 below the current year appropriation. The reduction under this heading from the fiscal year 1998 level reflects the transfer of funding for the polar convergence program from the Operations, Research, and Facilities account to the Procurement, Acquisition and Construction account.

Environmental Data Management Systems.—The Committee has provided a total of $52,385,000 for this account, an increase of

$7,500,000 above the request, and $6,050,000 above the current level.

Of the increase provided, $2,500,000 is for continuation of the Regional Climate Centers program at its current level. The Committee directs NOAA to transfer complete management responsibility for this program from the National Weather Service to NESDIS to fully reflect the actions taken in fiscal year 1998. In addition, the recommendation includes $5,000,000 above the request, in addition to base amounts requested, for continuation of weather record rescue activities. Further, the Committee recognizes the value of NOAA data centers as the U.S. repository for historical environmental data and encourages the Administration to ensure that adequate funding is provided to maintain these centers.

PROGRAM SUPPORT

The Committee has included $63,894,000 for Program Support. This amount is a decrease of $4,656,000 from the request, and $2,320,000 below the current year. This reduction from the request reflects continued rent savings attributable to reduced space requirements and consolidations in the Washington, D.C. area.

In addition to the amounts directly appropriated under this heading for NOAA headquarters, policy, and administrative functions, the Committee is aware that the budget assumes an additional $89,712,000 will be assessed to NOAA line organizations and their programs from funds provided elsewhere in this account to support overhead requirements and functions.

The Committee understands that of this amount, $77,843,000 is to provide for centrally funded requirements such as GSA rent, as well as common services such as telecommunications, and other financial and administrative support functions. The Committee does not object to central control for many of these functions, but is concerned that such practice does not provide sufficient clarity regarding the true overhead requirements for NOAA programs and activities. The Committee believes that it is imperative that such overhead expenses be clearly identified, budgeted and accounted for in all NOAA programs. Therefore, language has been included in the bill requiring NOAA to notify the Committee in accordance with section 605 of this Act should funding requirements exceed the current budget estimate. Further, the Committee expects NOAA to develop a new method for accounting for such assessments by discretely identifying the total amount requested in each line organization for such overhead assessment in the fiscal year 2000 budget submission.

In addition, the Committee does not believe that funding for headquarters and policy functions should be augmented through the practice of overhead assessments, and instead believes that such amounts should be wholly requested and funded from within the Executive Direction and Administration line item under this heading. The Committee was disturbed to learn that, despite the fact that no increase was requested or provided to support these functions in fiscal year 1998, NOAA in fact increased funding for these activities by 6.4% by levying additional assessments against the line organizations and their programs. Such augmentations to headquarters and policy functions, at the expense of NOAA pro-

grams is unacceptable to the Committee. Therefore, bill language is included which provides a limitation of $31,069,000 on funding available for Executive Direction and Administration functions in fiscal year 1999 through both direct appropriations and overhead assessments. Further, the Committee directs NOAA, in its fiscal year 2000 budget submission, to end the practice of augmenting these functions through assessments and instead directs NOAA to request direct appropriations to fully fund these requirements under the Executive Direction and Administration item included under this heading. Finally, the Committee has included bill language to stop the practice of additional assessments being levied by line organizations against certain programs, projects and activities. Such practice is not justified and is unacceptable to the Committee.

FLEET MAINTENANCE

The Committee has included $6,300,000 for this activity, a decrease of $3,300,000 below the request, and $7,200,000 below the amount provided in fiscal year 1998. The recommendation provides sufficient funding for routine maintenance of the existing NOAA fleet. No funds are provided to modernize the existing fleet, initiate major repairs to extend the life of a vessel, or purchase new equipment to upgrade an existing vessel.

In addition, the Committee has taken action, reflected elsewhere in the bill to begin the transition from a NOAA-owned and operated research fleet. The Committee warns NOAA that insufficient funding will be available to provide for a major investment in new vessels. The Committee urges NOAA to take action now to find creative alternatives to a NOAA-owned and operated fleet, including, but not limited to, increased cooperation and coordination with the existing University-National Oceanographic Laboratory System (UNOLS) vessels, and greater reliance on out-sourcing to the private sector for hydrographic services.

FACILITIES

The Committee recommendation includes $13,265,000 for facilities maintenance, lease costs, and environmental compliance. Of the amounts provided: $1,800,000 is for NOAA facilities maintenance, $2,000,000 is for the lease costs of the Sandy Hook facility, $2,000,000 is for environmental compliance activities, $3,000,000 is for Weather Forecast Office maintenance, and $4,465,000 is for Columbia River facilities maintenance. The Committee believes lease costs for NOAA facilities should be budgeted for within the appropriate activity, subactivity, or program, and expects the fiscal year 2000 budget request to make such adjustment.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

The recommendation includes $538,439,000 in fiscal year 1999 for this account, an increase of $46,830,000 above the current level, and $83,156,000 below the request. The recommendation does not include an advance appropriation of $2,797,815,000 for fiscal years 2000–2011, requested in the budget. This account funds capital as-

sets acquisition activities, including systems acquisition and new construction. The following distribution reflects the activities funded within this account:

AWIPS	$67,667,000
ASOS	3,855,000
NEXRAD	6,377,000
Computer Facilities Upgrades	5,000,000
Polar Spacecraft and Launching	190,000,000
Geostationary Spacecraft and Launching	249,444,000
Boulder Laboratory Above Standard Costs	6,370,000
WFO Construction	9,526,000
Santa Cruz Fisheries Laboratory	4,200,000
(Deobligations)	(4,000,000)
Total, Procurement, Acquisition and Construction	538,439,000

Advanced Weather Interactive Processing System (AWIPS).—The Committee has included $67,667,000, the full amount requested, for AWIPS acquisition and deployment. The recommendation also includes bill language designating amounts available under this account for AWIPS, and making the availability of these funds contingent upon the certification by the Secretary of Commerce that overall program costs through deployment of Build 4.2 will not exceed $550,000,000, reflecting the agreement reached in March, 1998.

Next-Generation Radar (NEXRAD).—The Committee recommendation includes $6,377,000 for continued acquisition closeout activities and planned product improvements at the current year level. The Committee has not included the amount requested for program increases for the planned product improvement initiative. While the Committee appreciates the need to ensure adequate upgrade and improvement of the modernized weather system, the first priority must be to provide the resources and attention necessary to first complete the original modernization as planned.

Polar and Geostationary Spacecraft and Launching Programs.—The Committee recommends a total of $439,444,000 for satellite development and procurement programs, an increase of $109,539,000 above the current level, and $75,313,000 below the request. However, based on the latest estimates, the Committee understands that as much as $40,000,000 in excess unobligated balances will carry forward into fiscal year 1999 due to lower than expected funding requirements in fiscal year 1998. This amount combined with the recommended funding level, will provide a total availability of $479,444,000 in fiscal year 1999 for these programs.

Boulder Laboratory.—The Committee recommendation provides $6,370,000 for the above standard costs necessary to complete construction and occupancy of the facility. The Committee is aware that the current anticipated occupancy date is scheduled for December, 1998. However, the Committee is aware that some construction modifications may be necessary to complete the facility and ensure that there is no delay in the occupancy date, including elevator code modifications, additional security requirements, and signage. Therefore, the Committee has provided an additional $700,000 above the request to ensure that such delays do not occur, and directs NOAA to work with GSA and report back to the Committee no later than October 15, 1998 on its plans and schedule for completion of the facility and expenditure of these funds.

Santa Cruz Fisheries Laboratory.—The Committee has included $4,200,000 to complete the relocation of the Tiburon, CA laboratory to a new facility being constructed at Santa Cruz. The recommendation includes the full amount necessary for completion of the facility, including relocation and equipment expenses, in accordance with the spending plan submitted to the Committee in April, 1998.

COASTAL ZONE MANAGEMENT FUND

The Committee has included language in the bill which makes available $7,800,000 in the Coastal Zone Management (CZM) Fund for administration of the CZM program, and for State Development Grants in accordance with the authorization set forth in Section 308(b)(2)(A) and 308(b)(2)(B)(v) of the Coastal Zone Management Act, and the National Estuarine Reserve program set forth in Section 315(e) of the Coastal Zone Management Act. The amount provided is equal to the current funding level, based on estimates of carryover and additional revenue expected to be available in the Fund in fiscal year 1999. In addition, the Committee recommends bill language, as carried in previous years, setting forth the purposes for which funds are authorized to be used.

FISHERMEN'S CONTINGENCY FUND

The Committee recommends $953,000 for the Fishermen's Contingency Fund, the full amount requested, and an amount equal to the current year level.

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 manmade 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 providing that the sums necessary to eliminate the insufficiency may be derived from the General Fund of the Treasury.

FOREIGN FISHING OBSERVER FUND

The Committee recommends $189,000 for the Foreign Fishing Observer Fund for fiscal year 1999, an amount equal to the request and the current year funding level.

Fees paid into the Fund are collected from owners and operators of certain foreign fishing vessels that fish within the United States Fishery Conservation Zone and are intended to be used by the Secretary of Commerce to finance the cost of placing United States observers aboard such fishing vessels. The observers collect scientific information on the foreign catch and monitor compliance by foreign

fishing crews in accordance with the provisions of the Magnuson-Stevens Fishery Conservation and Management Act, as amended. The Act permits foreign governments to contract directly for observer services from contractors approved by the Secretary of Commerce. The appropriation provides the authority necessary to pay the salaries of United States observers and program support personnel, other administrative costs, and the cost of data management and analysis.

FISHERIES FINANCE PROGRAM ACCOUNT

The Committee recommends $238,000 in subsidy amounts for the Fisheries Finance Program account, the full amount requested, and $100,000 below the fiscal year 1998 level due to the discontinuation of certain special programs. The recommendation reflects these changes. In addition, language is continued, which was carried in previous years, prohibiting loans under this account from being made to purchase any new vessel that would increase the harvesting capacity of any U.S. fishery, as requested.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends $28,900,000 for the Commerce Department's Salaries and Expenses appropriation for fiscal year 1999. This amount is a decrease of $3,287,000 below the budget request, and $1,410,000 above the current level. The Committee recommendation assumes the transfer of the Systems Acquisition Office to the Department, as proposed, in order to allow appropriate departmental oversight for procurement, capital budgeting, and information technologies. The recommendation does not provide $1,100,000 included in the budget to address Year 2000 compliance issues, and instead assumes such funding, if required, will be accessed through funds that may be appropriated separately for Government-wide Year 2000 compliance requirements.

It is the Committee's understanding that the Department of Commerce currently is on schedule to meet its Year 2000 compliance goals, but remains concerned that such compliance has not yet been verified. Failure to verify compliance could result in system risk and failures. Therefore, the Committee expects the Department to undergo the necessary comprehensive testing procedures necessary to verify compliance and report back to the Committee on its findings not later than January 1, 1999 for systems already deemed compliant by the Department, and all subsequent systems not later than April 1, 1999.

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

OFFICE OF INSPECTOR GENERAL

The Committee recommends $21,400,000 for the Commerce Department's Office of Inspector General for fiscal year 1999. This amount is an increase of $1,260,000 above the current level, and $262,000 below the request.

The Committee has provided this increase to enable the Department's Inspector General to continue and augment its activities related to the conduct of the decennial census given the tremendous importance and risk associated with this $4,000,000,000 investment. The Committee is supportive of the work being carried out by the Department's Inspector General, and looks forward to working more closely with the IG to follow up on matters of mutual concern.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(RESCISSION)

The Committee recommends a rescission of $41,000,000 from fee collections and prior year appropriations, instead of a rescission of $116,342,000 as proposed in the budget. These funds are available due to PTO's inability to estimate and process fee collections. During final action on the fiscal year 1998 budget, PTO failed to notify the Committee of an additional $66,342,000 in excess fee collections available to support its fiscal year 1998 operations. To ensure that PTO had adequate resources to meet its operational needs, the Committee provided a direct appropriation of $27,000,000 to supplement expected fee collections which would be available to support PTO operations in fiscal year 1998. After final action on the bill, PTO notified the Committee of this excess amount which was not needed to support its operations. Further, based on recent Congressional Budget Office analysis, it has come to the Committee's attention that the amount of excess collection is now $71,000,000. Therefore, the Committee has made available $30,000,000 from these excess funds to support PTO's fiscal year 1999 requirements, and has recommended a rescission of the remaining $41,000,000.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(RESCISSION)

The Committee recommends a rescission of $5,000,000 of prior year funds provided under this account for satellite programs. The Committee understands that such amounts are not needed to meet satellite requirements, and instead remain unallocated in a management reserve account within NESDIS.

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 1998 Appropriations Act (Public Law 104–208).

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 hire of passenger motor ve-

hicles, 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 United States Air Force or the United States 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 that should legislation be enacted to reorganize the Department of Commerce, the Secretary shall submit a plan for transferring such functions in accordance with the standard reprogramming procedures in this Act, and such reprogramming will not be subject to the limitations set forth in the standard procedures.

Section 207 provides that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall not be subject to the reprogramming limitations in this Act.

Section 208, allows the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

In addition, the recommendation includes the following new provisions:

Section 209, slightly modified from the request, to allow the Department of Commerce franchise fund to retain a percentage of earnings from services provided for capital investments.

Section 210, not requested, to extend the current statutory boundaries for State management of fisheries resources in certain Gulf of Mexico states to provide parity to all States within the Gulf.

TITLE III—THE JUDICIARY

The funds recommended by the Committee in Title III of the accompanying bill are for the operation and maintenance of the United States Courts and include the salaries of Article III, bankruptcy and magistrate judges, supporting personnel and other expenses of the Federal judiciary.

The appropriation request submitted for fiscal year 1999 for the judiciary totals $3,806,860,000. Of this amount, $280,768,000 is associated with the salaries and retirement expenses of Supreme Court Justices, Article III, bankruptcy and magistrate judges and payments to judiciary retirement funds, and is considered mandatory for scorekeeping purposes. The remainder of the request, $3,526,092,000, which is considered discretionary for scorekeeping purposes, represents an increase of $329,355,000, or 10.3 percent,

over the enacted amounts for fiscal year 1998. Of this amount, $60,000,000 is requested from the Violent Crime Reduction Trust Fund.

The Committee recommendation provides $3,696,756,000, of which $280,768,000 is for mandatory salary and retirement expenses of the Justices and judges, the same as the request. The recommendation includes $3,415,988,000 for the discretionary programs of the judiciary, including $60,000,000 from the Violent Crime Reduction Trust Fund, which is $110,104,000 below the request, but is $219,251,000, or 6.9 percent above the amount provided for the current fiscal year. This increase is provided to pay the estimated fiscal year 1999 costs of the ongoing activities of the federal courts, to allow program enhancements in response to increasing caseloads, and to bring court security up to current standards.

Optimal Utilization of Judicial Resources.—In response to the request of the Committee beginning in fiscal year 1996, the Judicial Conference has submitted follow-on reports to the Congress on the optimal utilization of judicial resources.

The request arose out of concerns about the ability of the Congress to sustain the current appropriations level of the Judicial Branch in the context of the desire of the American public to balance the budget and reduce the deficit. The Committee wanted information on a number of issues that could lead to the more rational deployment of resources, including the fact that some courts face disproportionately high caseloads, while others may be underutilized, and that approximately 80 court facilities had no resident judges or staff, and were used on a visiting basis for less that 45 days per year.

The Committee believes that a number of useful recommendations have resulted from this process, including reducing space inventory through releasing underutilized space, initiatives in videoconferencing and the establishment of a satellite broadcasting facility to provide on-site training and allow remote site hearings for certain types of cases and motions.

The Committee believes that an annual report continues to be useful. Unlike other branches of government, the Judiciary does not have an Inspector General, and therefore it is up to the Judicial Conference to vigorously self-examine court operations and to look for ways to improve and economize, where possible. The Committee requests that this report focus on new initiatives and areas, specific to fiscal years 1999 and 2000 and provide specific recommendations, including expected savings, and timetables. The more specific and measurable these savings are, the better the Committee will be able to provide funding for activities that are truly required.

SUPREME COURT OF THE UNITED STATES

The Committee recommends a total of $36,495,000 for the Supreme Court of the United States for fiscal year 1999. The total amount is provided in two separate appropriation accounts, as follows:

SALARIES AND EXPENSES

The Committee recommends $31,095,000 for fiscal year 1999 for the Salaries and Expenses of the Justices, their supporting personnel, and the cost of operating the Supreme Court, excluding the care of the building and grounds. The Committee recommendation is $1,850,000 more than the current year appropriation, and is equal to the budget request for this account. It provides the amount required to maintain the current level of activities and for four additional support personnel for administrative and technology purposes, as requested.

CARE OF THE BUILDING AND GROUNDS

The Committee recommends $5,400,000 for fiscal year 1999 for personnel and other services relating to the Supreme Court building and grounds, which is supervised by the Architect of the Capitol. The recommendation is $2,000,000 more than the current year appropriation and $471,000 below the request. This includes a decrease of $381,000 to maintain current services, including nonrecurral of fiscal year 1998 capital projects, and an increase of $2,381,000 for capital improvements.

Within the amount provided for current services, the Committee has provided $75,000 for miscellaneous improvements. The Committee expects to be provided an accounting of the expenditure of these funds.

The budget request included $2,852,000 for capital improvements, including $500,000 for the design of perimeter security projects, and $2,000,000 for the design of building improvements and utility systems upgrades. Both of these design projects are to be based upon schematic studies that were funded in fiscal years 1997 and 1998, respectively. The Committee has not yet seen the results of those studies or the recommendations contained therein, and, lacking information on which to make firm recommendations, has reduced the request for design funding.

Language in the bill allows $2,364,000 of the appropriation to remain available until expended, compared with $2,835,000 requested in the budget.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The Committee recommends $16,143,000 for fiscal year 1999 for the Salaries and Expenses of the United States Court of Appeals for the Federal Circuit. The Committee recommendation is $568,000 more than the current year appropriation, and is $685,000 less than the request.

The Committee recommendation provides the amount required to maintain current services, taking into account existing vacancies, but does not include the increase requested for 8 additional positions for the Court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The Committee recommends $11,822,000 for fiscal year 1999 for the Salaries and Expenses of the United States Court of International Trade, the amount of the budget request, and an increase of $373,000 over the amount provided in fiscal year 1998. The recommendation provides funding to maintain current activities, and does not provide for any program increases.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The Committee recommends $2,848,329,000 for this account for fiscal year 1999, an increase of $165,929,000 over fiscal year 1998 and a reduction of $100,394,000 from the request. This account provides for the salaries of Article III, bankruptcy and magistrate judges, and all other officers and employees of the federal judiciary not otherwise provided for, and for all necessary expenses including rental charges for space and facilities.

The judiciary submits its budget request based on total obligations, including appropriated funds and funds available from other sources—fees, carryover, and funds from the Violent Crime Reduction Trust Fund. The budget request assumes a total funding requirement for fiscal year 1999 of $3,247,895,000, of which $2,948,723,000 is derived from the appropriation from this account, and $299,172,000 is derived from other sources of funding. Since submission of the budget, the judiciary's latest financial review has resulted in a revised estimate of the total funding requirement for fiscal year 1999 of $3,256,768,000, an increase of $8,873,000 over the request; and a revised estimate of the amount available from other resources of $336,321,000, an increase of $37,149,000, resulting in a decrease in the appropriation needed to support this account of $28,276,000, to a level of $2,920,447,000.

The Committee recommendation of $2,848,329,000 is $72,118,000 below that revised funding level, and is sufficient to provide all but $18,322,000 of the amount required to maintain current services, and none of the proposed program increases. Historically, as the course of the year progresses, the judiciary is able to identify additional carryover and other resources to enable all critical operations to be funded.

In addition, the Committee understands that within the proposed budget, the judiciary has included approximately $13,000,000 in spending required for year 2000 computer fixes, for which funding from other sources may be available. In addition, the Committee expects that security surcharge payments will be made only for validated additional services.

The budget request assumes creation of 7 new magistrate judge positions in Rochester, New York; Wheeling, West Virginia; Texarkana, Texas; San Francisco or Oakland, California; Fresno, California; San Diego, California; and Atlanta, Georgia.

In addition, this account provides rental payments to the General Services Administration for court space and facilities. New space is

expected to be delivered in fiscal year 1999 in the following locations: New York, New York; Brownsville, Texas; Albuquerque, New Mexico; Santa Ana, California; Lafayette, Louisiana; Camden, New Jersey; Tallahassee, Florida; Beckley, West Virginia; Milwaukee, Wisconsin; Albany, Georgia; Albany, New York; Hammond, Indiana; Covington, Kentucky; San Juan, Puerto Rico; Philadelphia, Pennsylvania; Wheeling, West Virginia; Los Angeles, California; Sacramento, California; and Kansas City, Missouri.

Also, certain tenant alteration prospectus projects for courtroom and other requirements that are not covered by GSA regulations are funded from this account, for which $7,827,609 is included in the budget request, including the following: New York, New York; Brooklyn, New York; Raleigh, North Carolina; Lubbock, Texas; Harrisburg, Pennsylvania; Scranton, Pennsylvania; Trenton, New Jersey; Columbia, South Carolina; Hammond, Indiana; and Salt Lake City, Utah.

In addition, the Committee understands that certain pilot projects are underway in relation to electronic courtrooms. The Committee expects to be informed either as part of the budget or through separate report of the amounts being expended on each pilot project, future plans, and results to date in terms of improving the conduct of trials.

The Committee is aware of recent published accounts of Federal judges attending educational seminars at the expense of organizations which are, in turn, funded by individuals and groups that may be involved in litigation in the Federal courts, and that are relevant to the disposition of cases likely to involve such individuals and groups. The Committee understands the Judicial Conference's Code of Conduct for United States Judges and relevant ethics laws may preclude reimbursement of judges' expenses in connection with attendance at similar seminars funded directly by such individuals and groups, rather than by such an organization. The Committee understands the Judicial Conference is reviewing this issue, and expects the review to include the extent to which the sponsor-paid travel and lodging for such seminars raise questions under applicable portions of the Code of Conduct and the Ethics Reform Act of 1989, and whether the Conference has adequate procedures to determine the appropriateness of accepting travel, lodging, and other expenses for such seminars and to advise judges about their appropriateness.

In the language in the bill, the amount of funds for space alteration projects that is permitted to remain available until expended is retained at the fiscal year 1998 level of $13,454,000, rather than the level of $20,955,000 requested in the budget.

VACCINE INJURY COMPENSATION TRUST FUND

The Committee recommends a reimbursement of $2,515,000 for fiscal year 1999 from the Special Fund to cover expenses of the Claims Court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. This is equal to the budget request and an increase of $65,000 over the amount appropriated for the current fiscal year.

VIOLENT CRIME REDUCTION PROGRAMS

The Committee recommends $60,000,000 for the judiciary from the Violent Crime Reduction Trust Fund, the same as the budget request and an increase of $20,000,000 over the amount provided in fiscal year 1998. The Committee intends that amounts provided be used to offset base expenditures related to carrying out the provisions of the Violent Crime Control and Law Enforcement Act of 1994 and the Antiterrorism and Effective Death Penalty Act of 1996. The budget request assumes that these funds would be distributed as follows: Salaries and Expenses—$27,126,000; Defender Services—$30,879,000; Fees of Jurors and Commissioners—$1,426,000; Court Security—$469,000; and the Federal Judicial Center—$100,000. The Committee expects the judiciary to transmit a notification detailing the final distribution of the amounts provided under the Violent Crime Reduction Trust Fund.

DEFENDER SERVICES

The Committee recommends $360,952,000 for fiscal year 1999, the amount requested in the budget, for the operation of the Federal Public Defender and Community Defender organizations and for compensation and reimbursement of expenses of panel attorneys appointed pursuant to the Criminal Justice Act, as amended, for representation in criminal cases. This amount represents an increase of $31,423,000 over the appropriation provided in fiscal year 1998. In addition, the budget requests $30,879,000 to be transferred to this account from the Violent Crime Reduction Trust Fund.

In the fiscal year 1998 appropriation, the Committee asked for a comprehensive report on the reasons for the rapidly rising costs of the Defender Services program. The report found that Defender Services Program costs are in line with the increase in the number of representations, the increasing proportion of capital prosecutions and capital habeas cases, and the cost incurred in a handful of extraordinarily expensive representations each year. A number of issues raised in the report are worthy of follow up.

First, the report noted that for capital habeas representations, the Ninth Circuit, and in particular three of the four California Districts, account for 60 to 76 percent of the cost of capital habeas representations nationwide, but only 48 to 63 percent of the representations for the period of the study, fiscal years 1995 through 1997. The Committee understands that steps are underway to address the disproportionate expenses incurred by these three federal districts, including case budgeting for all cases, judicial review of each case budget, enforcement of the existing statutory cap for hourly fees, presumptive maximum rates for other members of the legal team, and passage of a State statute authorizing and funding the formation of a habeas resource center at the State level. Also, the Committee notes that the average expenditure per case in the Ninth Circuit has decreased from $68,000 in fiscal year 1995 to $60,000 in fiscal year 1997, after rising to $71,000 in fiscal year 1996. Nonetheless, the average expenditure per case in the Circuit with the next highest cost is $41,000 and in the third highest cost Circuit is $35,000, so it is clear that costs remain significantly

higher in the Ninth Circuit. The Committee requests that the Judicial Conference continue to monitor developments and cost trends for all Circuits, to make recommendations as to whether further steps are warranted and to report to the Committee on these issues by March 1, 1999.

Second, while the number of representations has been rising with respect to all criminal cases, the question is why. The percentage of defendants who receive representation from federal defenders and panel attorneys under the Criminal Justice Act has risen from 82 percent in fiscal year 1996 to an estimated 93 percent in the fiscal year 1999 appropriation. The Committee requests a report by March 1, 1999 providing an explanation for this rising percentage of all federal defendants whose defense costs are provided by the Defender Services appropriation.

And third, the Committee understands that, in conjunction with this study, the Administrative Office developed a set of recommendations for cost containment and best practices for defender services representations. The Committee requests that the Administrative Office provide a report by March 1, 1999 detailing the implementation of these recommendations and the impact of these recommendations on defender services operations.

Finally, in the most recent reestimate of fiscal year 1999 requirements of judiciary programs, the Administrative Office of the Courts estimated that the total requirement for the Defender Services appropriation would amount to $370,291,000, nearly $10,000,000 above the budget request. Because of this possible funding shortfall, even after an increase of $31,423,000, which is a 9.5 percent increase, the Committee has not provided for an increase in the rate for panel attorneys. Before taking steps that will increase the cost of these programs further, the Committee believes it is incumbent upon the judiciary to first reduce the rate of increase in the cost of these programs.

FEES OF JURORS AND COMMISSIONERS

The Committee recommends $67,000,000 for fiscal year 1999 for the fees and allowances of grand and petit jurors and for the compensation of land commissioners and jury commissioners. This represents an increase of $2,562,000 over the amount appropriated in fiscal year 1998, and a decrease of $1,173,000 below the budget request. The recommendation is based on the latest estimate from the judiciary of the requirements for this account.

COURT SECURITY

The Committee recommends $174,100,000 for Court Security for fiscal year 1999 to provide for the necessary expenses of security and protective services for the United States Courts in courtrooms and adjacent areas. This is $6,886,000 more than was appropriated in fiscal year 1998, and $4,955,000 less than the budget request. The recommendation is based on the latest estimate by the judiciary of the requirements for this account, which indicate a need for 121 new Court Security Officers compared with 168 in the original budget request, and also assumes $2,800,000 for year 2000 computer compliance costs will be available from another source of funding.

The recommendation is intended to provide all necessary court security officers to bring existing and new court facilities up to the applicable standards. Through much work, the Committee believes that the U.S. Marshals Service, which administers the program, under the supervision of the Administrative Office of the Courts, now has a tracking system to determine how staffing compares with the applicable standards on a court-by-court basis. This should make court security staffing requirements more transparent and predictable. In addition, the U.S. Marshals Service has created a schedule to inspect all sites on a two-year rotation. The Committee expects a similar tracking system to be created for court security equipment, and to provide a report outlining that system to the Committee by March 1, 1999.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The Committee recommends $54,500,000 for the Salaries and Expenses of the Administrative Office of the United States Courts for fiscal year 1999, an increase of $2,500,000 over the current year appropriation, and a decrease of $1,656,000 from the budget request. This account is responsible for the administration of the United States Courts, including the probation and bankruptcy systems.

The recommendation is sufficient to fund pay and benefit cost adjustments for the current operations of the Administrative Office, but does not provide funding for a requested increase in staffing, since an increase was provided in the current fiscal year.

The appropriation for this account is a part of the overall resources available to the Administrative Office. In terms of total resources, the budget requested included $94,802,000, of which $37,927,000 was to be derived from other sources, including fees and reimbursements from other judiciary accounts. In its mid-year review, the judiciary indicated a need for total resources of $94,816,000, including 6 reimburseable positions not previously requested for administrative systems support positions, to assist with the installation of new financial systems that are coming on line. Of this total, $39,151,000 would be derived from other sources. The Committee recommendation provides for $93,661,000 in total resources.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The Committee recommends $18,000,000 for the Salaries and Expenses of the Federal Judicial Center for fiscal year 1999, which is $505,000 above the current fiscal year, and $470,000 below the budget request. The Federal Judicial Center improves the management of federal judicial dockets and court administration through education for judges and staff and research, evaluation, and planning assistance for the courts and the Judicial Conference.

The Committee believes the Center, in conjunction with the Administrative Office, is making progress in using innovative and less costly training through increasing use of video training techniques

to help control costs, and expects the Center to continue with this effort.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The Committee recommends $37,300,000 for the payment to the Judicial Officers' Retirement Fund and the Claims Court Judges Retirement Fund for fiscal year 1999. This amount is the same as the budget request, and $3,100,000 above the current year. These payments are considered mandatory for budget scorekeeping purposes. The increase is based on the latest estimate of the requirements for the Fund.

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.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The Committee recommends $9,600,000 for the Salaries and Expenses of the United States Sentencing Commission for fiscal year 1999, an increase of $360,000 above the amount provided for the current fiscal year and a reduction of $300,000 below the budget request.

The Committee recommendation is intended to provide the funding required to maintain the operations of the Sentencing Commission at the current level, taking into account the on-board level of employment and vacancies, particularly with respect to the number of Commissioners.

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 permits up to five percent of any appropriation made available for fiscal year 1998 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 except in certain circumstances. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for ob-

ligation or expenditure except in compliance with the procedures set forth in that section.

Section 303 provides language included in previous appropriations acts permitting not to exceed a total of $10,000 for expenses of official reception and representation expenses incurred by the Judicial Conference of the United States.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

In total, the recommendation in this Title for the Department of State, the United States Information Agency and the Arms Control and Disarmament Agency includes $5,507,256,000, which is $370,103,000 below the budget request, and $323,348,000 above the amount available in fiscal year 1998. The major area of reduction from the budget request relates to the Administration's request for $250,000,000 for the construction of embassies in Beijing and Berlin, for which, given the fact that construction on neither can begin until at least fiscal year 2000, the Committee has instead provided design funds. The major area of increase over fiscal year 1998 funding relates to the provision of $475,000,000 for United Nations arrearages, subject to authorization, compared with $100,000,000 provided in fiscal year 1998. Leaving aside U.N. arrearages funding, the funding under this Title is $51,654,000 below the fiscal year 1998 level.

DEPARTMENT OF STATE

The Committee recommends a total of $4,367,345,000 for fiscal year 1999 for the Department of State. This amount is $347,314,000 less than the budget request for fiscal year 1999, and $330,095,000 more than the amounts appropriated for fiscal year 1998 for the Department.

The Committee recommendation includes a total of $2,703,625,000 for the appropriation accounts under Administration of Foreign Affairs; $1,610,000,000 for the appropriation accounts under International Organizations and Conferences; $45,470,000 for International Commissions; and $8,250,000 for Other activities. The Committee's recommended priorities for the Department of State are delineated in the following paragraphs.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The Committee recommends $1,667,890,000 for the Diplomatic and Consular Programs account, including $25,700,000 set aside to continue funding for counterterrorism requirements overseas, to remain available until expended.

This appropriation provides for the formulation and execution of United States foreign policy, including the conduct of diplomatic and consular relations with foreign countries, diplomatic relations with international organizations and related activities. The account includes funding for all of the program and operations bureaus and offices of the Department of State and the Foreign Service, with

the exception of the domestic operations of the Department, which are funded under the Salaries and Expenses account.

The recommendation represents a reduction of $23,392,000 from the budget request for the functions funded in this account and a decrease of $62,110,000 below the fiscal year 1998 appropriation. However, it is important to note that the fiscal year 1998 appropriation included $106,132,000 that was subsequently transferred to 56 Departments, agencies and programs pursuant to section 404 of the fiscal year 1998 Act for the initial year of operation of the new overseas administrative support system, known as ICASS. Taking into account these transfers, the comparable fiscal year 1998 funding level for this account is $1,623,868,000, and the recommendation for fiscal year 1999 represents an increase of $44,022,000, which is sufficient to allow the Department to operate at its current levels, and represents a steady-state operating budget.

Changes from the Budget Request.—The Committee recommendation does not include the requested increases for program expansions. The Committee believes there are additional savings available to the Department, including foreign currency exchange rate gains, a substantial level of vacancies in funded positions, recalculation of the Department's contribution to the Foreign Service Retirement Fund, and funding for year 2000 computer compliance that may be available from other sources. In fiscal year 1998, even though this account was funded at $8,000,000 below its requested current services level, the Department was able to fund $9,000,000 in program increases through the reprogramming process. As in fiscal year 1998, under the Committee recommendation, the Department will have the ability to propose that savings be used for needs not funded by the recommendation, through the normal reprogramming process.

Reform.—The Committee continues to be insistent that the Department move forward to reform and make more efficient its operations. The Committee had been hopeful that the Department, as it was developing its reorganization plan, in conjunction with the other foreign affairs agencies, would use the opportunity to take a top to bottom review of the Department's structure and its management processes and systems. Unfortunately, very little information on the reorganization plan has been forthcoming, and the Committee is unable to determine whether the Department has even attempted to take advantage of this opportunity. The Committee again urges the State Department to make State Department reinvention a top priority and requests a report of specific actions recommended by the State Department, including by its Reinvention Task Force, no later than October 1, 1998. With respect to specific areas of reform, the Committee believes there is a need to demonstrate specific results, as indicated in the following:

—*ICASS reform.* In the fiscal year 1998 appropriations bill, the Committee included a major reform of the overseas administrative support system, known as the International Cooperative Administrative Support Services system (ICASS). This was intended to empower all foreign service agencies located at an overseas post to decide on the most efficient and economical way to provide administrative support services, with the added

incentive that savings would accrue to the benefit of the post. Now that the system is up and running, the Committee is interested in whether efficiencies and economies are being achieved by the system, and requests a report on this aspect of ICASS operations by March 1, 1999.

—*Government-wide deployment of resources and Overseas Staffing Model.* The Committee is unaware of any major staffing changes that have been made as a result of the institution of an Overseas Staffing Model that was intended to rationalize the State Department's assignment of resources to its 160 embassies overseas, and the Department has declined to take the next step which is to seek to rationalize deployment of resources overseas among all government agencies, in order to make the size and mission of a particular post correspond to the international affairs goals at that post.

—*Logistics and information management.*—In those areas where management changes and investment of resources are being made, including logistics reorganization and the information resources management strategic plan, the Department has not set goals or quantified savings to be achieved.

—*Government Performance and Results Act.*—The Department's fiscal year 1999 GPRA performance plan included minimal management goals for the structure and operation of the Department. This is a major weakness in the Department's efforts to comply with GPRA.

In sum, the Department needs to articulate its management vision and its goals for improving the efficiency and effectiveness of Departmental operations, and to include needed reform plans in its budget submission and its GPRA performance plan. The Department is expected to provide a report to the Committee, in addition to the previously mentioned report, at the same time as the fiscal year 2000 budget submission setting forth in detail the Department's proposals for improving the Department's operations, together with the goals it has set for itself and the expected resulting savings.

Border Security Program.—The Department's budget submission includes funding of $296,003,000 for the Department's Border Security program, to be funded through collection of Machine Readable Visa fees. Based on information from the Department, the Committee expects there to be a minimum of $38,000,000 to $47,000,000 in carryover funds from fiscal year 1998, as well as the possibility of funding for year 2000 computer compliance from other sources, and as a result has capped expenditure of fees collected in fiscal year 1999 at $250,000,000, with funds collected in excess of that amount available for expenditure in fiscal year 2000 and subject to reprogramming under section 605 of this Act. This is consistent with the way offsetting fee collections are treated throughout the bill, and assures that the Congress has the ability to monitor how these funds are being expended.

Other issues.—The Committee understands that the State Department does not maintain a data base on lost or stolen U.S. passports, which is of concern since these documents may end up in the hands of drug traffickers, terrorists, or others who may target U.S. interests. In addition, there is no Departmental procedure to access

passport issuance records maintained by the Consular Affairs Bureau over the weekend, meaning that the State Department cannot respond to inquiries from foreign law enforcement authorities on the weekend. The Committee requests that the Department provide a report by March 1, 1999 on its efforts to rectify weekend access to passport data, and to establish a data base for lost or stolen passports.

The Committee is concerned that many signatories of the Hague Convention on International Child Abduction, which is intended to assure that custody laws and orders of one country with respect to children who have been abducted or wrongfully retained in another country are enforced, may not be applying its provisions fully, and requests a report by March 1, 1999. This report, to be undertaken after consultation with the Committee, should address issues including: the number of applications for the return of children submitted by U.S. citizens that remain unresolved more than six months after the date of filing; a list of the countries involved in such unresolved applications or that have failed to comply with Treaty obligations, including those with criminal laws that protect parents who abduct or wrongfully retain their children and punish parents who attempt to exercise their custody right; and information on unresolved cases, and efforts by the State Department to resolve them.

In addition, the Committee requests the Department to provide a report by March 1, 1999 containing supplementary information concerning the methods employed by the Government of Cuba to enforce the United States-Cuba agreement of September, 1994 and the treatment by the Government of Cuba of persons who have returned to Cuba pursuant to the United States-Cuba agreement of May, 1995.

In addition, the Committee has included language in the bill which: (1) provides 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; (2) permits not to exceed $4,000,000 to be transferred to the Emergencies in the Diplomatic and Consular Service account for emergency evacuations and terrorism rewards; (3) provides $1,252,000 in fees collected from other Executive Branch agencies and $490,000 from reserves for lease or use of facilities at the International Center Complex, as authorized by law; (4) 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 of 1956; and (5) 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

The Committee recommends $365,235,000 for the Salaries and Expenses account of the Department of State. This amount is $1,722,000 above the current year amount and $2,543,000 below the budget request. This is the amount required to support the cur-

rent operating level, and does not provide any program increases, which can be funded through savings in ongoing operations.

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

In addition, the Committee includes language providing for the transfer of $813,333 to the Presidential Advisory Commission on Holocaust Assets in the United States. This Commission was recently authorized, and the amount provided represents one-third of the estimated fiscal year 1999 budget of the Commission, which the Department has agreed to pay.

The Committee again commends the Consolidated Overseas Schools Assistance Program for its effective work in furthering the quality of education for the children of American families living abroad. The Consolidated Overseas Assistance Program fulfills the dual objective of providing a high quality, American-style education for U.S. dependent children overseas and introducing American educational philosophy and practices to children of other nationals and local educators. The committee also wishes to commend the contributions of the Overseas Schools Advisory Council and its Program of Educational Assistance that help bring educational excellence to American-sponsored overseas schools. In addition, the Council successfully encourages financial support to the schools from U.S. corporations and foundations and volunteer participation in activities of schools from the corporation's employees and their spouses stationed abroad.

CAPITAL INVESTMENT FUND

The Committee recommends $80,000,000 for the Capital Investment Fund, $6,000,000 below the fiscal year 1998 appropriation and $38,340,000 below the request. The recommendation represents the amount of request not associated with year 2000 computer conversion costs. Year 2000 conversion costs of $38,340,000 are anticipated to be addressed through funds that may be provided separately for U.S. Government-wide Year 2000 compliance. In addition, the budget request estimates that an additional $32,859,000 in expedited passport fees will be available to support the computer modernization effort, for a total availability of $112,859,000.

This account supports the Department's effort to modernize its information technology infrastructure.

The State Department is in the midst of a five-year information resource management modernization program that started in fiscal year 1997. The overall plan calls for an infrastructure modernization effort through fiscal year 2001 totaling $2,716,000,000, of which approximately $600,000,000 is funding required over and above the Department's Information Resource Management funding base. This is obviously an enormous undertaking with significant risks.

Overall planning and management.—The Committee is concerned that the Department has been slow in implementing a wide number of management reforms, as outlined in the Department's tactical plan, which would serve to raise significantly the quality of information technology planning and project execution, and re-

duce project and program risk. The Committee recommends that State complete the following actions by October 1, 1998: (1) immediately convene its proposed Technical Review Board and begin holding regularly scheduled meetings; (2) involve the Technical Review Board in all policy deliberations, including planning and budgeting exercises, project approval decisions, and project milestone and funding reviews; (3) issue a validated Information Technology Architecture; and (4) issue a prioritized list of tactical plan projects in compliance with the overall Information Technology Architecture. In so doing, the Department will assure that the projects it is undertaking are technically validated and coordinated to reach an agreed upon overall target operating environment by fiscal year 2001.

Security.—The Committee is also concerned about the Department's ability to protect its automated information systems. The General Accounting Office recently issued a report, which describes major computer security weaknesses at the Department and makes recommendations to improve information security in the Department. The Department has thus far not agreed with GAO's recommendation to defer expanded Internet usage until known vulnerabilities are addressed and actions taken to provide appropriate security measures. The Committee requests a plan to mitigate the security risks of additional Internet usage prior to the expenditure of funds for this purpose. In addition, the Committee notes that the Department's strategic plan calls for five percent of all investments to be set aside for security needs, and urges the Department to follow its plan.

Y2K.—The Committee is concerned that the Department has not established a Department-wide set of priorities that identifies among the 78 systems designated mission critical those core business processes and systems that must be addressed to ensure that the Department can continue to carry out its mission on January 1, 2000. Without a Department-wide priority ranking, there is no basis to decide which systems need to be repaired or replaced first. The Committee requests that the Department provide such a Department-wide prioritization of projects by October 1, 1998.

Finally, the Committee notes that the information resource management budget of the Department is huge, totaling over $560,000,000, more than 22 percent of the Department's total operating budget, by far the single largest component of the budget. Thus far, the Department has not provided any information about how the modernization effort will affect overall information resource requirements. Presumably, bringing the Department into the modern technology age will provide large opportunities for efficiency improvements. The Committee requests a report by March 1, 1999, detailing how technology modernization will reduce requirements currently used to support the Department's decentralized and obsolete technology operations.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $28,000,000 for the Office of Inspector General, which is $505,000 above the current year level, and $717,000 below the budget request. The Inspector General conducts

oversight at the State Department, the Arms Control and Disarmament Agency, and the United States Information Agency.

The Committee recommends that the Inspector General exercise appropriate oversight over the appropriations for International Commissions funded under this title.

The bill includes language, as in previous years, waiving the statutory requirement that every post be inspected every five years, in order to provide greater flexibility to the Inspector General to utilize resources in the most productive areas.

REPRESENTATION ALLOWANCES

The Committee recommends $4,200,000 for representation allowances authorized by section 905 of the Foreign Service Act of 1980. This is the same as the amount provided in the current fiscal year, and $100,000 below the budget request. These funds are used to reimburse Foreign Service Officers for expenditures incurred in their official capacities abroad in establishing and maintaining relations with officials of foreign governments and appropriate members of local communities.

The Committee expects the Department to allocate representation allowances in a manner that considers the representation requirements of recently upgraded or expanded posts, such as Vietnam.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The Committee recommends a total of $8,100,000 for the Protection of Foreign Missions and Officials account. This amount is the same as the budget request, and $200,000 more than the appropriation provided for fiscal year 1998.

This account reimburses local governments and communities for the extraordinary costs incurred in providing protection for international organizations, foreign missions and officials, and foreign dignitaries under certain circumstances. The Committee believes that local jurisdictions which incur such costs must submit a certified billing for such costs in accordance with program regulations. The Committee also believes that in those circumstances where a local jurisdiction will realize a financial benefit from a visit from a foreign dignitary through increased tax revenues, 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, $1,333,000 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, $6,767,000 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.

The bill includes language making these funds available until September 30, 2000, as requested in the budget.

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

The Committee recommends a total appropriation of $396,000,000 for Security and Maintenance of United States Missions. This is $8,000,000 below the amount provided in fiscal year 1998, and $244,800,000 below the budget request.

This account provides funding to the Department to manage U.S. Government real property in over 200 countries worth an estimated $12,500,000,000, including maintaining 2,792 Government-owned and long-term leased properties at 250 posts, and leasing approximately 1,200 office and functional facilities and 4,800 residential units, not only for the Department of State, but for all U.S. employees overseas. The Department's latest inspection and survey identified in excess of 3,500 maintenance and repair needs, as well as major rehabilitation requirements, totaling over $600,000,000.

The Committee recommendations are displayed in the following table:

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

[In thousands of dollars]

Activities	FY 1998	FY 1999 request	Committee recommendation
Capital Program:			
Berlin		50,000	
Beijing		200,000	15,000
Other	9,500		
Subtotal, Capital Program	9,500	250,000	15,000
Leasehold Program	116,368	119,898	119,898
Functional Program:			
Physical Security Upgrade	8,400	17,800	17,800
Safety and Fire Program	8.205	8,505	8,505
Energy, Conservation, and Investment	3,700	3,700	3,700
Power Support Program	5,147	5,291	5,291
Seismic Program	675	675	675
Post Communications Support	5,000	10,000	5,000
Environmental Services	2,600	2,670	2,670
Maintenance of Buildings	62,482	66,225	66,225
Facility Rehabilitation	62,784	38,902	38,902
Facility Maintenance Assistance	32,107	35,122	35,122
Interior Planning, Design, and Furnishings	8,013	8,877	8,013
Program Execution	32,079	34,426	34,426
Construction Security	21,538	18,284	18,284
Subtotal, Functional Programs	252,730	250,477	244,613
Administration	19,345	20,425	19,425
Unallocated reduction for vacancies			−2,936
Appropriation Total	[1] 397,943	640,800	396,000

[1] FY98 Appropriation was $404,000,000; $3,530,000 transferred out for ICASS; $2,527,000 transferred to Diplomatic and Consular Programs for Logistics Management reorganization.

Capital Program.—The Committee recommendation includes $15,000,000 in the capital program for design of a new Beijing embassy. The budget requested $250,000,000 for capital projects, $200,000,000 for construction of the Beijing embassy, and $50,000,000 to complete funding for a new Berlin embassy. Upon examination of these projects, it became clear that the Berlin embassy would not be ready for construction until at least fiscal year 2000 and the Beijing embassy until at least fiscal year 2001, and furthermore, since design had not been done, the cost of construction was speculative. Consequently, the Committee has recommended funding for those requirements that can actually be carried out in fiscal year 1999.

For Beijing, the recommendation includes $15,000,0000 for design. In addition, funding for land acquisition, if required, is provided out of asset management funds.

For Berlin, properties in Germany have already been sold in Bonn and in other locations, the proceeds of which are intended to offset the costs of the new embassy; consequently, the Committee has recommended that $10,000,000 of the proceeds already in hand be used for design. Originally, the plans to build the new embassy in Berlin were premised on paying the estimated $120,000,000 cost entirely out of the proceeds of sales of existing properties in Germany. However, the Department is now estimating a $50,000,000 shortfall from the sale of existing properties and requested $50,000,000 in appropriated funds to make up the difference. The reason for the shortfall centers on one property in Berlin, the Radio in the Allied Sector site. Originally assessed at as much as $70,000,000, which the Department now claims was faulty, the value is now estimated at approximately $12,000,000, based on restrictive zoning Berlin has placed on the site. The Committee believes that before considering appropriated funds for the project, all efforts must be made to obtain a fair price for that site. The Department is directed to use all available means at its disposal to obtain maximum value for that site, and expects the Department to stay in close contact with the Committee on all developments relating to that site.

Physical Security Upgrade.—The Committee recommendation of $17,800,000 for physical security upgrades, the amount of the budget request, includes an increase of $9,400,000 over the fiscal year 1998 level to implement projects needed to establish 24-hour, seven-day-a-week Marine Security Guard presence at selected posts that currently lack such support.

Post Communication Support.—The Committee recommendation of $5,000,000 for post communication support provides the level appropriated in fiscal year 1998, instead of $10,000,000 as requested in the budget.

Administration.—The Committee recommendation of $19,425,000 for Administration of this account provides $80,000 more than the fiscal year 1998 level, and $1,000,000 less than the budget request. In fiscal year 1998, funds were reprogrammed from this activity to support rehabilitation projects, so the budget request appears to be overstated.

Vacancies.—The recommendation includes an unallocated reduction of $2,936,000 from the overall budget request. In fiscal year

1998, there are approximately 100 vacancies in positions funded under this account, and it seems likely there will be carryover as a result of these vacancies as well as a lower number of personnel on board at the start of fiscal year 1999 than the budget request assumes.

Out of $126,100,000 in assets management funds designated for use in fiscal year 1999 in the budget request, the funds are to be used for the remaining requirement for the Tashkent chancery, and, in addition, for the Departmental priority ranking as provided to the Committee for: Opportunity Purchases to replace uneconomical leases, Berlin chancery design, Beijing site acquisition, Luanda design and construction, Abuja design, Damascus renovation, Kampala design and construction, and Shanghai housing design. Any use of these funds that differs from this list, or any use of additional funds in fiscal year 1999 is subject to reprogramming. In addition, with respect to the requirement that a reprogramming for any major new start be submitted, the Committee understands that requirement to mean that rehabilitation or construction of projects involving ambassador's residences will be subject to the requirement.

The Committee expects immediate notification if there are any facilities that the Department believes pose serious security risks.

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

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The Committee recommends $5,500,000 to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service. This amount is the same as the budget request and the amount appropriated for fiscal year 1998.

The Committee has included a provision in the bill, which permits up to $1,000,000 to be transferred from this account to the Repatriation Loans Program account, as requested in the budget. This provision will ensure an adequate level of resources for loans to American citizens through the Repatriation Loans Program account should that account require additional funds in fiscal year 1999 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, United States 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 activities.

REPATRIATION LOANS PROGRAM ACCOUNT

The Committee has included $593,000 for the subsidy cost of repatriation loans, which is the same as in the current fiscal year and the budget request, and $607,000 for administrative costs of the program as authorized by 22 U.S.C. 2671, which is the same

as the budget request and the amount provided in the current fiscal year.

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

The accompanying bill includes $15,000,000 for the appropriation entitled, "Payment to the American Institute in Taiwan". This amount is $1,000,000 above the current year amount, and $1,426,000 below the budget request. In addition, the Institute is authorized to collect machine readable visa fees, which were increased in fiscal year 1998 and are expected to generate an additional $4,200,000 in revenues in fiscal year 1998 and $8,400,000 in fiscal year 1999, as well as reimbursements from agencies and user fees from trade show exhibitors. Also, the Committee understands that $5,300,000 which had been unaccounted for in relation to an audit of fiscal year 1994 operations is about to be resolved, with the funds made available to the Institute. The Committee believes that between the increased visa fees and the funds resulting from the resolution of the audit, as well as the increase provided in the appropriation, there are sufficient resources for Institute operations at the anticipated level.

The American Institute of Taiwan has been beset by a series of management problems, documented by a series of Inspector General Reviews. Under its current leadership, progress is being made in clearing up many of the problems. However, as the most recent report of the Inspector General in March indicated, there are still a number of issues that need to be addressed. The State Department has established a task force to review management issues, but its work has been intermittent, and no results have been issued.

The Committee requests that the Department provide a report on the work of its task force, the financial outlook of the Institute with respect to all sources of income, and background on the building fund that the Institute has created with current balances of approximately $13,000,000, by March 31, 1999.

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

The Committee recommends $132,500,000 for the appropriation entitled, "Payment to the Foreign Service Retirement and Disability Fund". This amount is the full budget request and is $2,565,000 more than the amount appropriated for the current fiscal year. The increase provided in the Committee recommendation is required to amortize the unfunded liability in the system, as documented by the annual evaluation of Fund balances.

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. The Retirement Fund is maintained through contributions by participants; matching government contributions; special government contributions, including this account; interest on investments; and voluntary contributions.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The bill includes a total of $915,000,000 for payment of the obligations of United States membership in international organizations as authorized by conventions, treaties, or specific Acts of Congress for fiscal year 1999. This is $15,773,000 below the request, and $40,515,000 below the amount provided in fiscal year 1998, which contained $54,000,000 for payment of arrearages in this account. Fiscal year 1999 appropriations for arrearages are included under a separate account.

The amount provided in the bill is intended to cover all assessments for membership in international organizations, including those that the Committee has identified in previous years as being the highest priority—the United Nations, the International Atomic Energy Agency, the North Atlantic Treaty Organization and the related North Atlantic Assembly, and the International Civil Aviation Organization.

Over the past several months, estimates of the amount required to cover all assessments have varied from $912,000,000 to $922,000,000, based on the most recent foreign currency exchange rates for the dollar, which has risen in value since the budget request was formulated.

Within the requested funding, there is likely to be in excess of $4,000,000 of funding that is not required to be paid out. Membership in two organizations, for which assessments are proposed, has not yet been ratified—the International Seabed Authority, proposed in the request at $1,500,000, and the International Tribunal of the Law of the Sea, proposed in the request at $1,442,000. Furthermore, as in fiscal year 1998, because there has been no resolution of a disputed assessment increase for the Interparliamentary Union, the contribution to the IPU will be limited to $5,000, compared to the estimated assessment of $918,000. In addition, as in past years, no funding is provided for the Inter-American Indian Institute.

While the Committee intends that full funding be provided for international organizations, this is not intended to signal that reform is any less of a priority for all of the international organizations. The Committee notes that the pending authorization bill imposes a cap on the contributions for all international organizations, and requires a number of other reforms as conditions on the payment of arrears. The Committee believes that the onus is on each international organization and the State Department representa-

tives to those organizations to reduce overall budgets and eliminate duplicative activities, administrative costs and inefficient operations. The Department is directed to report to the Committee by March 1, 1999 on the results achieved to date in each organization, and to indicate whether any organization, such as the OECD, has undertaken reforms that can be recommended generally for other organizations.

In addition, language is included in the bill, similar to language included in the conference report on the fiscal year 1998 bill, that would permit up to $15,000,000 to be transferred to the International Conferences and Contingencies account for U.S. contributions to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission for specified purposes.

Current year United Nations assessment.—As indicated, the funding level assumes full payment of the U.S. assessment to the United Nations regular budget, as has been provided every year since fiscal year 1989. However, in order to assure that the United Nations lives up to the fiscal discipline that the Congress has insisted upon, the bill continues language, contained in last year's bill, that conditions release of $100,000,000 of the current year assessment for the United Nations on a semi-annual certification by the Secretary of State that the United Nations has taken no action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed its 1998-1999 budget of $2,533,000,000.

The Committee continues to believe that additional reforms are required at the United Nations. A series of reform requirements is pending as part of the Foreign Affairs Reform and Restructuring Act of 1998. In view of that, the Committee has not at this time recommended additional conditions relating to reforms that must be achieved. However, the Committee does not take lightly reports of backsliding on reforms that it had thought were already achieved, in part through language in previous appropriations bills, including a reduction of 1,000 positions, and of other developments, such as adding personnel on the peacekeeping side to offset decreases on the regular budget side, and will consider what further actions may be necessary.

In addition, the Committee is puzzled that the budget does not include a tax equalization fund reduction that previous budgets have included. The Committee understands that the Department is attempting to work with the U.N. to come to an agreement on principles governing tax equalization, but does not understand why the U.S. would pay more than it thinks it owes. If any additional amounts above the recommended amount are required to fully pay assessments due to exchange rate changes, this is an obvious source.

Other issues.—The Committee reiterates language contained in the fiscal year 1998 report concurring with the House Committee on International Relations and the Senate Committee on Foreign Relations in their desire to have the U.N. enter into an agreement with Israel to ensure and promote full and equal participation in the United Nations via membership in a regional bloc and have the U.S. Representative to the United Nations vote in support of

Israel's acceptance into the Western Europe and Other Group (WEOG) regional bloc.

The Committee supports maintaining two sources of funding for the Pan American Health Organization—direct funding to the organization and funding through the World Health Organization. PAHO plays an essential role in the protection of health for citizens in the United States and the improvement of health for people throughout the Americas. The Committee is concerned that plans to reallocate regional funds by the World Health Organization will impact programs supported by PAHO in Latin America and the Caribbean. The Committee recommends that steps be taken to assure that funding levels in WHO are maintained for PAHO programs in the Americas.

Within the amount provided under this heading, no funding has been provided for support of worldwide conferences, as no funding was requested.

In addition, the bill includes language carried in previous years stating that payment of arrearages shall be directed toward special activities that are mutually agreed upon by the U.S. and the respective international organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The Committee recommendation includes $220,000,000 for United States payments for Contributions for International Peacekeeping Activities for fiscal year 1999, a reduction of $36,000,000 from the amount provided in fiscal year 1998, which included $46,000,000 for arrearage payments, and a reduction of $11,000,000 from the amount requested in the budget. Assessments will be paid at the rate of 25 percent, which is one of the major reforms that has been achieved in the peacekeeping area. Fiscal year 1999 appropriations for arrearage payments are included under a separate heading.

This amount is sufficient to cover the level of assessments included in the budget for fiscal year 1999. The budget included a request for $8,000,000 for a contingency fund, which is not included in the recommendation. In addition, over the past several years, assessments have been reduced on the order of $20,000,000 annually because of credits for unencumbered balances in existing missions, which arise as particular operations spend less than their budget, and assessments are then credited with the unspent amount. Consequently, the Committee is confident that the recommended amount will fully fund the level of activity included in the budget request.

The $220,000,000 recommended for fiscal year 1999 assessments for peacekeeping continues to indicate how far the cost of peacekeeping has decreased. In fiscal year 1995, the annual cost of peacekeeping to the United States amounted to approximately $1,100,000,000. Nonetheless, the Committee is concerned that the downward trend may be bottoming out. A number of peacekeeping missions that were scheduled to end in fiscal year 1998, including Angola, the Western Sahara, Haiti, and Eastern Slavonia, are continuing, and, except for Eastern Slavonia, with no end in sight.

In addition, the Administration continues to propose and vote for new missions, irrespective of Congressional input or the availabil-

ity of funding to pay for them. This was exactly the situation that led to the creation of large arrearages for peacekeeping in fiscal year 1995. The Committee wishes to make it clear that the Department is to live within the appropriation, and to take no action to extend existing missions or create new missions for which funding is not available.

Within the amount provided, the Committee does not specifically approve the amounts requested for certain peacekeeping missions whose mandate is expiring, and for which information on future plans has not been provided, including Western Sahara, Bosnia, and Haiti. Funding for these missions in fiscal year 1999 from within the overall amount available in this appropriation account is subject to reprogramming

In addition, the Committee is concerned with actions being taken at the United Nations to convert positions which have been filled by "loaned" employees at the expense of the volunteering country to permanent positions paid for out of assessments. This action needlessly increases the cost of peacekeeping, and serves no purpose other than to create a larger bureaucracy at the United Nations. The Department is directed to take all actions necessary to prevent this from happening.

Finally, the Committee wishes to call attention to the recent U.N. Inspector General report documenting rampant corruption in the Angola peacekeeping mission. This is likely not an isolated occurrence. The Department is directed to report by December 15, 1998 on the specific actions it is taking to root out corruption, waste, fraud and abuse in peacekeeping operations and to recommend specific reforms that are required to assure that such practices are ended.

The bill retains language carried in previous years, requiring 15-day advance notice of any new or expanded mission, together with a statement of cost, duration, exit strategy, vital national interest, and source of funds to pay the cost. The bill also retains language requiring certification that American manufacturers and suppliers are provided equal procurement opportunities.

ARREARAGE PAYMENTS

The Committee recommends $475,000,000 for payment of arrearages to the United Nations in fiscal year 1999, subject to authorization, and specifically to the requirement that the U.S. assessment rate for the U.N. regular budget is reduced to at least 22 percent and the peacekeeping assessment is capped at 25 percent. The Administration included this amount for fiscal year 1999 in its request for a fiscal year 1998 supplemental. In the regular fiscal year 1998 appropriations bill, $100,000,000 was provided for arrearages, subject to authorization, of which $54,000,000 was for payment of arrearages under the U.N. regular budget, and $46,000,000 was for payment of arrearages for peacekeeping. This recommendation for payment of arrearages is in accord with the agreement reached as part of the Balanced Budget negotiations in 1997.

The recommended amount is for payment of peacekeeping arrearages. The $54,000,000 provided in fiscal year 1998 for payment of arrearages under the U.N. regular budget was sufficient to cover the total amount the Department of State indicates is owed under

the regular budget. All remaining U.N. arrearages relate to peacekeeping. These peacekeeping arrearages arose primarily in fiscal year 1995, when spending for peacekeeping missions exceeded the appropriated amount by $672,000,000. The Administration proposed a supplemental appropriation in fiscal year 1995, but failed to identify offsets to pay for it, and as a result, the Congress did not act on the request.

In order to assure that real and substantial reforms are achieved at the U.N. prior to payment of arrearage funding, the Committee has recommended that these funds become available upon enactment of an authorization that spells out what reforms need to be put in place as a condition for the release of these funds. In addition, to be sure that assessment reductions are part of the reforms that will be put into place, the Committee has also explicitly required assessment reductions as one reform that specifically needs to be achieved prior to the release of these funds. Assessment reductions will provide long-term savings to the American taxpayer.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

The Committee does not recommend funding for international conferences and contingencies. No funding was provided in fiscal year 1998, and the budget requested $1,223,000 for fiscal year 1999. Under Contributions to International Organizations, language is included that permits the transfer of up to $15,000,000 to this account for the Comprehensive Test Ban Treaty Preparatory Commission, for specific purposes.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

The bill includes a total of $25,490,000 for the International Boundary and Water Commission, United States and Mexico (IBWC). This amount is $1,537,000 more than the amount provided in fiscal year 1998, and $814,000 less than the total budget request for fiscal year 1999. The total amount provided includes $18,490,000 for Salaries and Expenses and $7,000,000 for Construction.

SALARIES AND EXPENSES

The Committee recommendation for the Salaries and Expenses account is $18,490,000, an increase of $1,000,000 over the amount provided in fiscal year 1998 and $689,000 less than the budget request.

The increase is provided for wage and price increases, and increases in the operation and maintenance costs of the South Bay International Wastewater Treatment Plant as it nears full operation, which is expected when the ocean outfall is completed in February 1999. The Committee understands that further refinement of the costs are taking place, and that an adjustment between Salaries and Expenses and Construction may be proposed in the near future.

The IBWC is requested to examine the issue of flooding on the Nogales Wash in Arizona, and to report to the Committee on the

steps that would need to be taken to address this issue, including an estimate of the cost, which agencies would be most appropriate to undertake the effort, and potential sources of funding.

CONSTRUCTION

The Committee recommendation for IBWC Construction provides $7,000,000, which is $537,000 above the amount provided in the current fiscal year and $125,000 below the budget request.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The Committee recommends a total of $5,490,000 to fund the U.S. share of expenses of the International Boundary Commission, the International Joint Commission, United States and Canada, and the Border Environment Cooperation Commission for fiscal year 1999. This amount is the same as provided in fiscal year 1998 and $377,000 less than the budget request.

INTERNATIONAL FISHERIES COMMISSIONS

The accompanying bill provides a total of $14,490,000 to fund the U.S. share of the expenses of eight international fisheries commissions, three international marine science sea organizations, and one international council, travel expenses of the United States commissioners and their advisors, and salary payments to non-government employees of the Pacific Salmon Commission for days actually worked as commissioners, panel members and alternates. This is $59,000 below the budget request and the amount provided in fiscal year 1998. The reduction is to be taken from those commissions where the United States overmatches its share of the budget compared with contributions from other countries.

The Committee requests that it be kept apprised of developments relating to the Inter-American Tropical Tuna Commission, including new members and contributions.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The Committee recommends an appropriation of $8,250,000 for payment to the Asia Foundation for fiscal year 1999, $250,000 above the amount provided in fiscal year 1998, and $6,750,000 below the amount requested in the budget.

The increase over fiscal year 1998 is to provide funding for an Asia-Pacific Congressional Interparliamentary Clearinghouse to be operated under the auspices of the Asia Foundation. The Clearinghouse is proposed as a pilot to test whether providing a mechanism to coordinate parliamentary exchanges with Asia will make them an even more powerful tool in strengthening the role of parliamentary bodies in both old and new democracies.

The Asia Foundation is a private, nonprofit institution the purpose of which is to stimulate Asian democratic development and assisting the peoples of Asian countries to shape their own destinies.

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

The Committee recommends $41,500,000 for the basic operating expenses of the Arms Control and Disarmament Agency (ACDA) for fiscal year 1999, which is $1,900,000 below the request, and the same as the amount provided in fiscal year 1998. ACDA negotiates, advises on, and assesses compliance with, arms control and nonproliferation agreements.

The Committee has provided the same level of appropriation for ACDA as was provided in fiscal year 1998. While the authorization legislation that would consolidate ACDA with the State Department remains pending, the Committee believes that this amount is sufficient to allow ACDA to operate at its current on-board levels. The Committee notes that the on-board level is approximately 225 workyears, compared to 245 included in the budget request. In addition, in fiscal year 1998, $1,662,000 was included for certain international conferences, preparatory commissions and meetings, but in fiscal year 1999, no funding has been requested or is provided for this purpose.

The Committee expects to be kept informed of plans for the reorganization, including disposition of funds and plans for future funding.

ACDA is directed to provide a detailed financial plan to the House and Senate Appropriations Committees within 30 days of enactment of this Act, setting forth how the fiscal year 1999 funding will be distributed to fund basic operating expenses. Any variation from the plan that falls within the reprogramming criteria of section 605 shall be subject to reprogramming. If ACDA is contemplating changes to its financial plan, ACDA is expected to consult with the Committees to determine whether those changes fall within the reprogramming criteria prior to undertaking such changes.

UNITED STATES INFORMATION AGENCY

The Committee recommends a total of $1,098,411,000 for the United States Information Agency to carry out information activities, educational and cultural exchange programs, and international broadcasting operations, to fund the National Endowment for Democracy, and to appropriate interest and earnings on the Eisenhower Exchange Fellowship Program Trust Fund and the Israeli Arab Scholarship Endowment Fund. This total amount is $20,889,000 below the budget request for these items, and $7,447,000 below the fiscal year 1998 appropriation.

The Committee notes that the State Department reorganization referenced in last year's report has not yet been enacted. The Conference report for H.R. 1757 contains a foreign affairs reorganization plan that abolishes USIA, and merges its functions into the Department of State in fiscal year 2000 or upon the abolition of USIA pursuant to a foreign affairs reorganization plan. The Committee expects that any reorganization will fully respect the importance and integrity of the nation's public diplomacy programs, and

will recognize the continuing significant contributions of those programs in promoting and protecting U.S. foreign policy interests. The Committee expects to be kept informed on the progress of the reorganization effort, including resource implications of the reorganization. The Committee also expects that any funding transfers or relocations of employees or offices proposed with regard to reorganization will be subject to normal reprogramming requirements.

The details of the Committee's recommendations for the appropriations of the Agency are contained in the following paragraphs.

INTERNATIONAL INFORMATION PROGRAMS

The Committee recommends $457,146,000 for the International Information Programs appropriation of the United States Information Agency (USIA). This amount is $4,582,000 less than the budget request, and $30,049,000 above the amount appropriated in fiscal year 1998. The increase over the fiscal year 1998 amount results primarily from the fact that the Committee recommendation for this account includes $24,423,000 of ICASS funding transferred from the Department of State in 1998.

The Committee recommendation includes the following limitations on the use of funds similar to those carried in the bill in previous years: (1) $700,000 for temporary employees; (2) $25,000 for entertainment, including official receptions as authorized by law; (3) $1,400,000 for representation abroad as authorized by law; (4) $6,000,000, to remain available until expended, in fees credited to this appropriation which are received in connection with English teaching, library, motion pictures, student advising and counseling, exchange visitor program services and publication programs as authorized by law; and (7) $920,000 to remain available until expended to carry out projects involving security construction and related improvements for agency facilities not physically located together with State Department facilities abroad.

USIA has maintained essential public diplomacy programs while undergoing major reductions over the past several years. The 1999 budget request contained further reductions of $8,441,000 and 61 positions, including the closure of a principal USIS post in Brazzaville, and the downsizing of selected overseas programs. Compared with fiscal year 1994, the fiscal year 1999 request for this appropriation will fund 1,549 fewer employees. Thirty-two posts around the world will have been closed.

The Committee recommendation supports the adjustments to base in the 1999 request, but does not provide for requested program increases. However, the Committee would be willing to entertain a reprogramming under section 605 of the Act to support the enhancement of USIS programs in China and Vietnam, and the second-year costs of a pilot project to provide expanded telecommunications services to USIS posts. Further, the Committee recommendation has been adjusted downward by $1,557,000 in recognition of exchange rate changes since the time of the request. Any further gains from exchange rate fluctuation are subject to the usual reprogramming procedures.

The Committee expects USIA to continue planning to streamline and reengineer its structures and processes to carry out its activities with fewer resources.

The Committee supports USIA programs designed to deliver U.S. Government broadcast programming to Palestinian audiences, and to encourage the development of a free, independent and responsible Palestinian media. The Committee understands that USIA has determined the Palestinian Broadcasting Corporation (PBC) to be a non-independent broadcast outlet, with program content under the political control of the Palestinian Authority. The Committee further understands that in recognition of this situation, current USIA policy is to exclude the PBC from agency programs. The Committee supports this policy, and believes that none of the funds appropriated under this bill should be used to provide assistance to the PBC. The Committee urges USIA to continue to refrain from assisting the PBC in any way which could enable the PBC to restrict press freedoms or to broadcast inaccurate, inflammatory messages.

TECHNOLOGY FUND

The Committee does not recommend funding for the Technology Fund. The budget contained a request of $5,050,000, the same level provided in fiscal year 1998. The purpose of this account is to establish a technology investment fund to modernize USIA's non-broadcasting computer and telecommunications infrastructure and to replace an investment strategy that relied heavily on available year-end funds.

The Committee assumes that USIA will be able to meet its highest priority automation needs by using carryover in this account, and by accessing funds that may be appropriated separately for U.S. Government-wide Year 2000 compliance.

The Committee notes that funds are requested under this account for programmatic technology applications, and technology training. The Committee recommends that these activities be funded from within the associated program account. The Committee notes the inclusion of cost estimates by project as a part of the budget submission for this account, and asks USIA to continue to include this level of detail in future submissions.

The Committee notes USIA's submission of a report in 1998 on current plans for integration with the Department of State's financial management system. The Committee notes that the request includes $2,200,000 to ensure the successful migration to Department of State systems by the beginning of fiscal year 2000, because current USIA systems are not Year 2000 compliant. For this reason, the Committee believes that the funds to meet this requirement can be obtained from funding that may be separately appropriated for U.S. Government-wide Year 2000 compliance costs.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The bill includes a total of $200,000,000 for the Educational and Cultural Exchange Programs of the United States Information Agency. This amount is $2,269,000 above the fiscal year 1998 level, and $976,000 above the budget request. In addition, the program expects to receive transfers from appropriations for Freedom Support Act and Support for East European Democracy exchange programs. In fiscal year 1998, USIA received transfers of approximately $65,000,000 in this account for such programs.

The Committee recommendation includes a limitation of not to exceed $800,000 on the use of fees or other payments received from or in connection with English teaching and publication, and student advising and counseling programs as authorized by law.

Within the total, the Committee recommends $95,000,000 for Fulbright student and scholar exchanges, and $105,000,000 for other programs including an estimated $22,243,000 for Exchanges Support staff and administrative costs. To the maximum extent possible, the Committee urges that the following exchange programs be supported: the Pepper Scholarships, including the Executive Education Program for Central European Business and Professional Leaders, the Humphrey Fellowships, Educational Advising and Counseling, the International Visitors program, Citizen Exchange programs, the Congress-Bundestag Program, the Institute for Representative Government, and exchanges with the South Pacific, East Timor, and Tibet. With respect to exchanges with the newly independent states of the former Soviet Union, the Committee expects that funding will be distributed equitably among high school, college, graduate, and post-graduate programs. Further, the Committee encourages USIA to consider proposals to fund exchanges and exchange-related activities in support of the 1999 Women's World Cup and the Special Olympics, and proposals to fund educational exchanges with Croatia in business management.

Within the total amount provided, the Committee directs that $150,000 shall be for a grant to implement U.S. House of Representatives interparliamentary exchanges with Korea and China.

The Committee supports USIA educational advising and counseling programs that enable foreign students to make sensible choices about attendance at American colleges and universities. The Committee expects that USIA will not reduce funding for this activity as proposed in the budget request, and urges the Agency to fund these programs to the maximum extent possible, while continuing to encourage cost-sharing by non-profit organizations.

In previous reports, the Committee has encouraged USIA to introduce more competition to improve the quality and lower the costs of exchange programs. The Committee understands that, in fiscal year 1999, USIA will solicit proposals and conduct a competition to administer the fiscal year 2000 Fulbright senior scholar program. Accordingly, the Committee expects that prior to issuing a request for proposals for such a competition, USIA shall provide a detailed report on plans for the competition, specifically addressing the issue of competition on a regional basis so as to maximize the availability of competitor organizations. The reporting to the Committee shall include advance consultation on the terms of the request for proposals. The Committee urges USIA to act expeditiously to take maximum advantage of the economies that can result from increased competition in all exchange programs, including other Fulbright programs and the International Visitors program.

The Committee expects that a proposal for the distribution of available resources among exchange programs will be submitted through the normal reprogramming process, and within 60 days from the date of enactment of this Act.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

The Committee recommends an appropriation of interest and earnings expected to total $600,000 in the Eisenhower Exchange Fellowship Program Trust Fund, authorized by the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101–454).

The Eisenhower Exchange Fellowship Act of 1990 authorized a permanent endowment for the Eisenhower Exchange Fellowship Program to increase educational opportunities for young leaders in preparation for and enhancement of their professional careers and to advance peace through international understanding. The Act established the Eisenhower Exchange Fellowship Program Trust Fund in the United States Treasury for these purposes. A total of $7,500,000 has been provided to establish a permanent endowment for the program, from which the appropriation of interest and earnings is provided to Eisenhower Exchange Fellowships, Incorporated.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The Committee recommends language in the accompanying bill that will appropriate interest and earnings of the Israeli Arab Scholarship Endowment Fund expected to total $400,000. This is the full budget request and the same as was provided in fiscal year 1998. A permanent endowment of $4,978,500 for the Fund was established in fiscal year 1992 with funds made available to the United States 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

The Committee recommends $383,957,000 to carry out United States International Broadcasting Operations for fiscal year 1999. This is $4,733,000 below the budget request and $2,553,000 below comparable amounts provided in fiscal year 1998. The Committee recommendation includes funding for all international broadcasting under this account, including Broadcasting to Cuba, as requested in the budget. Under the United States International Broadcasting Act of 1994, all broadcasting activities are under the oversight of the Broadcasting Board of Governors (BBG). In fiscal year 1998, funding was provided separately for Broadcasting to Cuba.

The Committee recommendation retains language included in fiscal year 1998 relating to representation expenses, and authority to use funds for Broadcasting to Cuba in this account for facilities and equipment as well as operations, which was provided in fiscal year 1998 under a separate account. The Committee recommendation also includes language allowing the use of fees collected from advertising and other receipts. The recommendation does not include language proposed in the budget to allow use of funds for costs of aircraft as may be required to house and operate necessary television broadcasting equipment.

The Committee recommendation provides funding at the requested level, with the following adjustments:

No funding is provided for the requested program increases totaling $4,021,000.

No funding is provided for a Tactical Broadcasting Contingency Fund totaling $2,547,000.

No funding is provided for the requested increase of $712,000 for a new aerostat for the Office of Cuba Broadcasting (OCB). The recommendation provides a 1999 allocation of $21,992,000 for OCB.

In response to a subsequent request from the Agency, the Committee recommendation for this account includes $1,626,000 that the budget request assumed to be transferred to the International Information Programs account. This transfer is being held in abeyance pending further discussions on the role of television in the Agency's broadcasting and information programs.

An additional $2,600,000 above the request is provided to bring the 1999 allocation for Radio Free Asia (RFA) to $22,000,000, the level authorized in H.R. 1757, the Foreign Affairs Reform and Restructuring Act, which has passed the House and Senate. The Committee believes that this funding level will allow RFA to continue the expanded level of broadcasting to China supported in fiscal year 1998, and allow RFA to add additional hours to reach a total of 24 hours of broadcasting each day to China in various dialects. Within the funds available to RFA, the Committee urges the BBG and RFA to pursue the initiation of broadcasts in the Uighur dialect to the Uighur-speaking people of China.

Further, the Committee recommendation has been adjusted downward by $1,679,000 in recognition of exchange rate changes since the time of the request. Any further gains from exchange rate fluctuation are subject to the usual reprogramming procedures under section 605 of this Act. The Committee would be willing to consider such reprogramming requests, particularly to restore the requested program increase for audience research, and to meet unforeseen costs of closing out Radio Free Europe/Radio Liberty (RFE/RL) facilities in Portugal.

The Committee recommendation includes $4,000,000 for a grant to RFE/RL for the 1999 operating costs of Radio Free Iran. No funding is included for the 1999 operating costs of Radio Free Iraq, since those costs were included in the fiscal year 1998 Supplemental Appropriations and Rescissions Act (P.L. 105-174).

The Committee recommendation also includes program decreases of $4,329,000, as requested, including the elimination of the shortwave site in Rhodes, Greece, the elimination of 20 positions in the Office of Engineering and 30 positions in the Office of Cuba Broadcasting.

USIA and the Broadcasting Board of Governors are directed to provide their plan for the expenditure of funds under this account to the Committee within 60 days from the enactment of this Act.

BROADCASTING TO CUBA

Funding for Broadcasting to Cuba is considered under the International Broadcasting Operations account, as requested in the fiscal year 1999 budget.

RADIO CONSTRUCTION

The bill includes $25,308,000 in new budget authority for the Radio Construction account for fiscal year 1999. This amount is the same amount as the request, and $14,692,000 below the level provided in fiscal year 1998. The amount recommended will provide for maintenance, improvements, replacements and repairs, satellite and terrestrial program feeds, and broadcast facility leases and land rentals.

In fiscal year 1999, there will be one major construction project still underway; the construction of the Pacific Island Relay Station in the Northern Mariana Islands to increase and improve broadcasts to Asia. This station is scheduled to begin transmitting in the second quarter of fiscal year 1999. The Committee recommendation includes the requested $1,800,000 for this project. In fiscal year 1998, the Committee provided $10,000,000 to expand this facility to accommodate additional broadcasting to China. The expansion will be completed in the second quarter of fiscal year 2000. No additional funding is required in fiscal year 1999 for the costs of the expansion.

The remaining funds in this account are provided for maintenance, repair and modernization of equipment to keep the broadcasting infrastructure operational. The major element in the proposed modernization funding is to move forward on digital processing and distribution, which is required to replace the current analog system that is on the verge of obsolescence. The Committee expects to be kept informed about ongoing efforts to re-evaluate the plans, priorities and funding requirements for the digitization project.

The Committee notes that the Agency expects carryover balances of over $10,000,000 to be available under this account in fiscal year 1999.

EAST-WEST CENTER

The Committee does not recommend funding for maintaining and operating the East-West Center. The budget contained a request of $5,000,000, and in fiscal year 1998, $12,000,000 was provided.

Because of budget constraints, the Committee does not recommend continued funding for the East-West Center as a sole-source appropriation to a private organization affiliated with a university. The purpose of the Center is to promote better relations and understanding between the United States and the nations of Asia and the Pacific through cooperative programs of research, study and training.

The Center started receiving a direct subsidy from the Federal government in fiscal year 1961. Over the past ten years, the Federal government has provided approximately $200,000,000 for its operation.

The Center can solicit private contributions and compete for other Federal grants to support its activities, and has embarked on a plan to increase private contributions. The termination of funding in this account does not therefore necessarily mean the dissolution of the Center.

NORTH/SOUTH CENTER

The Committee does not recommend funding for continued support of the operations of the North/South Center. The budget contained a request of $2,500,000, and $1,500,000 was provided in fiscal year 1998.

Because of budget constraints, the committee cannot recommend continued funding for this sole-source appropriation to a non-governmental organization affiliated with a university. The mission of the Center is to promote, through cultural and technical exchange, better relations among the United States, Canada, and the nations of Latin America and the Caribbean.

The Center started receiving a direct subsidy from the Federal government in 1991. Since that time, the Federal government has provided $40,395,000 for its operations. Prior to 1991, the Center operated on private funding, and competed for and received project-specific Federal grants. The Center can solicit private donations and compete for Federal grants available to support its programs and research, as it did prior to 1991. The termination of funding in this account does not therefore necessarily mean the dissolution of the Center.

NATIONAL ENDOWMENT FOR DEMOCRACY

The Committee recommends $31,000,000 for the National Endowment for Democracy for fiscal year 1999, the same as the budget request and $1,000,000 above the amount provided in fiscal year 1998.

The National Endowment for Democracy is a private, non-profit corporation established to encourage and strengthen the development of democratic institutions and processes internationally through private-sector initiatives, training, and other activities, including those which promote pluralism, democratic governance, civic education, human rights, and respect for the rule of law. The Endowment does not carry out programs directly, but provides funding for projects which are determined to be in the national interest of the United States and which are administered by private organizations and groups.

The Committee recommendation provides for requested adjustments to base, and $700,000 for increased NED grant activities in Asia, which include programs designed to strengthen democracy and the rule of law in China, Burma, Vietnam, Cambodia, and Mongolia.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

The Committee recommends the following general provisions for the Department of State similar to the provisions that were included in the fiscal year 1998 Appropriations Act:

Section 401 of the bill 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 five percent of any State Department appropriation to be transferred to another State Department appropriation, but no program can be increased by more than ten percent, and also provides the same authority to United States Information Agency programs. 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 of the bill allows payment of a border equalization adjustment during fiscal year 1999 for a small number of employees who are not members of the Foreign Service, live in the United States, but commute to work in locations in Mexico and Canada. This section will equalize pay for these employees based on the locality pay rates paid for service performed in the United States within the locality pay areas closest to the employees' foreign duty station.

In addition, the Committee recommendation includes the following new general provisions:

Section 404 of the bill renames the Japan-U.S. Friendship Commission as the United States-Japan Commission, and provides authority for the Commission to invest its trust fund in either Japan or U.S. Government securities.

Section 405 of the bill allows the Director of the U.S. Information Agency to administer summer travel/work programs without regard to preplacement requirements of the "J" visa.

Section 406 of the bill extends privileges and immunities to the United Nations Industrial Development Organization to the same extent as would apply if the U.S. were a member of that organization.

Section 407 of the bill extends law enforcement availability pay to diplomatic security agents of the Department of State.

TITLE V—RELATED AGENCIES

The Committee recommends $1,661,626,000 in new budget (obligational) authority in the accompanying bill for the Related Agencies in this Title for fiscal year 1999. This amount is $172,127,000 above the current year appropriation, and $382,800,000 below the budget request. However, once technical differences in the treatment of offsetting collections are taken into account, the Committee recommendation is $41,873,000 below the current year appropriation and $306,300,000 below the budget request.

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

The Committee recommendation includes a total of $184,975,000 in new budget authority for the Maritime Administration for fiscal year 1998, as described below:

MARITIME SECURITY PROGRAM

The Committee recommends $97,650,000 for the Maritime Security Program, as requested, an increase of $62,150,000 above the amount made available in 1998. The 1999 recommendation will provide all the resources necessary for the operation of the program through fiscal year 1999. The purpose of the Maritime Security Program is to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States. The program provides direct payments to U.S.-flag ship operators engaged in U.S.-foreign trade. Participating operators are required to keep the vessels in active commercial service and are required to provide intermodal sealift support to the Department of Defense in times of war or national emergency. This program is funded under the allocation for national security programs.

The Committee recommendation provides funding for payments to U.S. carriers for 47 ships, capped at $2,100,000 per ship, per year.

OPERATIONS AND TRAINING

The Committee recommends an appropriation of $67,600,000 to fund programs under the Operations and Training account for the Maritime Administration (MARAD). This amount is a reduction of $2,953,000 from the budget request and is the same level appropriated for the current fiscal year. This account provides funding for the U.S. Merchant Marine Academy, the State maritime schools, and MARAD operations.

The Committee recommendation includes funding for the operation and maintenance of the U.S. Merchant Marine Academy at $31,500,000, the fiscal year 1998 level.

The recommendation includes funding for State Maritime Schools at $7,100,000, the fiscal year 1998 level, and assumes full funding of the Student Incentive Payment (SIP) program. The Administration request proposed to phase out the SIP program. The Committee is pleased to note that in fiscal year 1998 MARAD is conducting a study to examine Maritime Education and Training as it relates to the achievement of U.S. national security goals. The Committee directs MARAD to submit such a report to the Committee no later than February 3, 1999. The report will include: (1) a full and detailed explanation of how Maritime Education and Training programs fit into MARAD's GPRA strategic and performance plans; (2) specific performance measures for Maritime Education programs, including the U.S. Merchant Marine Academy, State Maritime Schools, and any additional training funded from this account; (3) an assessment of the current and projected demand for qualified ships officers on U.S.-flag merchant ships compared with the number of U.S. and State academy graduates; (4) an explanation of

service obligations of graduates of U.S. and State academies, and how these obligations compare with those of other Federal service academies; (5) an explanation of the extent to which the Academies have expanded into instruction in logistics and intermodal transportation management, and an assessment of the implications of this expansion in terms of mission-relevance and competition with, and duplication of, academic programs in State or private universities; and (6) a cost/benefit analysis of the SIP program with justified recommendations for future funding.

The Committee understands that there may be other funding available from the Department of the Navy to continue the SIP program, and directs MARAD to include further information on alternative funding in the report mentioned above.

The Committee recommendation includes $29,000,000 for operating programs and general administration of MARAD, the same level as in fiscal year 1998. Although the overall funding level is flat, the Committee believes there are opportunities to ensure sufficient funding for critical programmatic activities. The Committee notes that MARAD was able to meet its 1998 requested staffing levels, despite receiving over $1,000,000 less than requested for MARAD operations. In this light, the Committee believes further efficiencies in staffing can be achieved, and encourages MARAD to reduce staffing through attrition.

The Committee notes that in addition to the funds provided for State academies under this account, two of the five State school ships are now being funded under the Ready Reserve Force program.

The Committee understands that the sale for scrap of vessels in the National Defense Reserve Fleet has been the subject of much public and congressional interest, and requests that MARAD, no later than November 15, 1998, submit a report to the Committee on the status of scrapping plans for NDRF ships, including projections of FY 1999 net MARAD proceeds or costs associated with those scrapping plans, and the impact, if any, on future funding requirements for MARAD programs.

The Committee recommendation deletes language, as requested, that allowed reimbursements to this appropriation from receipts of the Federal Ship Financing Fund, for administrative costs of that program. This authority is no longer required as the Federal Ship Financing Fund program has been replaced by the Title XI guaranteed loan program.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

The Committee has included a total of $19,725,000 in the bill for the Maritime Guaranteed Loan (Title XI) Program. This amount is $9,725,000 above the budget request, and is $16,000,000 less than the amount provided in fiscal year 1998. The recommendation also includes a total program limitation of $1,000,000,000.

The amount provided includes $16,000,000 in subsidies for the guaranteed loan program, which when combined with carryover balances, may provide a total program level of up to $1,000,000,000. The recommendation provides the amount originally requested for this program. A budget amendment reduced the Administration request by $10,000,000.

Also, the Committee notes that the amount of loans that the appropriation supports depends upon the risk factor in the loans that MARAD approves. To the extent that the program concentrates on lower-risk loans, the appropriation will support a higher total program level, and any risk of default will be decreased. The Committee urges MARAD to continue to ensure that any loan guarantees issued under this program meet the economic soundness requirement under Title XI.

The amount provided also includes $3,725,000 for administrative expenses related to this program, the same amount provided in fiscal year 1998, and a reduction of $275,000 below the budget request. The amount provided for administrative expenses may be transferred to and merged with appropriations for MARAD operations and training on a reimbursable basis to cover the common overhead expenses associated with maritime guaranteed loans.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

The bill includes several administrative provisions involving Government property controlled by MARAD, the accounting for certain funds received by MARAD, and a prohibition on obligations from the MARAD construction fund. These provisions have been carried in appropriations acts for the Maritime Administration for several years.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The Committee recommends $280,000 for the expenses of the Commission for the Preservation of America's Heritage Abroad. This amount reflects an increase of $30,000 above the level provided in fiscal year 1998 and in the budget request. The recommendation will allow the Commission to fund its administrative expenses through appropriated funds while relying on privately donated funds for the actual purchase and restoration of property.

The purpose of the Commission is to encourage the preservation of cemeteries, monuments, and historic buildings associated with the foreign heritage of the American people.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The Committee recommends an appropriation of $8,740,000 for the Salaries and Expenses of the Commission on Civil Rights for fiscal year 1999. The amount recommended is $2,260,000 less than the budget request and the same amount provided in the current year appropriation.

The Commission, established by the Civil Rights Act of 1957, is an independent, bipartisan, fact-finding agency directed by eight part-time commissioners. The Commission was created to protect the civil rights of people within the U.S. The ways the Commission accomplishes this mission include the investigation of charges of citizens being deprived of voting rights, and the collection, study

and dissemination of information on the impact of Federal laws and policies on civil rights.

The Committee continues to be concerned about the state of management controls at the Commission, brought to light in last year's GAO report to the Subcommittee on the Constitution of the House Judiciary Committee. The Committee expects the Commission to keep the Committee informed as improvements are implemented, including developing the ability to plan and budget for projects, and track the progress and ongoing costs of such projects.

In addition, the Committee continues to believe that, as was stated in the House report last year, the Commission can augment its resources for fact-finding and research-related tasks by utilizing detail employees from agencies that have expertise in civil rights and related matters. The Committee recommends that the Commission explore with the authorizing committee any changes necessary to existing authorizations to allow for these types of agreements.

The Committee recommends bill language which provides (1) $50,000 to employ consultants; (2) a prohibition against reimbursing commissioners for more than 75 billable days with the exception of the chairman who is permitted 125 billable days; and (3) a limitation of four full-time positions under schedule C of the Excepted Service exclusive of one special assistant for each commissioner.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $1,170,000 for the Commission on Security and Cooperation in Europe, an increase of $80,000 above the request and the current fiscal year. The Committee notes that the Commission also receives administrative support from the House of Representatives, and reemphasizes that it would be useful in future budget justifications to display the total budget of the Commission, including both the appropriation request from this Subcommittee and the support expected to be provided by the House.

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.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The Committee recommends $260,500,000 for the Salaries and Expenses of the Equal Employment Opportunity Commission (EEOC) for fiscal year 1999. This amount is $18,500,000 below the request, and $18,500,000 above the amount provided in the current year appropriation.

Additional resources are provided to support improvements to the investigation and resolution of actual individual charges of discrimination. The Committee expects that these additional resources will allow the EEOC to continue to reduce the backlog of pending charges, and to significantly expand the use of alternative dispute

resolution (ADR) techniques, including mediation. The Committee notes that concerns about the EEOC's use of employment testers in fiscal year 1999 are being addressed in the form of a letter from the EEOC Chairman to the Congressional Committees of jurisdiction.

The increase of $18,500,000 is provided for the following purposes: $6,000,000 for adjustments to base, $8,000,000 for the development of the EEOC's ADR program, $3,500,000 for EEOC investigative staffing enhancements, $500,000 for additional EEOC attorneys, and $500,000 for additional reimbursement to State and local Fair Employment Practice Agencies. The Committee recommendation does not include the requested increase for automation, for reasons described below. Also the recommendation does not include the full amounts requested for personnel increases, as the requested amounts were based on full-year costs of added positions. The Committee expects the EEOC to submit a spending plan to the Committee in accordance with section 605 of this Act prior to the expenditure of funds for the program increases included in the Committee recommendation. The spending plan shall be supplemented by a report, submitted to the Committee on Appropriations and the Committee on Education and the Workforce detailing specific plans for the implementation of an ADR initiative.

ADR.—In addition to a detailed expenditure plan, the ADR implementation plan shall address the structure of the ADR program. The Committee urges the EEOC to submit a plan that will make ADR options available in most cases. The Committee expects that once an acceptable ADR plan has been approved, such a plan will be implemented in every EEOC field office within fiscal year 1999. The Committee further expects the EEOC to develop systematic data collection and monitoring of the Commission's ADR activities, to determine the impact on backlog, and to refine and improve future efforts.

Investigation.—The Committee provides additional resources in this area in recognition of the fact that the most of the charges in the current backlog are "category B" and "category A" charges that require further investigation to determine merit. Additional resources for investigative staff will address the need to develop and resolve these cases.

Attorneys.—The Committee supports the hiring of additional attorneys specifically to encourage early and substantive involvement of attorneys in the "strategic" enforcement process, in which attorneys consult with investigators in screening charges to ensure the best use of resources. Also, the Committee encourages the EEOC to adopt other "no-cost" measures that might improve performance in this area, such as reorganizing work flows, assigning attorneys to investigative units, or changing attorney job requirements.

State and local Fair Employment Practice Agencies.—The Committee notes that the State and local FEPA's resolve approximately 42% of the national caseload, and that many FEPA's have a proven track record of effectively using ADR methods. The Committee expects that the EEOC will work with the FEPA's to achieve a fair and effective distribution of the additional resources provided, via the reimbursement of a set amount per charge resolution.

Automation requirements.—The Committee notes that the Agency's 1999 budget request included increases of $9,590,000 related to automation requirements. These increases are not included in the Committee recommendation. The Committee assumes that the EEOC will be able to request funding for automation needs from amounts that may be made available separately for Year 2000 compliance.

In fiscal year 1998, the Committee provided a modest increase to address the charge caseload and its growing backlog. Recent estimates indicate that by the end of fiscal year 1998, the backlog will total over 57,000 charges. The Committee notes that the additional resources provided for fiscal year 1999 are all specifically targeted toward reducing the backlog of private sector charges. The Committee therefore expects that the additional resources will support the level of charge resolutions projected in the budget request. The Committee expects the EEOC to keep the Committee informed regarding the Commission's progress toward the backlog reduction targets included in the request: 41,500 at the end of fiscal year 1999, and 28,500 by the end of fiscal year 2000. The EEOC may be able to achieve even greater backlog reductions depending on the intake rate for new charges and the extent to which ADR methods are adopted.

The Committee continues to be concerned about the allocation of resources to charge processing and to litigation. The Committee expects the EEOC to continue to develop the ability to track staffing and resources expended on particular EEOC activities, and expects the EEOC to be able to report to the Committee on the level of resources actually being spent on charge processing, how this level compares to previous years, whether resources need to be reallocated among activities or districts, and the productivity of charge processing by office. The Committee expects the processing of charges filed with the EEOC, including the reduction of the backlog of such charges, will remain the EEOC's first priority and directs the EEOC to implement a system of identifying the level of resources dedicated to this activity and other EEOC activities, such as litigation. The Committee understands that the EEOC is currently working on a project to track the use of EEOC attorneys' time that will provide greater clarity regarding the allocation of resources by activity.

The Committee is also concerned about EEOC interventions in ongoing lawsuits, and the initiation of lawsuits alleging a similar claim or claims as alleged in another lawsuit filed against the same defendant. The Committee expects that the EEOC will give priority to litigation on behalf of complainants not represented by counsel in other forums as opposed to duplicating independent litigation efforts.

The bill also includes language similar to that included in previous appropriations acts allowing: (1) non-monetary awards to private citizens; (2) up to $28,000,000 for payments to State and local agencies, an increase of $500,000 over fiscal year 1998; and (3) up to $2,500 for official reception and representation expenses.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $181,514,000 for the Salaries and Expenses of the Federal Communications Commission (FCC) for fiscal year 1999, of which $172,523,000 is to be derived from offsetting fee collections, resulting in a direct appropriation of $8,991,000. The recommended total budget authority is $31,463,000 below the request, and $5,000,000 below the current year appropriation.

The Committee recommendation includes bill language that prohibits the use of funds provided under this account for rental payments to the GSA for the Portals II building, or for costs of relocation to the Portals II building, until such time as ongoing investigations determine the legality of the lease.

The Committee continues to be concerned that the FCC has not taken sufficient actions to streamline and reduce its operations in response to passage of the landmark Telecommunications Act of 1996 (P.L. 104–104). While the Committee understands that the Commission has experienced a short-term increase in workload in some areas, the Committee believes that further opportunities exist to streamline and downsize the Commission as a result of the deregulation of the industry. Therefore, the Committee encourages the FCC to re-evaluate all of its functions, and to eliminate those unnecessary regulatory functions that have been reduced or eliminated by this Act. Such actions will enable the Commission to achieve budgetary savings while promoting greater competition in the industry.

The Committee is concerned that the fraudulent practice of transferring customers from one long-distance company to another without authorization, called "slamming," has continued despite measures adopted by the FCC in the past. The Committee urges the Commission to adopt measures that strengthen disincentives to slamming. The Committee further urges the Commission to improve coordination with the States to pursue the vigorous enforcement of rules against slamming.

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, 2000; (5) authority to purchase uniforms and acquire vehicles; (6) special counsel fees; (7) for the collection of $172,523,000 in section 9 fees; (8) for the sum appropriated to be reduced as section 9 fees are collected; (9) fees collected in excess of $172,523,000 to be available in fiscal year 2000.

The Committee does not adopt the proposal in the budget request deferring the use of the fiscal year 1999 fee collections until fiscal year 2000, and instead retains the approach used in past appropriations acts.

The FCC is an independent agency charged with regulating interstate and foreign communications by means of radio, television, wire, cable and satellite.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The Committee recommends an appropriation of $14,000,000 for the Salaries and Expenses of the Federal Maritime Commission (FMC) for fiscal year 1999. This amount is a reduction of $500,000 below the budget request and the same level as provided for the current fiscal year.

The Committee notes that S.414, passed by the Senate, includes provisions phasing out certain FMC responsibilities during fiscal year 1999, particularly the responsibility of the FMC to collect and disseminate to the public all tariffs and other information through an automated tariff filing and information system. The bill also includes changes in the application of shipping law standards. The Committee expects the Commission to keep the Committee informed regarding the impact of changes to the FMC's authorities and responsibilities on resource requirements.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $110,490,000 for the Salaries and Expenses of the Federal Trade Commission (FTC) for fiscal year 1999, a decrease of $2,377,000 below the request and $3,990,000 above the current year appropriation. Of this amount, $30,000,000 is to be derived from prior year unobligated fee collections, and $76,500,000 is to be derived from current year offsetting fee collections from premerger filing fees under the Hart-Scott-Rodino Act, resulting in a net direct appropriation of $3,990,000. The Committee notes that any use of remaining unobligated fee collections from the prior year are subject to the reprogramming requirements outlined in section 605 of this Act.

The mission of the Federal Trade Commission is to enforce a variety of Federal antitrust and consumer protection laws. Under these laws, the Commission seeks to ensure that the nation's markets are competitive, function vigorously and efficiently, and are free from undue governmental and private restrictions. The Commission also seeks to improve the operation of the marketplace by eliminating deceptive and unfair practices.

The Committee understands that the FTC has issued an Enforcement Policy Statement on U.S. Origin Claims which reaffirms their long-standing "all or virtually all" standard for "Made in USA" claims. The Committee now expects the FTC to vigorously enforce that standard.

The Committee is aware of the FTC's desire to establish a toll free number for consumer telephone calls and to incorporate consumer information from this service into its fraud intelligence sharing system. Toward this objective, the FTC is asked to provide the Committee with a detailed estimate of the funding required for establishing a toll free number, and for integrating data collected through it into the FTC's Consumer Sentinel program. The FTC may submit a reprogramming under the requirements of section 605 of the Act, to support the costs of this effort.

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 2000, (6) prohibits the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991, and (7) makes funds appropriated from the Treasury for the FTC available until expended.

The Committee does not adopt the proposal in the budget request deferring the use of the fiscal year 1999 fee collections until fiscal year 2000, and instead retains the approach used in past appropriations acts.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The Committee recommendation provides $141,000,000 for the Legal Services Corporation (LSC) for fiscal year 1999. This amount is a decrease of $199,000,000 below the request, and $142,000,000 below the amount provided in fiscal year 1998. This amount includes: (1) $134,575,000 for grants to basic field programs; (2) $5,300,000 for management and administration to administer these grants on a competitive basis; and (3) $1,125,000 is provided to the Office of the Inspector General for oversight of the Corporation and its grantees.

The Committee notes that $23,000,000 is provided for civil legal assistance under the Violence Against Women Act programs funded under title I of this bill.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The Committee recommendation includes bill language to continue all statutory requirements and restrictions contained in the fiscal year 1998 Appropriations Act, as requested, with one modification.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The Committee recommends $1,240,000 for the Marine Mammal Commission for fiscal year 1999. This is the same amount as requested, and $55,000 above the current appropriation. The Committee notes that a total of $339,732,000 has been provided in the Department of Commerce for the National Marine Fisheries Service (NMFS), the primary Federal agency charged with providing the necessary scientific research and evaluation of marine resources, including marine mammals. The Committee encourages the Commission to work closely with NMFS, particularly in the area of research, studies, and workshops, to identify and eliminate overlap and duplication. The Committee notes that, in the past, the Commission has received funding from NMFS for these types of activities, and expects such collaboration to continue.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The Committee recommends overall funding for the Securities and Exchange Commission (SEC) of $324,000,000, a decrease of $17,098,000 below the request and an increase of $9,000,000 above the level provided in fiscal year 1998. The overall funding is made up of the following components: (1) a direct appropriation of $23,000,000 for fiscal year 1999; (2) an appropriation of fiscal year 1999 offsetting fees of $214,000,000; and (3) an appropriation of 1998 offsetting fee collections carried over into fiscal year 1999 of $87,000,000. The Committee recommendation adopts language proposed in the budget request, designating certain amounts to be appropriated from fees collected in fiscal years 1998 and 1999, a departure from language included in previous years that specified an amount of offsetting collections to reduce the appropriation as they were collected and deposited.

The Committee recommendation includes sufficient funding to meet SEC's base adjustments. The Committee notes that the Agency's 1999 budget request included increases of $5,700,000 related to automation requirements. These increases are not included in the Committee recommendation. The Committee assumes that the Agency will be able to request funding for automation needs from amounts that may be made available separately for Year 2000 compliance.

The SEC was created by the Securities Exchange Act of 1934 as an independent, quasi-judicial agency. It administers a group of statutes in the area of securities and finance which seek to protect the investing public by providing full disclosure, regulating the nation's securities markets, and preventing and policing fraud and malpractice in the securities and financial markets.

The Committee recommendation includes bill language providing offsetting fees in accordance with levels authorized in the National Securities Markets Improvement Act of 1996.

In addition, the Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for the rental of space; (2) makes up to $3,000 available for official reception and representation expenses; (3) makes up to $10,000 available for a permanent secretariat for the International Organization of Securities Commissions; and (4) makes up to $100,000 available for expenses of meetings and consultations with foreign governmental and regulatory officials.

SMALL BUSINESS ADMINISTRATION

The accompanying bill provides a total of $705,890,000 for the five appropriations items of the Small Business Administration (SBA). This amount is $18,534,000 below the budget request, and $10,242,000 below the amount appropriated in fiscal year 1998. The details for the five SBA appropriation accounts are contained in the following paragraphs.

The Committee urges the SBA to continue its efforts to improve the management of its financial programs. Past failures to accurately project subsidy rates for its programs have led to incorrect

projections of resource requirements, and have placed upon the Committee an obligation to find significant additional resources to meet SBA program requirements. The Committee notes that significant resources were provided in fiscal year 1998 and are again provided in the Committee's recommendation for fiscal year 1999 to address this concern. The Committee reminds SBA that the volatility in subsidy rates is a direct reflection on the SBA's management of its loan portfolio and expects SBA to continue to make this its highest priority.

SALARIES AND EXPENSES

The Committee recommends $246,750,000 for the Salaries and Expenses of the Small Business Administration. This amount is $34,350,000 below the request, and $7,450,000 below the amount provided for fiscal year 1998.

In addition, $94,000,000 is available for this account from the portion of the Business Loans Program account for administrative expenses, and $116,000,000 is available for administrative expenses for the Disaster Loans Program account. This latter amount represents the requested amount for the direct costs of disaster loan making and servicing. These amounts are to be transferred to and merged with the Salaries and Expenses account.

The amount provided includes $8,000,000 for the continuation of an initiative to improve SBA's monitoring and oversight of its financial programs through upgrades and improvements in its information resource management systems, and increased financial analysis and management. The Committee expects the SBA to submit a plan, prior to the expenditure of resources for this initiative, in accordance with section 605 of this Act.

In addition, within the amounts provided, the Committee expects the SBA to continue to assist small businesses adapt to a paperless procurement environment, and support activities which assist small businesses in making the transition to meet both military and ISO 9000 quality systems requirements. The Committee recommendation also includes the full amount requested for Low Documentation Processing Centers. The Committee encourages the SBA to consider supporting the development of a Business Process Improvement Model to be made available at Small Business Development Centers and other SBA locations to assist small businesses in evaluating and improving their critical business functions. The Committee further encourages the SBA to consider working with the private sector to explore ways to improve the dissemination of information about SBA programs to small businesses using the Internet and other new technologies. In addition, the Committee notes that the SBA Reauthorization Act (P.L. 105–135) again authorizes the Very Small Business Pilot Program. The Committee encourages the SBA to implement this program, and report to the Committee on its intentions regarding implementation.

The Committee recommendation for the Salaries and Expenses account represents a significant reduction, 11.6%, from the amount available in fiscal year 1998 for Salaries and Expenses costs other than for non-credit initiatives, and therefore assumes significant staff reductions. The Committee directs that any staff reductions taken in fiscal year 1999 in response to reduced resources shall be

taken primarily from headquarters staff, and first from "overhead" functions that are not directly charged with carrying out a loan program, or with carrying out one or more of the non-credit programs at the levels specified below. Specifically, the Committee intends that none of the reduction shall be taken from the allocation of funds for District Offices.

The Committee recommendation includes a total of $125,250,000 for non-credit initiatives, as follows:

Small Business Development Centers	$78,800,000
7(j)	2,600,000
SCORE	3,500,000
Microloan technical assistance	16,300,000
Enterprise zone one-stop capital shops	3,100,000
Export assistance centers	3,100,000
Regulatory Fairness Boards	500,000
Women's Demonstration Projects	4,000,000
Women's Business Council	350,000
Advocacy Research	800,000
Veterans Outreach	750,000
Small Business Drug-free Workplace Program	10,000,000
Survey of Women-Owned Businesses	750,000
Business Information Centers	700,000
Total, non-credit initiatives	125,250,000

Of the amounts provided for the SBDC program, $2,000,000 is to continue the SBDC defense transition program and $1,000,000 is to continue the regulatory compliance simplification program to increase coordination of environmental, Occupational Health and Safety Administration and Internal Revenue Service compliance requirements and to avoid duplication among programs for compliance assistance to small businesses.

The Committee recommendation includes $10,000,000 for a drug-free workplace demonstration program, as authorized by H.R. 3853, for the purpose of providing technical assistance to small business concerns seeking to start a drug-free workplace program.

The Committee recommendation includes $700,000 for the Business Information Centers program to support retrofitting of existing centers, and establishment of additional centers, including a center in southeastern Oklahoma to be established with the funding provided above the request.

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 appropriation. In addition, the Committee recommendation includes authority for Small Business Development Center program funds to be available for two years, reflecting the grant cycle for this program.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $11,300,000 for the Office of Inspector General of the Small Business Administration under this heading, the same amount as requested, and as is available from all sources in fiscal year 1998. In fiscal year 1998, an appropriation of

$10,000,000 was supplemented by an additional $500,000 provided under the administrative expenses of the Disaster Loans Program for oversight of that program, and by $800,000 in carryover balances. The Committee recommendation includes resources for the continuation of oversight to SBA's business loan portfolio, SBA's administration of the 7(a) program, and disaster assistance programs.

BUSINESS LOANS PROGRAM ACCOUNT

The Committee recommends $132,540,000 for the Business Loans Program Account for subsidies for guaranteed business loans, $2,000,000 for subsidies for direct business loans, and an additional $94,000,000 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. In addition, the recommendation includes a provision in the bill, similar to that carried in previous years, allowing up to $45,000,000 to remain available until September 30, 2000.

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 1999, as well as the administrative expenses of the loans. The subsidy amounts are estimated on a net present value basis, and the administrative expenses are estimated on a cash basis.

7(a) Business Loan program.—The Committee recommends a $10,000,000,000 program level for the 7(a) program in fiscal year 1999. To provide for this program level, the Committee has assumed a 1.39% subsidy rate, as estimated in the budget, and included a subsidy appropriation of $119,400,000, instead of $153,000,000 as proposed in the request and $161,000,000 as provided for fiscal year 1998. In addition, based on estimates and information provided by SBA, the recommendation assumes carryover of $19,600,000, resulting in a total subsidy appropriations availability of $139,000,000. Should changes in the program level occur due to changes in the subsidy rate, or changes in estimated carryover and recoveries, the Committee expects to be notified in accordance with section 605 of this Act prior to the SBA taking any actions to change the program level provided in fiscal year 1999. The Committee recommendation includes language, as carried in the fiscal year 1998 appropriation Act, that requires the SBA to submit a reprogramming under section 605 of the Act before exceeding a 7(a) program level of $10,000,000,000.

Small Business Investment Corporation (SBIC) participating securities and debentures.—The Committee recommendation includes a total of $13,140,000 for the subsidy appropriation for the SBIC programs, an increase of $3,140,000 above the request and $7,092,000 below the amount provided in fiscal year 1998. In addition, estimates provided by the SBA indicate an additional $4,900,000 in carryover, and up to $6,100,000 in proceeds will be available for the SBIC programs in fiscal year 1999. The recommendation includes $11,140,000 in subsidy appropriations for

SBIC participating securities leverage. When combined with carryover balances of $2,000,000, the funding recommendation will provide a $600,000,000 program level for SBIC participating securities. The recommendation includes $2,000,000 in subsidy appropriations for SBIC debentures leverage. When combined with carryover balances of $2,900,000, and with proceeds of $2,650,000, the funding recommendation will provide a $547,000,000 program level for SBIC debentures. The Committee notes that an estimated additional $3,450,000 in proceeds will be available to further supplement the fiscal year 1999 SBIC programs, and the Committee will entertain a reprogramming under section 605 of the Act to do so.

Microloan Direct and Guaranty Programs.—The Committee recommendation includes new appropriations of $2,000,000 for the Microloan Direct Loan Program compared to the request of $5,724,000, and no new appropriations for the Microloan Guaranty Program, as none was requested. The recommendation for direct Microloans assumes that $900,000 in estimated carryover will be available to provide for a program level of $30,398,000. For the Microloan Guaranty program, carryover balances of $2,700,000 will be available to provide for a program level of up to $33,877,000. The Committee continues to be concerned about the inability of SBA to utilize the resources provided for the Microloan Direct and Guaranty programs. In the report provided to the Committee on February 2, 1998, the SBA indicated its intention to use all appropriated funds in fiscal year 1998 for program expansion. Yet the most recent estimates provided to the Committee indicate significant anticipated carryover in both programs. The Committee directs the SBA to submit a report no later than February 2, 1999 providing detailed program plans and estimates for these programs, and the Microloan technical assistance grants program for fiscal year 1999.

504 Development Company loans.—The Committee recommendation provides no new budget authority for the section 504 development company loan program, as none was requested, and includes bill language limiting the 504 program to the authorized program level of $3,500,000,000.

DISASTER LOANS PROGRAM ACCOUNT

The Committee recommends a total of $216,000,000 for the Disaster Loans Program Account for loan subsidies and associated administrative expenses, an increase of $50,000,000 above the request and $42,800,000 above the amount appropriated in fiscal year 1998. The Committee recommendation includes $100,000,000 for the subsidy costs of disaster loans, which when combined with estimated carryover and recoveries of $75,804,000 will provide a disaster loan level of $785,000,000, the same level as projected for fiscal year 1998. The Administration requested no new appropriations for the subsidy costs of disaster loans, which would have provided a disaster loan program level of only $339,000,000, or 62% below the average yearly program level.

The Committee notes the failure of the SBA, once again, to request sufficient appropriations for the subsidy costs of direct Disaster Loans, instead relying on a proposal to reduce the subsidy rate for these loans by raising interest rates on disaster victims by 50%.

The Committee expects that future appropriations requests for this program will include a realistic estimate of subsidy costs, and not rely on gimmicks which impose the burden of financing the disaster loan program upon those victims least able to afford it, and who have nowhere else to turn for relief.

The Committee recommendation includes $116,000,000 for administrative expenses of the program, which may be transferred to and merged with appropriations for Salaries and Expenses. This amount represents the requested level for the direct administrative costs of disaster loan-making and servicing.

The Committee recommendation does not include language carried in past appropriations Acts, transferring funds to the Office of Inspector general for audits and inspections of the disaster loan portfolio. Funding for OIG oversight of the disaster loan program is provided directly under the OIG account.

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 1999, as well as the administrative expenses of the loan programs. The subsidy amounts are measured on a net present value basis, and the administrative expenses are estimated on a cash basis.

SURETY BOND GUARANTEES REVOLVING FUND

The accompanying bill provides an appropriation of $3,300,000 for additional capital for the Surety Bond Guarantees Revolving Fund. This amount is equal to the budget request, and a decrease of $200,000 below the amount provided for fiscal year 1998. The recommendation will result in a program level of $1,672,000,000.

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.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The Committee recommends $6,850,000 for the State Justice Institute (SJI) for fiscal year 1999, the same level as the current year appropriation, and $5,150,000 below the request.

The mission of SJI is to award grants to improve the administration of justice in the State courts. SJI requested $12,000,000 for fiscal year 1999 for this purpose. However, the Administration proposed $6,000,000 for SJI in fiscal year 1999, citing a new $60,000,000 program that the Administration has requested under the Department of Justice, Office of Justice Programs (OJP), to augment assistance to State Courts for juvenile crime.

The Committee recommendation for the Department of Justice, Office of Justice Programs includes a $250,000,000 juvenile accountability block grant, which includes as an allowable use, assistance to State courts. However, the Committee has continued funding for SJI in order to augment assistance to State courts in unique circumstances for which other State and local grant programs may not support.

TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill. Except where modifications are indicated, these general provisions were included in the fiscal year 1998 Appropriations Act.

Section 601 prohibits any appropriation contained in the Act from being used for publicity or propaganda purposes not authorized by the Congress.

Section 602 prohibits any appropriation contained in the Act from remaining available for obligation beyond the current fiscal year unless explicitly provided.

Section 603 provides that the expenditure of 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 circumstance 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 provides for the Committee's policy concerning the reprogramming of funds. Section 605(a) prohibits the reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates offices or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any function or activity presently performed by Federal employees unless the Appropriations Committees of both Houses of Congress 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 both Houses of Congress are notified 15 days in advance.

The Committee has again included carryover funds under the requirements of section 605 to clarify that agencies must follow reprogramming procedures with respect to carryover funds.

Section 606 prohibits funds in the Act from being used for construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside the United States.

Section 607 states the sense of the Congress that all equipment and products purchased with funds made available in the bill should be American-made, directs the head of each Federal agency to provide a notice describing Congressional intent to any entity it

provides financial assistance to, or enters into a contract with, and prohibits any person determined to have misused "Made in America" labeling from receiving grants or contracts made with funds provided under this Act.

Section 608 prohibits funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion similar to proposed guidelines published by the EEOC in October, 1993.

Section 609 prohibits the use of funds to pay for expansion of diplomatic or consular operations in Vietnam beyond the level of operations on July 11, 1995, unless the President certifies within 60 days that Vietnam is fully cooperating in good faith with the U.S. on POW/MIA issues, and remains are being thoroughly analyzed to provide surviving relatives with determinations of death.

Section 610 prohibits the use of funds for any United Nations peacekeeping mission when it is made known that United States Armed Forces are under the command or operational control of a foreign national and the President has not submitted to the Congress a recommendation that such involvement is in the national security interest of the United States.

Section 611 prohibits the use of funds to provide certain amenities and personal comforts in the Federal prison system.

Section 612 includes language carried in previous House-passed bills prohibiting the use of funds under the NOAA Fleet Modernization, Shipbuilding and Conversion account to implement sections 603, 604, and 605 of Public Law 102–567.

Section 613 provides that any closing or downsizing costs incurred by a Department or agency funded under this Act resulting from funding reductions in the Act shall be absorbed within the budgetary resources available to the Department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 614 prohibits funds made available in this Act to the Federal Bureau of Prisons from being used to distribute publications that include sexually explicit material.

Section 615 limits funding under the Local Law Enforcement Block Grant to 90 percent to an entity that does not provide public safety officers injured in the line of duty and as a result separated or retired from their jobs with health insurance benefits equal to the insurance they received while on duty.

Section 616 prohibits use of funds to issue or renew certain fishing vessel permits.

Section 617 prohibits the use of funds to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

Section 618 prohibits the use of funds to pay for the expenses of an election officer appointed by the court to oversee the election of any officer or trustee of the International Brotherhood of Teamsters.

Section 619 directs the Federal Communications Commission to reinstate a radio license to a particular station, notwithstanding the expiration of such license on February 1, 1998.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

The Committee recommends a rescission of $45,326,000 from unobligated balances under this heading, as proposed in the June 8, 1998 budget amendment.

LEGAL ACTIVITIES

UNITED STATES TRUSTEE SYSTEM FUND

(RESCISSION)

The Committee recommends a rescission of $17,000,000 from unobligated balances in the United States Trustee System Fund. This is done as a technical matter to clear the books of a situation whereby the Committee was scored with $17,000,000 in higher-than-anticipated fee collections in fiscal year 1998 than are in fact expected to be realized.

TITLE VIII—CITIZENS PROTECTION

The bill includes Title VIII, which includes language to make government attorneys subject to laws and rules of the State and the rules of the local Federal court in which they are practicing and to establish conduct standards and procedures for Department of Justice employees. Subtitle A, section 811, addresses the concerns of the Committee about the Department of Justice's issuance of a regulation that exempts its attorneys from the same State laws and rules of ethics which all other attorneys must follow (59 Fed. Reg. 39910, August 4, 1994). Subtitle B, sections 812 et seq., makes it clear that employees of the Department of Justice must abide by the law. The rule of law in this country is an essential bedrock of our democracy. It must be nurtured and protected. For informational purposes, a list of cases involving misconduct, researched by the Library of Congress, can be found in the Congressional Record of March 5, 1998, at pages E301–303.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3, rule XXI of the Rules of the House of Representatives, the following statement is submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

Language is included for a number of accounts which places limitations on representation and reception allowances in order to re-

duce the amount of money that could otherwise be spent on these activities.

Language is included in various parts of the bill to continue ongoing activities which require annual authorization or additional legislation, which to date has not been enacted.

The bill includes provisions which place limitations on the use of funds in the bill or change existing limitations and which might, under some circumstances be construed as changing the application of existing law.

The bill includes a number of provisions, which have been virtually unchanged for many years, that are technically considered legislation.

The bill also provides that a number of appropriations shall remain available for obligation beyond the current fiscal year. While these provisions are not specifically authorized for all of the items, it is deemed desirable to include such language for certain programs in order to provide for orderly administration and the effective use of funds.

Language is included under a number of accounts in which appropriations are offset by collections that provides the level of offsetting collections to be credited to the account and in certain cases makes collections in excess of that level available in the following fiscal year.

In various places in the bill, language is included providing Violent Crime Reduction Trust Fund (VCRTF) amounts under the associated Department of Justice account, rather than under a separate account as in previous years.

In various places in the bill, the Committee has earmarked funds within appropriation accounts in order to fund specific programs and has adjusted some existing earmarkings.

Those additional changes in the fiscal year 1999 bill, which might be interpreted as changing existing law, are as follows:

Under Department of Justice, Counterterrorism Fund, language is included providing authority to use funds for equipment and training for State and local agencies, and citing the applicable authorizing sections of the Antiterrorism and Effective Death Penalty Act of 1996.

Under Office of Inspector General, language is included that allows the Attorney General to transfer up to one tenth of one percent of grant funds provided under the VCRTF for the Inspector General to audit and review these grant programs.

Under Legal Activities, Salaries and Expenses, General Legal Activities, language is included directing the Attorney General to transfer $813,333 from funds provided in this Act to the Presidential Advisory Commission on Holocaust Assets in the United States, subject to section 605 reprogramming requirements.

Under Justice Prisoner and Alien Transportation System, United States Marshals Service, language is included establishing this account as a revolving fund to pay for transporting prisoners and illegal and criminal aliens, and would operate by reimbursement. Language is also included to credit proceeds from the disposal of Fund aircraft to this account, and to make the amounts available without fiscal year limitation, and for operating equipment lease agreements not exceeding five years.

Under Community Relations Service, language is included that permits the Attorney General to transfer up to $1,000,000 to this account from other DOJ accounts, and may also transfer amounts that may be necessary to meet emergent circumstances from other Department of Justice programs, subject to the reprogramming requirements under section 605 of the accompanying bill.

Under Federal Bureau of Investigation, language is amended changing the limitation on the number of passenger and replacement motor vehicles. Language is included providing no-year availability for a portion of funds, including funds provided for counterterrorism equipment.

Under Drug Enforcement Administration, language is amended changing the limitation on the number of passenger and replacement motor vehicles.

Under Immigration and Naturalization Service, language is included to establish two separate headings under this account, "Enforcement and Border Affairs" and "Citizen Benefits, Immigration Support, and Program Direction", and provide the Attorney General with authority to align resources along these functions. Language is amended changing the limitation on the number of passenger and replacement motor vehicles.

Under Immigration and Naturalization Service, Violent Crime Reduction Programs, language is included providing the Attorney General with authority to transfer funds to any INS program previously funded by the VCRTF.

Under Federal Prison System, Salaries and Expenses, language is amended changing the limitation on the number of passenger and replacement motor vehicles.

Under Federal Prison System, Buildings and Facilities, language is amended, changing the limitation amount made available for the renovation and construction of the U.S. Marshals Service prisoner-holding facilities.

Under Violent Crime Reduction Programs, State and Local Law Enforcement Assistance, amended language is included on the eligibility of Louisiana parish sheriffs and similar officials for grants under the Local Law Enforcement Block Grant program. Language is included making the Juvenile Accountability Incentive Block Grant subject to the terms and conditions in the 1998 Appropriations Act.

Under Weed and Seed Program Fund, language is included making the amount provided available until expended.

Under Community Oriented Policing Services, Violent Crime Reduction Programs, language is amended changing the limitations on the number of positions and work-years. Language is modified regarding the use of unobligated balances, adding bulletproof vests for law enforcement officers, additional community law enforcement officers and related program support for the District of Columbia Offender Supervision, Defender and Court Services Agency, and equipment and training for tribal law enforcement officers as allowable uses.

Under Juvenile Justice Programs, language is included that allows funding provided to be subject to provisions of any reauthorization of the Juvenile Justice and Delinquency Act of 1974.

Under General Provisions—Department of Justice, section 108 authorizes the Bureau of Prisons to make expenditures out of the Federal Prison System's Commissary Fund for the installation, operation, and maintenance of the inmate telephone system.

Section 109 provides authority to the Attorney General to dispose of surplus property.

Section 110 replaces injury and death-related costs for INS officers with the same humanitarian expenses given to Federal Bureau of Investigation and Drug Enforcement Administration employees.

Section 111 merges the Legalization account into the Examinations Fee Account.

Under Department of Commerce, International Trade Administration, "Operations and Administration", language is included identifying a specific amount of fee collections to be retained and used.

Under Export Administration, "Operations and Administration", language is included requiring Congressional notification of proposed actions to process licenses for the export of satellites of United States origin to China.

Under Bureau of the Census, "Periodic Censuses and Programs", language is included providing a separate appropriation for decennial census programs. Language is included making a specific amount for the decennial census available only upon certain conditions including submission of a request for release of the funds and upon subsequent legislative action. Revised language is included providing a separate appropriation for the Census Monitoring Board, and for other periodic programs.

Under Patent and Trademark Office, Salaries and Expenses, language is included providing additional fee collections and spending authority, contingent upon enactment of authorization legislation.

Under "Industrial Technology Services", language is included allowing Manufacturing Technology Centers that have already reached their six year time limitation to continue to be funded.

Under National Oceanic and Atmospheric Administration, "Operations, Research, and Facilities", language is amended changing the limitation on the number of active commissioned officers. Language is included limiting expenditures for Executive Direction and Administration, limiting administrative assessments charged against NOAA programs and activities, and requiring reprogramming notification for the use of unanticipated deobligated balances.

Under "Procurement, Acquisition and Construction", language is included modifying the limitation on use of funds for deployment of the advanced weather interactive processing system and NOAA Port system.

Under Patent and Trademark Office, Salaries and Expenses, (Rescission), language is included rescinding a designated amount.

Under National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction, (Rescission), language is included rescinding a designated amount.

Under General Provisions—Department of Commerce, section 209 allows the Department of Commerce franchise fund to retain earnings from services provided.

Section 210 amends the Magnuson-Stevens Fishery Conservation and Management Act to give certain States exclusive fishery management authority in the Gulf of Mexico within 9 miles of the Coast of such State.

Under the Judiciary, Supreme Court of the United States, "Care of the Building and Grounds", language is amended changing the amount to remain available until expended.

Under Department of State, Administration of Foreign Affairs, "Diplomatic and Consular Programs", language is included limiting the amount of Machine Readable Visa fees that can be spent in fiscal year 1999, and providing that excess collections become available in fiscal year 2000.

Under Salaries and Expenses, language is included requiring the transfer of $813,333 to the Presidential Advisory Commission on Holocaust Assets in the United States.

Under Arrearage Payments, language is included making amounts available until expended for payment of arrearages to meet obligations of membership in the United Nations and to pay assessed expenses of international peacekeeping activities, and making obligation of funds contingent upon authorization, and upon certain conditions related to assessment rates.

Under United States Information Agency, International Broadcasting Operations, language is included allowing funds provided for broadcasting to Cuba to be used for facilities and equipment.

Under General Provisions—Department of State and Related Agencies, section 404 renames the Japan-U.S. Friendship Commission as the United States-Japan Commission and providing for interchangeability of its yen and dollar trust funds.

Section 405 allows the Director of USIA to administer summer travel and work programs without regard to preplacement requirements.

Section 406 extends privileges and immunities to the United Nations Industrial Development Organization to the same extent as would apply if the U.S. were a member of that organization.

Section 407 extends law enforcement availability pay to diplomatic security agents of the Department of State.

Under Equal Employment Opportunity Commission, language is amended, changing the limitation amount included for payments to State and local agencies for services pursuant to Title VII of the Civil Rights Act.

Under the Federal Communications Commission, language is included prohibiting the use of funds for certain rental and relocation costs, until specific conditions are met.

Under the Legal Services Corporation, Administrative Provisions, language is included making funds subject to terms and conditions set forth in certain sections of the fiscal year 1998 Act.

Under the Securities and Exchange Commission, language is included designating specific amounts to be appropriated from fees collected in fiscal years 1998 and 1999.

Under the Small Business Administration, "Salaries and Expenses," language is amended changing the amount of funds to be available for two years for the Small Business Development Centers program.

Under Business Loans Program Account, language is included designating an amount for the cost of direct loans. Language is amended making a technical correction to a citation.

Under Disaster Loans Program Account, language is included allowing the transfer of a specified amount for administration of the program to the Salaries and Expenses account.

Under General Provisions, section 612, regarding uses of NOAA fleet modernization funds, has been modified to apply to all NOAA fleet modernization activities.

Section 619 directs the Federal Communications Commission to reinstate a radio broadcast license.

Under Department of Justice, General Administration, Working Capital Fund, (Rescission), language is included rescinding funds.

Under Department of Justice, Legal Activities, United States Trustee System Fund, (Rescission), language is included rescinding funds.

Under Title VIII, language is included to make government attorneys subject to ethics standards of the State in which they are practicing and to establish conduct standards and procedures for Department of Justice employees.

APPROPRIATIONS, NOT AUTHORIZED BY LAW

Pursuant to clause 3 of rule XXI of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law in whole or in part. The Committee notes that authorization legislation for many of the programs listed below has either passed the House or is pending before the House or the committee of jurisdiction. In all cases, the Committee has endeavored to work closely with the committee of jurisdiction in developing the recommendations in this bill.

Department of Justice:
- General Administration
  - Salaries and Expenses
  - Counterterrorism Fund
  - Administrative Review and Appeals
  - Office of the Inspector General
- United States Parole Commission
- Legal Activities
  - Salaries and Expenses, General Legal Activities
  - Salaries and Expenses, Antitrust Division
  - Salaries and Expenses, United States Attorneys
  - Salaries and Expenses, Foreign Claims Settlement Commission
  - Fees and Expenses of Witnesses
  - Community Relations Service
- Radiation Exposure Compensation, Administrative Expenses
- Interagency Law Enforcement
- Federal Bureau of Investigation
  - Salaries and Expenses
  - Construction
- Drug Enforcement Administration
  - Salaries and Expenses
  - Construction
- Immigration and Naturalization Service

Enforcement and Border Affairs
Citizenship and Benefits, Immigration Support and Program Direction
Construction
Violent Crime Reduction Programs
Federal Prison System
Salaries and Expenses
Building and Facilities
Federal Prison Industries, Incorporated
Limitation on Administrative Expenses, Federal Prison Industries, Incorporated
Office of Justice Programs
Justice Assistance
State and Local Law Enforcement Assistance, Violent Crime Reduction Programs, with certain exceptions
Weed and Seed Program
Juvenile Justice Programs
Victims of Child Abuse
Office of the United States Trade Representative
International Trade Commission
Department of Commerce:
Export Administration
Economic Development Administration, except Salaries and Expenses
International Trade Administration, except Import Administration
Minority Business Development Agency
National Telecommunications and Information Administration
Salaries and Expenses
Public Broadcasting Facilities, Planning and Construction
Information Infrastructure Grants
Patent and Trademark Office
National Institute of Standards and Technology
Scientific and Technical Research and Services
Industrial Technology Services
Construction of Research Facilities
National Oceanic and Atmospheric Administration
Operations, Research, and Facilities, with certain exceptions
Procurement, Acquisition and Construction
Technology Administration
Department of State:
Diplomatic and Consular Services, except registration fees
Salaries and Expenses
Capital Investment Fund
Representation Allowance
Protection of Foreign Missions and Officials
Security and Maintenance of United States Missions
Emergencies in the Diplomatic and Consular Service
Payment to the American Institute in Taiwan
Contributions to International Organizations
Contributions to International Peacekeeping Activities

International Conferences and Contingencies
International Boundary and Water Commission, United States and Mexico
American Sections, International Commissions, except Border Environment Cooperation Commission
International Fisheries Commissions
Payment to the Asia Foundation
Arms Control and Disarmament Agency
United States Information Agency:
International Information Programs
Educational and Cultural Exchange Programs
International Broadcasting Operations
Radio Construction
National Endowment for Democracy
Department of Transportation, Maritime Administration:
Operations and Training
Maritime Guaranteed Loan Program Account
Commission on Civil Rights
Federal Communications Commission, except offsetting fee collections
Federal Maritime Commission
Federal Trade Commission
Legal Services Corporation
Securities and Exchange Commission
Small Business Administration
Salaries and Expenses, with certain exceptions
State Justice Institute

CONSTITUTIONAL AUTHORITY

Clause 2(l)(4) of rule XI of the Rules of the House of Representatives states that:

> Each report of a committee on a bill or joint resolution of a public character, shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America which states:

> No money shall be drawn from the Treasury but in consequence of Appropriations made by law * * *

Appropriations contained in this bill are made pursuant to this specific power granted by the Constitution.

COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, requires that the report accompanying a bill providing new budget authority contain a statement detailing how the authority compares with the reports submitted under section 302(b) of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. This information follows:

[In millions of dollars]

	Section 302(b) allocation	Recommended in this bill
Budget authority:		
Mandatory	554	547
Discretionary	32,456	32,929
Total budget authority	33,010	33,476
Outlays:		
Mandatory	555	555
Discretionary	31,185	31,619
Total outlays	31,740	32,174

Note.—The amounts in this bill are technically in excess of the subcommittee section 302(b) subdivision. However, pursuant to section 314 of the Congressional Budget Act of 1974, increases to the Committee's section 302(a) allocation are authorized for funding in the reported bill for arrearages for international peacekeeping. After the bill is reported to the House, the Chairman of the Committee on the Budget will provide an increased section 302(a) allocation consistent with the funding provided in the bill. That new allocation will eliminate the technical difference prior to floor consideration.

Five-Year Projection of Outlays

In accordance with section 308(a)(1)(B) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344) as amended, the following tables contain five-year projections of the outlays associated with the budget authority provided in the accompanying bill:

Fiscal year 1999 outlays

[In millions of dollars]

Budget authority	33,341
Outlays:	
1999	22,265
2000	6,280
2001	3,163
2002	1,348
2003 and future years	144

Assistance to State and Local Governments

In accordance with section 308(a)(1)(C) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), the new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments are as follows:

	Millions
FY 1999 new budget authority	$5,067
FY 1999 outlays resulting therefrom	888

Programs, Projects, and Activities

During fiscal year 1999, for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, the following information provides the definition of the term "program, project, and activity" for departments and agencies under the jurisdiction of Commerce, Justice, and State, the Judiciary, and Related Agencies Subcommittees of the House and Senate. The term "program, project, and activity" shall include the most specific level of budget terms identified in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1998, as passed the House and the House report accompanying said Act.

In implementing any Presidential order, departments and agencies shall apply the percentage reduction required for fiscal year

1999 pursuant to the provisions of Public Law 99–177 to each program, project, activity and subactivity specified in the budget justification documents submitted to the Committees on Appropriations of the House and Senate in support of the fiscal year 1999 budget estimates, as amended, for such departments and agencies, as modified by Congressional action. In addition, the departments and agencies, in implementing the Presidential order, shall apply the percentage reduction required for fiscal year 1999 to each grantee of such department or agency as applicable. In addition, the departments and agencies in implementing the Presidential order, shall not: (1) eliminate any program, project or activity; (2) reorder priorities or funds; or (3) initiate any program, project or activity that was not funded in the fiscal year 1999 Appropriations Act. However, for purposes of program execution, departments and agencies may propose reprogrammings between programs, projects and activities pursuant to the provisions of the Committee's reprogramming procedures after they implement the reductions under the Balanced Budget Act.

COMPLIANCE WITH RULE XIII, CL. 3 (RAMSEYER RULE)

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 524 OF TITLE 28, UNITED STATES CODE

§ 524. Availability of appropriations

(a) * * *

* * * * * * *

(c)(1) There is established in the United States Treasury a special fund to be known as the Department of Justice Assets Forfeiture Fund (hereafter in this subsection referred to as the "Fund") which shall be available to the Attorney General without fiscal year limitation for the following law enforcement purposes--

(A) * * *

* * * * * * *

(9)(A) Following the completion of procedures for the forfeiture of property pursuant to any law enforced or administered by the Department, the Attorney General is authorized, in her discretion, to warrant clear title to any subsequent purchaser or transferee of such property.

(B) For fiscal year [1997] *1999*, the Attorney General is authorized to transfer, under such terms and conditions as the Attorney General shall specify, real or personal property of limited or marginal value, to a State or local government agency, or its designated contractor or transferee, for use to support drug abuse treatment, drug and crime prevention and education, housing, job skills, and other community-based public health and safety pro-

grams. Such transfer shall not create or confer any private right of action in any person against the United States.

* * * * * * *

SECTION 3201 OF THE CRIME CONTROL ACT OF 1990

[SEC. 3201. AUTHORIZATION OF APPROPRIATIONS FOR HUMANITARIAN EXPENSES.

[(a) FEDERAL BUREAU OF INVESTIGATION.—For each fiscal year beginning after September 30, 1990, there is authorized to be appropriated for the Federal Bureau of Investigation $25,000, to be expended in the discretion of the Director of the Federal Bureau of Investigation to pay humanitarian expenses incurred—

[(1) by an employee of the Bureau as a result of serious illness, serious injury, or death occurring while on official business; or

[(2) by any member of the immediate family of such employee, incident to the serious illness, serious injury, or death of such employee occurring while on official business.

[(b) DRUG ENFORCEMENT ADMINISTRATION.—For each fiscal year beginning after September 30, 1990, there is authorized to be appropriated for the Drug Enforcement Administration $25,000, to be expended at the discretion of the Administrator of the Drug Enforcement Administration to pay humanitarian expenses incurred—

[(1) by an employee of the Administration as a result of serious illness, serious injury, or death occurring while on official business; or

[(2) by any member of the immediate family of such employee, incident to the serious illness, serious injury, or death of such employee occurring while on official business.]

SEC. 3201. AVAILABILITY OF APPROPRIATIONS FOR HUMANITARIAN EXPENSES.

Appropriations made for fiscal year 1999 or any succeeding fiscal year for the Federal Bureau of Investigation, the Drug Enforcement Administration, or the Immigration and Naturalization Service shall be available, in an amount of not to exceed $25,000 each per fiscal year, to pay humanitarian expenses incurred by or for any employee thereof (or any member of the employee's immediate family) that results from or is incident to serious illness, serious injury, or death occurring to the employee while on official duty or business.

THE IMMIGRATION AND NATURALIZATION ACT

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Sec. 281. Nonimmigrant visa fees.

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[Sec. 295. Transportation of remains of immigration officers and border patrol agents killed in the line of duty.]

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TITLE II—IMMIGRATION

* * * * * * *

CHAPTER 9—MISCELLANEOUS

* * * * * * *

[TRANSPORTATION OF REMAINS OF IMMIGRATION OFFICERS AND BORDER PATROL AGENTS KILLED IN THE LINE OF DUTY

[SEC. 295. (a) IN GENERAL.—To the extent provided in appropriation Acts, when an immigration officer or border patrol agent is killed in the line of duty, the Attorney General may pay from appropriations available for the activity in which the officer or agent was engaged—

[(1) the actual and necessary expenses of transportation of the remains of the officer or agent to a place of burial located in any State, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau;

[(2) travel expenses, including per diem in lieu of subsistence, of the decedent's spouse and minor children to and from such site at rates not greater than those established for official government travel under subchapter I of chapter 57 of title 5, United States Code; and

[(3) any other memorial service authorized by the Attorney General.

[(b) PREPAYMENT.—The Attorney General may prepay any expense authorized to be paid under this section.]

SECTION 101 OF THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

SEC. 101. UNITED STATES SOVEREIGN RIGHTS TO FISH AND FISHERY MANAGEMENT AUTHORITY.

(a) IN THE EXCLUSIVE ECONOMIC ZONE.—Except as provided in *subsection (c) of this section and* section 102, the United States claims, and will exercise in the manner provided for in this Act, sovereign rights and exclusive fishery management authority over all fish, and all Continental Shelf fishery resources, within the exclusive economic zone.

* * * * * * *

(c) EXCLUSIVE STATE FISHERY MANAGEMENT AUTHORITY IN GULF OF MEXICO.—Each of the States of Alabama, Louisiana, and Mis-

sissippi has exclusive fishery management authority over all fish in the Gulf of Mexico within 9 miles of the coast of that State.

JAPAN-UNITED STATES FRIENDSHIP ACT

* * * * * * *

ESTABLISHMENT OF THE FUND; EXPENDITURES

SEC. 3. (a) There is established in the Treasury of the United States a trust fund to be known as the [Japan-United States Friendship Trust Fund] *United States-Japan Trust Fund* (hereafter referred to as the "Fund").

* * * * * * *

(c) Amounts in the Fund may also be used to pay administrative expenses of the [Japan-United States Friendship Commission] *United States-Japan Commission*, established by section 4 of this Act, as directed by that Commission.

[THE JAPAN-UNITED STATES FRIENDSHIP COMMISSION]

UNITED STATES-JAPAN COMMISSION

SEC. 4. (a) There is established a commission to be known as the [Japan-United States Friendship Commission] *United States-Japan Commission* (hereafter referred to as the "Commission"). The Commission shall be composed of—

(1) * * *

* * * * * * *

ADMINISTRATIVE PROVISIONS

SEC. 6. In order to carry out its functions under this Act, the Commission is authorized to—

(1) * * *

* * * * * * *

(4) direct the Secretary of the Treasury to make expenditure of the income of the Fund, any amount of the contributions deposited in the Fund from nonappropriated sources pursuant to paragraph (2) or (3) of this section, and not to exceed 5 percent annually of the principal of the total amount appropriated to the Fund to carry out the purposes of this Act, including the payment of Commission expenses if [needed, except that any amounts expended from amounts appropriated to the Fund under section 3(e)(1) of this Act shall be expended in Japan or for not more than 50 percent of administrative expenses in the United States] *needed*;

* * * * * * *

MANAGEMENT OF THE FUND

SEC. 7. (a) * * *

(b) It shall be the duty of the Secretary of the Treasury (hereafter referred to as the "Secretary") to invest such portion of the Fund as is not, in the judgment of the Commission, required to

meet current withdrawals. [Such investment of amounts authorized to be appropriated under section 3(d) of this Act may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.] *Such investment may be made only in interest-bearing obligations of the United States, in obligations guaranteed as to both principal and interest by the United States, in interest-bearing obligations of Japan, or in obligations guaranteed as to both principal and interest by Japan.* For such purposes, the obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States issued during the preceding two years then forming part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

* * * * * * *

SECTION 12 OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

SEC. 12. The provisions of this title may be extended to the Organization of African Unity and may continue to be extended to the International Labor Organization *and the United Nations Industrial Development Organization* in the same manner, to the same extent, and subject to the same conditions, as they may be extended to a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation.

CHAPTER 55 OF TITLE 5, UNITED STATES CODE

CHAPTER 55—PAY ADMINISTRATION

* * * * * * *

SUBCHAPTER V—PREMIUM PAY

* * * * * * *

§ 5542. Overtime rates; computation

(a) * * *

* * * * * * *

(e) Notwithstanding subsection (d)(1) of this section, all hours of overtime work scheduled in advance of the administrative workweek shall be compensated under subsection (a) if that work involves duties as authorized by section 3056(a) of [title 18, United States Code,] *title 18 or section 37(a)(3) of the State Department Basic Authorities Act of 1956,* and if the investigator performs, on that same day, at least 2 hours of overtime work not scheduled in advance of the administrative workweek.

* * * * * * *

§ 5545a. Availability pay for criminal investigators

(a) For purposes of this section—

(1) * * *

* * * * * * *

(2) the term "criminal investigator" means a law enforcement officer as defined under section 5541(3) (other than an officer occupying a position under title II of [Public Law 99–399)] *Public Law 99–399, subject to subsection (k))* who is required to—

(A) * * *

* * * * * * *

(k)(1) For purposes of this section, the term "criminal investigator" includes a special agent occupying a position under title II of Public Law 99–399 if such special agent—

(A) meets the definition of such terms under paragraph (2) of subsection (a) (applied disregarding the parenthetical matter before subparagraph (A) thereof); and

(B) such special agent satisfies the requirements of subsection (d) without taking into account any hours described in paragraph (2)(B) thereof.

(2) In applying subsection (h) with respect to a special agent under this subsection—

(A) any reference in such subsection to "basic pay" shall be considered to include amounts designated as "salary";

(B) paragraph (2)(A) of such subsection shall be considered to include (in addition to the provisions of law specified therein) sections 609(b)(1), 805, 806, and 856 of the Foreign Service Act of 1980; and

(C) paragraph (2)(B) of such subsection shall be applied by substituting for "Office of Personnel Management" the following: "Office of Personnel Management or the Secretary of State (to the extent that matters exclusively within the jurisdiction of the Secretary are concerned)".

* * * * * * *

TITLE 28, UNITED STATES CODE

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CHAPTER 31—THE ATTORNEY GENERAL

Sec.
501. Executive department.

* * * * * * *

530B. Ethical standards for attorneys for the Government.

* * * * * * *

§ 530B. Ethical standards for attorneys for the Government

(a) An attorney for the Government shall be subject to State laws and rules, and local Federal court rules, governing attorneys in each State where such attorney engages in that attorney's duties, to the same extent and in the same manner as other attorneys in that State.

(b) The Attorney General shall make and amend rules of the Department of Justice to assure compliance with this section.

(c) As used in this section, the term "attorney for the Government" includes any attorney described in section 77.2(a) of part 77 of title 28 of the Code of Federal Regulations.

TRANSFER OF FUNDS

Pursuant to clause 1(b) of rule X of the House of Representatives, language included under "National Oceanic and Atmospheric Administration, Operations, Research and Facilities" and "National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction" provides certain transfer authority.

RESCISSION OF FUNDS

In compliance with clause 1(b) of rule X of the House of Representatives, the Committee reports that it recommends rescissions in the bill, as follows:

Department of Justice, General Administration, Working Capital Fund	−$45,236,000
Department of Justice, Legal Activities, United States Trustee System Fund	−$17,000,000
Department of Commerce, Patent and Trademark Office, Salaries and Expenses	−$41,000,000
Department of Commerce, National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction	−$5,000,000

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the result of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 1

Date: July 15, 1998.

Measure: Commerce, Justice, State, and the Judiciary Appropriations, FY 1999.

Motion by: Mr. Mollohan.

Description of motion: To strike a provision requiring a presidential proposal and congressional decision prior to expenditure of certain funds by the Census Bureau, and to allow the funds for the decennial census to be used to plan and prepare for a census that uses statistical sampling methods.

Results: Rejected 22 yeas to 31 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Cramer	Mr. Aderholt
Ms. DeLauro	Mr. Bonilla
Mr. Dixon	Mr. Callahan
Mr. Edwards	Mr. Cunningham
Mr. Fazio	Mr. DeLay
Mr. Hefner	Mr. Dickey
Mr. Hoyer	Mr. Forbes
Ms. Kaptur	Mr. Frelinghuysen
Mrs. Meek	Mr. Istook
Mr. Mollohan	Mr. Kingston
Mr. Moran	Mr. Knollenberg
Mr. Obey	Mr. Latham
Mr. Olver	Mr. Lewis
Mr. Pastor	Mr. Livingston
Ms. Pelosi	Mr. McDade
Mr. Price	Mr. Miller
Mr. Sabo	Mr. Nethercutt
Mr. Serrano	Mr. Neumann
Mr. Skaggs	Mrs. Northup
Mr. Stokes	Mr. Packard
Mr. Torres	Mr. Parker
Mr. Yates	Mr. Porter
	Mr. Regula
	Mr. Rogers
	Mr. Skeen
	Mr. Taylor
	Mr. Tiahrt
	Mr. Walsh
	Mr. Wamp
	Mr. Wicker
	Mr. Wolf

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 2

Date: July 15, 1998.

Measure: Commerce, Justice, State, and the Judiciary Appropriations Bill, FY 1999.

Motion by: Mr. Dickey.

Description of motion: To reduce funding for the Equal Employment Opportunity Commission by $2,000,000.

Results: Rejected 11 yeas to 37 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Bonilla	Mr. Cramer
Mr. Callahan	Ms. DeLauro
Mr. Cunningham	Mr. Dixon
Mr. Dickey	Mr. Edwards
Mr. Kingston	Mr. Fazio
Mr. Miller	Mr. Forbes
Mr. Nethercutt	Mr. Frelinghuysen
Mr. Packard	Mr. Hefner
Mr. Taylor	Mr. Hobson
Mr. Tiahrt	Mr. Hoyer
Mr. Wicker	Ms. Kaptur
	Mr. Knollenberg
	Mr. Kolbe
	Mr. Latham
	Mr. Livingston
	Mr. McDade
	Mrs. Meek
	Mr. Mollohan
	Mr. Moran
	Mrs. Northup
	Mr. Obey
	Mr. Olver
	Mr. Parker
	Mr. Pastor
	Ms. Pelosi
	Mr. Price
	Mr. Rogers
	Mr. Sabo
	Mr. Serrano
	Mr. Skaggs
	Mr. Stokes
	Mr. Torres
	Mr. Visclosky
	Mr. Walsh
	Mr. Wamp
	Mr. Wolf
	Mr. Yates

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of the rule XI of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 3

Date: July 15, 1998.

Measure: Commerce, Justice, State, and the Judiciary Appropriations Bill, FY 1999.

Motion by: Mr. Rogers.

Description of motion: Substitute to Mr. Skaggs' amendment (strike funding for television broadcasting to Cuba)—To deny funds for television broadcasting to Cuba after October 1, 1998, unless the President certifies it is the national interest (underlying amendment subsequently withdrawn).

Results: Adopted 28 yeas to 19 nays.

Members Voting Yea	Members Voting Nay
Mr. Aderholt	Mr. Cramer
Mr. Bonilla	Ms. DeLauro
Mr. Callahan	Mr. Dixon
Mr. Cunningham	Mr. Edwards
Mr. DeLay	Mr. Fazio
Mr. Forbes	Mr. Hoyer
Mr. Frelinghuysen	Mr. Mollohan
Mr. Hobson	Mr. Moran
Mr. Istook	Mr. Nethercutt
Ms. Kaptur	Mr. Olver
Mr. Knollenberg	Mr. Parker
Mr. Kolbe	Mr. Pastor
Mr. Latham	Ms. Pelosi
Mr. Lewis	Mr. Price
Mr. Livingston	Mr. Sabo
Mr. Miller	Mr. Serrano
Mr. Neumann	Mr. Skaggs
Mrs. Northup	Mr. Torres
Mr. Packard	Mr. Visclosky
Mr. Porter	
Mr. Rogers	
Mr. Skeen	
Mr. Taylor	
Mr. Walsh	
Mr. Wamp	
Mr. Wicker	
Mr. Wolf	
Mr. Young	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY

The following table provides a detailed summary, for each department and agency, comparing the amounts recommended in the bill with fiscal year 1998 enacted amounts and budget estimates presented for fiscal year 1999:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
TITLE I - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	76,199,000	89,488,000	79,488,000	+3,289,000	-10,000,000
Narrowband communications (crime trust fund)	.....	85,894,000	.....	.....	-85,894,000
Counterterrorism fund	52,700,000	61,703,000	129,200,000	+76,500,000	+67,497,000
Telecommunications carrier compliance fund	.....	50,000,000	.....	.....	-50,000,000
Defense function	.....	50,000,000	.....	.....	-50,000,000
Administrative review and appeals:					
Direct appropriation	70,007,000	79,685,000	75,312,000	+5,305,000	-4,373,000
Crime trust fund	59,251,000	65,178,000	59,251,000	.....	-5,927,000
Total, Administrative review and appeals	129,258,000	144,863,000	134,563,000	+5,305,000	-10,300,000
Office of Inspector General	33,211,000	34,610,000	36,610,000	+3,399,000	+2,000,000
Total, General administration	291,368,000	516,558,000	379,861,000	+88,493,000	-136,697,000
Appropriations	(232,117,000)	(365,486,000)	(320,610,000)	(+88,493,000)	(-44,876,000)
Crime trust fund	(59,251,000)	(151,072,000)	(59,251,000)	.....	(-91,821,000)
United States Parole Commission					
Salaries and expenses	5,009,000	7,621,000	7,400,000	+2,391,000	-221,000

Legal Activities					
General legal activities:					
Direct appropriation	444,200,000	477,328,000	462,265,000	+18,065,000	-15,063,000
Crime trust fund	7,969,000	8,183,000	8,160,000	+191,000	-23,000
Total, General legal activities	452,169,000	485,511,000	470,425,000	+18,256,000	-15,086,000
Vaccine injury compensation trust fund (permanent)	4,028,000	4,028,000	4,028,000	.....	.....
Independent counsel (permanent, indefinite)	9,500,000	9,500,000	9,500,000	.....	.....
Antitrust Division	93,495,000	97,588,000	98,275,000	+4,780,000	+687,000
Offsetting fee collections - carryover	-18,000,000	-11,000,000	-30,000,000	-12,000,000	-19,000,000
Offsetting fee collections - current year	-70,000,000	.....	-68,275,000	+1,725,000	-68,275,000
Direct appropriation	5,495,000	86,588,000	.....	-5,495,000	-86,588,000
United States Attorneys:					
Direct appropriation	972,460,000	1,052,993,000	1,037,471,000	+65,011,000	-15,522,000
Crime trust fund	62,828,000	54,000,000	54,231,000	-8,597,000	+231,000
Total, United States Attorneys	1,035,288,000	1,106,993,000	1,091,702,000	+56,414,000	-15,291,000
United States trustee system fund	114,248,000	130,437,000	114,248,000	.....	-16,189,000
Offsetting fee collections	-114,248,000	.....	-114,248,000	.....	-114,248,000
Direct appropriation	.....	130,437,000	.....	.....	-130,437,000
Foreign Claims Settlement Commission	1,226,000	1,335,000	1,335,000	+109,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
United States Marshals Service:					
Direct appropriation	467,833,000	486,436,000	477,611,000	+9,778,000	-8,825,000
Crime trust fund	25,553,000	26,407,000	25,553,000	.....	-854,000
Construction 1/	.....	6,300,000	.....	.....	-6,300,000
Justice prisoner and alien transportation system fund	.....	10,000,000	.....	.....	-10,000,000
Total, United States Marshals Service	493,386,000	529,143,000	503,164,000	+9,778,000	-25,979,000
Federal Prisoner Detention	405,262,000	450,848,000	425,000,000	+19,738,000	-25,848,000
Fees and expenses of witnesses	75,000,000	95,000,000	95,000,000	+20,000,000	.....
Community Relations Service	5,319,000	8,899,000	6,699,000	+1,380,000	-2,200,000
Assets forfeiture fund	23,000,000	23,000,000	23,000,000	.....	.....
Total, Legal activities	2,509,673,000	2,931,282,000	2,629,853,000	+120,180,000	-301,429,000
Appropriations	(2,413,323,000)	(2,842,692,000)	(2,541,909,000)	(+128,586,000)	(-300,783,000)
Crime trust fund	(96,350,000)	(88,590,000)	(87,944,000)	(-8,406,000)	(-646,000)
Radiation Exposure Compensation					
Administrative expenses	2,000,000	2,000,000	2,000,000	.....	.....
Payment to radiation exposure compensation trust fund	4,381,000	11,717,000	.....	-4,381,000	-11,717,000
Total, Radiation Exposure Compensation	6,381,000	13,717,000	2,000,000	-4,381,000	-11,717,000
Interagency Law Enforcement					
Interagency crime and drug enforcement	294,967,000	304,014,000	304,014,000	+9,047,000	.....

Federal Bureau of Investigation					
Salaries and expenses	2,445,471,000	2,584,885,000	2,420,342,000	-25,129,000	-164,543,000
Counterintelligence and national security	221,050,000	170,283,000	282,473,000	+61,423,000	+112,190,000
FBI Fingerprint identification	84,400,000	47,800,000	47,800,000	-36,600,000	.....
Subtotal	2,750,921,000	2,802,968,000	2,750,615,000	-306,000	-52,353,000
Crime trust fund	179,121,000	215,356,000	215,356,000	+36,235,000	.....
Construction	44,506,000	14,146,000	11,287,000	-33,219,000	-2,859,000
Total, Federal Bureau of Investigation	2,974,548,000	3,032,470,000	2,977,258,000	+2,710,000	-55,212,000
Appropriations	(2,795,427,000)	(2,817,114,000)	(2,761,902,000)	(-33,525,000)	(-55,212,000)
Crime trust fund	(179,121,000)	(215,356,000)	(215,356,000)	(+36,235,000)	.....
Drug Enforcement Administration					
Salaries and expenses	782,109,000	841,970,000	873,000,000	+90,891,000	+31,030,000
Diversion control fund	-58,268,000	-76,710,000	-76,710,000	-18,442,000	.....
Direct appropriation	723,841,000	765,260,000	796,290,000	+72,449,000	+31,030,000
Crime trust fund	403,537,000	405,000,000	405,000,000	+1,463,000	.....
Construction	8,000,000	8,000,000	8,000,000	.....	.....
Total, Drug Enforcement Administration	1,135,378,000	1,178,260,000	1,209,290,000	+73,912,000	+31,030,000
Appropriations	(731,841,000)	(773,260,000)	(804,290,000)	(+72,449,000)	(+31,030,000)
Crime trust fund	(403,537,000)	(405,000,000)	(405,000,000)	(+1,463,000)	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
Immigration and Naturalization Service					
Salaries and expenses	1,657,886,000	1,867,353,000	1,619,514,000	-38,372,000	-247,839,000
Enforcement and border affairs	.....	.....	(1,096,431,000)	(+1,096,431,000)	(+1,096,431,000)
Citizenship and benefits, immigration support and program direction	.....	.....	(523,083,000)	(+523,083,000)	(+523,083,000)
Crime trust fund	608,206,000	738,000,000	866,490,000	+258,284,000	+128,490,000
Subtotal, Direct and crime trust fund	2,266,092,000	2,605,353,000	2,486,004,000	+219,912,000	-119,349,000
Fee accounts:					
Immigration legalization fund	(1,259,000)	(998,000)	(998,000)	(-261,000)	.....
Immigration user fee	(426,622,000)	(486,071,000)	(486,071,000)	(+59,449,000)	.....
Land border inspection fund	(3,043,000)	(3,275,000)	(3,275,000)	(+232,000)	.....
Immigration examinations fund	(785,342,000)	(826,402,000)	(906,000,000)	(+120,658,000)	(+79,598,000)
Breached bond fund	(235,272,000)	(144,870,000)	(169,870,000)	(-65,402,000)	(+25,000,000)
Immigration enforcement fines	(3,800,000)	(3,800,000)	(3,800,000)	.....	.....
Subtotal, Fee accounts	(1,455,338,000)	(1,465,416,000)	(1,570,014,000)	(+114,676,000)	(+104,598,000)
Construction	75,959,000	118,170,000	81,570,000	+5,611,000	-36,600,000
Total, Immigration and Naturalization Service	(3,797,389,000)	(4,188,939,000)	(4,137,588,000)	(+340,199,000)	(-51,351,000)
Appropriations	(1,733,845,000)	(1,985,523,000)	(1,701,084,000)	(-32,761,000)	(-284,439,000)
Crime trust fund	(608,206,000)	(738,000,000)	(866,490,000)	(+258,284,000)	(+128,490,000)
(Fee accounts)	(1,455,338,000)	(1,465,416,000)	(1,570,014,000)	(+114,676,000)	(+104,598,000)

Federal Prison System					
Salaries and expenses	2,911,642,000	3,006,494,000	3,012,354,000	+100,712,000	+5,860,000
Prior year carryover	-90,000,000	-90,000,000	-90,000,000	.....	.....
Direct appropriation	2,821,642,000	2,916,494,000	2,922,354,000	+100,712,000	+5,860,000
Crime trust fund	26,135,000	26,559,000	26,499,000	+364,000	-60,000
Subtotal, Salaries and expenses	2,847,777,000	2,943,053,000	2,948,853,000	+101,076,000	+5,800,000
Buildings and facilities	255,133,000	413,997,000	413,997,000	+158,864,000	.....
Transfer from D.C. bill (P.L. 105-100)	302,000,000	.....	.....	-302,000,000	.....
Subtotal, Buildings and facilities	557,133,000	413,997,000	413,997,000	-143,136,000	.....
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(3,266,000)	(3,266,000)	(3,266,000)	.....	.....
Total, Federal Prison System	3,404,910,000	3,357,050,000	3,362,850,000	-42,060,000	+5,800,000
Office of Justice Programs					
Justice assistance	173,600,000	307,711,000	155,000,000	-18,600,000	-152,711,000
State and local law enforcement assistance:					
Direct appropriations:					
Byrne grants (discretionary)	46,500,000	.....	47,750,000	+1,250,000	+47,750,000
Byrne grants (formula)	462,500,000	.....	505,000,000	+42,500,000	+505,000,000
Subtotal, Direct appropriations	509,000,000	.....	552,750,000	+43,750,000	+552,750,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
Crime trust fund:					
Byrne grants (discretionary)	.....	47,750,000	.....	.....	-47,750,000
Byrne grants (formula)	42,500,000	505,000,000	.....	-42,500,000	-505,000,000
Local law enforcement block grant	523,000,000	.....	523,000,000	.....	+523,000,000
Boys and Girls clubs (earmark)	(20,000,000)	.....	(20,000,000)	.....	(+20,000,000)
Juvenile crime block grant	250,000,000	.....	250,000,000	.....	+250,000,000
Youth violence courts	.....	50,000,000	.....	.....	-50,000,000
Juvenile prosecutor program	.....	100,000,000	.....	.....	-100,000,000
Community prosecutors program	.....	50,000,000	.....	.....	-50,000,000
Drug intervention treatment program	.....	85,000,000	.....	.....	-85,000,000
Indian tribal courts program	.....	10,000,000	.....	.....	-10,000,000
Juvenile drug prevention program 2/	.....	5,000,000	.....	.....	-5,000,000
Drug courts	30,000,000	30,000,000	40,000,000	+10,000,000	+10,000,000
Upgrade criminal history records	45,000,000	45,000,000	45,000,000	.....	.....
State prison grants	720,500,000	711,000,000	730,500,000	+10,000,000	+19,500,000
State criminal alien assistance program	420,000,000	350,000,000	420,000,000	.....	+70,000,000
Violence Against Women grants	270,750,000	270,750,000	279,750,000	+9,000,000	+9,000,000
State prison drug treatment	63,000,000	72,000,000	63,000,000	.....	-9,000,000
DNA identification grants	12,500,000	15,000,000	15,000,000	+2,500,000	.....
Counterterrorism technologies 3/	.....	10,000,000	.....	.....	-10,000,000
Grants to firefighters 3/	.....	5,000,000	.....	.....	-5,000,000

Other crime control programs	5,150,000	7,900,000	5,150,000	.....	-2,750,000
Subtotal, Crime trust fund	2,382,400,000	2,369,400,000	2,371,400,000	-11,000,000	+2,000,000
Total, State and local law enforcement	2,891,400,000	2,369,400,000	2,924,150,000	+32,750,000	+554,750,000
Weed and seed program fund	33,500,000	.....	33,500,000	.....	+33,500,000
Crime trust fund	.....	40,000,000	.....	.....	-40,000,000
Community oriented policing services (crime trust fund)	1,400,000,000	1,400,000,000	1,400,000,000	.....	.....
Police corps (crime trust fund)	30,000,000	20,000,000	20,000,000	-10,000,000	.....
Total, Community oriented policing services	1,430,000,000	1,420,000,000	1,420,000,000	-10,000,000	.....
Juvenile justice programs	238,672,000	277,950,000	282,950,000	+44,278,000	+5,000,000
Public safety officers benefits program:					
Death benefits	31,003,000	32,059,000	32,059,000	+1,056,000	.....
Federal law enforcement dependents assistance	2,000,000	250,000	250,000	-1,750,000	.....
Total, Public safety officers benefits program	33,003,000	32,309,000	32,309,000	-694,000	.....
Total, Office of Justice Programs	4,800,175,000	4,447,370,000	4,847,909,000	+47,734,000	+400,539,000
Appropriations	(987,775,000)	(617,970,000)	(1,056,509,000)	(+68,734,000)	(+438,539,000)
Crime trust fund	(3,812,400,000)	(3,829,400,000)	(3,791,400,000)	(-21,000,000)	(-38,000,000)
Total, title I, Department of Justice	17,764,460,000	18,511,865,000	18,288,009,000	+523,549,000	-223,856,000
Appropriations	(12,579,460,000)	(13,057,888,000)	(12,836,069,000)	(+256,609,000)	(-221,819,000)
Crime trust fund	(5,185,000,000)	(5,453,977,000)	(5,451,940,000)	(+266,940,000)	(-2,037,000)
(Limitation on administrative expenses)	(3,266,000)	(3,266,000)	(3,266,000)	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	23,450,000	24,836,000	24,000,000	+550,000	-836,000
International Trade Commission					
Salaries and expenses	41,200,000	45,500,000	44,200,000	+3,000,000	-1,300,000
Total, Related agencies	64,650,000	70,336,000	68,200,000	+3,550,000	-2,136,000
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	283,066,000	292,452,000	284,123,000	+1,057,000	-8,329,000
Offsetting fee collections	.....	-6,000,000	-1,600,000	-1,600,000	+4,400,000
Direct appropriation	283,066,000	286,452,000	282,523,000	-543,000	-3,929,000
Export Administration					
Operations and administration	42,000,000	48,356,000	43,900,000	+1,900,000	-4,456,000
CWC enforcement	1,900,000	3,877,000	3,877,000	+1,977,000	.....
Total, Export Administration	43,900,000	52,233,000	47,777,000	+3,877,000	-4,456,000

Economic Development Administration					
Economic development assistance programs	340,000,000	368,379,000	368,379,000	+28,379,000	.....
Salaries and expenses	21,028,000	29,590,000	25,000,000	+3,972,000	-4,590,000
Total, Economic Development Administration	361,028,000	397,969,000	393,379,000	+32,351,000	-4,590,000
Minority Business Development Agency					
Minority business development	25,000,000	28,087,000	25,276,000	+276,000	-2,811,000
Total, Trade and Infrastructure Development	777,644,000	835,077,000	817,155,000	+39,511,000	-17,922,000
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	47,499,000	53,701,000	48,000,000	+501,000	-5,701,000
Bureau of the Census					
Salaries and expenses	137,278,000	160,102,000	140,147,000	+2,869,000	-19,955,000
Periodic censuses and programs	555,813,000	1,027,784,000	1,111,887,000	+556,074,000	+84,103,000
Total, Bureau of the Census	693,091,000	1,187,886,000	1,252,034,000	+558,943,000	+64,148,000
National Telecommunications and Information Administration					
Salaries and expenses	16,550,000	10,940,000	10,940,000	-5,610,000	.....
Public telecommunications facilities, planning and construction	21,000,000	15,000,000	21,000,000	.....	+6,000,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
Information infrastructure grants	20,000,000	22,000,000	16,000,000	-4,000,000	-6,000,000
Total, National Telecommunications and Information Administration	57,550,000	47,940,000	47,940,000	-9,610,000	.....
Patent and Trademark Office					
Salaries and expenses	27,000,000	.....	.....	-27,000,000	.....
(Fees collected - current year)	(664,000,000)	.....	.....	(-664,000,000)	.....
Current year fee funding	.....	653,526,000	653,526,000	+653,526,000	.....
Prior year fee funding	.....	65,868,000	71,000,000	+71,000,000	+5,132,000
(Prior year carryover)	(25,000,000)	.....	.....	(-25,000,000)	.....
Rescission	.....	-116,342,000	-41,000,000	-41,000,000	+75,342,000
Subtotal	(716,000,000)	(603,052,000)	(683,526,000)	(-32,474,000)	(+80,474,000)
Legislative proposal fees	.....	182,000,000	102,000,000	+102,000,000	-80,000,000
Total, Patent and Trademark Office	(716,000,000)	(785,052,000)	(785,526,000)	(+69,526,000)	(+474,000)
Offsetting fee collections	.....	-653,526,000	-653,526,000	-653,526,000	.....
Offsetting fee collections - legis. proposal	.....	-182,000,000	-102,000,000	-102,000,000	+80,000,000
Total, PTO offsetting fee collections	.....	-835,526,000	-755,526,000	-755,526,000	+80,000,000
Total, Economic and Information Infrastructure	825,140,000	1,239,053,000	1,377,974,000	+552,834,000	+138,921,000

SCIENCE AND TECHNOLOGY					
Technology Administration					
Under Secretary for Technology/ Office of Technology Policy					
Salaries and expenses	8,500,000	9,993,000	9,000,000	+500,000	-993,000
National Institute of Standards and Technology					
Scientific and technical research and services	276,852,000	291,636,000	280,470,000	+3,618,000	-11,166,000
Industrial technology services	306,000,000	366,691,000	287,000,000	-19,000,000	-79,691,000
Construction of research facilities	95,000,000	56,714,000	56,714,000	-38,286,000	.....
Advance appropriations, FY 2000 - 2002	.....	115,000,000	.....	.....	-115,000,000
Total, National Institute of Standards and Technology	677,852,000	830,041,000	624,184,000	-53,668,000	-205,857,000
Appropriations	(677,852,000)	(715,041,000)	(624,184,000)	(-53,668,000)	(-90,857,000)
Advance appropriations	.....	(115,000,000)	.....	.....	(-115,000,000)
National Oceanic and Atmospheric Administration					
Operations, research, and facilities	1,512,050,000	1,508,762,000	1,470,042,000	-42,008,000	-38,720,000
New offsetting collections - fisheries fees	.....	-19,781,000	.....	.....	+19,781,000
New offsetting collections - navigation fees	.....	-2,500,000	.....	.....	+2,500,000
Offsetting collections - fees	-3,000,000	.....	.....	+3,000,000	.....
Limited access system administrative fund	.....	-3,000,000	.....	.....	+3,000,000
IFQ/CDQ offsetting receipts	.....	4,000,000	.....	.....	-4,000,000
Direct appropriation	1,509,050,000	1,487,481,000	1,470,042,000	-39,008,000	-17,439,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
(By transfer from Promote and Develop Fund)	(62,381,000)	(62,381,000)	(62,381,000)	.....	.....
(By transfer from Damage assessment and restoration revolving fund, permanent)	5,000,000	5,000,000	5,000,000	.....	.....
(Damage assessment and restoration revolving fund)	-5,000,000	-5,000,000	-5,000,000	.....	.....
Total, Operations, research and facilities	1,509,050,000	1,487,481,000	1,470,042,000	-39,008,000	-17,439,000
Procurement, acquisition and construction	491,609,000	621,595,000	538,439,000	+46,830,000	-83,156,000
Advance appropriations, FY 2000 - 2011	.....	2,797,815,000	.....	.....	-2,797,815,000
Coastal zone management fund	7,800,000	4,000,000	7,800,000	.....	+3,800,000
Mandatory offset	-7,800,000	-4,000,000	-7,800,000	.....	-3,800,000
Fishermen's contingency fund	953,000	953,000	953,000	.....	.....
Foreign fishing observer fund	189,000	189,000	189,000	.....	.....
Fisheries finance program account	338,000	238,000	238,000	-100,000	.....
Total, National Oceanic and Atmospheric Administration	2,002,139,000	4,908,271,000	2,009,861,000	+7,722,000	-2,898,410,000
Appropriations	(2,002,139,000)	(2,110,456,000)	(2,009,861,000)	(+7,722,000)	(-100,595,000)
Advance appropriations	.....	(2,797,815,000)	.....	.....	(-2,797,815,000)
Total, Science and Technology	2,688,491,000	5,748,305,000	2,643,045,000	-45,446,000	-3,105,260,000

General Administration					
Salaries and expenses	27,490,000	32,187,000	28,900,000	+1,410,000	-3,287,000
Office of Inspector General	20,140,000	21,662,000	21,400,000	+1,260,000	-262,000
Total, General administration	47,630,000	53,849,000	50,300,000	+2,670,000	-3,549,000
National Oceanic and Atmospheric Administration					
Operations, research and facilities (rescission)	-20,500,000	.....	.....	+20,500,000	.....
Procurement, acquisition and construction (rescission)	.....	.....	-5,000,000	-5,000,000	-5,000,000
United States Travel and Tourism Administration					
Salaries and expenses (rescission)	-3,000,000	.....	.....	+3,000,000	.....
Total, Department of Commerce	4,250,755,000	7,805,948,000	4,815,274,000	+564,519,000	-2,990,674,000
Total, title II, Department of Commerce and related agencies	4,315,405,000	7,876,284,000	4,883,474,000	+568,069,000	-2,992,810,000
Appropriations	(4,338,905,000)	(5,079,811,000)	(4,929,474,000)	(+590,569,000)	(-150,337,000)
Rescissions	(-23,500,000)	(-116,342,000)	(-46,000,000)	(-22,500,000)	(+70,342,000)
Advance appropriations	.....	(2,912,815,000)	.....	.....	(-2,912,815,000)
(By transfer)	(62,381,000)	(62,381,000)	(62,381,000)	.....	.....
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,654,000	1,690,000	1,690,000	+36,000	.....
Other salaries and expenses	27,591,000	29,405,000	29,405,000	+1,814,000	.....
Total, Salaries and expenses	29,245,000	31,095,000	31,095,000	+1,850,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
Care of the building and grounds	3,400,000	5,871,000	5,400,000	+2,000,000	-471,000
Total, Supreme Court of the United States	32,645,000	36,966,000	36,495,000	+3,850,000	-471,000
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	1,887,000	1,943,000	1,943,000	+56,000	.....
Other salaries and expenses	13,688,000	14,885,000	14,200,000	+512,000	-685,000
Total, Salaries and expenses	15,575,000	16,828,000	16,143,000	+568,000	-685,000
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,483,000	1,506,000	1,506,000	+23,000	.....
Other salaries and expenses	9,966,000	10,316,000	10,316,000	+350,000	.....
Total, Salaries and expenses	11,449,000	11,822,000	11,822,000	+373,000	.....

Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	227,674,000	238,329,000	238,329,000	+10,655,000	.....
Other salaries and expenses	2,454,726,000	2,710,394,000	2,610,000,000	+155,274,000	-100,394,000
Direct appropriation	2,682,400,000	2,948,723,000	2,848,329,000	+165,929,000	-100,394,000
Crime trust fund	40,000,000	60,000,000	60,000,000	+20,000,000	.....
Total, Salaries and expenses	2,722,400,000	3,008,723,000	2,908,329,000	+185,929,000	-100,394,000
Vaccine Injury Compensation Trust Fund	2,450,000	2,515,000	2,515,000	+65,000	.....
Defender services	329,529,000	360,952,000	360,952,000	+31,423,000	.....
Fees of jurors and commissioners	64,438,000	68,173,000	67,000,000	+2,562,000	-1,173,000
Court security	167,214,000	179,055,000	174,100,000	+6,886,000	-4,955,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	3,286,031,000	3,619,418,000	3,512,896,000	+226,865,000	-106,522,000
Administrative Office of the United States Courts					
Salaries and expenses	52,000,000	56,156,000	54,500,000	+2,500,000	-1,656,000
Federal Judicial Center					
Salaries and expenses	17,495,000	18,470,000	18,000,000	+505,000	-470,000
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	34,200,000	37,300,000	37,300,000	+3,100,000	.....
United States Sentencing Commission					
Salaries and expenses	9,240,000	9,900,000	9,600,000	+360,000	-300,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
General Provisions					
Judges' pay raise	5,000,000	.....	.....	-5,000,000	.....
Total, title III, the Judiciary	3,463,635,000	3,806,860,000	3,696,756,000	+233,121,000	-110,104,000
Appropriations	(3,423,635,000)	(3,746,860,000)	(3,636,756,000)	(+213,121,000)	(-110,104,000)
Crime trust fund	(40,000,000)	(60,000,000)	(60,000,000)	(+20,000,000)	.....
TITLE IV - DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	1,705,600,000	1,664,882,000	1,641,490,000	-64,110,000	-23,392,000
Registration fees	700,000	700,000	700,000	.....	.....
Security	23,700,000	25,700,000	25,700,000	+2,000,000	.....
Total, Diplomatic and consular programs	1,730,000,000	1,691,282,000	1,667,890,000	-62,110,000	-23,392,000
Salaries and expenses	363,513,000	367,778,000	365,235,000	+1,722,000	-2,543,000
Capital investment fund	86,000,000	118,340,000	80,000,000	-6,000,000	-38,340,000
Office of Inspector General	27,495,000	28,717,000	28,000,000	+505,000	-717,000
Representation allowances	4,200,000	4,300,000	4,200,000	.....	-100,000
Protection of foreign missions and officials	7,900,000	8,100,000	8,100,000	+200,000	.....
Security and maintenance of United States missions	404,000,000	640,800,000	396,000,000	-8,000,000	-244,800,000
Emergencies in the diplomatic and consular service	5,500,000	5,500,000	5,500,000	.....	.....
(By transfer)	.....	.....	(4,000,000)	(+4,000,000)	(+4,000,000)
Commission on Holocaust Assets in U.S. (by transfer)	.....	.....	(2,000,000)	(+2,000,000)	(+2,000,000)

Repatriation Loans Program Account:					
Direct loans subsidy	593,000	593,000	593,000	.....	.....
Administrative expenses	607,000	607,000	607,000	.....	.....
(By transfer)	.....	.....	(1,000,000)	(+1,000,000)	(+1,000,000)
Total, Repatriation loans program account	1,200,000	1,200,000	1,200,000	.....	.....
Payment to the American Institute in Taiwan	14,000,000	16,426,000	15,000,000	+1,000,000	-1,426,000
Payment to the Foreign Service Retirement and Disability Fund	129,935,000	132,500,000	132,500,000	+2,565,000	.....
Total, Administration of Foreign Affairs	2,773,743,000	3,014,943,000	2,703,625,000	-70,118,000	-311,318,000
International Organizations and Conferences					
Contributions to international organizations, current year assessment	901,515,000	930,773,000	915,000,000	+13,485,000	-15,773,000
Prior year assessment	54,000,000	.....	.....	-54,000,000	.....
Subtotal	955,515,000	930,773,000	915,000,000	-40,515,000	-15,773,000
Contributions for international peacekeeping activities, current year	210,000,000	231,000,000	220,000,000	+10,000,000	-11,000,000
Prior year assessment	46,000,000	.....	.....	-46,000,000	.....
Subtotal	256,000,000	231,000,000	220,000,000	-36,000,000	-11,000,000
Arrearage payments	.....	475,000,000	475,000,000	+475,000,000	.....
International conferences and contingencies	.....	1,223,000	.....	.....	-1,223,000
(By transfer)	.....	.....	(15,000,000)	(+15,000,000)	(+15,000,000)
Total, International Organizations and Conferences	1,211,515,000	1,637,996,000	1,610,000,000	+398,485,000	-27,996,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	17,490,000	19,179,000	18,490,000	+1,000,000	-689,000
Construction	6,463,000	7,125,000	7,000,000	+537,000	-125,000
American sections, international commissions	5,490,000	5,867,000	5,490,000	.....	-377,000
International fisheries commissions	14,549,000	14,549,000	14,490,000	-59,000	-59,000
Total, International commissions	43,992,000	46,720,000	45,470,000	+1,478,000	-1,250,000
Other					
Payment to the Asia Foundation	8,000,000	15,000,000	8,250,000	+250,000	-6,750,000
Total, Department of State	4,037,250,000	4,714,659,000	4,367,345,000	+330,095,000	-347,314,000
RELATED AGENCIES					
Arms Control and Disarmament Agency					
Arms control and disarmament activities	41,500,000	43,400,000	41,500,000	.....	-1,900,000
United States Information Agency					
International information programs	427,097,000	461,728,000	457,146,000	+30,049,000	-4,582,000
Technology fund	5,050,000	5,050,000	.....	-5,050,000	-5,050,000
Educational and cultural exchange programs	197,731,000	199,024,000	200,000,000	+2,269,000	+976,000
Eisenhower Exchange Fellowship Program, trust fund	570,000	600,000	600,000	+30,000	.....

Israeli Arab scholarship program	400,000	400,000	400,000	.....	.....
International Broadcasting Operations	364,415,000	388,690,000	383,957,000	+19,542,000	-4,733,000
Emergency appropriations (P.L. 105-174)	5,000,000	.....	.....	-5,000,000	.....
Broadcasting to Cuba (direct)	22,095,000	.....	.....	-22,095,000	.....
Radio construction	40,000,000	25,308,000	25,308,000	-14,692,000	.....
East-West Center	12,000,000	5,000,000	.....	-12,000,000	-5,000,000
North/South Center	1,500,000	2,500,000	.....	-1,500,000	-2,500,000
National Endowment for Democracy	30,000,000	31,000,000	31,000,000	+1,000,000	.....
Total, United States Information Agency	1,105,858,000	1,119,300,000	1,098,411,000	-7,447,000	-20,889,000
Arms Control and Disarmament Agency					
Arms control and disarmament activities (rescission)	-700,000	.....	.....	+700,000	.....
Total, related agencies	1,146,658,000	1,162,700,000	1,139,911,000	-6,747,000	-22,789,000
Total, title IV, Department of State	5,183,908,000	5,877,359,000	5,507,256,000	+323,348,000	-370,103,000
Appropriations	(5,179,608,000)	(5,877,359,000)	(5,507,256,000)	(+327,648,000)	(-370,103,000)
Emergency appropriations	(5,000,000)	.....	.....	(-5,000,000)	.....
Rescissions	(-700,000)	.....	.....	(+700,000)	.....
(By transfer)	.....	.....	(22,000,000)	(+22,000,000)	(+22,000,000)
TITLE V - RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Operating-differential subsidies (liquidation of contract authority)	(51,030,000)	.....	.....	(-51,030,000)	.....
Maritime Security Program	35,500,000	97,650,000	97,650,000	+62,150,000	.....
Operations and training	67,600,000	70,553,000	67,600,000	.....	-2,953,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
Maritime Guaranteed Loan (Title XI) Program Account:					
Guaranteed loans subsidy	32,000,000	6,000,000	16,000,000	-16,000,000	+10,000,000
Administrative expenses	3,725,000	4,000,000	3,725,000	.....	-275,000
Total, Maritime guaranteed loan program account	35,725,000	10,000,000	19,725,000	-16,000,000	+9,725,000
Total, Maritime Administration	138,825,000	178,203,000	184,975,000	+46,150,000	+6,772,000
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	250,000	250,000	280,000	+30,000	+30,000
Commission on Civil Rights					
Salaries and expenses	8,740,000	11,000,000	8,740,000	.....	-2,260,000
Commission on Immigration Reform					
Salaries and expenses	459,000	.....	.....	-459,000	.....
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,090,000	1,090,000	1,170,000	+80,000	+80,000
Equal Employment Opportunity Commission					
Salaries and expenses	242,000,000	279,000,000	260,500,000	+18,500,000	-18,500,000

Federal Communications Commission					
Salaries and expenses	186,514,000	212,977,000	181,514,000	-5,000,000	-31,463,000
Offsetting fee collections - current year	-162,523,000	.....	-172,523,000	-10,000,000	-172,523,000
Direct appropriation	23,991,000	212,977,000	8,991,000	-15,000,000	-203,986,000
Offsetting fee collections	.....	-172,523,000	.....	.....	+172,523,000
Federal Maritime Commission					
Salaries and expenses	14,000,000	14,500,000	14,000,000	.....	-500,000
Federal Trade Commission					
Salaries and expenses	106,500,000	112,867,000	110,490,000	+3,990,000	-2,377,000
Offsetting fee collections - carryover	-18,000,000	-11,700,000	-30,000,000	-12,000,000	-18,300,000
Offsetting fee collections - current year	-70,000,000	.....	-76,500,000	-6,500,000	-76,500,000
Direct appropriation	18,500,000	101,167,000	3,990,000	-14,510,000	-97,177,000
Gambling Impact Study Commission					
Salaries and expenses	1,000,000	.....	.....	-1,000,000	.....
Legal Services Corporation					
Payment to the Legal Services Corporation	283,000,000	340,000,000	141,000,000	-142,000,000	-199,000,000
Marine Mammal Commission					
Salaries and expenses	1,185,000	1,240,000	1,240,000	+55,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
Securities and Exchange Commission					
Salaries and expenses	315,000,000	118,098,000	23,000,000	-292,000,000	-95,098,000
Current year fees	.....	205,000,000	214,000,000	+214,000,000	+9,000,000
1998 fees	.....	18,000,000	87,000,000	+87,000,000	+69,000,000
Subtotal	315,000,000	341,098,000	324,000,000	+9,000,000	-17,098,000
Offsetting fee collections	-249,523,000	.....	.....	+249,523,000	.....
Offsetting fee collections - carryover	-32,000,000	.....	.....	+32,000,000	.....
Direct appropriation	33,477,000	341,098,000	324,000,000	+290,523,000	-17,098,000
Small Business Administration					
Salaries and expenses	254,200,000	281,100,000	246,750,000	-7,450,000	-34,350,000
Office of Inspector General	10,000,000	11,300,000	11,300,000	+1,300,000	.....
Business Loans Program Account:					
Direct loans subsidy	.....	5,724,000	2,000,000	+2,000,000	-3,724,000
Guaranteed loans subsidy	181,232,000	163,000,000	132,540,000	-48,692,000	-30,460,000
Administrative expenses	94,000,000	94,000,000	94,000,000	.....	.....
Total, Business loans program account	275,232,000	262,724,000	228,540,000	-46,692,000	-34,184,000

Disaster Loans Program Account:					
Direct loans subsidy	23,200,000	.....	100,000,000	+76,800,000	+100,000,000
Administrative expenses	150,000,000	166,000,000	116,000,000	-34,000,000	-50,000,000
Total, Disaster loans program account	173,200,000	166,000,000	216,000,000	+42,800,000	+50,000,000
Surety bond guarantees revolving fund	3,500,000	3,300,000	3,300,000	-200,000	.....
Total, Small Business Administration	716,132,000	724,424,000	705,890,000	-10,242,000	-18,534,000
State Justice Institute					
Salaries and expenses 4/	6,850,000	12,000,000	6,850,000	.....	-5,150,000
Total, title V, Related agencies	1,489,499,000	2,044,426,000	1,661,626,000	+172,127,000	-382,800,000
Appropriations	(1,489,499,000)	(2,044,426,000)	(1,661,626,000)	(+172,127,000)	(-382,800,000)
(Liquidation of contract authority)	(51,030,000)	.....	.....	(-51,030,000)	.....
TITLE VI - GENERAL PROVISIONS					
GOVERNMENT-WIDE					
Defense function (by transfer)	(33,169,000)	.....	.....	(-33,169,000)	.....
International function (by transfer)	(45,432,000)	.....	.....	(-45,432,000)	.....
Domestic function (by transfer)	(31,061,000)	.....	.....	(-31,061,000)	.....
Total, title VI, general provisions	.....	.....	.....	.....	.....
(By transfer)	(109,662,000)	.....	.....	(-109,662,000)	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1999—Continued

Agency and item (1)	Appropriated, 1998 (enacted to date) (2)	Budget estimates, 1999 (3)	Recommended in bill (4)	Bill compared with appropriated, 1998 (5)	Bill compared with budget estimates, 1999 (6)
TITLE VII - RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration					
Working capital fund (rescission)	-100,000,000	-45,326,000	-45,326,000	+54,674,000	.....
Legal Activities					
United States trustee system fund (rescission)	.....	.....	-17,000,000	-17,000,000	-17,000,000
TITLE VIII - EMERGENCY SUPPLEMENTAL APPROPRIATIONS					
National Oceanic and Atmospheric Administration					
Operations, research and facilities	7,000,000	.....	.....	-7,000,000	.....
Grand total:					
New budget (obligational) authority	32,123,907,000	38,071,468,000	33,974,795,000	+1,850,888,000	-4,096,673,000
Appropriations	(27,018,107,000)	(29,806,344,000)	(28,571,181,000)	(+1,553,074,000)	(-1,235,163,000)
Emergency appropriations	(5,000,000)	.....	.....	(-5,000,000)	.....
Advance appropriations	.....	(2,912,815,000)	.....	.....	(-2,912,815,000)
Rescissions	(-124,200,000)	(-161,668,000)	(-108,326,000)	(+15,874,000)	(+53,342,000)
Crime trust fund	(5,225,000,000)	(5,513,977,000)	(5,511,940,000)	(+286,940,000)	(-2,037,000)
(By transfer)	(172,043,000)	(62,381,000)	(84,381,000)	(-87,662,000)	(+22,000,000)
(Limitation on administrative expenses)	(3,266,000)	(3,266,000)	(3,266,000)	.....	.....
(Liquidation of contract authority)	(51,030,000)	.....	.....	(-51,030,000)	.....

1/ Funded under Federal Prison System.
2/ Funded under Juvenile Justice.
3/ Funded under Counterterrorism Fund.
4/ President's budget proposed $6,000,000 for State Justice Institute.

ADDITIONAL VIEWS OF HON. CHARLES TAYLOR AND HON. MICHAEL P. FORBES

An effective and well run Patent and Trademark Office allows American inventors and business the security that their intellectual capital will not be infringed upon thus allowing them to compete effectively in markets today and into the 21st Century. The United States is by far the world's largest producer of intellectual property. Many other nations have learned from our success—America no longer stands alone in its commitment to a strong system of patent protection for its inventors, small businesses, and industries.

In light of the recent report provided to the Subcommittee by the PTO regarding the state of patent examiner training, we believe that legislative language should be included in some future bill that will help ensure that the examiners are better trained and prepared to carry out their important duties.

We believe that any such language should instruct the PTO to require that all patent examiners spend at least five percent of their duty time each year in training to maintain and develop the legal and technical skills useful for patent examination. The training should be conducted through an incentive program to retain as employees patent examiners of the primary examiner grade or higher who are eligible for retirement, for the sole purpose of training patent examiners who have not achieved the grade of primary examiner. A training program of this nature will enhance the productivity of the PTO. The members of the labor union representing the patent examiners share our view in that assessment.

CHARLES H. TAYLOR.
MIKE FORBES.

ADDITIONAL VIEWS OF HON. CHARLES H. TAYLOR, HON. MICHAEL P. FORBES AND HON. TOM DELAY REGARDING THE COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT

The Communications Assistance for Law Enforcement Act (CALEA) was enacted in 1994 in recognition of changing telecommunications technology and the effect of such changes on the government's ability to conduct electronic surveillance. We continue to be concerned about the delays in implementing CALEA. Industry and the FBI are at loggerheads at the current time. The telecommunications industry has historically cooperated with law enforcement in the conduct of wiretaps pursuant to a court order or other lawful authorization. Advanced telecommunications technology, such as digital technology, has occasionally hindered law enforcement in the conduct of electronic surveillance. CALEA was enacted to address law enforcement concerns about their ability to continue to conduct electronic surveillance technology changed. CALEA balanced at least three competing interests preservation of the government's ability to conduct electronic surveillance, the protection of customer privacy of communications, and a policy to not impede the introduction of new telecommunications services, features, and technology.

In order to protect the balance of the interests of the government, the telecommunications industry, and privacy groups, the law provided for public accountability for its implementation and for technical standards to be set by the industry itself. The law also required the industry to develop surveillance capabilities to be utilized in a changed technological environment to permit law enforcement to continue to conduct electronic surveillance and to design these capabilities into new industry deployments of technology. CALEA recognized that some existing networks would have to be retrofitted and CALEA provided for government reimbursement of the industry's reasonable costs for such modifications of existing equipment, services, or features.

CALEA required the government to reimburse telecommunications carriers for expansions in their network capacity to accommodate law enforcement electronic surveillance needs. Such electronics surveillance capacity needs were to have been provided to the industry in 1995 but were not finalized until March 1998. Delays in the implementation of CALEA have also resulted from industry and law enforcement disagreement over the technical standards to implement the assistance capability requirements of CALEA. Presently, there is no CALEA compliant technology available for implementation by telecommunications carriers and virtually all carrier equipment that has been installed or deployed since the enactment of CALEA is not compliant with the assistance capability requirements of the law.

During the four-year transition period originally contemplated by CALEA virtually no government funds have been expended to reimburse the telecommunications industry for its implementation costs of CALEA. It is necessary to extend the time for compliance with the law to enable the industry to complete the standard setting and development process required to implement CALEA in an economical and efficient fashion, and to recognize that the existing carrier networks should be grandfathered in the interim. We believe that it is necessary to move both the "grandfather" and compliance dates of CALEA to recognize the delays in CALEA implementation and to ensure that implementation continues as determined by Congress. We need to work with the authorizing committee to accomplish these important date changes which will not affect the substance and intent of the law.

CHARLES H. TAYLOR.
MIKE P. FORBES.
TOM DELAY.

ADDITIONAL VIEWS OF HON. ALAN B. MOLLOHAN, HON. DAVID SKAGGS, AND HON. JULIAN DIXON

In general the FY 1999 Commerce, Justice, State and the Judiciary and related agencies Appropriations bill funds programs and agencies at adequate levels. However, there are several areas of concern in the bill with respect to both the funding levels recommended and the legislative actions taken.

JUSTICE DEPARTMENT

The bill robustly funds the Department of Justice and law enforcement. The COPS program is fully funded and has thus far been extraordinarily successful. So far, 76,771 COPS are on the beat as a result of this program. Proof positive of the success of the COPS program lies in the fact that violent crime has been reduced across the country. Some were initially skeptical that a program, run from Washington, could significantly impact local crime in a positive way. Some advocated sending the money back to States to let them decide how to spend it. The subcommittee responded by providing for both a targeted COPS program, and a law enforcement block grant to the states. Once again this year the bill funds both programs. We believe that the combination of these programs is an approach the Federal government can be proud of in terms of helping states and localities fight crime.

The bill also provides funds for juvenile delinquency and other prevention programs. We have followed the same approach this year in providing $125 million for the Juvenile Delinquency Prevention Block Grant in accordance with the authorities of H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Block Grant Act of 1997.

COMMERCE DEPARTMENT

With respect to the Commerce Department, the bill supports important initiatives such as the Public Works Grant program, the Manufacturing Extension Partnership, the scientific research conducted by the National Institute of Standards and Technology, and the critical activities of the National Weather Service. The recommendations for the NOAA budget increase funding for the Coastal Zone Management grants, and robustly funds navigation safety programs, Marine sanctuaries, and Sea grants.

There are several areas of the Commerce Department that need to be improved. The bill provides only $180 for the Advanced Technology Program, significantly less than the amount requested. Regrettably the bill only provides $43 million for new awards under this program.

The bill contains only $21 million for the Public Telecommunications Facilities Program. Funds are critically needed to help

small public radio and television stations convert to digital systems and thereby improve access in rural areas to public broadcasting.

DECENNIAL CENSUS

The bill, as reported, contains language in the appropriation for the decennial census that causes us grave concern. Indeed, it should concern everyone who cares about the success of Census 2000—regardless of one's views on particular methodological issues such as use of statistical sampling—because it has the potential irretrievably damage census preparations.

The language at issue fences off half the fiscal year 1999 appropriation for decennial census preparations, and specifies that these funds cannot be obligated or expended until after March 31, 1999 and until after subsequent legislation has been enacted to release the funds. The apparent purpose is to provide an opportunity for the House majority to force a legislative showdown regarding census methodology early next year, and to use the threat of completely closing down census preparations as a means of gaining additional bargaining leverage.

Under the bill, unless legislation releasing the second half of the appropriation is enacted into law by March 31 of next year, the Census Bureau will simply run out of money to prepare for the 2000 census and all work will come to a halt. Census employees will be furloughed or terminated, orders for equipment and services will not be placed, and all planning and preparation activities will cease. Given the close timing and tight schedule for Census 2000 preparations, any such shutdown occurring just one year before the April 1, 2000 census date would do irreparable damage.

This is especially true because some critical activities will be taking place next spring—particularly those related to building the Master Address File that is used in addressing the questionnaries, determining which households have responded, and following up on non responses. In the first five months of 1999, the Census Bureau is scheduled to undertake a massive "canvassing" operation, which involves having someone walk or drive down every street in every city or town in the nation to check and update the address list. The Bureau is also scheduled to be working with local governments in rural areas to check and update the rural address list. If these operations are disrupted, the accuracy of the address list used in 2000 will be reduced. And if the temporary employees working on the address list are laid off, the Census Bureau may never get them back again.

There is also a second reason why the reported bill would greatly disrupt census preparations: it does not give the Census Bureau enough funds to operate during the first half of fiscal year 1999. The bill legal issues by the courts by doing the following: divides the annual appropriation in half, but the Census Bureau's schedule requires obligating considerably more than half its fiscal year 1999 funds during the first six months of the year. One reason for this is that the Bureau needs to award the contracts for printing questionnaries and other forms in November and December of 1998, and will thereby obligate essentially all its funds for printing at that time. Another reason is that the Bureau is scheduled to undertake the very labor-intensive process of building the address file

for rural areas during the Fall of 1998, and will thereby incur a large fraction of its fiscal year 1999 cost for temporary workers during those months. And orders for data processing equipment are also scheduled to be placed during the first half of fiscal year 1999.

For these and other reasons, the Census Bureau's plans call for obligating just over two thirds of the fiscal year 1999 appropriation for the decennial census during the first six months of the year. But the bill language allows the Bureau to obligate only half. If this restriction is allowed to stand, some critical steps like building the address list and printing the questionnaires will simply not occur on schedule, further putting Census 2000 at risk.

It is ironic that the Committee majority has chosen to adopt this bill language. During hearings and markup, majority Members repeatedly cited reports by the GAO and the Commerce Department Inspector General that note some problems in the census preparation process and express concern that these problems could lead to failures in 2000 if not addressed. Yet, the majority seems to be pursuing a course that risks far greater disruption and puts Census 2000 at far greater risk. We believe such a course is unacceptable.

In an effort to prevent a census shutdown, Rep. Mollohan offered an alternative solution during the Appropriations Committee's markup of this bill. Unfortunately, this amendment was defeated on a party line vote. The Mollohan amendment would have deleted the language in the bill fencing half the census appropriation until enactment of subsequent legislation. In place of this census shutdown provision, the Mollohan amendment would have added provisions to facilitate resolution of the constitutional and

- Allow the Census Bureau to proceed with preparations for sampling, but shut off funds for sampling in the event the Supreme Court holds that method to be unconstitutional or contrary to law; and
- Require the Census Bureau to continue on a dual track—preparing for both a sampling and non-sampling census—while the current court cases are pending.

Further, the Mollohan amendment sought to enlist experts, rather than politicians, to help resolve the technical statistical issues involved. It returns to the National Academy of Sciences—the group that Congress, on a bipartisan basis, asked for help after the failed 1990 census—and asks the Academy to do the following:

- Review the Census Bureau's current plans to make sure they are consistent with the Academy's past recommendations; and
- Evaluate and report to Congress regarding whether the methodology currently planned by the Census Bureau represents the most feasible means of achieving the most accurate population count possible.

We intend to once again press for changes of this nature when the bill is taken up by the House. The language reported by the Committee majority simply carries too much risk of disruption and failure in Census 2000 to be allowed to stand.

STATE DEPARTMENT AND USIA

Last year the Committee made efforts to improve funding for the State Department operating accounts. Because we all recognize the

importance of the presence of United States diplomatic personnel overseas, we are hopeful that the cuts made to State's operating accounts can be restored.

With respect to the United Nations the bill once again provides funding for arrearage payments subject to authorization. The $475 million contained in this bill and the $100 million provided last year remain hostage to the State Department authorization bill, which has passed both the House and Senate, but has yet to be sent to the President. If, by the end of the fiscal year, it is clear that the authorization bill will not go forward, the Committee should consider authorizing the UN arrearage payments that have been appropriated.

We regret that funding was provided for the TV Marti program. TV Marti has no significant audience because of jamming by the Cuban government, and thus makes no contribution to bringing freedom and democracy to Cuba. The Broadcasting Board of Governors has confirmed that the conversion from VHF to UHF has failed to get the video signal through, and that Cuba can jam the UHF signal just as effectively as it jammed the VHF transmissions. We have spent $110 million on this failed program. We believe it is a waste of taxpayers money and should be ended.

RELATED AGENCIES

We are concerned about the large cuts made to the Small Business Administration. At the same time we understand the Committee's frustration with the "gimmicks" employed by the Office of Management and Budget in putting together SBA's budget request. While we will work to restore cuts made to SBA's budget, we hope that the Administration will send a more realistic budget request to Congress next year.

Finally we must express severe reservations about the inadequate funding level provided in the bill for the Legal Services Corporation. The level of $141 million is not even close to what is needed to provide civil legal assistance for our most vulnerable citizens. Strenuous efforts will be made to improve this funding level as we move through the appropriations process.

ALLAN B. MOLLOHAN.
DAVID SKAGGS.
JULIAN DIXON.

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