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SENATE

{ REPORT
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DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE,
THE JUDICIARY, AND RELATED AGENCIES APPROPRIA-
TION BILL, 1998

JULY 16, 1997.—Ordered to be printed

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

REPORT

[To accompany S. 1022]

The Committee on Appropriations reports the bill (S. 1022) mak-
ing appropriations for the Departments of Commerce, Justice, and
State, the Judiciary, and related agencies programs for the fiscal
year ending September 30, 1998, and for other purposes, reports fa-
vorably thereon and recommends that the bill do pass.

Amount in new budget (obligational) authority

Total bill as reported to Senate	\$31,623,755,000
Amount of appropriations, 1997	30,230,160,000
Amount of budget estimates, 1998, as amended ...	35,645,887,000
The bill as reported to the Senate:	
Above the appropriations for 1997	1,393,595,000
Below the estimates for 1998	4,022,132,000

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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 1998 submitted on February 6, 1997, and budget amendments submitted on March 17, March 19, April 23, and June 19, 1997.

The total amount of new budget authority recommended by the Committee for fiscal year 1998 is \$31,623,755,000. This amount is a net increase of \$1,393,595,000 above appropriations enacted for fiscal year 1997 for these departments and agencies. The Committee recommendation is \$4,022,132,000 below the budget estimates as amended. This significant difference is a result of the Committee's decision not to approve advanced appropriations.

HIGHLIGHTS OF THE BILL

The bill provides funds for fighting crime, enhancing drug enforcement, responding to the threat of terrorism, addressing the shortcomings of the immigration process, continuing the judicial process, conducting commerce within the United States, proceeding with State Department operations, and fulfilling the needs of various independent agencies. Highlights of the bill include:

Department of Justice

- Increases to fight the proliferation of crime and drugs;
- Additional funding to address a comprehensive and coordinated response for counterterrorism efforts;
- \$10,000,000 in additional funding for the FBI's efforts to stop child sexual exploitation on the Internet;
- Additional funding to DEA for methamphetamine and heroin investigations;
- Additional funding to FBI and DEA for real property maintenance to prevent further degradation of facilities;
- \$267,833,000 for new and expanded prison facilities;
- Increased funding for the Office of Justice Programs including \$14,000,000 for counterterrorism technologies, \$25,000,000 for the National Sexual Offender Registry, and a \$10,500,000 increase for the regional information sharing system;
- \$4,046,150,000 to support State and local law enforcement including \$1,440,000,000 for the Community Oriented Policing Services [COPS] Program, an increase to \$263,750,000 for the Violence Against Women Program, \$740,500,000 for State prison grants, and \$580,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Grant Program; and
- \$380,422,000 for juvenile justice programs.

Department of Commerce

- The U.S. Trade Representative is funded at the requested level and the International Trade Commission is funded at \$41,000,000;
- The Committee recommends funding the International Trade Administration at \$280,736,000. The Bureau of Export Administration [BXA] is funded at the requested level;
- The Minority Business Development Agency is funded at the requested level;
- The Bureau of the Census is given full funding for the decennial census. The same sampling language approved by the Senate during the fiscal year 1997 supplemental bill is addressed in the bill;
- The National Telecommunications and Information Administration is funded at \$52,574,000. The public broadcasting grant program, for which there was no fiscal year 1998 request, is funded at \$25,000,000. The Information Infrastructure grants are funded at \$11,000,000;
- The bill funds the ATP program at \$200,000,000 and the MEP program at \$111,000,000; and
- An increase in funding for the National Oceanic and Atmospheric Administration and the National Weather Service.

The Judiciary

- Maintains current operations;
- Provides a downpayment for the renovation of the Supreme Court building;
- Provides increases to address the growing bankruptcy caseload and probation population;
- Reorganizes the ninth circuit court of appeals; and
- Provides a cost-of-living increase for justices and judges.

Department of State

- Maintains current operations;
- Provides increases for infrastructure investments in computers, communications, and facility maintenance;
- Maintains international commitments;
- Funds U.N. arrears; and
- Reconciles commitments to international organizations with available funds.

Related agencies

- The related agencies title funds the full budget of the Security and Exchange Commission, which is offset by offsetting receipts; adequate funding for the Small Business Administration; and funding for the Equal Employment Opportunity Commission programs, the Federal Communications Commission and the Legal Services Corporation.

REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

As in previous years, the Committee has inserted section 605 under title VI of the general provisions of the bill. This section re-

states previous law with regard to the reprogramming of funds between programs or activities.

The House and Senate reports accompanying the appropriations bills of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies for several years contained sections concerning the reprogramming of funds between programs or activities.

The Committee expects each department and agency to follow closely the reprogramming procedures listed below which are similar to provisions that applied in statute during fiscal year 1997.

The Committee desires and expects that both the House and Senate chairmen 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:

- 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;
- Increasing funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- Creation of new programs, offices, agencies or commissions or substantial augmentations of existing programs, offices, agencies or commissions;
- Relocations of offices or employees;
- Reorganization of offices, programs, or activities; and
- Contracts out or privatizes any functions or activities presently performed by Federal employees.

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

The Committee is adding a new requirement for fiscal year 1998. The Committee directs each department or agency to notify the Committee at any point when the amount of political appointees rises above 10 percent from either of the previous 2 years or when five political appointees are added. The Committee should be notified 30 days before either of these situations occurs. Similar notification should be provided when the same number of personnel positions are converted from political appointments to civil service positions.

Government Performance and Results Act [GPRA].—The Committee has received a number of strategic plans from different organizations receiving appropriated funds within the bill. The Committee directs that all associated organizations provide goals and objectives to the Committee no later than September 30, 1997.

Rescissions

The Committee mark rescinds a total of \$30,310,000 from the Department of Justice. Rescission amounts are based on estimates provided to the Committee on or before July 8, 1997.

Proposed rescissions include: \$30,310,000 from the working capital fund at the Department of Justice.

TITLE I—DEPARTMENT OF JUSTICE

The Committee has made funding for law enforcement the centerpiece of the fiscal year 1998 appropriations bill.

The Committee recommends \$17,251,958,000 in new budget (obligational) authority in the accompanying bill for the Department of Justice with a strong emphasis on law enforcement activities for fiscal year 1998. This amount is \$826,955,000 more than the fiscal year 1997 funding level.

ADJUSTMENTS TO BASE

The Committee is concerned by the way the Department constructs its budget submissions. The Committee finds that adjustments to base and new initiatives are often one in the same. Within all future President's budget requests, the Committee directs the Department to provide all adjustments to the prior year programs and commensurate funding as new initiatives.

REPROGRAMMINGS

Also, the Committee has been deluged with reprogramming requests from the Department. Within the last 9 months the Committee has received 51 reprogramming requests from the Department. The Committee directs the Department to begin submitting quarterly omnibus reprogramming requests. The Committee will not continue to address piecemeal requests unless such reprogrammings are needed for purposes of national security. The Department is also directed to undertake a study which examines and reevaluates the methodology of submission of reprogramming requests as currently enumerated in section 605 of the Omnibus Consolidated Appropriations Act, 1997. The Department is directed to submit the results of this study with recommendations for an improved process to the appropriate committees no later than February 1, 1998.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 1997	\$79,373,000
Budget estimate, 1998	79,959,000
Committee recommendation	79,373,000

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

The Committee recommends a total of \$79,373,000 for fiscal year 1998 for general administration. The recommendation is identical to the fiscal year 1997 appropriation and \$586,000 below the fiscal year 1998 request.

The Committee recommendation includes full funding for the four additional security personnel first provided for in fiscal year

1997, including nonrecurring costs for one-time items. Also, to ensure that scarce resources are focused on the support and oversight of crimefighting activities, the Committee has included bill language freezing, except where noted, legislative and public affairs activities at fiscal year 1997 levels throughout the Department. These activities may not be supplemented by either reimbursable or nonreimbursable detailees.

Capital prosecutions.—The Committee is alarmed by the disproportionate claim on limited resources being made by a small but growing number of capital prosecutions. Preliminary figures for first- and second-degree murder cases indicate that capital prosecutions are 16 times more costly than noncapital prosecutions. The Committee directs the Attorney General to carefully review “best practices” in prosecuting capital cases from the initial appearance of the defendant through final appeal with the intent of developing and disseminating guidelines focused on case cost containment. This effort should be coordinated with the Administrative Office of the U.S. Courts.

COUNTERTERRORISM FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 1997	\$29,450,000
Budget estimate, 1998	29,450,000
Committee recommendation	29,450,000

The Committee recommends \$29,450,000 for the “Counterterrorism fund” account which was established in Public Law 104–19, the Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-Terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995. This fund is under the control and direction of the Attorney General to: (1) cover the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident, (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities, and (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities.

The recommendation provides amounts equal to the request and the 1997 appropriation.

ADMINISTRATIVE REVIEW AND APPEALS

Appropriations, 1997	\$111,000,000
Budget estimate, 1998	129,258,000
Committee recommendation	79,258,000

The Committee recommends \$79,258,000 for fiscal year 1998 for administrative review and appeal, of which \$59,251,000 is provided from the violent crime reduction trust fund. The recommendation is \$31,742,000 below the fiscal year 1997 appropriation and \$50,000,000 below the fiscal year 1998 request. This apparent reduction is deceptive. The recommendation assumes that \$50,000,000 in carryover in the INS “Immigration examinations fee” account is made available for Executive Office for Immigration

Review [EOIR] operations. Immigration examination fees may be used for expenses in providing immigration adjudication.

The EOIR includes the Board of Immigration Appeals, immigration judges, and administrative law judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged. This account also funds the Office of the Pardon Attorney which receives, investigates, and considers petitions for all forms of executive clemency. The recommendation provides \$127,701,000 for the EOIR and \$1,557,000 for the Office of the Pardon Attorney.

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

Expedited removal of deportable aliens.—\$3,525,000, 10 immigration judges, 4 staff attorneys, and 21 support positions.

Caseload resulting from increased border enforcement.—\$3,640,000, 10 immigration judges, 5 staff attorneys, and 24 support staff.

Caseload resulting from increased interior enforcement.—\$2,840,000, 8 immigration judges, 3 staff attorneys, and 18 support positions.

Of the total amount provided, \$59,251,000 is for expanded special deportation proceedings under the violent crime reduction trust fund as authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322).

OFFICE OF INSPECTOR GENERAL

Appropriations, 1997	\$31,960,000
Budget estimate, 1998	33,211,000
Committee recommendation	33,211,000

The Committee recommends \$33,211,000 for fiscal year 1998 for the Office of Inspector General. This recommendation is \$1,251,000 above the fiscal year 1997 appropriation and identical to the fiscal year 1998 request.

The Committee commends the Office of the Inspector General for its diligence in pursuing mismanagement or wrongdoing in the FBI, INS, and Bureau of Prisons.

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

U.S. PAROLE COMMISSION

SALARIES AND EXPENSES

Appropriations, 1997	\$4,845,000
Budget estimate, 1998	4,799,000
Committee recommendation	5,009,000

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

The Committee recommends \$5,009,000 for fiscal year 1998 for the Parole Commission. The recommendation is \$164,000 above the

fiscal year 1997 appropriation and \$210,000 above the fiscal year 1998 request.

The Parole Commission is scheduled to be phased out in 2002 as a result of the creation of sentencing guidelines. The Committee recommendation reflects the Commission's schedule to terminate its operations; however, the Committee is concerned that the Commission is shrinking faster than its caseload merits. In particular, using retired personnel as contract hearing examiners and conducting parole revocations without in-person hearings is neither cost effective nor wise. The quality of hearings and adjudications has begun to suffer, potentially leading to the early release of violent offenders with high recidivism rates. The Committee believes that retaining two more hearing examiners than requested will bring Commission responsibilities and resources into better balance.

LEGAL ACTIVITIES

GENERAL LEGAL ACTIVITIES

Appropriations, 1997	\$430,262,000
Budget estimate, 1998	474,526,000
Committee recommendation	445,147,000

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

The Committee recommends a total of \$445,147,000 for fiscal year 1998 for general legal activities, of which \$7,969,000 is provided from the violent crime reduction trust fund [VCRTF] as authorized in the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) and the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132). The total recommendation is identical to the fiscal year 1997 appropriation and \$29,379,000 below the fiscal year 1998 request. In addition, the Committee understands that \$33,700,000 will be transferred from the Federal Savings and Loan Insurance Corporation [FSLIC] resolution fund for general legal activities. The recommendation fully funds adjustments to base.

The \$7,969,000 derived from the VCRTF is to sustain the cost of Civil Division attorneys working for the deportation of criminal aliens. This recommendation continues the effort to use violent crime trust fund amounts to strengthen enforcement of our immigration laws.

Within the resources made available, the Committee recommendation increases funding above fiscal year 1997 levels for the following requested initiatives: tax protesters (\$462,000); Southwest border initiative (\$281,000); Federal capital case prosecutions (\$192,000); Winstar litigation (\$10,972,000); vessel pollution (\$490,000); and electronic FOIA (\$4,493,000).

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 avail-

able for litigation support contracts; (3) makes up to \$24,555,000 available for office automation systems; (4) makes up to \$1,000 available to the U.S. National Central Bureau—Interpol for reception and representation expenses; and (5) adjusting legislative and public affairs staffing in this account to balance resources across divisions and free up staff for Criminal Division initiatives.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 1997	\$4,028,000
Budget estimate, 1998	4,028,000
Committee recommendation	4,028,000

The Committee recommends a reimbursement of \$4,028,000 for fiscal year 1998 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. The recommendation is identical to the fiscal year 1997 appropriation and identical to the fiscal year 1998 request.

ANTITRUST DIVISION

SALARIES AND EXPENSES

Appropriations, 1997	\$92,447,000
Budget estimate, 1998	97,542,000
Committee recommendation	92,447,000

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

The Committee recommendation assumes a total of \$92,447,000 in budget (obligational) authority for fiscal year 1998 for the Antitrust Division. The recommendation is identical to the fiscal year 1997 appropriation and \$5,095,000 below the fiscal year 1998 request. Of the amount provided, \$70,000,000 will be derived from anticipated offsetting fee collections in fiscal year 1998, \$10,000,000 will be available from carryover balances, and \$12,447,000 is provided as a direct appropriation. The Committee notes that use of unobligated fee collections from the prior year are subject to the reprogramming requirements outlined in section 605 of this act.

The recommendation includes bill language for the Antitrust Division, similar to that included in previous fiscal years, which: (1) allows \$70,000,000 in fees to be credited to this account; (2) reduces appropriated funds as fees are collected; and (3) makes fees in excess of \$70,000,000 available until expended in fiscal year 1999.

U.S. ATTORNEYS

SALARIES AND EXPENSES

Appropriations, 1997	\$978,116,000
Budget estimate, 1998	1,069,445,000
Committee recommendation	1,032,532,000

This account supports the Executive Office for U.S. Attorneys and the 94 U.S. attorneys offices throughout the United States and

its territories. The U.S. attorneys serve as the principal litigators for the U.S. Government for criminal, civil, and debt collection matters.

The Committee recommends a total of \$1,032,532,000 for fiscal year 1998 for U.S. attorneys, of which \$46,128,000 is provided from the violent crime reduction trust fund [VCRTF] as authorized in Public Law 103-322 and Public Law 104-132. The recommendation is \$54,416,000 above the fiscal year 1997 appropriation and \$36,913,000 below the fiscal year 1998 request. In addition, the Committee understands that \$11,525,000 from the crime victims fund will be transferred to U.S. attorneys from the Office of Victims of Crime for victim and witness assistance.

The Committee recommendation provides the requested adjustments to base for this account to preserve the current strength of the U.S. attorneys offices. Within available resources, the Committee recommends the following increases over fiscal year 1997: \$5,161,000 for narcotics and other dangerous drug cases and \$3,779,000 for organized crime cases. In addition, within available resources, the Committee expects U.S. attorneys to continue to pursue counterterrorism and civil defensive initiatives with the utmost vigor. Of amounts available from the violent crime reduction trust fund, \$11,408,000 is for Southwest border control and \$9,747,000 is for expeditious deportation of criminal aliens.

Child support enforcement.—The Committee is aware that an estimated \$34,000,000,000 in child support payments will have gone unpaid by fiscal year 1998. The Committee recommendation provides an increase of \$632,000 over fiscal year 1997, the requested amount, for child support enforcement.

Debt collection.—The Committee is aware that an estimated \$13,000,000,000 in criminal and civil penalties will go uncollected by fiscal year 1998. The Committee recommendation provides an increase of \$15,244,000 over fiscal year 1997 for debt collection, including \$11,600,000 for contract collection agents.

Legal education.—The Committee recommendation provides a total of \$13,803,000 for legal education, including an increase of \$6,237,000 over fiscal year 1997 for activation of the National Advocacy Center [NAC]. NAC State and local training funds are provided under Office of Justice Programs.

Violent crime task force demonstration projects.—Three years ago, the Committee provided \$15,000,000 to support U.S. attorney-led violent crime task force projects throughout the country. These multiagency task forces have been a success, contributing greatly to the record decline in violent crime rates nationwide. The Committee recommends \$5,000,000 to continue support of existing task forces.

While pleased with the steady decline in violent crime, the Committee believes that the overall rate is still unacceptably high and notes the growing correlation between youth gang activity, illicit drug use and distribution, and violent criminal behavior. To address these trends, the Committee has also recommended \$5,000,000 to support the expansion of several existing task forces into regionally diverse violent crime task force demonstration projects.

Specifically, the Committee expects these regionally diverse demonstration projects to be focused on the following law enforcement problems: (1) the impact of spillover violence coming from high crime urban areas into much smaller neighboring jurisdictions; (2) the identification, investigation, and prosecution of violent repeat offenders operating either alone, as part of a gang, or as part of a drug enterprise; or (3) illegal immigration, drug smuggling, and violence on the Southwest border.

The Committee believes these focused, regionally diverse violent crime task force demonstration projects will provide the Nation with new and innovative approaches to address emerging criminal trends and notes that additional prosecutorial resources should be an important component of any expansion plan that results in enhanced law enforcement productivity. The Committee expects the Executive Office of U.S. Attorneys to consult with the Committees on Appropriations prior to the selection of the projects to be supported with these funds.

District of Columbia.—The Committee is aware that the U.S. attorney’s office and the Superior Court, both chronically understaffed, are struggling to bring order out of chaos in the District. The Committee recommends the following increases over fiscal year 1997: \$1,645,000 for 21 in-house (cold case murder) investigators; \$635,000 for 3 attorneys and 3 support staff to expand Operation Ceasefire; \$1,939,000 for 33 support staff; and \$250,000 for laboratory services supporting the identification, classification, and interpretation of crime scene evidence.

Finally, the Committee recommendation includes an increase of \$337,000 over fiscal year 1997 for electronic FOIA.

The Committee also recommends bill language, similar to that included in previous fiscal years, which: (1) makes up to \$2,500,000 for debt collection purposes available until September 30, 1999; (2) makes up to \$10,000,000 for automated litigation support contracts available until expended; and (3) makes available up to \$8,000 to be used for official reception and representation expenses. A new provision makes available up to \$8,000,000 to modernize the computer system of D.C. Superior Court.

U.S. TRUSTEE SYSTEM FUND

Appropriations, 1997	\$107,950,000
Budget estimate, 1998	116,721,000
Committee recommendation	116,721,000

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

The Committee recommends a total of \$116,721,000 in budget (obligational) authority for fiscal year 1998 for the U.S. trustees. The recommendation is \$8,771,000 above fiscal year 1997 authority.

The Committee recommendation includes bill language which: (1) allows all fees collected to be used as offsetting collections to the U.S. trustee program; (2) allows deposits to the U.S. trustee system fund to be used to pay refunds due depositors; (3) allows \$116,721,000 in offsetting fee collections to be retained and used for necessary expenses in this appropriation; (4) reduces appropriated funds as such fees are collected; and (5) makes offsetting fee collections in excess of \$116,721,000 available until expended in fiscal year 1999.

FOREIGN CLAIMS SETTLEMENT COMMISSION

Appropriations, 1997	\$953,000
Budget estimate, 1998	1,226,000
Committee recommendation	1,226,000

The Foreign Claims Settlement Commission settles claims of American citizens arising from nationalization, expropriation, or other takings of their properties and interests by foreign governments. The Committee recommends \$1,226,000 for fiscal year 1998 for the Foreign Claims Settlement Commission. The recommendation is \$273,000 above the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The recommended increase fully provides for the adjudication of claims against Germany relating to World War II, Cuba relating to the Castro regime, Iraq relating to the Stark incident and Desert Shield/Storm, and Albania relating to the Communist takeover in 1945.

U.S. MARSHALS SERVICE

SALARIES AND EXPENSES

Appropriations, 1997	\$482,495,000
Budget estimate, 1998	500,797,000
Committee recommendation	497,339,000

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

The Committee recommends \$497,339,000 for fiscal year 1998 for the U.S. Marshals Service, of which \$25,553,000 will be provided from the violent crime reduction trust fund [VCRTF] as authorized in Public Law 103-322. The recommendation is \$14,844,000 above the fiscal year 1997 appropriation and \$3,458,000 below the fiscal year 1998 request.

The Committee recommendation provides the requested adjustments to base for this account, with one exception noted below, plus the following increases over fiscal year 1997: courthouse security (\$5,187,000); courthouse project equipment (\$5,572,000); fugitive apprehension (\$5,145,000); communications equipment modernization (\$2,134,000); and electronic FOIA (\$413,000). The amount derived from the VCRTF is dedicated to protection of the judicial process.

The Committee agrees with the Deputy Attorney General regarding the need to develop justice prisoner and alien transportation system [JPATS] performance data, and the recommendation assumes that out of available resources not less than \$500,000 will

be dedicated by the Marshals Service to contract out for JPATS analytical support. Similarly, the recommendation assumes that not less than \$468,000 for witness security New York metro inspectors and \$190,000 for the witness security banking and electronic reporting services pilot project will be funded out of available resources. Finally, the Committee recommendation includes no funds for construction in this account. As in previous years, detention space construction funding is provided in the "Buildings and facilities" account under Bureau of Prisons.

Video conferencing.—The Committee is aware that video conferencing generates savings and improves public safety. Within available funds, the Committee recommendation includes \$700,000 for the acquisition and installation of video conferencing equipment in jails and courthouses in the following locations: Brooklyn, NY; Chicago, IL; Salt Lake City, UT; Denver, CO; Las Vegas, NV; Seattle, WA; and sites to be determined in New Mexico and Texas. The Committee expects the Marshals Service to consult with the Committees on Appropriations prior to the final determination of the latter two sites.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows up to \$6,000 to be used for official reception and representation expenses, up to \$4,000,000 to be used for an automated prisoner information system, up to \$2,200,000, available until expended, to be used for JPATS, and allows for the acquisition of motor vehicles for police-type use without regard to the general purchase price limitation, and allows the Marshals Service to earn reimbursement for the maintenance and transport of State, local, and territorial prisoners by JPATS. Bill language is continued capping legislative and public affairs staffing levels. The Committee recommendation assumes the transfer of excess manpower from these offices to bolster fugitive apprehension efforts.

FEDERAL PRISONER DETENTION

Appropriations, 1997	\$405,262,000
Budget estimate, 1998	462,831,000
Committee recommendation	405,262,000

Under this program, the U.S. marshals contract with State and local jails and private facilities to house unsentenced Federal prisoners for short periods of time, usually before and during trial, and while awaiting transfer to Federal institutions after conviction.

The Committee recommends \$405,262,000 for fiscal year 1998 for Federal prisoner detention. The recommendation is identical to the fiscal year 1997 appropriation and \$57,569,000 below the fiscal year 1998 request. The Committee understands that \$68,000,000 in carryover is available in this account.

The Committee is troubled by continuing reports of the inefficient use of limited Federal detention space, and expects the Marshals Service to report not later than December 31, 1997, on instances where artificial barriers erected by other agencies hinder the maximum utilization of all Federal detention space.

FEEES AND EXPENSES OF WITNESSES

Appropriations, 1997	\$100,702,000
Budget estimate, 1998	75,000,000
Committee recommendation	75,000,000

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

The Committee recommends \$75,000,000 for fiscal year 1998 for fees and expenses of witnesses. The recommendation is \$25,702,000 below the fiscal year 1997 appropriation and identical to the fiscal year 1998 request.

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

COMMUNITY RELATIONS SERVICE

Appropriations, 1997	\$5,319,000
Budget estimate, 1998	7,500,000
Committee recommendation	5,319,000

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

The Committee recommends \$5,319,000 for fiscal year 1998 for the Community Relations Service. The recommendation is identical to the fiscal year 1997 appropriation and \$2,181,000 below the fiscal year 1998 request.

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

ASSETS FORFEITURE FUND

Appropriations, 1997	\$23,000,000
Budget estimate, 1998	23,000,000
Committee recommendation	23,000,000

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

The Committee recommends \$23,000,000 for fiscal year 1998 for the assets forfeiture fund. The recommendation is identical to the fiscal year 1997 appropriation and the fiscal year 1998 request.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

Appropriations, 1997	\$2,000,000
Budget estimate, 1998	2,000,000
Committee recommendation	2,000,000

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

The Committee recommends \$2,000,000 for fiscal year 1998 for the expenses of the Civil Division necessary to handle claims and litigation arising from the Radiation Exposure Compensation Act. The recommendation is identical to the fiscal year 1997 appropriation and the fiscal year 1998 request. The recommendation does not include the requested advance appropriation.

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION FUND

Appropriations, 1997	\$13,736,000
Budget estimate, 1998	4,381,000
Committee recommendation	4,381,000

This account provides funds to be available in order to make payments to approved claimants under the Radiation Exposure Compensation Act of 1990.

The Committee recommends \$4,381,000 for fiscal year 1998 for payments under the Radiation Compensation Act. The recommendation is \$9,355,000 below the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The recommendation does not include the requested advance appropriation.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

Appropriations, 1997	\$359,430,000
Budget estimate, 1998	294,967,000
Committee recommendation	294,967,000

The Interagency Crime and Drug Enforcement Program, through its 13 regional task forces, utilizes the combined resources and expertise of its 11 member Federal agencies, in cooperation with State and local investigators and prosecutors, to target and destroy major narcotics trafficking and money laundering organizations.

The Committee recommends \$294,967,000 for fiscal year 1998 for interagency crime and drug enforcement. The recommendation is \$64,463,000 below the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The reduction in the fiscal year 1998 request reflects that, for the first time, non-Justice agencies are carrying their share of the program in their budgets.

The Interagency Crime and Drug Enforcement Program has been described as the only way to motivate agencies within Justice to commit resources to long-term, complex, joint antinarcotics oper-

ations. Any agency that is reluctant to cooperate with other agencies in combating the greatest domestic threat our Nation faces, or puts arrest statistics before efforts to destroy drug cartels, will find funding for this account increased at its expense. The Committee expects a report on overburn rates not later than December 31, 1997, to measure the enthusiasm of agencies for cooperative ventures.

In addition, the Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for intergovernmental agreements; and (2) allows funds to be reallocated under existing authorities among participating organizations.

FEDERAL BUREAU OF INVESTIGATION

Appropriations, 1997	\$2,837,610,000
Budget estimate, 1998	3,089,675,000
Committee recommendation	3,075,395,000

The Committee recommendation provides \$3,075,395,000 in budgetary resources for Federal Bureau of Investigation [FBI] operations for fiscal year 1998. The total includes a direct appropriation of \$2,896,274,000. Also, this amount includes \$200,000,000 in defense discretionary funding for counterterrorism, counterintelligence, and national security activities, and \$179,121,000 from the violent crime reduction trust fund pursuant to the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) and the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322). This amount does not include the request for an advance appropriation for fingerprint identification. This operating level is \$237,785,000 above the appropriation for fiscal year 1997 and \$14,280,000 below the fiscal year 1998 request.

SALARIES AND EXPENSES

Appropriations, 1997	\$2,566,971,000
Budget estimate, 1998	2,761,548,000
Committee recommendation	2,837,268,000

The Committee recommendation provides \$2,837,268,000 in salaries and expenses for Federal Bureau of Investigation [FBI] operations for fiscal year 1998. This level includes funding for the following requested initiatives:

CHILD SEXUAL EXPLOITATION ON THE INTERNET

The proliferation and ready availability of child pornography through the Internet and online services, and the use of these services by pedophiles and sexual predators to target and recruit children for exploitation, represents new challenges to the FBI and the rest of the law enforcement community. Child pornography is not merely a photograph. It is evidence of sexual abuse.

Child molesters collect child pornography for sexual gratification; to share with fellow pedophiles; to reaffirm their belief that what they are doing is considered acceptable and shared by others; to introduce sexual conduct to potential victims; and to blackmail victims. The Committee considers child pornography to be a vital element of child sexual exploitation. Its prevalence on the Internet is a troubling signal for children around the world.

The Committee supports the Department's intention to create a Bureauwide crimes-against-children [CAC] initiative to be implemented throughout the FBI. The Committee does not agree that the Department should completely consolidate investigative operations and administrative matters involving child victimization. The Committee does agree with the efforts of the Department to designate and to specially train special agents in each of the field offices to conduct investigations relating to crimes against children. The Committee, however, directs the Department to continue its efforts to investigate child pornography on the Internet within the Baltimore, MD, office.

The Committee recommends an additional \$10,000,000 for the Baltimore, MD, office to conduct these investigations. This funding shall be used to obtain more highly trained and focused teams of agents assigned to Internet child sexual exploitation; to provide additional computer hardware and supporting technology to increase and enhance the online time of law enforcement; to develop formal protocols for the management of cases; to develop formal feedback protocols for responding to leads; to establish a State and local network upon which all law enforcement within the United States can rely. The management of cases includes responding immediately to unfolding cases, establishing and maintaining case tracking, and being accountable for leads received by agents. Also, the Department is directed to seek out the knowledge and advice of the major software producers within the United States to provide assistance in the thorough investigation of these cases.

In fiscal year 1998 the FBI is requesting 250 positions (157 agents) and \$18,892,000 to combat crimes against children. The Committee recommends a total of \$28,892,000 for this effort.

Service providers to the Internet.—The FBI must rely on service providers to the Internet in order to obtain the names and addresses of subscribers who are involved in transmitting pornographic materials or soliciting minors. The Committee is concerned with the cooperation the FBI receives from these service providers. The FCC is directed to encourage the Internet access industry to assist law enforcement in identifying pedophiles. While Internet users retain the constitutional right to free speech, there is no constitutional right to anonymity. The FCC is directed to work with the FBI by providing adequate information to stop child pornography and the solicitation of minors on the Internet.

Technology crimes.—The Committee recommends \$5,945,000 and 56 positions (34 agents) to conduct computer crime investigations.

International law enforcement initiative.—The Committee recommends \$14,330,000 for the cost of opening eight new FBI legal attaché [legatt] offices, as well as staffing and operations of existing offices. The Committee recommendation is consistent with the FBI legal attaché deployment plan developed jointly by the Departments of Justice and State and approved by the Committee on July 18, 1996. The role of the legat is to work on cases generated by domestic investigations. This includes coordinating information which is needed as part of the investigation.

La Cosa Nostra.—The Committee recommends \$5,000,000 and 47 positions (28 agents) in the Organized Criminal Enterprises Pro-

gram to enhance a 5-year investigative plan to reduce the La Cosa Nostra's influence over labor unions.

Electronic Freedom of Information Act [EFOIA].—The Committee recommends \$13,394,000 and 239 positions to comply with the EFOIA. The FBI projects that it will be current with FOIA processing by the year 2004. This schedule relies on an additional 239 positions requested in the fiscal year 1998 President's request. The backlog for 1997 are 16,584 requests. More than one-half of this backlog is expected to remain until the year 2002. The Committee finds this schedule to be unacceptable. The Committee recommends an additional \$2,000,000 to accelerate the current schedule.

Freedom of Information/Privacy Act document processing system [FOI/FDPS].—The Committee recommends \$9,059,000 to acquire necessary contractor services for implementation of the FDPS.

Security reinvestigations.—The Committee recommends \$8,000,000 for the reinvestigation of employees and contract employees.

National backstopping.—The Committee recommends \$2,000,000 to upgrade and strengthen the capabilities of the National Backstopping Program which supports undercover agents and operations that are critical to many organized crime, drug trafficking, public corruption, and national security investigations.

Microwave equipment replacement.—The Committee recommends \$6,000,000 to begin replacement of microwave radio communications equipment.

Southwest border initiative.—The Committee recommends \$16,717,000 for 138 positions, including 70 agents, to target the most significant Mexican drug trafficking operations. These organizations are trafficking bulk quantities of heroin, cocaine, and marijuana, as well as laundering income from the illicit drug activities.

The Committee recommendation also includes funding for the following:

Computer training.—The Committee commends the FBI for its efforts to develop courses within its training division to help investigate computer crime. The Committee provides an additional \$1,000,000 for this effort. The funding should be used to train agents in the investigative use of computers. Additionally, within available resources, the Committee urges the Bureau to favorably consider the development of MDTV at the FBI Center in West Virginia.

Pacific rim FBI training academy.—The Committee urges the Bureau to consider the establishment of a Pacific rim FBI training academy in the United States. The purpose of this academy is to train FBI agents on the issues generated by organized crime within the Pacific rim. The Committee directs the Bureau to report to the House and Senate Appropriations Committees on its recommendations for such an academy. The report should be provided no later than November 1, 1998.

FBI training facility in Quantico, VA.—The Committee recommendation continues funding for the recently established DEA training facility at the FBI Training Academy in Quantico, VA. The Committee directs the FBI and the DEA to fully integrate their training curriculum as it relates to issues of mutual responsibility

and statutory jurisdiction to establish, maintain, and enhance the mission-related skills of both agencies.

Annualization of counterterrorism amendment in fiscal year 1997.—The Committee recommends \$83,336,000 to annualize the Committee's fiscal year 1997 counterterrorism initiative.

Integrated automated fingerprint system [IAFIS].—The Committee supports the efforts initiated by the FBI to reduce its backlog of fingerprint cards, including the hiring of 1,100 new employees for the Criminal Justice Information Services Division in West Virginia. Within that hiring level are 300 new reimbursable staff to address a growing user-fee workload. The Committee recognizes that reducing these backlogs will ensure the integrity of future employment checks for child care providers, teachers, financial institution employees, law enforcement officers, immigrants applying for naturalization, and others. The fingerprint and criminal history data bases are also used for providing arrest and criminal history information to judges for use in determining sentences, and for identifying individuals who are prohibited from purchasing firearms under Federal or State statute.

Since 1992, Congress has provided a total of \$492,200,000 to develop a reliable electronic fingerprint data base and searching system for Federal, State, and local law enforcement. The initial proposal for development of this system projected that IAFIS would cost \$520,500,000 and that the system would be operational in early 1998.

The President's request includes \$84,400,000 for IAFIS in fiscal year 1998 and \$47,800,000 in fiscal year 1999. The fiscal year 1998 amount includes \$84,400,000 in salaries and expenses and \$7,800,000 from user fees. The Committee recommendation approves the requested fiscal year 1998 funding. The recommendation does not include the requested advance appropriation.

The Committee reiterates that it will not appropriate new funding for additional cost increases or further delays on this important project. Any future cost increases are to be funded from FBI base operations subject to the reprogramming procedures outlined in section 605 of this act. The Committee expects the FBI to continue providing the House and Senate Appropriations Committees with quarterly progress reports on this project.

Hiring status.—The Committee is encouraged by the improved hiring results of the FBI. In past years, the FBI was unable to fully obligate all of its personnel compensation and benefits funding due to delays in hiring the additional positions authorized by Congress. As a result, the Committee directed that past unobligated balances be transferred to the Department of Justice working capital fund for allocation to other priority initiatives, such as implementation of the Communications Assistance for Law Enforcement Act [CALEA] and NCIC 2000. By no later than November 1, 1997, the FBI is directed to advise the House and Senate Appropriations Committees of the amounts of any projected unobligated current year funds.

Cargo theft task force.—The Committee directs that \$2,000,000 from within available funds be provided to establish a task force on cargo theft in the Northeastern region of the United States. This

task force should be similar to the one previously established in the Southeastern region.

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; (2) the acquisition and operation of aircraft; (3) up to \$70,000 for unforeseen emergencies; (4) up to \$50,000,000 for automated data processing [ADP], telecommunications, and technical equipment; (5) up to \$1,000,000 for undercover operations to remain available until September 30, 1998; (6) not less than \$257,601,000 for counterterrorism investigations, foreign counterintelligence, and national security activities; (7) up to \$98,400,000 to remain available until expended for IAFIS and research and development related to investigative activities; (8) up to \$10,000,000 to reimburse State and local police for assistance related to violent crime, terrorism, and drug investigations; and (9) up to \$60,000 for official reception and representation expenses.

Counterterrorism initiative.—The Committee recommendation for counterterrorism is provided in the classified annex.

Title 5 exemptions.—As the FBI's mission becomes increasingly complex and technical, there is a corresponding need for personnel with technical, scientific, and special skills. Under section 5307 of title 5 of the U.S. Code, the FBI is restricted in its ability to recruit and retain persons with needed skills. In many cases the FBI cannot offer a salary competitive with the private sector. While there is some flexibility available under title 5, it is an inefficient way to manage the FBI's work force.

The FBI is the only U.S. agency with intelligence gathering responsibilities still subject to the provisions of title 5. Within the bill, the Committee has recommended language which provides exemptions from title 5. The language will allow the FBI to reduce the number of position classifications. This change will create a broader salary range within each career track, allowing the FBI to retain key employees with special skills.

Criminal Justice Information Services Division.—The Committee recommends \$1,500,000 to maintain an independent program office dedicated solely to the relocation of the Criminal Justice Information Services Division and the automation of fingerprint identification services.

FBI staffing levels.—Additionally, the Committee has included language which freezes legislative and public affairs staffing in this account at fiscal year 1997 levels. The Committee notes that the level of staffing in this provision does not include employees assigned to the FBI Tour and Indoor Firearms Range Unit or the Executive, Congressional, and Public Constituent Services Unit. The services provided by these units are not considered to be legislative and public affairs activities under the provision contained in the Committee's recommendation. The Committee understands that the staffing of the Tour and Indoor Firearms Range Unit and the Executive, Congressional, and Public Constituent Services Unit will remain at fiscal year 1997 levels.

Veterans investigation.—The Committee recognizes that it has been more than 4 years since the FBI initiated its investigation into the unexplained deaths which occurred at the Harry S. Tru-

man Memorial Veterans Hospital in Columbia, MO. The Committee is concerned about the slow pace of this investigation, and therefore, directs the Bureau to issue a detailed report to the Committee regarding the Bureau's findings, no later than November 3, 1997.

TELECOMMUNICATIONS CARRIER COMPLIANCE

Appropriations, 1997	\$60,000,000
Budget estimate, 1998	100,000,000
Committee recommendation	

The Committee recommendation does not include direct appropriations for the Telecommunications Carrier Compliance Program. The request included \$50,000,000 to reimburse equipment manufacturers and telecommunications support services for implementation of the Communications Assistance for Law Enforcement Act of 1994 [CALEA]. The Committee finds that the Bureau has adequate resources available. The Committee finds that the fiscal year 1998 request would not be expended in the first year of availability.

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

The Committee continues to recognize that digital telephony is a top law enforcement priority. Over the past year, the FBI developed and provided a CALEA implementation plan. The Committee directs the Bureau to create a working group which shall include the Director of the FBI and a group of industry officials. The industry officials shall be approved by the House and Senate Committees on Appropriations. The purpose of the working group is to create a more rational, reasonable, and cost-effective CALEA implementation plan. Progress has been made with the current plan and should be used as a starting point for the working group. The Committee recommends that no funds may be expended for CALEA until the working group provides a plan that is satisfactory to the Senate Committee on Appropriations.

CONSTRUCTION

Appropriations, 1997	\$41,639,000
Budget estimate, 1998	49,006,000
Committee recommendation	59,006,000

The Committee recommends \$59,006,000 to be provided for construction for the FBI.

FBI laboratory construction.—The Committee recommends \$32,559,000 as the third installment toward completion of the laboratory. The balance needed to complete this critical facility is within the fiscal year 1998 budget request.

FBI headquarters renovations.—The Committee recommends \$10,500,000 to begin planned renovations of space vacated due to

the ongoing relocation of the Criminal Justice Information Services Division and the planned relocation of the Laboratory Division.

Real property maintenance initiative.—This recommendation includes the requested \$4,660,000 for the Los Angeles field office to accommodate the growth in size of the work force assigned to that office and to provide enhanced security and technical abilities. Also, the Committee recommends an additional \$8,000,000 to begin addressing the backlog in repair and maintenance of FBI-owned facilities within the United States other than those located in and around Washington, DC, and Quantico, VA. The Committee has begun this initiative to prevent further degradation of FBI facilities.

Aviation hangar facility.—The Committee recommends \$2,000,000 to build a hangar facility. The hangar will house aircraft used by the FBI. The Committee directs the Bureau to provide a detailed construction schedule as well as a cost summary of the project. This summary should be similar in detail to Department of Defense form 1391 which is required for all major construction within the Department of Defense.

DRUG ENFORCEMENT ADMINISTRATION

Appropriations, 1997	\$1,001,194,000
Budget estimate, 1998	1,087,562,000
Committee recommendation	1,090,882,000

The Committee recommends total budget authority of \$1,090,882,000 for Drug Enforcement Administration [DEA] for fiscal year 1998, of which \$441,117,000 is derived from the violent crime reduction trust fund for activities authorized by the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132) and the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322).

SALARIES AND EXPENSES

Appropriations, 1997	\$798,212,000
Budget estimate, 1998	740,293,000
Committee recommendation	697,533,000

The Committee recommends total budget authority of \$697,533,000 for Drug Enforcement Administration [DEA] salaries and expenses for fiscal year 1998, of which \$58,268,000 is derived from the diversion control fund.

The Committee recommendation attempts to give DEA the tools it needs to properly wage the war on drugs. The Committee recommendation provides funding for the following:

Methamphetamine initiative.—The recommendation includes \$16,500,000, 90 agents, and 21 support personnel to implement a multifaceted approach for attacking methamphetamine abuse, a deadly and rapidly growing epidemic that threatens the health and safety of our children and the environment, as well as the welfare of the American family. This initiative seeks to target, investigate, and prosecute major methamphetamine traffickers operating within the United States and abroad, and to focus a coordinated Federal and international effort to identify, investigate, and dismantle clandestine drug laboratories operating in the United States. The

Committee recommendation is \$5,500,000 above the request. This additional funding should be used to address their challenge within the United States, especially in Missouri and California.

Southwest border initiative.—The recommendation includes \$29,741,000 and 192 personnel (96 new agents) for the Southwest border initiative. The Committee finds significant difficulties on the border in New Mexico and Texas. The crossing of illegal aliens and smuggling of drugs is occurring through the use of new methods including the use of railroad car carriers. The Committee directs the agency to allocate the necessary resources to the appropriate areas to address this situation.

Heroin strategy.—\$10,000,000 and 120 positions (24 agents) to continue efforts to reduce heroin trafficking within the United States. This initiative seeks to intensify efforts in identifying and prosecuting those responsible for the trafficking of heroin and, ultimately, the escalating number of heroin-related emergency room episodes throughout the country. The Committee recommendation is \$5,000,000 above the request.

Investigative infrastructure support.—The Committee recommends \$33,464,000 and 19 positions for the following efforts: \$1,000,000 for aircraft replacement; \$4,425,000 for Project MERLIN and \$15,000,000 for FIREBIRD; \$4,700,000 for ADP equipment and maintenance; \$7,800,000 to redeploy DEA agents where they are most needed; and \$539,000 to support implementation of the 1996 Electronic Freedom of Information Act [EFOIA].

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

“Drug diversion control fee” account.—The recommendation includes \$58,268,000 for DEA’s Drug Diversion Control Program for fiscal year 1998. This amount is equal to the fiscal year 1998 request and is \$5,444,000 above the fiscal year 1997 appropriation. The Drug Diversion Control Program targets the diversion, distribution, manufacture, and abuse of legitimate pharmaceuticals. DEA annually registers more than 900,000 drug handlers. More than 1,670 of these handlers are manufacturers, distributors, importers, exporters, and others who handle large volumes of controlled substances. Registrants pay fees which fully support the cost of this program.

The Committee recommends that DEA shall exercise appropriate discretion in monitoring compliance with statutory or regulatory recordkeeping requirements as they relate to legitimate commercial businesses. DEA should not impose unreasonable monetary penalties on legitimate commercial businesses to avoid prosecutions for minor, unintentional violations of statutory or regulatory recordkeeping requirements. Also, the Committee believes that DEA should not prosecute legitimate going concerns or impose significant monetary penalties for unintentional human error or omissions when the business has, in good faith, attempted to comply with statutory or regulatory recordkeeping requirements.

The Committee is aware that the DEA has published in the Federal Register explanations for the major components of the “Drug diversion control fee” account. It is unclear how the user-fee funds are allocated and spent on these components, and how the pro-

grams directly relate to the regulation of domestic diversion, distribution, manufacture, and abuse of legitimate pharmaceuticals. The Committee directs the DEA to provide a detailed accounting of: all expenditures charged to the “User-fee” account; a justification for using these funds to partially or fully fund these programs; an explanation of how available funds will be used; an explanation of how any new programs funded by user-fee funds directly relate to the regulation and control of the legitimate, domestic controlled substance market; and the specific amounts that will be spent on those programs. The Committee directs that this information be provided no later than November 1, 1997.

DEA training facility in Quantico, VA.—The Committee recommendation continues funding for the recently established DEA training facility at the FBI Training Academy in Quantico, VA. The Committee directs the DEA and the FBI to fully integrate their training curriculum as it relates to issues of mutual responsibility and statutory jurisdiction to establish, maintain, and enhance the mission-related skills of both agencies.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to \$70,000 for unforeseen emergencies; (2) for expenses for drug education and training; (3) for purchase of passenger vehicles without regard to general purchase price limitations; (4) up to \$2,000,000 for mission essential aircraft, replacement parts, and retrofit capability; (5) 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; (6) up to \$4,000,000 for evidence and information, up to \$10,000,000 for contracting for automated data processing [ADP] and telecommunications, \$4,000,000 for technical equipment, and up to \$2,000,000 for laboratory equipment to remain available until September 30, 1998; and (7) up to \$50,000 for official reception and representation expenses.

CONSTRUCTION

Appropriations, 1997	\$30,806,000
Budget estimate, 1998	5,500,000
Committee recommendation	10,500,000

The Committee recommends continuing the “Construction” account for DEA to finance needed infrastructure improvements and renovations.

The recommendation includes \$5,500,000 for renovations to five of DEA’s regional laboratory facilities.

Real property maintenance initiative.—The Committee recommends an additional \$5,000,000 to begin addressing the backlog in repair and maintenance of DEA-owned facilities located within the United States other than those located in and around Washington, DC. The Committee has begun this initiative to prevent further degradation of DEA facilities.

IMMIGRATION AND NATURALIZATION SERVICE
(INCLUDING OFFSETTING FEE COLLECTIONS)

Appropriations, 1997	\$2,114,000,000
(Offsetting fee collections)	975,774,000
Budget estimate, 1998	2,457,545,000
(Offsetting fee collections)	1,194,630,000
Committee recommendation	2,223,656,000
(Offsetting fee collections)	1,198,659,000

The Committee recommends total new budget (obligational) authority of \$3,422,315,000 for fiscal year 1998 for the Immigration and Naturalization Service [INS]. The recommendation is \$332,541,000 above the fiscal year 1997 appropriations and \$229,860,000 less than the request. Of the total amount recommended, \$719,898,000 is derived from the violent crime reduction trust fund, as authorized in the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) and the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) and \$1,198,659,000 will be derived from offsetting fee collections. The apparent reduction is deceptive. The recommendation includes a major realignment of funds within INS to take advantage of substantial carryover balances in the fee accounts.

Top-to-bottom management failures at INS led to the improper naturalization of thousands of criminal aliens. At the same time, over \$1,500,000,000 in funding increases provided to the INS over the last 3 years have been matched by the largest influx of illegal aliens in history, swelling that population to an estimated 5 million. The recommendation seeks to build on the strengths of INS, particularly technology, while working with Justice to rebuild INS leadership and procedures from the ground up. The Committee fully understands that recovery will take several years.

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

SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

Appropriations, 1997	\$2,105,159,000
Budget estimate, 1998	2,383,714,000
Committee recommendation	2,150,097,000

The Committee recommends \$2,150,097,000 for salaries and expenses, including \$719,898,000 from the violent crime reduction trust fund as authorized in the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322), and the Antiterrorism and Effective Death Penalty Act (Public Law 104-132). The recommendation is \$44,938,000 above the fiscal year 1997 appropriation and \$233,617,000 below the fiscal year 1998 request.

The Committee recommendation has adjusted the request to reflect hiring rates that are substantially slower than anticipated, the freezing of travel expenses at fiscal year 1996 levels, the downsizing of the legislative and public affairs offices, and the elimination of a new start naturalization pilot project. Within available resources, the recommendation also assumes an increase of \$3,086,000 over fiscal year 1997 to implement electronic FOIA. The Committee recommendation assumes that professionalism and in-

terior deterrence initiatives are undertaken within available resources.

Revocation initiative.—The INS general counsel has briefed the Committees on the legal complexities surrounding the denaturalization of criminal aliens wrongly naturalized as part of the Citizenship USA debacle. Citizenship is the greatest honor America can bestow, and the Committee considers stripping criminal aliens of this benefit the top priority of INS. Within available resources, the Committee recommends that not less than \$5,000,000 in additional funds above the fiscal year 1997 level be made available to accelerate efforts to identify, detain, denaturalize, and deport wrongly naturalized criminal aliens.

Base transfer to immigration fees.—The recommendation transfers base funding for data and communications, a total of \$50,000,000, for legal proceedings, a total of \$11,475,000, and for information and records management [IRM], a total of \$11,985,000, to the “Immigration user fee” account and “Immigration examinations fee” account in order to free up additional resources for higher priority border control, deportation, and detention initiatives. Immigration user and examinations fees may be used for expenses in providing immigration adjudication and naturalization services and support.

Base transfer to breached bond/detention fund.—The recommendation transfers base funding for detention and deportation, a total of \$119,801,000, to the breached bond/detention fund. The fund helps defray the cost of detaining criminal and illegal aliens.

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

Border control.—A total increase of 1,137 positions, 569 FTE’s, and \$151,700,000 from the violent crime reduction trust fund to enhance border control, including:

- \$125,322,000 for 1,000 new Border Patrol agents and 136 support personnel, instead of 500 new agents as requested by the administration;
- \$11,500,000 for joint INS/Customs Service inspection improvements at ports of entry, including license plate readers, terminals, and other technology; and
- \$14,000,000 for the biometric identification system [Ident] family of technologies used to identify illegal and criminal aliens, including deployment of stations to 22 new sites, data base improvements, and development of a mobile variant for field operations.

The Committee has provided funding to hire and train 1,000 new full-time, active-duty Border Patrol agents and support staff. The Committee notes with regret that the fiscal year 1998 budget submitted by the administration provided funding for only 500 additional agents. The American people expected the administration and Congress to do all that it can to secure our borders. The Committee continues to expect regular reports on Border Patrol hiring, training, and strategy.

Additionally, the Committee directs the Department to enter into a cross-deputization agreement with a qualified State or locality as an immigration enforcement pilot project.

Detention and removal of deportable aliens.—A total increase of 288 positions, 236 FTE's, 1,418 beds, and \$69,945,000 from the violent crime trust fund to bolster efforts to identify, apprehend, detain, and deport illegal aliens, including:

- \$48,321,000 for additional detention capacity, a total of 1,095 new beds, including 300 in Buffalo, NY; 300 at the Krome facility, Miami, FL; 400 in San Diego, CA; and 95, including 14 juvenile, at State and local facilities scattered nationwide;
- \$12,073,000 for location and removal of deportable aliens, including 27 detention enforcement and deportation officers, 9 docket clerks, and 230 State and local beds;
- \$6,751,000 to expand the county jail program, including at least 22 investigatory, detention, and deportation staff and 93 new beds; and
- \$5,000,000 for the Law Enforcement Support Center [LESC], with the understanding that the additional cost of expanding LESC services to Utah shall be paid for out of the "Immigration enforcement" account.

The Committee recommendation has transferred and combined the proposed increase for the enforcement case tracking system [Enforce] with the proposed increase for Enforce in the "Immigration user fee" account.

Deployment of Border Patrol resources.—The Committee has been informed that fiscal year 1997 Border Patrol deployments completed the buildup in the San Diego and El Paso sectors. Of the 1,000 new agents provided in the recommendation, not less than two-thirds shall be deployed in the Marfa, Del Rio, Laredo, and McAllen sectors in Texas.

Reimbursement for emergency medical care, Nogales, AZ.—The Committee is aware of a dispute between Nogales, AZ, and the Border Patrol regarding reimbursement for ambulance services. If the Border Patrol is unable or unwilling to transport injured suspects, whether under formal custody or not, to a hospital, and chooses instead to burden city services, then the Border Patrol should be prepared to reimburse Nogales for its costs. The Committee expects the Border Patrol to report back to the Committees on Appropriations on the resolution of this issue not later than December 31, 1997.

Adoptions in the Russian Far East.—Within available resources, the recommendation provides \$100,000 for personnel and equipment for the consulate in Vladivostok, Russia. The increase will enable the consulate to fully process adoption cases onsite, sparing new parents and their child the arduous, and increasingly dangerous, trip from the Russian Pacific coast to Moscow.

Armed escort for criminal deportees.—The Committee is concerned about recent reports that the INS has deported criminal aliens without escort on commercial passenger aircraft. The Committee considers this practice unacceptable and threatening to the safety of both passengers and crew. INS will deport approximately 90,000 people this year. Roughly one-half, 45,000, will be criminal deportees, of which 25,000 will be violent offenders. The Committee understands interim regulations are in place to ensure that all criminal aliens are accompanied by armed escorts when deported on commercial aircraft. The Committee expects these regulations to

be finalized as rapidly as possible. In addition, the Committee encourages INS, the U.S. Marshals Service, and the Bureau of Prisons to explore alternatives, where practical, to deporting criminal aliens on commercial aircraft. The Committee looks forward to regular progress reports.

Welfare reform initiative.—The INS is directed to report not later than December 31, 1997, to the Committees on Appropriations on the feasibility of requiring incoming immigrants to post bonds, in addition to acquiring affidavits of support, as a means of ensuring that new immigrants do not come to rely on welfare benefits.

Offsetting fee collections

The Committee recommends a total of \$1,198,659,000 in expenditures from fee-funded accounts, an increase of \$104,145,000 over the fiscal year 1997, to support activities related to the legal admission of persons into the United States. These activities are supported entirely by fees paid by persons who are either traveling internationally or are applying for immigration benefits. The recommended increases occur in three major fee-funded accounts: immigration user fee, immigration examinations fee, and breached bond/detention fund. The following increases are recommended:

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

IMMIGRATION USER FEE

The Committee recommends \$398,896,000 of spending for fiscal year 1998 from the “Immigration user fee” account, an increase of \$10,232,000 over fiscal year 1997. The recommendation does not include requested language ending the exemption for cruise ships from inspection fees. Therefore, the \$20,400,000 in new revenue anticipated by the INS will not be available.

Base adjustments.—Reductions resulting from slower than anticipated hiring (–\$1,357,000), a freeze on other services at the fiscal year 1997 level (–\$9,667,000), and a reduction in seaport operations (–\$10,400,000) have been assumed in the recommendation.

Base transfer to immigration user fee.—The recommendation transfers base funding for legal proceedings, a total of \$8,655,000, from the “Salaries and expenses” account to the “Immigration user fee” account. Immigration user fees may be used for expenses in providing immigration adjudication and naturalization services and support.

Inspection enhancements.—The Committee recommendation includes a total of \$22,514,000 over fiscal year 1997 for the following program increases:

- \$7,699,000 and 120 positions for inspections staffing for increased border control and facilitation at existing airports throughout the United States, including the full-time manning

- by inspectors of the three in-transit lounges at Miami International Airport;
- \$4,000,000 for secure electronic network for traveler's rapid inspection [SENTRI] dedicated commuter lanes, including equipment and facilities modifications, at the following locations: Laredo, Hidalgo, and El Paso, TX, and Nogales, AZ;
- \$1,715,000 and 12 positions to staff three new airports in Oregon, California, and Nova Scotia;
- \$700,000 for automated permit ports, including equipment and facilities modifications, at the following locations: Bridgewater and Limestone, ME; Morses Line and Highgate Springs, VT; Mooers, NY; Sweetgrass, MT; Nighthawk, WA; and Scagway, AK; plus an enrollment center at Mooers, NY;
- \$1,500,000 for installation of automated I-94 equipment at airports in New York, Newark, Seattle, San Francisco, Los Angeles, Honolulu, Chicago, Philadelphia, Miami, and Boston;
- \$2,100,000 for expansion of the INS passenger accelerated service system [INSpass] to 10 new ports of entry;
- \$1,500,000 for Ident; and
- \$3,300,000 for installation of Enforce, a paperless case system designed to get agents out from behind typewriters and into the field, at 25 new sites.

IMMIGRATION EXAMINATIONS FEE

The Committee recommends \$646,916,000 of spending for fiscal year 1998 from offsetting collections from persons applying for immigration benefits, an increase of \$79,366,000 over fiscal year 1997. The Committee is aware that at least \$100,000,000 in carryover is available in this account. Finalized before revelations concerning naturalization abuses under citizenship USA called the very existence of the INS into question, the immigration examinations fee request has had to be totally revamped.

Base transfer to immigration examinations fee.—The recommendation transfers base funding for data communications (\$50,000,000), for legal proceedings (\$2,820,000), and for information and records management (\$11,985,000), from the "Salaries and expenses" account to the "Immigration examinations fee" account. Immigration examination fees may be used for expenses in providing immigration adjudication and naturalization services and support.

Naturalization enhancements.—The recommendation includes a total of \$36,688,000 over fiscal year 1997 for the following program increases: \$23,032,000 for data and communications, including \$3,500,000 for Ident, \$1,250,000 for Enforce, \$10,535,000 for automating the fingerprint clearance process, of which not less than \$7,535,000 is for electronic fingerprint scanners, and \$5,140,000 for CLAIMS; and \$13,656,000 for information and records management, including \$1,806,000 for transition to electronic A files, and \$9,500,000 for a nationwide 1-800 telephone information line to improve customer service.

Executive Office for Immigration Review [EOIR].—The recommendation assumes that \$50,000,000 of carryover available in this account will be used to fund the EOIR. Immigration examination

fees may be used for expenses in providing immigration adjudication.

BREACHED BOND/DETENTION FUND

The Committee recommends \$138,900,000 of spending for fiscal year 1998 from the breached bond/detention fund, an increase of \$132,287,000 over the fiscal year 1997, to support detention of criminal and illegal aliens. The current revenues generated in this account are from breached cash and surety bonds and the penalty portion of receipts collected under section 245(i) of the Immigration and Nationality Act. The recommendation will fund 1,136 detention beds at the State and local level.

Base transfer to breached bond/detention fund.—The recommendation transfers base funding for detention and deportation, a total of \$119,801,000, from “salaries and expenses” to the “breached bond/detention fund.” The fund helps defray the cost of detaining criminal and illegal aliens.

The Committee is aware that section 245(i) of the Immigration and Nationality Act is helpful to legitimate users of the program. However, questions have been raised regarding possible abuse of the 245(i) program. Therefore, the Committee directs the INS to collect the data necessary to determine if abuse exists. As part of the annual budget request, INS shall report to the Committees on Appropriations whether the 245(i) program is being properly administered. In addition, the INS should separately consider whether the application fee for 245(i) applications should be increased beginning in fiscal year 1999.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to \$50,000 to meet unforeseen emergencies and up to \$5,000 to be used for official reception and representation expenses; (2) for the purchase of motor vehicles for police-type use and for uniforms, without regard to general purchase price limitations; (3) for the acquisition and operation of aircraft and for immigration-related research; (4) up to \$400,000 for research to be available until expended; (5) up to \$25,000 to be paid to individual employees for overtime; (6) up to \$5,000,000 for payments to State and local law enforcement agencies engaged in cooperative activities related to immigration; (7) for the extension of dedicated commuter lane pilot projects; and (8) for the implementation of dedicated commuter lane projects in other States on the southern border, including California, but prohibits the collection of a universal border crossing fee. A new proviso implements a change in fingerprinting policy to improve the accuracy of criminal background checks.

CONSTRUCTION

Appropriations, 1997	\$8,841,000
Budget estimate, 1998	73,831,000
Committee recommendation	73,559,000

The Committee recommends \$73,559,000 for fiscal year 1998 for construction projects. The recommendation is \$64,718,000 above the fiscal year 1997 appropriation, and \$272,000 below the fiscal year 1998 request.

The Committee supports the development of a building management program, but expects the necessary manpower (1 FTE) and funding (\$5,272,000) to come out of existing headquarters resources.

Border control and facilitation initiative.—Of the amount recommended, \$39,276,000 is for construction and engineering, distributed as follows:

- Full construction and renovation projects—
- Brownfield, CA, utility connection, \$700,000;
- Tucson, AZ, Border Patrol Station, \$3,000,000;
- Del Rio sector, TX, headquarters, \$7,700,000;
- Rio Grande, TX, Border Patrol Station, \$4,200,000;
- Laredo-North, TX, Border Patrol Station, \$7,670,000;
- Presidio, TX, housing, \$1,800,000; and
- Charleston, SC, Border Patrol Academy, \$5,000,000.

- Planning/site acquisition/design—
- Yuma sector, AZ, headquarters, \$922,000;
- El Centro sector, CA, Border Patrol Station, \$666,000;
- El Centro sector, CA, headquarters, \$450,000;
- Hebbronville, TX, Border Patrol Station, \$422,000;
- Sierra Blanca, TX, Border Patrol Station, \$322,000;
- Alpine, TX, Border Patrol Station, \$308,000;
- Brownsville, TX, Border Patrol Station, \$809,000; and
- Douglas, AZ, Border Patrol Station, \$307,000.

Joint task force 6 [JTF-6] military construction support for the Border Patrol—

- San Diego sector, CA, vehicle barriers, \$400,000;
- El Centro sector, CA, fencing and vehicle barriers, \$650,000;
- Yuma sector, AZ, vehicle barriers, \$400,000;
- Tucson sector, AZ, fencing and vehicle barriers, \$750,000;
- El Paso sector, NM, vehicle barriers, \$650,000;
- Del Rio sector, TX, low-light-level television and drag roads, \$1,250,000;
- Laredo sector, TX, stadium lights, \$400,000; and
- Marfa sector, TX, border roads, \$500,000.

Remove “Criminal and noncriminal deportable aliens construction” account.—Of the amount recommended, \$14,171,000 is for construction and engineering, distributed as follows:

- New construction—
- Krome lockdown facility, Miami, FL, utility connection, \$2,000,000; and
- Port Isabel, TX, service processing center, \$10,000,000.
- Plan/site/design—
- Port Isabel, TX, service processing center phase 3, \$1,000,000;
- El Centro, CA, service processing center, \$486,000;
- Florence, AZ, service processing center, \$585,000; and
- Varick Street, New York, NY, service processing center, \$100,000.

FEDERAL PRISON SYSTEM

Appropriations, 1997	\$3,189,240,000
Budget estimate, 1998	3,244,610,000
Committee recommendation	3,207,868,000

The Committee recommends total budgetary resources of \$3,207,868,000 for the Federal prison system for fiscal year 1998, including \$26,135,000 from the violent crime reduction trust fund, \$3,091,733,000 from discretionary appropriations, and \$90,000,000 in end-of-year carryover balances.

SALARIES AND EXPENSES

Appropriations, 1997	\$2,793,540,000
Budget estimate, 1998	2,991,777,000
Committee recommendation	2,940,035,000

The Committee recommends total budgetary resources of \$3,030,035,000 for the salaries and expenses of the Federal prison system for fiscal year 1998, including \$26,135,000 from the violent crime reduction trust fund, \$2,913,900,000 from discretionary appropriations, and \$90,000,000 in end-of-year carryover balances.

Activation of new prisons.—The Committee understands that because of delays in scheduled activations for 1998 the appropriation required for the Federal prison system can be reduced by \$95,820,000 without affecting requested program levels. According to information provided to the Committee by the BOP on June 17, 1997, the Bureau anticipates \$90,000,000 in funds that will carry over from fiscal year 1997 as a result of delays in activations of facilities that were scheduled to open either in 1997 or previous years.

The Committee recommendation includes funding to activate the following new and expanded facilities in fiscal year 1998:

- Beaumont, TX—minimum-security facility;
- Taft, CA—Federal correctional institution;
- Yazoo City, MS—low-security facility;
- Edgefield, SC—Federal correctional institution;
- Forrest City, AR—low-security facility;
- Carswell, TX AFB—low-security facility;
- Morgantown, WV—expansion;
- Seattle, WA—detention facility; and
- Elkton, OH—low- and minimum-security facility.

In addition, the recommendation includes a total of \$26,135,000 in resources from the violent crime reduction trust fund as authorized in the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) to treat approximately 6,000 Federal prison inmates with substance abuse problems.

The Committee is aware that the Department and BOP have been considering the ramifications of the transfer of District of Columbia sentenced felons. The Committee believes it would be premature to take any action on this issue until a coordinated plan has been agreed to by both the Senate and the House of Representatives.

The Committee recommendation includes increases for the following two programs:

Intelligence gathering.—The Committee recommends \$1,447,000 for intelligence gathering which will enhance the BOP's ability to identify the skills, capabilities, and background of inmates coming into the BOP.

Electronic freedom of information.—The Committee recommends \$1,452,000 which will permit the BOP to meet the newly passed

Electronic Freedom of Information Act of 1996. The act will allow public access to information in an electronic format and impose new requirements related to the processing of requests submitted under the Freedom of Information and Privacy Acts.

Privatization of Federal prison facilities.—The privatization contract for Taft, CA, will be awarded shortly and the facilities will be ready to accept inmates by December 1997. Because of (1) the considerable time and expense already put forth to prepare for the privatization of these facilities; (2) the benefits that prison privatization already has demonstrated at the State and local level; and (3) support within that community for privatization, the Committee directs the Bureau of Prisons to report on the progress of the 5-year prison privatization demonstration project involving the two Taft facilities. The demonstration project is needed to give the administration and Congress an opportunity to monitor safety and operational concerns cited by the Department of Justice. The report should be provided no later than February 1, 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 as discussed above for activation of prisons to remain available until September 30, 1998; (7) up to \$20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants; (8) for the Federal prison system to enter into contracts and other agreements with private entities for a multiyear period for the confinement of Federal prisoners; and (9) for the National Institute of Corrections hereafter to be included in this account and merges balances from prior years to this account. Also, the Committee urges the Bureau to favorably consider development of MDTV at the Beckley Federal prison facility.

The Committee has become aware of evidence of an extremely high prevalence of hepatitis C among inmates of Federal and State prisons. The Committee is concerned about the health risk this may pose to prison inmates, correctional officers, and the communities to which inmates will return. The Committee is also concerned about the impact of widespread untreated hepatitis C infection on the prison health system in the future. The Committee urges the Federal Bureau of Prisons to incorporate routine screening for hepatitis C virus [HCV] as part of any mandatory or voluntary blood testing now undertaken in the system for either inmates or correctional officers. The Committee further urges the Bureau to adopt a policy of providing information on the disease and treatment options to inmates or employees who test positive for HCV.

The Committee encourages BOP to continue exploring alternative strategies for delivering medical services to inmates. In particular, the Bureau should contract with other Government agencies where community standard services are economically advantageous and conveniently provided.

BUILDINGS AND FACILITIES

Appropriations, 1997	\$395,700,000
Budget estimate, 1998	252,833,000
Committee recommendation	267,833,000

The Committee recommends a total of \$267,833,000 for fiscal year 1998 for the construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners. This amount is \$127,867,000 less than the fiscal year 1997 appropriation and \$15,000,000 more than the fiscal year 1998 budget request. The Committee directs that of the total amount appropriated, not to exceed \$2,300,000 shall be available for the renovation and construction of U.S. Marshal Service prisoner-holding facilities.

Federal prison capacity.—The Committee continues to be concerned with the level of overcrowding in the Federal prison system which is 25 percent above rated capacity. The level of overcrowding in Federal high-security prisons continues to remain dangerously high at over 60 percent. The Committee is especially concerned about the overcrowding at the Federal correctional institutions located in Lompoc, CA. Overcrowding hovers between 60 and 100 percent. Under these circumstances, the Committee views the administration's plan, as outlined in the budget, to allow 22 percent overcrowding by 2006 as insufficient and irresponsible. Again, the Committee directs BOP to evaluate critical space needs, review site options for the higher security facility, and report back with its recommendation by no later than 30 days after enactment of this legislation. In particular, the Department is directed to consider sites in the Western United States. The Committee has provided this additional funding to address what it views as the greatest long-term need within BOP—adequate bed space for Federal inmates convicted of violent crimes. Also, the Committee directs the Department of Justice to program at least \$267,833,000 in the fiscal year 1999 request for building and facilities within the Federal prison system. The Committee directs that no fiscal year 1998 Department of Justice funding for more than two political appointees in INS may be expended until at least \$267,833,000 is programmed and budgeted for prison buildings and facilities in the fiscal year 1999 President's request. The recommendation reflects the Committee's strongly held view that building adequate prison capacity is a critical component of a successful crime-fighting strategy. The Committee remains committed to a goal of zero overcrowding in the Federal prison system.

Also, the Committee urges the BOP to consider expansion of the existing correctional complex in the lower Mississippi Delta area. The Committee directs that no additional real estate be acquired to support the expansion.

Hawaii detention facility.—Last year, the Committee directed BOP to include the funds needed to complete construction of a pre-trial detention facility in Hawaii in future budget submissions. No funds were requested in the President's budget. However, the BOP submitted a request to transfer \$25,000,000 from salaries and expenses to the "Buildings and facilities" appropriation within BOP

to increase capacity of the Federal detention center in Hawaii. The Committee approves the transfer request.

Lee County, VA, facility.—The BOP also submitted a request to transfer \$14,500,000 from salaries and expenses to the “Buildings and facilities” appropriation within BOP to increase the security level from medium to high at the Lee County, VA, facility. The Committee approves the transfer request.

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

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for planning, acquisition of sites, and construction of facilities; (2) for leasing a facility in Oklahoma City; (3) for acquisition, remodeling, and equipping facilities by contract or force account; (4) up to \$14,074,000 to construct inmate work areas; (5) for use of prisoner labor; (6) up to 10 percent of this appropriation to be transferred to the “Salaries and expenses” account; and (7) up to \$2,300,000 shall be available for the renovation and construction of U.S. Marshals Service prisoner-holding facilities.

Juvenile prisons.—Within available resources, the Committee directs the Department to initiate a study on the need for juvenile or other special population Federal prison facilities in Alaska, California, Mississippi, Montana, New Hampshire, South Carolina, and West Virginia. The report should be provided to the appropriate committees no later than February 1, 1998.

FEDERAL PRISON INDUSTRIES, INC.

(LIMITATION ON ADMINISTRATIVE EXPENSES)

Appropriations, 1997	\$3,042,000
Budget estimate, 1998	3,930,000
Committee recommendation	3,042,000

The Committee recommends a limitation on administrative expenses of \$3,042,000 for the Federal Prison Industries, Inc., for fiscal year 1998, which is \$888,000 below the amount requested and equal to the current year limitation.

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

OFFICE OF JUSTICE PROGRAMS

Appropriations, 1997	\$4,142,405,000
Budget estimate, 1998	4,130,209,000
Committee recommendation	4,622,740,000

The Committee recommends a total of \$4,622,740,000 in new budget (obligational) authority for fiscal year 1998, including \$3,719,650,000 from the violent crime reduction trust fund for the various law enforcement assistance, juvenile justice, research, and statistics programs of the Office of Justice Programs [OJP].

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

JUSTICE ASSISTANCE

Appropriations, 1997	\$118,429,000
Budget estimate, 1998	166,665,000
Committee recommendation	183,165,000

The Committee recommends \$183,165,000 in direct appropriations for justice assistance for fiscal year 1998.

The funding provided for Justice assistance includes assistance to States for 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.

JUSTICE ASSISTANCE

	1997 appropriation	1998 budget estimate	Committee rec- ommendation
National Institute of Justice	\$30,000,000	\$48,670,000	\$48,670,000
Defense/law enforcement technology network	(9,229,000)	(9,229,000)	(9,229,000)
Counterterrorism technologies	10,000,000	10,000,000	14,000,000
Grants to firefighters/emergency service personnel	5,000,000	5,000,000	5,000,000
State and local training—counterterrorism	2,000,000	2,000,000	4,000,000
Bureau of Justice Statistics	21,379,000	21,529,000	21,529,000
Missing children	5,971,000	5,971,000	3,371,000
National Sexual Offender Registry		25,000,000	25,000,000
Regional information sharing system	14,500,000	14,500,000	25,000,000
White Collar Crime Information Center	3,850,000	3,850,000	3,850,000
Management and administration	25,729,000	30,145,000	30,145,000
Total justice assistance	118,429,000	166,665,000	183,165,000

National Institute of Justice.—The Committee recommendation provides \$48,670,000 for the National Institute of Justice [NIJ] for fiscal year 1998, which is a \$18,670,000 increase over the fiscal year 1997 appropriation. The increase is provided to expand evaluation and demonstration programs within NIJ. In addition, \$20,000,000 will be provided to NIJ in fiscal year 1998, as was provided in fiscal year 1997, from the local law enforcement block grant for assisting local units to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. NIJ is the Nation's primary source of research and development in the field of criminal justice. NIJ fosters innovation in law enforcement technologies and practices, investigates causes and patterns of crime, and informs the public of research and development findings.

The Committee is aware of a number of technology initiatives that will enhance local law enforcement capabilities. Within the overall amounts provided for NIJ, \$1,000,000 is equally provided for Mount Pleasant and Charleston, SC, police departments for computer enhancements and policing equipment upgrades.

Within total funding for the NIJ, the Committee directs that increased amounts over fiscal year 1997 be made available for computerized identification systems and forensic DNA analysis technologies.

Defense/justice partnership.—The Committee recommendation includes resources of \$9,229,000 to provide for NIJ management and oversight of this program to support joint efforts by the Justice Department and the Department of Defense to adapt defense technologies to law enforcement use, to field prototype systems for evaluation, to develop standards and test products, and to develop technologies that will minimize the risk of death or injury to law enforcement, corrections officers, and citizens.

Counterterrorism technologies.—The Committee recommendation provides \$14,000,000 for counterterrorism technology programs authorized under section 821 of the Antiterrorism and Effective Death Penalty Act of 1996.

Of the funds provided within the counterterrorism technologies program, the Committee directs \$3,000,000 be provided to the Utah Communications Agency network for a grant to support enhancements and upgrades of security and communications infrastructure to counter any potential terrorism threat related to the 2002 Winter Olympic Games to be held in Utah. The Committee also recommends \$2,000,000 to allow the Law Enforcement Coordinating Council for the 2002 Olympics to develop and support a public safety master plan for the games.

Grants to firefighters and emergency services personnel.—The Committee recommendation provides \$5,000,000 for local firefighter and emergency service training grants as authorized under section 819 of the Antiterrorism and Effective Death Penalty Act of 1996.

State and local counterterrorism training.—The Committee recommendation provides \$4,000,000 for State and local law enforcement training to address antiterrorism preparedness. The recommendation doubles the current fiscal year funding to prevent terrorist acts and to effectively manage multiagency responses to terrorist acts.

Of the funds provided within the State and Local Counterterrorism Training Program, the Committee directs \$2,000,000 be provided for a grant to establish a National, State, and Local Public Training Center for First Responders to domestic terrorist acts at Fort McClellan, AL. The Center will serve as a training facility for all relevant federally supported training efforts that target State and local law enforcement, firefighters, emergency medical personnel, and other key agencies such as public works and State and local emergency management agencies. The focus of the training is to prepare relevant State and local officials to deal with chemical, biological, or nuclear terrorist acts and handle incidents dealing with hazardous materials. The Department of Justice, Bu-

reau of Justice Assistance, shall be designated as the agency charged with directing and coordinating activities at the Center.

Bureau of Justice Statistics.—The Committee recommendation provides \$21,529,000 for the Bureau of Justice Statistics [BJS] for fiscal year 1998, which is \$150,000 more than the current year appropriation. 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 \$3,371,000 for the Missing Children Program for fiscal year 1998, which is \$2,600,000 less than the fiscal year 1997 appropriation and the fiscal year 1998 request. The Committee is recommending the \$2,600,000 and an additional \$3,600,000 for the National Center for Missing and Exploited Children under the Byrne discretionary grants. This program provides funds to combat crimes against children, particularly kidnaping and sexual exploitation.

National Sexual Offender Registry.—The Committee recommendation provides \$25,000,000 for the National Sex Offender Registry for fiscal year 1998. This new program will identify, collect, and exchange State-level sexual offender data through an automated national registry.

Regional information sharing system.—The Committee recommendation provides \$25,000,000 for fiscal year 1998 for the regional information sharing system [RISS], which is \$10,500,000 more than the amount provided for in the current year appropriation. The RISS Program provides funds to maintain six regionally based information sharing centers throughout the United States to assist States in addressing major, multijurisdictional crimes. The increase will facilitate the rapid exchange and sharing of information pertaining to criminals and criminal activity. This exchange and sharing of information will be provided to more Federal, State, and local law enforcement agencies than are currently able to participate under present funding.

White Collar Crime Information Center.—The Committee recommends a total of \$3,850,000 for the National White Collar Crime Center [NWCCC] for fiscal year 1998. This is equal to the full amount requested. This program provides assistance to State and local law enforcement and regulatory agencies in addressing multi-jurisdictional white collar crimes.

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

Inmate health care.—Within Public Law 104–208, the Omnibus Consolidated Appropriations Act, 1997, \$1,000,000 was appropriated to the National Institute of Justice for a national study on soon-to-be released inmates. After considering the scope of work and time needed to adequately conduct such a study, an agreement was reached to extend the initiative's activities and funding allocations into fiscal year 1998. Of the \$1,000,000 that was appropriated, \$500,000 would be made available for activities in fiscal year 1997, with the remaining \$500,000 to be made available in fiscal year 1998. Additional time is necessary for the success of the

national study. The Committee expects the study will begin by September 30, 1997.

Management and administration.—The Committee recommendation provides \$30,145,000 and 411 FTE's for the management and administration [M&A] of the Office of Justice Programs. In addition, reimbursable funding will be provided from the "Juvenile justice" account and the violent crime reduction programs for the administration of grants under these activities. Total funding for the administration of grants is as follows:

Office of Justice Programs Management and Administration

<i>Program</i>	<i>Committee recommendation</i>
Direct appropriation	\$30,145,000
Transfer from juvenile justice programs	5,722,000
Reimbursement from VCRTF programs	41,789,000
Total	77,656,000

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

Appropriations, 1997	\$3,817,150,000
Budget estimate, 1998	3,697,855,000
Committee recommendation	4,046,150,000

The Committee recommends a total of \$4,046,150,000 for fiscal year 1998, of which \$3,594,650,000 is provided from the violent crime reduction trust fund. These funds provide assistance to State and local governments in their drug control and other law enforcement efforts as follows:

OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

	1997 appropriation	1998 budget estimate	Committee Rec- ommendation
Direct appropriation:			
Byrne grants:			
Discretionary	\$60,000,000		\$75,000,000
Weed and seed (earmark)	(28,500,000)		(33,500,000)
Formula	301,000,000		376,500,000
Subtotal, direct appropriation	361,000,000		451,500,000
Violent crime reduction trust fund:			
Byrne grants (discretionary)		\$75,000,000	
Weed and seed (earmark)		(28,500,000)	
Byrne grants (formula)	199,000,000	505,000,000	128,500,000
Community oriented policing services	1,420,000,000	1,545,000,000	1,440,000,000
Police corps	(20,000,000)	(20,000,000)	(40,000,000)
Law Enforcement Scholarship Program		(20,000,000)	
Police Recruitment Grants Program		(5,000,000)	
Prosecutorial initiatives for juveniles		(100,000,000)	
Local law enforcement block grant	523,000,000		503,000,000
Child exploitation investigations (earmark)			(2,400,000)
Boys and Girls Clubs (earmark)	(20,000,000)		(20,000,000)
Drug courts	30,000,000	75,000,000	40,000,000
Violence against women grants	196,500,000	248,750,000	263,750,000
Upgrade criminal history records	50,000,000	45,000,000	45,000,000
State prison grants	670,000,000	710,500,000	740,500,000

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

	1997 appropriation	1998 budget estimate	Committee Rec- ommendation
State Criminal Alien Assistance Program	330,000,000	350,000,000	350,000,000
Violent Youth Court Program		50,000,000	
State prison drug treatment	30,000,000	63,000,000	61,200,000
Other crime control programs:			
Missing Alzheimer Patient Program	900,000	900,000	900,000
Tuberculosis in prisons		1,000,000	
Law enforcement family support	1,000,000	2,205,000	1,000,000
DNA identification State grants	3,000,000	15,000,000	15,000,000
Assistance for at-risk youth		8,000,000	
Motor vehicle theft prevention	750,000	1,000,000	3,800,000
Senior citizens against marketing scams	2,000,000	2,000,000	2,000,000
Presidential summit on crime		500,000	
Subtotal, violent crime reduction trust fund	3,456,150,000	3,697,855,000	3,594,650,000
Total, State and local law enforcement as- sistance	3,817,150,000	3,697,855,000	4,046,150,000

Edward Byrne grants to States.—The Committee recommendation provides \$580,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which \$75,000,000 is for discretionary grants and \$505,000,000 for formula grants. Of the formula grant funding recommended by the Committee, \$128,500,000 is provided under the violent crime reduction trust fund as authorized under the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322.

The Committee directs that the Department of Justice consider sheriffs and district attorneys in Louisiana as units of local government for the purposes of eligibility for block grant funds. The Committee recognizes that it remains the intent of Congress that, as the primary law enforcement and judicial enforcement entities in Louisiana, sheriffs and district attorneys shall be eligible as subgrant recipients of all Department of Justice block grant funds administered by the State of Louisiana.

VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS

Byrne discretionary grants.—The Committee recommendation provides \$75,000,000 for discretionary grants under chapter A of the Edward Byrne Memorial State and Local Assistance Program to be administered by the Bureau of Justice Assistance [BJA] to public or private agencies and nonprofit organizations, for educational and training programs, technical assistance, improvement of State criminal justice systems, and demonstration projects of a multijurisdictional nature. Within the amount provided for these discretionary grants, the Committee expects the Bureau of Justice Assistance [BJA] to provide:

- \$33,500,000 for the Weed and Seed Program, of which the Committee recommends that \$190,000 be provided to the Gospel Rescue Ministries of Washington, DC, for further renovations to the former Fulton Hotel to convert it into a drug treatment center;

- \$6,200,000 for the National Center for Missing and Exploited Children. Of this amount, \$1,900,000 is provided for internet investigations to use and distribute as follows: (1) develop and conduct seminars at the Jimmy Ryce Law Enforcement Training Center for State law enforcement officials to address the issues of crimes against children in cyberspace, and to assist them in the development of State and local cyberpolice units; (2) develop and conduct seminars at the Jimmy Ryce Law Enforcement Training Center for selected Federal agents to address the issue of crimes against children in cyberspace; (3) develop and conduct State based technical training seminars for State and local law enforcement officers on the most successful and innovative investigative approaches; (4) enhance services, contact and support for child victims of online exploitation; (5) develop an aggressive program to enhance public awareness and education regarding child safety on the information highway; (6) develop tools, techniques and strategies for reaching into America's schools with positive, useful information regarding child safety on the information highway; and (7) establish a CyberTipline at the National Center for Missing and Exploited Children so that the center may receive leads and information online regarding missing children and child sexual exploitation. This CyberTipline will extend and enhance the Center's ability to receive vital lead information for Federal, State, and local law enforcement beyond its current toll-free telephone hotline, using cyberspace as a powerful tool to reach the public and solicit investigative leads and tips;
- \$2,097,000 for the Executive Office of United States Attorneys to support the National District Attorneys Association's participation in legal education training at the National Advocacy Center as proposed in the budget request for U.S. Attorneys;
- \$1,000,000 for continued support for the expansion of Search Group, Inc., and the National Technical Assistance Program;
- \$2,000,000 for the Marshall University Forensic Science Program; \$2,000,000 for a rural States management information system demonstration project in Alaska; \$1,000,000 for continuation of the Santee-Lynches Regional Council of Governments Local Law Enforcement Program; \$500,000 for the Alaska Native Justice Center; and \$2,000,000 for the National Neighborhood Crime and Drug Abuse Prevention Program sponsored by the Eisenhower Foundation. The Committee recommends that program management work closely with the Office of Justice programs to select and manage grant recipients of this program to reduce inner-city crime and drug abuse by employing and educating at-risk minority youth;
- \$300,000 for the National Association of Town Watch to support the National Night Out Program;
- \$10,000,000 for the North Carolina Criminal Justice Information Network to be allocated as follows: \$2,500,000 for a Mobile Voice and Data Network, \$4,000,000 to support an automated statewide magistrate system of the Administrative Office of the Courts, and \$3,500,000 for the development of network security systems; and
- \$1,000,000 for continuation of the National Judicial College.

Within the available resources the Committee urges BJA to favorably consider funding for: continuation of the National Crime Prevention Council and the National Citizens Crime Prevention Campaign (McGruff); continuation of New Orleans-based Project Return, a correctional options program; support for a plan to construct a flagship Boys and Girls Club facility located at an appropriate site; and support for Chicago's Family Violence Intervention Program and Female Juvenile Offender Program.

The Committee also urges BJA to favorably consider funding for continuation of the Drug Abuse Resistance Education [DARE America] Program. Recent studies indicate the need for the program to adapt to the changing culture within our schools. The Committee directs the Department to work with officials with the DARE America Program to create new and more effective course criteria aimed at reducing the use of drugs by children. The Department is directed to report to the appropriate committees of jurisdiction about its recommended changes to the program. This report should be provided no later than February 1, 1998.

WEED AND SEED PROGRAM

The Committee recommendation provides \$33,500,000 for the Weed and Seed Program from discretionary grants under the Byrne Program. This amount is \$5,000,000 above the fiscal year 1997 appropriation and the fiscal year 1998 request.

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

COMMUNITY ORIENTED POLICING SERVICES

Appropriations, 1997	\$1,420,000,000
Budget estimate, 1998	1,545,000,000
Committee recommendation	1,440,000,000

The recommendation includes \$1,420,000,000 for community oriented policing services [COPS] for fiscal year 1998. This amount is equal to the fiscal year 1997 appropriation and is \$125,000,000 below the fiscal year 1998 request.

The recommendation provides sufficient funding to meet the agreed upon target of 100,000 police officers by 2000. According to the most recent information available from the Department, a cumulative total of approximately 61,000 officers have been funded. Of these, only an estimated total of 31,181 police officers and sheriff's deputies have been hired. The Committee is concerned that the unusually high unobligated balances of this program may lead to an inability to reach the goal of 100,000 new officers by 2000. As such, the Department is directed to provide a detailed analysis of program accomplishments and objectives projected through 2000 to the House and Senate Committees on Appropriations. The Committee also directs the Department to provide a financial analysis certifying each location's ability to continue funding the police officers acquired by this program after the 3-year grant period has ended.

The program analysis and certification should be provided to the appropriate committees no later than February 1, 1998.

The Committee continues to believe that the primary objective of COPS funding is to hire new police officers in the most cost-effective manner possible. The COPS office should use grant funds to the maximum extent possible to hire more police, and should only use these funds for hiring projects. To help accomplish this goal, the Committee expects that in fiscal year 1998 hiring grants will continue to include grants under the Universal Hiring Program and the COPS MORE Program.

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

The Committee believes an increase in staff is warranted to reduce delays in processing COPS grants. However, the Committee continues bill language similar to the 1997 appropriation limiting the amount spent on program administration. The Committee has included a \$24,669,000 limitation on management and administrative costs within this account to support 270 positions and 228 FTE's. Funding is for making grant awards, payment processing, and grant monitoring. The Committee would be willing to consider a reprogramming request for additional staff based on a demonstrated need. The Committee will only consider additional funding necessary to ensure prompt grant processing and payment and necessary monitoring and evaluation.

Within available funding for training and technical assistance, the Committee recommendation includes the following: \$2,000,000 for the Security Technology Program of the Southwest Surety Institute headquartered at New Mexico State University; and \$2,000,000 to establish a training academy for federally supported first responder training in conjunction with the Energetic Materials Research and Testing Program. The center would target training programs for national, State, and local law enforcement, firefighters, emergency medical personnel, and others involved in first responder crisis management. Training would include planning for and response to terrorist weapons of mass destruction, including chemical, biological, and large-scale blast devices.

Police Corps.—The Committee recommendation includes \$40,000,000 to continue advanced police education and training in the Police Corps Program. This amount is equal to the fiscal year 1997 appropriation and the fiscal year 1998 request.

Law Enforcement Scholarship Program.—The Committee does not provide \$20,000,000 as requested, for the Law Enforcement Scholarship Program. The Committee believes that sufficient resources are provided to Federal, State, and local law enforcement to address this request.

Police Recruitment Grants Program.—The Committee does not provide \$5,000,000 as requested for the Police Recruitment Grants Program. The Committee believes that sufficient resources are provided to Federal, State, and local law enforcement to address this request.

Prosecutorial initiatives for juveniles.—The recommendation does not provide \$100,000,000 for this new request. Instead, the Com-

mittee recommends \$145,000,000 for the Committee's juvenile initiative.

Local law enforcement block grant.—The Committee recommendation includes \$503,000,000 to continue the local law enforcement block grant program which provides grants to localities to reduce crime and improve public safety. Of the amounts provided, \$20,000,000 will be provided to NIJ for assisting local units to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. The recommendation for funding for the local law enforcement block grant continues the commitment to provide local governments with the resources and flexibility to address specific crime problems in their communities. The Committee directs the Department to report to the appropriate committees of jurisdiction on how the funds have been spent to date within the program. The report should indicate available grants which were awarded 2 or more years ago, but not yet expended. The report should be provided to the appropriate committees no later than February 1, 1998. Also, the Committee directs the Department to provide 15 days advance notification of awarded grants which total over \$5,000,000.

The Committee remains concerned over the handling of child pornography investigations at the State and local level. In many cases an online service provider is only the distribution vehicle after a child has been locally victimized. Often, the victimization itself is a local intrastate offense. State and local law enforcement then has the investigative responsibility. They must play a larger role for affective pursuit of these perpetrators. Their role includes multijurisdictional teamwork and multidisciplinary cooperation. Few States and local agencies have the resources and training necessary to successfully investigate and prosecute these cases. Therefore, the Committee provides \$2,400,000 exclusively so that State and local law enforcement may form specialized cyber-units to investigate and prevent child sexual exploitation.

The Committee recommends \$20,000,000 for the Boys and Girls Clubs of America. This is the same amount that was provided for this program in the fiscal year 1997 appropriation.

The Committee is aware of the unique circumstances that exist in the State of Louisiana with regard to the eligibility for the local law enforcement block grant and has included bill language to address this issue.

Juvenile block grants.—This new program is addressed in the report within the Committee's "Juvenile justice programs" account.

Drug courts.—The Committee recommends \$40,000,000 for drug courts. This amount is a 25-percent increase to the fiscal year 1997 appropriation.

Violence Against Women Act.—The Committee recommends \$263,750,000 for grants to support the Violence Against Women Act. This amount represents an increase of \$15,000,000 over the request and \$67,250,000 over the current year appropriation. Grants provided under this recommendation are for the following programs:

VIOLENCE AGAINST WOMEN ACT PROGRAMS

Programs	1997 appropriation	1998 budget estimate	Committee recommendation
STOP grants	\$145,000,000	\$160,000,000	\$160,000,000
Encouraging arrest policies	33,000,000	59,000,000	59,000,000
Rural domestic violence	8,000,000	15,000,000	25,000,000
VAWA training programs	1,000,000	2,000,000	7,000,000
Stalker Program	1,800,000	2,750,000	2,750,000
National study/campus sexual assault	200,000	.....	.....
Victims of child abuse:			
Court appointed special advocate [CASA]	6,000,000	7,000,000	7,000,000
Training for judicial personnel	1,000,000	2,000,000	2,000,000
Federal victim's counselors ¹	(8,090,000)	(18,821,000)	(19,858,000)
Grants for televised testimony	600,000	1,000,000	1,000,000
Total, VAWA programs	196,500,000	248,750,000	263,750,000

¹ Included under U.S. attorneys.

The fiscal year 1998 increase is recommended to continue expansion of units of law enforcement officers and prosecutors specifically targeted at crimes against women. Funding will be used to develop and implement effective arrest and prosecution policies to prevent, identify, and respond to violent crimes against women, strengthen programs addressing stalking; and provide much needed victims' services. This includes specialized domestic violence court advocates who obtain protection orders. In addition, programs would be strengthened to encourage reporting of domestic violence by providing assurances that law enforcement and attorney support systems would be available. This funding is to be distributed to States to significantly enhance the availability of services, prosecutors, and law-enforcement officials to women and children who are subjected to domestic violence.

Within the funding for encouraging arrest policies, the Committee recommendation includes \$1,000,000 for a public-private partnership demonstration project in Las Vegas for a home for victims of domestic abuse. These funds are not permitted to be utilized for construction.

National instant criminal background check system.—The Committee recommends \$45,000,000 for States to upgrade criminal history records so that these records can interface with other data bases holding information on other categories of individuals who are prohibited from purchasing firearms under Federal or State statute.

State prison grants.—The recommendation provides \$740,500,000 for the State Prison Grant Program, of which \$150,000,000 is available to States for the incarceration of criminal aliens and \$35,000,000 for the Cooperative Agreement Program. This program provides grants to States to build and expand temporary or permanent correctional facilities, boot camps, and jails to increase the capacity for confinement of violent criminals.

The Committee has included language to permit violent offender incarceration/truth in sentencing [VOI/TIS] prison construction grant funds to be used to build or expand State or local juvenile correctional facilities, including pretrial detention facilities and

boot camps for violent and nonviolent juvenile offenders. This new language will enable the State of Montana to provide funding from its State prison grant formula award for a juvenile detention unit at the regional detention facility in Missoula, MT.

The Committee has also provided language which provides \$5,000,000 for construction of jails on Indian reservations.

The Committee encourages the Department to favorably consider requests for correctional facility grants by Indian tribes. The Committee directs the Department, within available resources, to provide funding to complete the design phase of the Choctaw Indians tribal detention facility in Choctaw, MS.

State Criminal Alien Assistance Program.—The recommendation provides \$350,000,000 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 \$150,000,000 included for this purpose under the State Prison Grants Program. Thus, the Committee recommends a total of \$500,000,000 for reimbursement to States for alien incarceration, which is equal to the fiscal year 1998 request and the same level as provided in the fiscal year 1997 appropriation.

Last year, the Committee urged the Office of Justice Programs [OJP] to accelerate its schedule for release of these much needed funds. Once again, the Committee finds that fiscal year 1997 SCAAP funding will not be allocated until November 1997. The Committee understands the need for this funding but cannot support the lengthy process which includes the Immigration and Naturalization Service. The Committee directs the Department to use the available fiscal year 1997 funding for fiscal year 1998 requirements. The Department is directed to provide the appropriate committees an obligation and expenditure plan for SCAAP on a quarterly basis for fiscal year 1998.

State court assistance.—The Committee does not provide \$50,000,000 for State court assistance. Instead, the Committee is providing funding for this request within the juvenile initiative.

Substance abuse treatment for State prisoners.—The Committee recommends \$61,200,000, for the Residential Substance Abuse Treatment Program for State Prisoners [RSAT]. This amount is \$31,200,000 more than was provided in fiscal year 1997. The RSAT Program provides financial and technical assistance to assist State and units of local government in developing and implementing residential treatment programs within State and local correctional and detention facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment. Consistent with the authorizing statute, States must agree to require drug testing of individuals enrolled in the treatment program and give preference to projects that assist in the placement of program participants with community-based aftercare services, such as parole supervision, educational and job training, and halfway houses. These aftercare programs cannot be funded with RSAT grant dollars. The \$33,000,000 increase requested in the fiscal year 1998 budget will be used to expand services to prisoners in State and local correction and detention facilities. The Committee estimates that 22,000 inmates could be treated in 1998.

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

Tuberculosis in prisons.—The recommendation does not include additional funds for treatment of tuberculosis in Federal and State prisons. In fiscal year 1997, \$1,000,000 was provided for this program.

Law enforcement family support programs.—The recommendation provides \$1,000,000 for this program to assist Federal, State, and local law enforcement agencies in developing and implementing policies and programs to reduce stress and provide appropriate support services for law enforcement officers and their families.

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 equal to the fiscal year 1998 request and \$12,000,000 above the amount provided in the fiscal year 1997 appropriation.

Within the amount made available under this program and in conjunction with State grants and the expanded use of technology grants available through the local law enforcement block grant, up to \$35,000,000 is available to develop or improve forensic DNA testing capabilities in State and local forensic laboratories. It is also available to foster cooperation and mutual assistance among forensic DNA laboratories within States. Funds could be used for efforts between States that are seeking to match and exchange DNA identification records for law enforcement purposes using the FBI's combined DNA index system [CODIS]. Also, the Committee expects the OJP to examine proposals for the National Center for Forensic Science at the University of Central Florida, and provide a grant, if warranted.

Assistance for at-risk youth.—The recommendation does not include \$8,000,000 for at-risk youth programs. Instead, the Committee recommends \$145,000,000 for the Committee's juvenile initiative.

The Committee recognizes the importance of providing vocational training to at-risk youth to help prevent delinquent behavior and recidivism. The Committee takes note of the ongoing work of the new task force on training and employment of high risk youth, sponsored by the Office of Juvenile Justice and Delinquency Prevention [OJJDP]. In light of the importance of best utilizing the Federal Government's resources in vocational training and youth crime prevention, the Committee urges the Attorney General to collaborate with the Secretary of Labor on additional ways to formally coordinate and dedicate resources to support vocational training for at-risk youth, as part of the new juvenile initiative within OJJDP.

Motor vehicle theft prevention.—The recommendation provides \$3,800,000 for grants to combat motor vehicle theft through cooperative partnerships between car owners and State and local law enforcement. This amount is \$3,050,000 above the fiscal year 1997 appropriation and \$2,800,000 above the fiscal year 1998 request. Within the amount provided for motor vehicle theft prevention, the Committee recommends \$2,800,000 for the national motor vehicle title information system [NMVTIS] to link multistate data bases.

The Committee provides these funds and states that the proceeds from this program be passed on to the States involved with this program.

Senior citizens against marketing scams.—The recommendation provides \$2,000,000 as requested for a new program to assist law enforcement in preventing and stopping marketing scams against the elderly.

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

JUVENILE JUSTICE PROGRAMS

Appropriations, 1997	\$174,500,000
Budget estimate, 1998	230,422,000
Committee recommendation	380,422,000

The Committee recommendation provides a total of \$380,422,000 for juvenile justice programs for fiscal year 1998. This funding level is \$205,922,000 more than the 1997 appropriation and is \$150,000,000 more than the request.

Juvenile justice and delinquency prevention.—Juvenile crime has reached a crisis level. Our culture has significantly changed. The standard of a husband and wife with children no longer holds. Instead, such a family is atypical. The Committee believes that communities must now begin to maintain greater support systems. It used to be that the family was the dominant means of support. Today, neighborhoods and schools also provide this support. As we become a global society, support will come from a matrix of different parts of the community surrounding a person. The Committee supports the community to integrate people from all areas within a town, city, or county. These groups, who have collaborated on creating effective juvenile laws, include school officials, representatives of the chamber of commerce, local law enforcement, and other related government officials.

The Committee recommendation includes a total of \$145,000,000 for fiscal year 1998 for a new program called the Juvenile Block Grant Program.

The Committee recognizes that changes to juvenile justice and delinquency prevention [JJDP] programs are being considered in the authorization process. As such, the Committee recommendation includes language that makes this program subject to the provisions of any authorizing legislation that is enacted and that any provisions in this act that are inconsistent with that legislation shall no longer have effect.

The Committee recommendation includes a total of \$230,922,000 for fiscal year 1998 for administrative expenses and grants to States and localities for projects in the areas of education, research, prevention, and rehabilitation as follows:

- \$5,922,000 for the Office of Juvenile Justice and Delinquency Prevention [OJJDP] (part A);
- \$86,500,000 for formula grants for assistance to State and local programs (part B), \$5,000,000 shall be available for a discretionary tribal grants program designed to address juvenile needs;

- \$29,500,000 for discretionary grants for national programs and special emphasis programs (part C). Within the amount provided for part C discretionary grants, the Committee directs OJJDP to provide the following:
 - \$3,000,000 for Parents Anonymous, Inc., to support delinquency prevention and self-help programs;
 - \$2,300,000 to continue and expand the National Council of Juvenile and Family Courts which provides continuing legal education in family and juvenile law;
 - \$2,000,000 for technical assistance for the Juvenile Mentoring Program;
 - \$2,000,000 for volunteer grassroots drug prevention programs that mobilize parent action teams nationwide to conduct community teen drug awareness education and prevention activities that guarantee increased parental involvement;
 - \$1,900,000 for continued support for law-related education;
 - \$1,185,000 for the Jimmy Ryce Law Enforcement Training Center to meet the needs of State and local law enforcement officials investigating missing and exploited children cases;
 - \$1,350,000 for establishment of a center on crimes and violence against children that focuses on the reality that children are disproportionate victims of crime and violence;
 - \$1,000,000 to Big Brothers/Big Sisters of America to support the expansion of the federation's capacity to serve more at-risk children. The Committee notes that Big Brothers/Big Sisters programs contribute directly to a reduction in the rate of juvenile delinquency, and that the Big Brothers/Big Sisters federation has publicly committed to doubling the number of children through its program;
 - \$550,000 to the Coalition for Juvenile Justice;
 - \$850,000 for a grant to the Vermont Department of Social and Rehabilitation Services to establish a national model for Community Youth Justice Boards;
 - \$500,000 for a grant to the Center for the Study and Prevention of Juvenile Crime and Delinquency; \$2,000,000 for the Consortium on Children, Families, and the Law; \$2,800,000 for a grant to the Dona Ana Camp; \$1,000,000 for the New Mexico prevention project; \$200,000 to the State of Alaska for a study on child abuse and criminal behavior linkage; and \$1,750,000 for the Shelby County, Tennessee Juvenile Offender Transition Program.

In addition, the Committee directs OJJDP to examine each of the following proposals, to provide grants if warranted, and to report to the Committee on its intentions for each proposal: a grant to the Hill Renaissance Partnership; a grant to the Lincoln Council on Alcoholism and Drugs; a grant to the Hamilton Fish National Institute on School and Community Violence; a grant at the fiscal year 1996 level of funding to the Low Country Children's Center; a grant for the Comprehensive Juvenile Justice Crime Prevention Initiative and Juvenile Assessment Center in Gainesville, FL; and a grant to the No Hope in Dope Program.

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

- \$12,000,000 to expand the Youth Gangs (part D) Program which provides grants to public and private nonprofit organizations to prevent and reduce the participation of at-risk youth in the activities of gangs that commit crimes. Within the amount provided for part D Youth Gang grants, the Committee directs OJJDP to provide \$300,000 to the Metro Denver Gang Coalition to provide an arena for service providers and community members to share information, support program efforts, and create positive changes in youth, families, and communities.
- \$10,000,000 for discretionary grants for State challenge activities (part E). This program authorizes the OJJDP Administrator to award grants which could increase the amount of a State's formula grant by up to 10 percent, if that State agrees to undertake some or all of the 10 challenge activities included in this program. These challenge activities are designed to improve various aspects of a State's juvenile justice and delinquency prevention programs.
- \$12,000,000 for the Juvenile Mentoring Program (part G). This program seeks to reduce juvenile delinquency, improve academic performance, and reduce the dropout rate among at-risk youth through the use of mentors. The program brings together young people in high crime areas with law enforcement officers and other responsible adults who are willing to serve as long-term mentors.
- \$75,000,000 for the Anti-Truancy, School Violence, and Crime Intervention Program, a new program to assist communities in reducing juvenile crime through the local development and implementation of crime intervention.

Victims of Child Abuse Act.—The Committee recommends a total of \$4,500,000 for the various programs authorized under the Victims of Child Abuse Act [VOCA]. Funds provided to establish regional and local children's advocacy centers may not be used to provide legal aid. In addition, funding of \$7,000,000 is provided for victims of child abuse programs included under the Violence Against Women Program funded under State and local assistance, violent crime reduction programs. The total amounts recommended for the Victims of Child Abuse Act, equal the amounts provided in the current fiscal year and the full amount requested in the budget. The following programs are included in the recommendation:

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

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

PUBLIC SAFETY OFFICERS BENEFITS

Appropriations, 1997	\$32,326,000
Budget estimate, 1998	35,267,000
Committee recommendation	33,003,000

The Committee recommends \$33,003,000 in direct appropriations and \$2,264,000 in carryover for total budgetary resources of \$35,267,000 for fiscal year 1998 as requested. The recommendation includes sufficient funding for death and disability benefits under the Public Safety Officers Benefits Program and will fully fund anticipated payments in fiscal year 1998. This program provides a lump-sum death benefit payment to eligible survivors of Federal, State, and local public safety officers whose death was the direct and proximate result of a traumatic injury sustained in the line of duty. In addition, the recommendation assumes \$2,264,000 in end-of-year carryover balances for lump-sum payments to public safety officers who are permanently disabled in the line of duty, and \$2,000,000 for Federal law enforcement education assistance.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The Committee recommends the following general provisions included in previous appropriations act unless otherwise noted:

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

Section 102, included in previous appropriations acts, continues for fiscal year 1998 certain authorities for the Justice Department that were contained in the Department of Justice Authorization Act, fiscal year 1980.

Section 103, included in previous appropriations acts, prohibits the use of funds to perform abortions in the Federal Prison System.

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

Section 105, included in previous appropriations acts, 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, similar to that included in previous appropriations acts, and recently amended in Public Law 104–19, allows the Department of Justice to spend up to \$10,000,000 for rewards for information regarding acts of terrorism against a U.S. person or property at levels not to exceed \$2,000,000 per reward.

Section 107, similar to that included in previous appropriations acts, 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, included in prior appropriations acts, allows balances remaining in the assets forfeiture fund after September 30,

1997, to be available to the Attorney General for any authorized purpose of the Department of Justice.

Section 109 adds new language that authorizes the Director, Federal Bureau of Investigation, to carry out a 2-year demonstration project regarding the viability of defensive arming of investigative specialists assigned to special surveillance groups that conduct surveillances in counterintelligence and counterterrorism matters. Under the 1995 Counterterrorism Supplemental Act, the FBI was provided additional special surveillance group personnel to support counterterrorism investigations. Special surveillance group members face an increased threat to personal safety due to the working environment under which they must operate and the more dangerous nature of surveillance targets, especially in counterterrorism cases. This authority would support a 2-year demonstration project to evaluate the viability of enhancing the safety of surveillances through a limited defensive training and arming of special surveillance group investigative specialists.

Section 110 merges the immigration detention account and the breached bond/detention fund.

Section 111 extends a fine that helps fund the INS detention account.

Section 112 extends naturalization opportunities for Filipino Army, scouts, and guerrilla veterans of World War II.

Section 113 adjusts immigration law that is being exploited by foreign students.

Section 114 redirects unexpended crime victims fund balances to the Office of Victims of Crime. Of the amount made available, \$11,525,000 will be transferred to U.S. attorneys for victim and witness assistance programs. Allotment of the remaining funds is subject to section 605 of this act.

Section 115 implements a ruling of the U.S. Court of Federal Claims.

Section 116 recommends amendments to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Improvement Act, Title XVII of the Violent Crime Control and Violent Crime Control and Law Enforcement Act of 1994, including the following changes: (1) allows States to choose the agency that must administer the registration of sex offenders; (2) allows States to create more than one board to determine whether an individual is a sexually violent offender or predator; (3) allows the Attorney General to waive the State board requirement; (4) allows States to choose which agencies or officials will be responsible for informing sex offenders of their obligation to register; and, (5) allows States to determine how, with what agency, and within what time period sex offenders must register. These changes are meant to give States greater flexibility in creating and implementing their individual sex offender registration programs.

Within this general provision, the Committee also recommends registration requirements for sex offenders who would be required to register in their States of residence under the Jacob Wetterling Act and who also are military personnel, Federal parolees, out-of-State students, and workers. These requirements also apply to parolees who move from one State in a parole compact to another in that compact.

The general provision also includes a sense of the Congress that each State shall create laws to prohibit any stalking of juveniles. Each State is urged to submit a report to the Attorney General regarding efforts to create these types of laws.

Section 117 expands and extends the entrepreneurial visa program.

Section 118 provides additional U.S. Marshals Service security.

Section 119 authorizes the transfer to State and local governments certain surplus property for use for law enforcement or fire and rescue purposes.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of \$4,232,143,000 for the U.S. Trade Representative, the International Trade Commission, and the Department of Commerce for fiscal year 1998. This amount is \$3,528,144,000 below the total request. However, this significant difference reflects an advance appropriation which the Committee does not recommend. Also, the recommendation is \$368,130,000 above the total amount appropriated for these programs for fiscal year 1997.

TRADE AND INFRASTRUCTURE DEVELOPMENT

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

RELATED AGENCIES

OFFICE OF THE U.S. TRADE REPRESENTATIVE

SALARIES AND EXPENSES

Appropriations, 1997	\$21,449,000
Budget estimate, 1998	22,092,000
Committee recommendation	22,092,000

The Committee recommends an appropriation of \$22,092,000 for the Office of the U.S. Trade Representative [USTR] for fiscal year 1998, which is the requested level. This amount is \$643,000 above the fiscal year 1997 appropriation.

With the implementation of several major trade treaties, including the North American Free Trade Agreement [NAFTA] and the Uruguay Round Agreement [URA], the enforcement responsibilities of the USTR have expanded dramatically. Since the USTR is part of the Office of the President, it has fallen under the White House directive to cut overall employment levels by 25 percent. The Committee encourages the Trade Representative to seek additional enforcement personnel in the agency's fiscal year 1999 budget submission to the Office of Management and Budget [OMB]. The Committee expects OMB, and the Office of the President, to give the agency the legal resources necessary to enforce agreements to which the United States is a signatory.

For this fiscal year, the Committee recommends that the Trade Representative seek additional detailees from the Departments of Commerce, State, and Agriculture, as well as the International Trade Commission, to assist in these important enforcement activities.

The Committee is concerned about the increased number of political appointees at the agency. In fiscal year 1991, 22 positions out of 155 at the agency were filled by political appointments, or 14 percent. In the current fiscal year, 31 out of 149 positions are encumbered by political appointees, or 20 percent, which is a slight reduction from a high of 35 appointees in fiscal year 1995. Since its inception, USTR has operated with a limited number of political appointees and has been able to serve the goals of each successive administration. The Committee does not believe the increase in the number of political appointments at the agency serves the public interest. The Committee directs USTR to reduce the number of political appointees to a level that represents no more than 15 percent of the total work force by May 1, 1998.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriations, 1997	\$40,850,000
Budget estimate, 1998	41,980,000
Committee recommendation	41,000,000

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

The Committee recommends an appropriation of \$41,000,000 for the International Trade Commission for fiscal year 1998. This amount is \$980,000 under the budget request and \$150,000 over the fiscal year 1997 level.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Appropriations, 1997	\$270,000,000
Budget estimate, 1998	271,636,000
Committee recommendation	280,736,000

The Committee recommends an appropriation of \$280,736,000 for the programs of the Commerce Department's International Trade Administration [ITA]. The amount provided is \$9,100,000 above the request and an increase of \$10,736,000 above the appropriations provided for fiscal year 1997.

The Department of Commerce projects ITA will end fiscal year 1998 with \$8,800,000 in carryover balances, of which \$4,400,000 is a transfer from the Agency for International Development [AID]. The Committee directs the Department to use the remaining \$4,400,000 in resources to fund ITA activities in fiscal year 1998.

The recommended funding levels are reflected in the following table:

ITA FUNDING

[In thousands of dollars]

	1997 enacted	Budget request	Committee recommendation
Trade development	58,430	50,204	65,704
Market access and compliance	17,100	18,892	17,892
Import Administration	29,018	30,932	30,932
U.S. and Foreign Commercial Service	165,452	171,608	170,608
Carryover			(4,400)
ITA total appropriation	270,000	271,636	280,736

The Committee is concerned about recent media reports concerning ITA's Advocacy Center. All U.S. exporters should have the same access to export assistance from ITA. The advocacy center was formed to help U.S. businesses win foreign procurement contracts. That the Advocacy Center reportedly received calls for assistance that were tied to campaign contributions does not appear to be the fault of ITA. Rather, the existence of the advocacy center and these instances of special treatment lead the Committee to question the need for the center. The Committee has decreased the funding for the center by \$400,000.

The Committee recognizes that the Market Development Cooperator Program is particularly effective in building public/private export marketing partnerships. The Committee recommends that \$2,500,000 of ITA's fiscal year 1998 funds be used to support the Market Development Cooperator Program. Of this amount, no more than \$500,000 is to be used to cover the administrative costs of the public/private partnerships.

During fiscal year 1997, funding was provided for the Access Mexico project to provide assistance to United States firms seeking technically accurate information about Mexican environmental laws and regulations. Great progress is being made in this effort. In order to provide the support to continue in this effort and to provide affordable electronic access to this information, the Committee recommends fiscal year 1998 funding of \$490,000.

The recommendation assumes funding the National Textile Center at a level of \$12,000,000, of which amount \$1,600,000 shall be used to expand the consortium to include the Philadelphia College of Textiles. The recommendation also assumes funding the Textile/Clothing Technology Center at a level of \$3,000,000 during fiscal year 1998.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Appropriations, 1997	\$39,900,000
Budget estimate, 1998	43,126,000
Committee recommendation	43,126,000

The Committee recommends an appropriation of \$43,126,000 for the Bureau of Export Administration [BXA], the amount provided at the level of the fiscal year 1998 request and \$3,226,000 above the amount appropriated for fiscal year 1997.

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

Counterterrorism activities.—Two significant actions have occurred during the past year which will have an effect on BXA’s fiscal year 1998 programs: the transfer of the Department of State encryption export controls to BXA; and, the Senate’s ratification of the Chemical Weapons Convention.

The recommendation includes \$926,000 to support BXA’s assumption of encryption export controls from the Department of State with permanent authority and full-time equivalent personnel to operate the program. The President transferred encryption export controls from the Department of State to the Department of Commerce in an Executive order signed on November 15, 1996. A subsequent notice of transfer was sent to the Committee by the Department of Commerce on January 28, 1997. It was approved by the Committee on April 23, 1997. The notice requested transfer of \$834,000 in fiscal year 1997 funds from ITA operations and administration to BXA operations and administration to implement the Executive order.

The recommendation includes the requested funding of \$2,300,000 for BXA’s enforcement responsibilities under the Chemical Weapons Convention Treaty, which was ratified by the Senate on April 23, 1997. The Committee expects to be informed if the agency encounters any difficulties during the implementation of its enforcement regime in support of the treaty.

The recommendation does not reflect a projected \$1,000,000 in end-of-year carryover balances for this account. The Department of Commerce informed the Committee of this projected carryover but indicated that \$700,000 of this amount is due to accounting write-offs. The Committee expects any remaining resources will be used to supplement activities in the Bureau of Export Administration in fiscal year 1998.

ECONOMIC DEVELOPMENT ADMINISTRATION

Appropriations, 1997	¹ \$348,536,000
Budget estimate, 1998	343,028,000
Committee recommendation	272,028,000

¹ Excludes amounts for emergency appropriations.

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

The Committee recommends total funding of \$272,028,000 for the programs and administrative expenses of the Economic Development Administration for fiscal year 1998. This is \$71,000,000 below the request and is \$76,508,000 below the fiscal year 1997 level excluding emergency appropriations. Funding amounts for the two appropriations accounts under this heading are displayed below. No funds appropriated for EDA under this title for fiscal year 1998 are to be directed toward any projects under the so-called brownfields initiative until such use is authorized by Congress.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Appropriations, 1997	¹ \$328,500,000
Budget estimate, 1998	319,000,000
Committee recommendation	250,000,000

¹Excludes amounts for emergency appropriations.

The Committee recommendation provides total funding of \$250,000,000 for economic development assistance programs [EDAP] in fiscal year 1998. This amount is a decrease of \$78,500,000 below the fiscal year 1997 level and is \$69,000,000 below the budget request.

The Committee recommendation includes funding of \$70,000,000 for defense economic adjustment. In addition, the Committee recommendation provides \$87,228,000 for public works grants (title I), \$19,572,000 for planning assistance, \$9,500,000 for trade adjustment assistance, and \$63,700,000 for economic adjustment grants (title IX). Language is included in the bill to allow the Secretary of Commerce to provide financial assistance to projects located on military bases that are closed or scheduled for closure. Assistance may be provided prior to the grantee having taken title for the property in question. Identical language has been carried in the bill for the past 4 years. The Secretary is directed to provide a report to the Committee by September 30, 1997, about any anticipated assistance to such facilities during fiscal year 1998. The Committee is aware of several proposals for economic development assistance and strongly urges EDA to consider applications for the following proposals within applicable procedures and guidelines and provide a grant if warranted: (1) to undertake a defense conversion project by developing a new biomedical research building and ambulatory care facility in Aurora, CO, by the University of Colorado Health Sciences Center as part of the conversion and redevelopment of the Fitzsimons Army Medical Center; (2) to develop a passenger terminal and control tower at the Bowling Green/Warren County (KY) regional airport; (3) to develop the Jackson Falls Heritage Riverpark in Nashua, NH; (4) an economic development proposal for the Bristol Bay Native Association; (5) to redevelop abandoned property in the city of Newark, NJ; (6) renewal of the Pacific Science Center in Seattle, WA; (7) to develop the Rodale Center at Cedar Crest College in the Lehigh Valley, PA; (8) a minority labor force initiative effort through enterprise development designed match supply and demand with industry needs in South Carolina; (9) a rehabilitation project for the economic development of Arriba County, NM, and Conejos County, CO, submitted by the Cumbres and Toltec Scenic Railroad Commission; (10) a proposal by the city of Quincy, MA, to support revitalization of the Fore River Shipyard; (11) a proposal to create a native American manufacturer's network in Montana; (12) to develop the National Canal Museum economic development project in Easton, PA; and (13) to undertake the repair and improvement of the Cranston Street Armory in Providence, RI.

SALARIES AND EXPENSES

Appropriations, 1997	\$20,036,000
Budget estimate, 1998	24,028,000
Committee recommendation	22,028,000

The Committee recommendation provides \$22,028,000 for the salaries and expenses of the Economic Development Administration [EDA]. EDA has been successful in its efforts to downsize the administration after significant funding cuts last year. The Committee directs EDA to continue to look for ways to streamline central headquarters and regional offices in order to allow for adequate field office staffing. Field representation plays an essential role in EDA's mission and should be maintained whenever possible.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

Appropriations, 1997	\$28,000,000
Budget estimate, 1998	27,811,000
Committee recommendation	27,811,000

The Committee recommends the requested level of \$27,811,000 for the Minority Business Development Agency [MBDA] in fiscal year 1998. The Committee notes that since its inception in 1969, neither the MBDA nor its predecessor, the Office of Minority Business Enterprise, has ever been authorized. The Committee recommends that the Little Rock, AR, Minority Business Development Center remain in operation and that MBDA should renew its contract with its service providers for this center. In addition, the Committee expects the MBDA to give due consideration to a grant proposal from the Seattle based black dollar days task force.

ECONOMIC AND INFORMATION INFRASTRUCTURE

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

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

Appropriations, 1997	\$45,900,000
Budget estimate, 1998	52,196,000
Committee recommendation	47,917,000

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

The Committee recommendation provides funding of \$47,917,000, which is \$2,017,000 more than the level of funding for fiscal year 1997 for economic and statistical analysis programs and is \$4,279,000 less than the administration's request.

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

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

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

BUREAU OF THE CENSUS

Appropriations, 1997	\$345,500,000
Budget estimate, 1998	661,182,000
Committee recommendation	658,782,000

The Committee recommendation provides \$658,782,000 for the Bureau of the Census for fiscal year 1998. This amount is an increase of \$313,282,000 above the amount provided for fiscal year 1997 and is \$2,400,000 below the President's request. The Committee's recommendations for the Census Bureau accounts are described in more detail below.

SALARIES AND EXPENSES

Appropriations, 1997	\$135,000,000
Budget estimate, 1998	138,056,000
Committee recommendation	138,056,000

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

The Committee recommends the designation of a Jonesboro-Paragould, AR, Metropolitan Statistical Area in lieu of the Jonesboro, AR, Metropolitan Statistical Area. This new metropolitan statistical area should include both Craighead and Greene Counties.

The Committee recommendation provides \$138,056,000 for the salaries and expenses of the Bureau of the Census for fiscal year 1998. This amount is \$3,056,000 more than the fiscal year 1997 appropriation and is at the requested level for fiscal year 1998.

PERIODIC CENSUSES AND PROGRAMS

Appropriations, 1997	\$210,500,000
Budget estimate, 1998	523,126,000
Committee recommendation	520,726,000

This account provides for the constitutionally mandated decennial census, quinquennial censuses, and other programs which are

cyclical in nature. Additionally, individual surveys are conducted for other Federal agencies on a reimbursable basis.

The Committee recommends \$520,726,000 for periodic censuses and related programs for fiscal year 1998. This amount is an increase of \$310,226,000 above the amount provided for fiscal year 1997 and is \$2,400,000 below the budget request.

The recommendation includes \$354,800,000 for the year 2000 Decennial Census Program, an increase of \$271,910,000 over the current year level. The Committee has included bill language which directs the Department not to make irreversible plans or preparation for the use of sampling or any other statistical method (including any statistical adjustment) in taking the 2000 decennial census of population for purposes of apportionment of Representatives in Congress among the States. The Committee remains concerned about the ability of the Bureau of the Census to implement census 2000. There are legitimate concerns about the use of sampling to conduct the census for the purpose of apportioning representation in the House of Representatives. The focus of the Bureau's fiscal year 1998 activities will be the dress rehearsal for census 2000. The Committee has been advised by the Department of Commerce that the funding level being provided to the Bureau in fiscal year 1998 will be sufficient to cover the cost of the dress rehearsal, with or without employing sampling.

The Bureau's plans for census 2000 require new systems and techniques, many of which are untested. All of the components of the Bureau's census plan are interconnected, so that if one fails, the whole system could collapse. During 1997, several senior managers at the Bureau departed. The Committee notes that the decennial census was identified in the General Accounting Office's "High Risk Series" of vulnerable Federal programs. The Committee expects to receive milestones for the implementation of all census 2000 projects, including the procurement of services and systems, and expects to receive quarterly reports of progress made in meeting these milestones. The first report should be submitted to the Committee no later than November 30, 1997.

Geographic support activities will be critical to any decennial census effort, and the Committee recommendation provides \$43,000,000 for this account. In addition, the Committee recommendation includes the following amounts: \$26,300,000 for economic censuses; \$2,836,000 for the census of governments; \$5,200,000 for intercensal demographic estimates; \$3,800,000 for continuing sample redesign to keep the Bureau's major surveys current; \$6,000,000 for computer-assisted survey information collection [CASIC]; and \$24,790,000 for data processing systems.

The Committee has provided \$16,600,000 for the Continuous Measurement Program, which is the fiscal year 1997 funding level and is \$2,400,000 less than the fiscal year 1998 request. Continuous measurement is a program designed to replace the census long form by 2010. The Committee is concerned about the program's design and implementation. The heart of the program is the American community survey [ACS], which samples households across the country on an annual basis rather than once every 10 years. The survey seeks information on social and economic characteris-

tics. The Bureau believes the ACS will provide more timely data for States and local communities.

The Committee recommends that the Bureau seek an outside, independent assessment of continuous measurement and the ACS. The ACS depends on good response rates to its unsolicited surveys to gather data. The response rates for censuses in every industrialized nation have declined on roughly the same curve as the United States. The ACS depends on response as an integral factor in the program's design. This is of concern to the Committee. The Bureau claims the ACS would benefit all areas of the country since data would be available every year. Yet, the Bureau concedes that not all areas would have a large enough sample to provide statistically significant data on an annual basis. Rural areas, in particular, would not necessarily receive annual data. The outside evaluator should review the ACS to determine whether there is an antirural bias in its design.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

Appropriations, 1997	\$51,740,000
Budget estimate, 1998	54,074,000
Committee recommendation	52,574,000

The Committee recommends a total of \$52,574,000 in direct appropriations for the National Telecommunications and Information Administration in fiscal year 1998. This level is \$834,000 above the fiscal year 1997 appropriation and \$1,500,000 below the fiscal year 1998 request.

SALARIES AND EXPENSES

Appropriations, 1997	\$15,000,000
Budget estimate, 1998	18,074,000
Committee recommendation	16,574,000

The Committee recommends \$16,574,000 in appropriations for the "Salaries and expenses" appropriation of the National Telecommunications and Information Administration [NTIA]. This amount is \$1,574,000 above the fiscal year 1997 appropriation and \$1,500,000 less than the requested level for fiscal year 1998.

The Committee retains language from the 1997 appropriation (Public Law 104-134) allowing the Secretary of Commerce to charge Federal agencies for a portion of the cost of coordination of spectrum management, analysis, and operations.

PUBLIC BROADCASTING FACILITIES, PLANNING, AND CONSTRUCTION

Appropriations, 1997	\$15,250,000
Budget estimate, 1998 .....	.....
Committee recommendation	25,000,000

The Committee recommends \$25,000,000 for planning and construction grants for public television, radio, and nonbroadcast facilities. The administration requested no funds for this account in fiscal year 1998.

Public broadcasting is faced with a new challenge. The approval by the Federal Communications Commission of spectrum to convert to digital, high definition television systems will affect public

broadcasters, as will the move to digital radio. In order to broadcast digital television and radio signals, public broadcasters will be required to invest in new equipment and to adapt present equipment. The Committee recommends the use of \$5,000,000 of these grant funds to assist public broadcasting stations in converting or adapting to the new digital broadcasting systems with a special emphasis on stations broadcasting in rural areas. As in past years, the Committee continues to support efforts to focus PTFP resources on distant learning initiatives, particularly those targeting rural areas.

The Committee recommends bill language allowing the Pan-Pacific Education and Communication Experiments by Satellite Program [PEACESAT] to compete for public broadcasting, facilities, planning, and construction funds.

INFORMATION INFRASTRUCTURE GRANTS

Appropriations, 1997	\$21,490,000
Budget estimate, 1998	36,000,000
Committee recommendation	11,000,000

The Committee recommends \$11,000,000 for the Information Infrastructure Grant Program under NTIA for demonstrations of new telecommunications technology applications. This amount is \$25,000,000 below the budget request and \$10,490,000 below the fiscal year 1997 appropriation. The Committee urges NTIA to consider the following proposal within applicable procedures and guidelines and to provide a grant, if warranted; a proposal to establish a statewide information network at the University of Montana for collecting and disseminating manufacturing technology information, among other purposes; and a proposal from Marshall University, WV, for the development of an intranet distributed distance education network.

The Committee believes there is value to this program, but does not believe the requirement for NTIA grant funds should be as extensive now that the Federal Communications Commission has acted to implement the universal service fund requirements of the Telecommunications Act of 1996 (Public Law 104-104). The universal service fund makes preferential rates for telephone services available to schools and libraries.

The Committee is aware that NTIA provided funds for the Atlanta Summer Olympic Games to assist in the installation of critical telecommunications facilities. The Committee directs NTIA to work with and provide the necessary funding to the Olympic Committee organization in Salt Lake City, UT, to ensure that similar telecommunications facilities are available for the Winter Olympic Games in 2002.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

Appropriations, 1997	\$662,975,000
Budget estimate, 1998	656,320,000
Committee recommendation	656,320,000

The Patent and Trademark Office [PTO] is charged with administering the patent and trademark laws of the United States. PTO

examines patent applications, grants patent protection for qualified inventions, and disseminates technological information disclosed in patents. PTO also examines trademark applications and provides Federal registration to owners of qualified trademarks. Legislation is pending in Congress to establish the Patent and Trademark Office as an independent Government entity. The proposals would make discretionary appropriations from the general fund for this account unnecessary.

The President's fiscal year 1998 budget requests a direct appropriation of \$27,000,000 from the Treasury for PTO salaries and expenses, which is \$34,252,000 less than the fiscal year 1997 appropriation. Additionally, the request assumes \$629,320,000 in offsetting fee collections, which is an increase of \$27,597,000 over fiscal year 1997 collections. The fiscal year 1998 operating budget for PTO totals \$656,320,000.

On March 13, 1997, the Department of Commerce forwarded a notification of proposed reprogramming to the Committee requesting the approval of a reprogramming to transform PTO into a performance-based organization. This reprogramming request was denied. Legislation is currently pending in Congress to permit the PTO to become an independent, quasi-governmental entity. Should this legislation be enacted, the Committee will work with PTO and the Department to establish the new organization. The Committee has included bill language that provides funding for an Office of the Under Secretary of Commerce should such an organization be authorized.

The Committee's fiscal year 1998 recommendation assumes PTO will have a carryover balance of \$27,000,000 at the end of fiscal year 1997. For the past 4 years, PTO has been unable to project accurate carryover balances and has underestimated them by millions of dollars. According to the Department of Commerce, PTO spent 40 percent of its annual operating budget in the last quarter of fiscal year 1996. The Committee is concerned about the ability of the PTO to meet the goal of efficiently using its resources to deliver its services in a timely manner.

SCIENCE AND TECHNOLOGY

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

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

Appropriations, 1997	\$9,500,000
Budget estimate, 1998	9,230,000
Committee recommendation	8,800,000

The Committee recommends a fiscal year 1998 funding level for the administration's Office of the Under Secretary/Office of Technology Policy. This amount is \$430,000 less than the fiscal year

1998 budget request and \$700,000 below fiscal year 1997 funding levels. The Committee supports the \$1,675,000 request for the Experimental Program to Stimulate Competitive Technology [EPSCoT] Program, which is modeled on, and complements, the innovative and successful National Science Foundation's Experimental Program to Stimulate Competitive Research [EPSCoR]. The purpose of the EPSCoR Program is to stimulate quality research in States traditionally underrepresented in Federal research and development funding. EPSCoT shall serve as a technology counterpart to the EPSCoR. The Committee directs the Department to utilize the existing EPSCoR State network when implementing the EPSCoT Program.

The primary mission of the organizations funded under this account is to coordinate the administration's civilian technology initiative. There is significant coordination between this office and the Office of Science and Technology in the White House on several initiatives which are appropriate for Department of Commerce involvement. Tight budgetary constraints, however, prevent the Committee from funding initiatives which may be more appropriately supported by other agencies within the Government. The fiscal year 1998 request of \$350,000 to support economic development for the administration's foreign policy initiatives should be funded through the Department of State or the Agency for International Development, and not the agency charged with directing U.S. civilian technology initiatives. The Committee would be willing to permit the Technology Administration to undertake these activities on a reimbursable basis using funds from other Federal sources outside of the Department of Commerce budget.

The Committee further questions the need to expend funds for the Partnership for a New Generation of Vehicles [PNGV]. The Committee directs that no funds may be obligated for this purpose until the Secretary provides a report indicating how the Department's funds will be expended in support of this initiative. The report should be provided to the appropriate committees not later than September 30, 1997.

National Technical Information Service [NTIS].—The World News Connection [WNC] is an online subscription service provided by NTIS which includes the dissemination of daily newspapers, periodicals, and television and radio transcripts from around the world. The Committee is concerned that NTIS may be providing a service which is subsidized by the Government and competes with services available from the private sector. A paid subscription online service of this scope is beyond the mandate of NTIS which is to facilitate the dissemination of Government information that is scientific, technical, and engineering information [STEI]. The Committee urges the Department to determine whether WNC should continue in its current form.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Appropriations, 1997	\$581,000,000
Budget estimate, 1998	692,544,000
Committee recommendation	603,892,000

The Committee recommends a total of \$603,892,000 for the three appropriations accounts under the National Institute of Standards

and Technology [NIST] for fiscal year 1998. This amount is a reduction of \$88,652,000 from the budget request and \$22,892,000 above the amounts appropriated for fiscal year 1997. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

Appropriations, 1997	\$268,000,000
Budget estimate, 1998	276,852,000
Committee recommendation	276,852,000

The Committee has provided \$276,852,000 for the scientific and technical research and services (core programs) appropriation of the National Institute of Standards and Technology. An increase of \$8,852,000 is included in this program for the continued research, development, application, and demonstration of new building products, processes, technologies, and methods of construction through the use of underused natural resources and energy-efficient, environmentally sound techniques. The Natural Resource Demonstration Program will conduct research and development, in cooperation with the private sector and academia, on new methods of construction and operating energy-efficient and environmentally compatible buildings. Within funds made available for materials sciences and engineering, the Committee expects NIST to continue to support the program for integrated design, nondestructive evaluation [NDE] and manufacturing sciences at a level of \$700,000.

Quality Program.—Within the amount designated for research support, the Committee has provided \$2,984,000 for the base NIST Quality Program, which includes the Malcolm Baldrige National Quality Award. The Committee fully endorses the continuation of the basic Baldrige award program, but does not believe NIST can afford the fiscal year 1998, \$2,305,000 increase to expand the award program at a time when discretionary spending for core programs is increasingly constrained. NIST's potential involvement in health care and education quality is a mission far removed from the core programs of the agency. If the Departments of Education and Health and Human Services wish to implement quality standards to apply to programs in their respective departments, they should do so using their own resources.

INDUSTRIAL TECHNOLOGY SERVICES

Appropriations, 1997	\$313,000,000
Budget estimate, 1998	399,000,000
Committee recommendation	311,040,000

The Committee recommends \$311,040,000 for the "Industrial technology services" appropriation of the National Institute of Standards and Technology [NIST]. This amount is \$1,960,000 below the current appropriation available for fiscal year 1997 and \$87,960,000 below the budget request.

Advanced Technology Program.—For fiscal year 1998, the Committee recommends a level of \$200,000,000 for the Advanced Technology Program [ATP]. The Committee continues to be concerned about the Advanced Technology Program. The Committee applauds Commerce Secretary William M. Daley's effort to review some of the criticisms of the ATP Program and looks forward to receiving the results of his program review. In September 1996, ATP had a

fiscal year 1996 carryover of \$35,000,000. By December 1996, this balance had grown to \$52,000,000. Some of these funds were rescinded in the disaster supplemental appropriations measure (Public Law 105–18) passed in May 1997. The Committee directs NIST to use any carryover balances, cancellations, or recoveries to fund existing awards in fiscal year 1998.

Manufacturing Extension Partnership Program.—The Committee recommends \$111,040,000 of the funds provided in the “Industrial technology services” account be used for the Manufacturing Extension Partnership [MEP] Program. This funding level will permit all existing centers to remain in operation during fiscal year 1998. None of these funds may be used to open new centers in fiscal year 1998 or to conduct a new competition for additional centers. As originally authorized, Federal funding for these centers was to be phased out after each of the centers has been in existence for 6 years. The Committee requests the Secretary of Commerce to review this program and provide recommendations to the Committee for assisting the MEP centers to become self-supporting after their sixth year of operation. The Committee anticipates receiving this report from the Secretary with the fiscal year 1999 budget submission.

The Committee’s recommendation does not include the following funds requested in fiscal year 1998: \$5,900,000 for supply chain optimization; \$2,000,000 for information technology; and, \$2,000,000 for technology infusion. All of these requests are worthwhile, but the Committee believes successful MEP centers should be able to obtain the funds for these purposes from local, State, or private-sector sources.

Finally, the Committee recommendation assumes that \$2,000,000 shall be used to continue support for the seven SBDC-manufacturing field offices.

CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 1997	
Budget estimate, 1998	\$16,692,000
Committee recommendation	16,000,000

The Committee recommends an appropriation of \$16,000,000 to permit NIST to implement facilities maintenance, safety, and critical repairs. This funding level should permit NIST to ensure its facilities comply with health and safety regulations, provide access for the disabled, and meet general maintenance standards. In response to congressional concerns, NIST is developing a new facilities modernization plan to plan for current and future needs of the agency. The Committee expects NIST to complete and transmit this plan to Congress well in advance of the fiscal year 1999 budget request.

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

Appropriations, 1997	\$1,831,067,000
Budget estimate, 1998	¹ 1,903,088,000
Committee recommendation	1,992,252,000

¹For comparison this report displays the administration's request using the current appropriations account structure.

The Committee recommends discretionary appropriations of \$1,992,252,000 for operations, research, and facilities for fiscal year 1998. The "Operations, research, and facilities" account of the National Oceanic and Atmospheric Administration [NOAA], encompasses spending for the Agency's five line offices which administer coastal and ocean research programs, fisheries programs, weather forecasting, and atmospheric research. During a time of continued budgetary constraint, the Committee recommendation continues to make funding for ocean, coastal, fisheries, and atmospheric programs a high priority by recommending funding for NOAA above the requested level.

The Committee expects the Agency to make continued progress in program efficiency and in improving internal accounting procedures. The General Accounting Office [GAO], in reviewing the Agency's fiscal year 1998 request, found instances of large end-of-year carryover balances and, in one instance, found one line office had prefunded projects for fiscal year 1997 with carryover balances from fiscal year 1996. The Committee finds this practice unacceptable. Similar practices in future years will result in the reduction of funding to related line offices. Implementation of the commerce administrative management system [CAMS] should be a priority for the agency. The ability of the agency to manage its resources effectively depends on having a system in place to track expenditures accurately.

The President's budget request proposes realigning NOAA appropriations by eliminating several existing accounts and consolidating others into a new "Capital assets acquisition" account. The Committee has chosen to continue to provide NOAA appropriations using the current account structure which the Committee believes has served the agency well. The Committee reviewed this issue during oversight hearings on the fiscal year 1998 budget. The Committee notes that the budget request does not fully justify the proposed change and the division of programs is inconsistent and awkward and limits the agency's flexibility to manage its programs effectively.

As in past years, the Committee expects NOAA and the Department of Commerce to adhere to the direction given in this section of the Committee report and to observe the reprogramming procedures detailed in section 605 in the general provisions of the accompanying bill.

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

[In thousands of dollars]

	1997 appro- piation	1998 budget request	Committee recommen- dation
NATIONAL OCEAN SERVICE			
Navigation services:			
Mapping and charting	\$38,000	\$48,081	\$48,081
Aeronautical charting transfer to FAA		— 14,481	— 14,481
Automated nautical charting system II		2,500	2,500
Great Lakes mapping project			
Subtotal	38,000	36,100	36,100
Geodesy	20,167	19,159	19,659
Tides and currents data	12,500	11,000	11,300
Acquisition of data	18,200	14,546	16,046
Total, navigation services	88,867	80,805	83,105
Ocean research conservation and assessment:			
Estuarine and coastal assessment:	2,674	2,674	2,674
Oceanic and coastal research			7,910
Ocean and coastal assessment program	27,300	28,425	35,375
Damage assessment	2,200	3,000	3,000
Transfer from damage assessment fund	7,000	6,700	6,700
Oil Pollution Act of 1990	1,000	1,000	1,000
Ocean services	2,500	2,800	2,800
Subtotal	42,674	44,599	59,459
Coastal ocean science: Coastal ocean program	15,200	15,200	15,200
Total, ocean research conservation and assessment	57,874	59,799	74,659
Ocean and coastal management:			
Coastal management:			
CZM grants	46,200	65,732	49,732
Estuarine research reserve system	1,300	4,300	12,900
Nonpoint pollution control		1,000	
Subtotal	47,500	71,032	62,632
Ocean management: Marine sanctuary program	11,685	13,200	14,500
Total, ocean and coastal management	59,185	84,232	77,132
Total, National Ocean Service	205,926	224,836	234,896
NATIONAL MARINE FISHERIES SERVICE			
Information collection and analyses:			
Resource information	91,830	92,992	96,147
Antarctic research	1,200	1,200	1,200
Chesapeake Bay studies	1,890	1,500	1,890
Right whale research	250	200	1,000
MARFIN	3,000	3,000	5,000
SEAMAP	1,200	1,200	1,200
Alaskan groundfish surveys	661	661	961
Bering Sea pollock research	945	945	945
West coast groundfish	780	780	780

[In thousands of dollars]

	1997 appro- piation	1998 budget request	Committee recommen- dation
New England stock depletion	1,000	1,000	1,000
Yukon River chinook salmon	700	700	700
Atlantic salmon research	710	710	960
Pelagic fisheries research/management .....	.....	.....	1,900
Gulf of Maine groundfish survey	567	567	567
Dolphin/yellowfin tuna research	250	250	250
Habitat research/evaluation	450	450	450
Pacific salmon treaty program	5,587	5,587	5,587
Fish cooperative institute	410	410	.....
Hawaiian monk seals	500	500	550
Stellar sea lion recovery plan	1,770	1,440	1,770
Hawaiian sea turtles	248	248	248
Bluefish/striped bass	785	.....	.....
Gulf of Mexico mariculture	300	.....	.....
Halibut/sablefish	1,200	1,200	1,500
Summer flounder .....	.....	.....	250
Subtotal	116,233	115,540	124,855
Fishery industry information:			
Fish statistics	13,000	13,400	13,400
Alaska groundfish monitoring	5,200	5,200	5,500
PACFIN/catch effort data	3,000	3,000	4,700
Recreational fishery harvest monitoring	3,400	3,100	5,000
Subtotal	24,600	24,700	28,600
Information analyses and dissemination			
Computer hardware and software	20,900	21,200	21,200
.....	4,000	4,000	4,000
Subtotal	24,900	25,200	25,200
Acquisition of data			
.....	.....	25,098	25,098
Total, information, collection, and analyses	165,733	190,538	203,753
Conservation and management operations:			
Fisheries management programs	20,300	29,300	30,000
Columbia River hatcheries	10,955	10,300	10,955
Columbia River endangered species studies	288	288	288
Regional councils	10,200	11,700	13,000
International fisheries commissions	950	400	400
Management of George's Bank	478	478	478
Beluga whale committee	200	200	200
Pacific tuna management	1,900	1,500	1,500
Chinook salmon management .....	.....	.....	1,884
Subtotal	45,271	54,166	58,705
Protected species management			
Driftnet Act implementation	5,700	6,750	7,950
.....	3,278	3,278	3,278
Marine Mammal Protection Act	9,125	9,500	9,500
Endangered Species Act recovery plan	13,500	20,200	20,200
Fishery observer training	417	.....	417

[In thousands of dollars]

	1997 appro- priation	1998 budget request	Committee recommen- dation
East coast observers	350	350	350
Subtotal	32,370	40,078	41,695
Habitat conservation	8,000	9,800	9,800
Enforcement and surveillance	16,500	18,200	18,200
Total, conservation and management operations	102,141	122,244	128,400
State and industry assistance programs:			
Interjurisdictional fisheries grants	2,600	2,600	3,500
Anadromous grants	2,108	2,108	3,000
Anadromous fishery project .....	.....	250	250
Interstate fish commissions	5,000	4,000	8,000
Subtotal	9,708	8,958	14,750
Fisheries development program:			
Product quality and safety	14,624	14,624	12,674
Hawaiian fisheries development	750	.....	750
Fisheries biotechnology	1,900	1,900	.....
Salmon license buy-back .....	.....	.....	3,500
Washington crab license buyback .....	.....	.....	8,500
Subtotal	17,274	16,524	25,424
Total, State and industry assistance programs	26,982	25,482	40,174
Acquisition of data	26,840	.....	.....
Total, National Marine Fisheries Service	321,696	338,264	372,327
OCEANIC AND ATMOSPHERIC RESEARCH			
Climate and air quality research:			
Interannual and seasonal climate research	68,000	12,900	12,900
Long-term climate and air quality research	28,372	29,402	29,402
High performance computing	7,500	7,500	7,500
Subtotal	35,872	36,902	36,902
GLOBE	6,000	7,000	.....
Climate and global change .....	.....	62,000	60,000
Subtotal	6,000	69,000	60,000
Total, climate and air quality	109,872	118,802	109,802
Atmospheric programs:			
Weather research	33,613	33,613	37,413
Wind profiler	4,350	4,350	4,350
Subtotal	37,963	37,963	41,763
Solar-terrestrial services and research	5,493	5,493	5,493

[In thousands of dollars]

	1997 appro- priation	1998 budget request	Committee recommen- dation
Total, atmospheric program	43,456	43,456	47,256
Ocean and Great Lakes programs:			
Marine prediction research	15,651	12,126	14,126
GLERL	5,200	5,200	6,000
GLERL/zebra mussel			2,000
Lake Champlain study			300
Tsunami hazard mitigation			2,300
Subtotal	20,851	17,326	24,726
Sea grant:			
College program	54,300	50,182	58,000
Oyster disease			1,480
Subtotal	54,300	50,182	59,480
Undersea research program:			
NOAA undersea research program	12,000	5,400	15,000
Acquisition of data	12,690	12,884	15,384
Total, ocean and Great Lakes programs	99,841	85,792	114,590
Total, oceanic and atmospheric research	253,169	248,050	271,648
NATIONAL WEATHER SERVICE			
Operations and research:			
Local warnings and forecasts	390,000	381,674	403,494
MARDI	(91,462)	(73,674)	(73,674)
REGO II savings		(- 12,157)	(- 12,157)
Radiosonde replacement	1,500	910	910
Susquehanna River Basin flood system	1,000	619	1,000
Aviation forecasts	35,596	35,596	35,596
Regional climate centers	2,000		
Subtotal	430,096	418,799	441,000
Central forecast guidance	28,700	29,543	29,543
Atmospheric and hydrological research	2,000	2,489	2,489
Total, operations and research	460,796	450,831	473,032
Systems acquisition:			
Public warning and forecast systems:			
Nexrad	53,145	50,968	50,968
ASOS	10,056	9,835	9,835
AWIPS/NOAAPort	100,000	116,910	116,910
Computer facility upgrades	14,000	13,910	13,910
Total, systems acquisition	177,201	191,623	191,623
Total, National Weather Service	637,997	642,454	664,655

[In thousands of dollars]

	1997 appro- priation	1998 budget request	Committee recommen- dation
NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE			
Satellite observing systems:			
Polar spacecraft and launching	147,300	82,905	82,905
Polar convergence/IPO	29,000	51,503	51,503
Geostationary spacecraft and launching	171,480	237,673	238,215
Ocean remote sensing	4,000	3,800	5,000
Environmental observing services	51,000	50,347	50,347
Total, satellite observing systems	402,780	426,228	427,970
Environmental data management systems:			
Environmental services and data information manage- ment	30,002	27,500	27,500
Environmental data systems modernization	14,800	16,335	16,335
Regional climate centers			3,000
Total, environmental data management systems	44,802	43,835	46,835
Total, National Environmental Satellite, Data, and Infor- mation Service	447,582	470,063	474,805
PROGRAM SUPPORT			
Administration and services:			
Executive direction and administration	19,200	19,986	19,986
Systems Acquisition Office (SAO)	1,497	1,422	1,422
Subtotal	20,697	21,408	21,408
Central administrative support	33,000	31,850	31,850
Retired pay commissioned officers	8,000	14,000	8,000
Total, administration and services	61,697	67,258	61,258
Aircraft services	10,000	9,900	10,400
Total, program support	71,697	77,158	71,658
Direct obligations	1,938,067	2,000,825	2,089,989
Rent savings to finance Goddard		- 4,656	- 4,656
Rescission of unobligated balances	- 20,000		
Direct obligations	1,918,067	1,996,169	2,085,333
Reimbursable obligations	315,215	317,015	317,015
New offsetting collections (data sales)	1,200	2,400	2,400
Anticipated offsetting collections (aerocharts)	3,000	3,000	3,000
Subtotal	319,415	322,415	322,415
Total obligations	2,237,482	2,318,584	2,407,748
Financing:			
Prior year recoveries (direct)	- 14,000	- 24,000	- 24,000
Unobligated balance transferred, net	- 1,500	- 1,500	- 1,500
Federal ship financing fund expenses	- 1,700		
New offsetting collections (data sales)	- 1,200	- 2,400	- 2,400

[In thousands of dollars]

	1997 appro- piation	1998 budget request	Committee recommen- dation
Federal funds	-282,500	-172,000	-172,000
Non-federal funds	-31,015	-145,015	-145,015
Anticipated offsetting collections (aerocharts)	-3,000	-3,000	-3,000
Total budget authority	1,902,567	1,970,669	2,059,833
Financing from:			
Promote and develop American fisheries	-66,000	-62,381	-62,381
Damage assessment and restoration revolving fund	-5,500	-5,200	-5,200
Net appropriation, operations, research, and facilities ...	1,831,067	1,903,088	1,992,252

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

NATIONAL OCEAN SERVICE

The Committee recommendation provides a total of \$229,896,000 for activities of the National Ocean Service [NOS] for fiscal year 1998. These activities include: mapping and charting; geodesy; and, tide and current data.

For mapping and charting, the Committee recommends \$36,100,000 for fiscal year 1998. This funding level supports NOAA's nautical and aeronautical charting as well as coastal mapping. This reflects the full request for the program, including an increase of 68 FTE's and \$12,581,000 to replace funds formerly received from the National Imaging and Mapping Agency [NIMA] and the transfer of 129 FTE's and the transfer of \$14,481,000 to the Federal Aviation Administration [FAA] for the operation of the aeronautical charting program. The decision to transfer the aeronautical charting program to the FAA from NOAA was made after a review by the inspectors general of the Departments of Commerce and Transportation. This transfer will be undertaken in two stages. In fiscal year 1998, NOAA will continue to operate the aeronautical charting program on a reimbursable basis. In fiscal year 1999, the program and its 129 employees will be transferred to the FAA, ending NOAA's responsibility for the program.

The Committee recommends \$19,659,000 for NOAA's geodesy programs and \$11,300,000 for tide and currents data. The geodesy programs provide measurements and analysis of data relating to precise latitudinal and longitudinal positioning with a variety of applications. The Committee includes \$500,000 in this account to continue the South Carolina geodetic survey project. NOAA's tide and current data programs support forecasting activities and safe navigation. The Committee directs the National Ocean Service to provide \$300,000 to Galveston-Houston for the initial operation of the physical oceanographic real time system [PORTS]. The Committee does not anticipate and will not consider future requests for operational assistance for this system.

For estuarine and coastal assessment, the Committee recommends \$57,459,000. The Committee does not recommend fund-

ing the request of \$3,925,000 for a community-right-to-know project for toxic contamination and remediation. The Committee believes these functions are more appropriately funded through the Environmental Protection Administration [EPA]. Also included in the funding recommendation is \$1,900,000 for the south Florida ecosystem restoration initiative. Within funds available for the south Florida ecosystem restoration initiative, not more than \$1,000,000 shall be provided to Nova Southeastern University for the establishment of a National Coral Reef Institute to conduct research on coral reef assessment, mitigation, monitoring, and restoration. The Committee is providing \$1,000,000 for the University of Hawaii for similar studies.

The Committee recommendation transfers the administration of the National Marine Fisheries Service Southeast Laboratory from NMFS to the National Ocean Service. This laboratory, which performs high quality, peer reviewed research in marine biotechnology and forensics with applications in areas such as algal blooms, toxicology, and habitat, should greatly enhance NOAA's efforts to bolster research targeted to oceanic and coastal environmental issues. The recommendation transfers the laboratory's existing funding from NMFS to the National Ocean Service under a new line item titled "Oceanic and Coastal Research." This new item also annualizes \$1,500,000, first provided through reprogramming in the Fiscal Year 1997 Supplemental Appropriations Act, for marine forensics and southeast fisheries' law enforcement. The Committee expects the NOS to continue existing cooperative laboratory activities with State and local governments, and the academic community. The Committee requests that as part of this transfer the NOS assume responsibility for monitoring and administering the construction of the new joint Federal/State marine environmental research facility at Fort Johnson.

The Committee directs the Coastal Ocean Program to work with both institutions to develop and coordinate these studies. The Committee expects the Coastal Ocean Program to continue at current levels support for the Baruch Institute's research and monitoring of small, high salinity estuaries.

The Committee recommended funding level assumes support of the NOAA Coastal Services Center at \$14,950,000. Of this amount, \$450,000 is available for a cooperative agreement with the State of South Carolina Department of Health and Environmental Control work with coastal counties and municipalities to implement the Charleston Harbor project. Of the CSC's budget, \$2,500,000 is provided to enhance coastal hazards research and services, and applications of defense technologies for environmental monitoring and coastal management. The Committee believes the interagency national research program on the ecology and oceanography [ECOHAB] of harmful algal blooms should be maintained at the current level of \$1,000,000 in fiscal year 1998, and should be used to improve prediction of red tide blooms. This funding is in addition to the \$1,000,000 approved in Public Law 105-18 for the prevention and control of red tide events.

The Committee recommendation includes \$74,132,000 for the Office of Ocean and Coastal Resources Management [OCRM]. This funding level will permit the addition of two new States to the

Coastal Zone Management [CZM] Program. The Committee recommendation has provided \$3,532,000 over the 1997 enacted level for CZM grants. The Committee, however, does not recommend approval of the \$18,000,000 increase requested for the clean water initiative. The purpose of the Coastal Zone Management Program is to give the States flexibility in using funds to address pressing coastal management problems. The administration's request for the clean water initiative funding would not provide this flexibility, and directed that funds be used for purposes that are similar, if not identical, to existing EPA point and nonpoint source pollution mitigation programs. Most States already have received funds from EPA for this purpose.

The national estuarine research reserve system [NERRS] is funded at \$10,900,000, a level \$6,600,000 above the request. The NERRS is a nationwide system of 22 sites in 18 States and the Commonwealth of Puerto Rico which serve as research and educational reserves. Five new sites are under development. The program preserves diverse estuarine systems and provides regional sources of technical information supporting coastal resource management. Of the amounts provided for the program, \$5,900,000 is to be used to continue the cooperative agreement between NOAA and Cooperative Institute for Coastal and Estuarine Environmental Technology. The remaining increase is to be used to continue the current program and to continue development of additional reserves.

The Committee recommends a total of \$13,500,000 for the ocean and coastal management programs, which administers the National Marine Sanctuary Program. This is equal to the requested level. There are currently 12 national marine sanctuaries, and 2 are under development. This funding will assist the Agency in maintaining current sites and expediting the development of new sanctuaries.

NATIONAL MARINE FISHERIES SERVICE

The Committee recommendation provides a total of \$363,327,000 for the programs of the National Marine Fisheries Service [NMFS] for fiscal year 1998, instead of \$338,264,000 as requested. The Committee has recommended funding, as shown in the preceding table, for a variety of important research and information programs which are designed to promote a sustainable use of valuable marine resources. The Committee recommendation allows for the proposed increase in full-time equivalents [FTE's] within NMFS, but denies the proposed distribution of these new FTE's. The Committee is concerned about implementation of the new provisions of the Magnuson-Stevens Act and directs the Secretary to use as many available FTE's as are needed to ensure the full and timely implementation of the act.

The Committee recommendation includes \$4,000,000 for Saltonstall-Kennedy fisheries development grants. In making grants under this program, the Committee expects the Secretary to adhere to authorization requirements relating to the allocation of funds for direct industry assistance grants, and to satisfy the program's goal of providing industry-proposed, applied research grants.

For NMFS resource information programs, the Committee makes several recommendations. There are several commercial fishery information network programs being conducted currently, as well as recreational fishery information programs. These networks have been funded on a regional basis. The Committee is concerned about the accuracy and effectiveness of these data collection efforts, and expects NMFS to create an umbrella program to coordinate the techniques used to gather and disseminate data on a national basis while continuing to take into account the unique characteristics of regional commercial and recreational fisheries. The Committee expects NOAA to consult with the appropriate committees to ensure that scientifically sound resource information and industry surveys and statistics are collected. The Committee recommends \$4,700,000 for PACFIN, the Pacific fishery information network, including \$1,700,000 for the Alaska fisheries information network [AKFIN]. The Committee has provided \$5,000,000 for the Recreational Fishing Information Network [RECFIN] program, and expects that the programs for the Pacific States, Atlantic States, and Gulf States shall each receive one-third of these funds, with funding for inshore recreational species assessment and tagging efforts in South Carolina. The Committee expects that \$500,000 will be used to continue the effort to enhance the annual collection and analysis of economic data on marine recreational fishing. Not less than \$850,000 is provided within resource information to continue the Marine Resources Monitoring Assessment and Prediction Program [MARMAP] carried out by the South Carolina Division of Marine Resources. Also, the Committee recommendation includes \$5,000,000 for the Marine Fisheries Initiative [MARFIN] of which \$2,000,000 is for initiating activities in the Northeast.

The Committee recommends additions to the following resource collection activities in the fiscal year 1998 request: \$390,000 for Chesapeake Bay studies; \$800,000 for right whale research; and \$50,000 for Hawaiian monk seals. The Committee recommends \$500,000 for the Hawaii stock management plan. Finally, under this account the Committee has included \$250,000 which shall be made available to the National Academy of Sciences to conduct a survey of Atlantic summer flounder resources.

The Committee recommends the increase for right whale research to be used by NMFS to make fishing gear modification research one of the priorities for the right whale recovery effort. The Committee expects NMFS to issue a request for proposals for a contractor to perform the work. The Committee also encourages NMFS to work with the National Fish and Wildlife Foundation to identify projects that the Foundation could undertake through its challenge grant process.

The Committee recommends an increase of \$300,000 for Alaska groundfish surveys for the calibration of surveys conducted by NMFS and the State of Alaska.

The Committee recommends \$5,500,000 for Alaska groundfish monitoring, of which \$850,000 is for crab research developed jointly by NMFS and the State of Alaska, \$800,000 is for the State of Alaska to use in implementing Federal fishery management plans for crab and scallops and for rockfish research, \$350,000 is for rockfish research by NMFS, and \$300,000 is for use by the Bering Sea

Fishermen's Association for community development quota implementation and development.

Within the funding the Committee has provided for the Marine Mammal Protection Act for Fiscal Year 1998, \$1,500,000 is for marine resource observers in the North Pacific and \$800,000 is for the State of Alaska for MMPA implementation and harbor seal research. The Committee recommendation includes \$410,000 for the Alaska Eskimo Whaling Commission, of which \$60,000 is intended for costs associated with assisting Chukotka subsistence whalers in obtaining more humane hunting equipment. The Committee recommendation includes \$200,000 for the Beluga Whale Committee.

The Committee also directs that \$750,000 be transferred from the protected species management program to the Pacific States Marine Fisheries Commission to pursue additional research on the effects California sea lions and harbor seals have on salmon and the west coast ecosystem.

The Committee recommends continuation of the current level of \$3,278,000 for implementation of the High Seas Driftnet Fisheries Enforcement Act, North Pacific Anadromous Stocks Convention Act, and Central Bering Sea Fisheries Enforcement Act, and intends that funds be available for expenses of North Pacific and Bering Sea advisory body members.

The Committee has provided increased Steller sea lion funds to assist with the decline in the western stock of Steller sea lions off Alaska. Of the \$1,770,000 provided, \$1,000,000 is provided to the Fish and Wildlife Foundation for research at the Alaska SeaLife Center, \$825,000 is for work performed by the State of Alaska, and \$330,000 is for research by the North Pacific Universities Marine Mammal Consortium.

The Committee is concerned about the reduction of enforcement personnel in the halibut and sablefish fisheries off Alaska that are currently managed under an individual fishing quota [IFQ] system. The effects of the IFQ's in these fisheries will be integral to Congress in determining a long-term policy with respect to IFQ's at the conclusion of the multiyear IFQ study mandated under the Magnuson-Stevens Act. The Committee is providing a \$300,000 increase in order for NMFS to immediately hire the additional NMFS personnel or private sector contractors necessary to fully enforce the halibut and sablefish fisheries off Alaska. The Committee anticipates that the IFQ fees required to be charged under section 304(d)(2) of the Magnuson-Stevens Act will offset these enforcement costs in fiscal year 1999.

The Committee recommends the addition of \$400,000 for an assessment of Atlantic herring and mackerel. Within the funds for resource information, the Committee also recommends a Gulf of Mexico/Hawaii stock enhancement project at a level of \$2,225,000. This important work is being carried out by a consortium which includes the Gulf Coast Research Laboratory, the Oceanic Institute, and the Mote Marine Laboratory. The Committee intends that funds for the Hawaii stock management plan and the Hawaii stock enhancement project continue to be administered by the Oceanic Institute.

The Committee also instructs the harvest technology unit at the National Marine Fisheries Service Laboratory in Pascagoula, MS, to provide temporary onsite technical assistance to the National

Warmwater Aquaculture Research Center at Stoneville, MS, until sufficient harvest technology expertise can be transferred from National Marine Fisheries Service personnel to the staff of the National Warmwater Aquaculture Research Center.

The Committee recommends \$13,000,000 for supporting the regional fishery management councils which is \$1,300,000 above the request. This amount is needed to assist the councils with their increased workload in implementing the new provisions of the Magnuson-Stevens Act. The Committee also recommends supporting a level \$700,000 above the fiscal year 1998 request for implementation by NMFS of the Magnuson-Stevens Act.

The Committee has provided \$1,900,000 for Pelagic fisheries research and management, which includes continued funding at the current level for Pacific tuna and \$400,000 for NMFS in Honolulu to conduct Pacific swordfish research. The Committee recommends \$1,884,000 for chinook salmon management and \$450,000 for the Atlantic salmon recovery plan to restore these anadromous fish to their native range in New England through the utilization of stable isotope and advanced genetic marking techniques.

In addition to the fiscal year 1998 request of \$10,300,000 for the operation of the Mitchell Act hatchery programs, the Committee recommends an additional \$655,000 for mass marking of hatchery fish. The Committee expects NOAA to obligate these funds in a timely manner. The Committee understands that the Northwest Power Planning Council, through its Independent Scientific Advisory Board [ISAB], will be directed in the fiscal year 1998 Energy and Water appropriations bill to conduct a thorough review of all federally funded hatchery operations in the Columbia River basin. The Committee directs NMFS to provide necessary information to the ISAB to assist the Board in its review of federally funded hatcheries, which include Mitchell Act hatcheries, among others. Funding for critical fish screens is provided under the "Construction" account.

The Committee has provided \$960,000 for Atlantic salmon research of which \$250,000 shall be used to assist in the implementation of the State of Maine's recovery plan for Atlantic salmon. The Committee encourages NMFS to work with the National Fish and Wildlife Foundation in the implementation of this program.

For State and industry programs, the Committee recommends increases of \$900,000 for the interjurisdictional fisheries grants and \$892,000 for anadromous fishery grants. Of the \$8,000,000 provided for the interstate fisheries commissions, \$5,750,000 shall be provided to the Atlantic States Marine Fisheries Commission for the Atlantic Coastal Fisheries Management Act, and \$750,000 shall be provided to each of the three interstate fisheries commissions (including the ASMFC). The Committee recommends \$150,000 to the Alaska Fisheries Development Foundation [AFDF] for its operational costs relating to the goals and objectives of the Magnuson-Stevens Act, provided that the State of Alaska and fishing industry contribute equal amounts in the creation of a permanent endowment to provide operational funds for the AFDF. The Committee recommends \$200,000 for the Island Institute to develop a multi-species shellfish hatchery and nursery facility to, among other

things, test new technologies that could benefit Gulf of Maine communities.

OCEANIC AND ATMOSPHERIC RESEARCH

The Committee recommendation includes a total of \$267,648,000 for oceanic and atmospheric research for fiscal year 1998, instead of \$248,050,000 as requested, and \$253,169,000 as funded in fiscal year 1997. In implementing programs within this account, the Committee directs NOAA to maintain or enhance its level of collaboration with the extramural research community. In addition, while all NOAA external research is currently peer reviewed, the Committee encourages NOAA to take steps to ensure that all NOAA research, regardless of who performs it, is subject to periodic peer review.

Within this account the Committee recommendation provides a funding level of \$12,900,000 for interannual and seasonal climate research. In addition, the Committee provides funds for the climate and global change program at a level of \$60,000,000. The majority of the programs under the interannual and seasonal climate research line item are now to be funded under the climate and global change line item.

The Committee recommends funding for long-term climate and air quality research at a level of \$36,902,000, an increase of \$1,030,000 over the current year level. Included within this amount is \$7,500,000 for high performance computing, which is the same as the fiscal year 1997 appropriation.

For atmospheric programs, the Committee recommends funding for weather research and solar-terrestrial services and research at a level of \$47,256,000. This amount is \$3,800,000 above the request and the fiscal year 1997 appropriation. The Committee expects these funds to be used for the development of a national resource center at Mount Washington, NH, to demonstrate and make available to science centers and schools nationwide innovative approaches using weather as the educational link integrating sciences, math, geography, and history.

Under the ocean and great lakes programs, the Committee recommendation provides \$24,726,000 for marine prediction research, an increase of \$7,500,000 over the fiscal year 1998 request. Of this amount, \$2,000,000 will be available to undertake ballast water demonstrations and to co-lead the national aquatic nuisance species task force. Of this amount, \$500,000 will be available for ballast water demonstration in the Chesapeake Bay. The Committee appreciates the timely and thorough preparation by NOAA of the tsunami hazard mitigation plan. The Committee agrees with the recommended implementation plan and directs NOAA to provide \$2,300,000 to continue the process of implementation to reduce risk to the coastal residents and visitors in the vulnerable States of Oregon, Washington, California, Hawaii, and Alaska. The Committee expects NOAA to provide funding to each of the Pacific States to continue the preparation of tsunami inundation maps.

The Committee has provided funding of \$15,000,000 for the National Undersea Research Program [NURP], which is an increase of \$9,600,000 over the request and is \$3,000,000 over the fiscal year 1997 appropriation. Because of the limited funding available

for this purpose, it is critical that the structure and management of this program furthers the highest research needs. The Committee further intends that the amount provided is equally divided between research conducted through east coast NURP centers and through west coast NURP centers (including the Hawaii and Pacific center). Further, the Committee intends for the amount provided for west coast research to be divided equally between the Hawaii and Pacific center and the West Coast and Polar Regions Center.

The Committee recommendation includes \$58,000,000 for the Sea Grant Program. For fiscal year 1998, the Committee recommendation includes funding for oyster disease research at a level of \$1,480,000, zebra mussel research at \$2,000,000, and \$1,700,000 for the continuation of the New England open ocean aquaculture program.

NATIONAL WEATHER SERVICE

The Committee recommendation includes a total of \$664,655,000 for the National Weather Service [NWS] for operations, acquisitions, and research, an increase of \$26,658,000 over the budget request.

The total amount of funding recommended for operations and research is \$473,032,000. This amount includes: \$403,494,000 for local warnings and forecasts, radiosonde replacement, aviation forecasts; \$29,543,000 for central forecast guidance; and \$2,489,000 for atmospheric and hydrological research. Within the total for operations and research, \$1,000,000 is for the Susquehanna River basin flood system. The Committee has added \$1,820,000 to continue the operation of weather data buoys during fiscal year 1998. The Committee supports the continuation of the regional climate centers, and has provided \$3,000,000 for this purpose in the budget of the National Environmental Satellite, Data, and Information Service [NESDIS]. The Committee expects the Weather Service to continue to work closely and cooperatively with the regional climate centers despite the transfer of the program responsibility to NESDIS.

The Committee further directs the National Weather Service to provide basic data to the agricultural community. The NWS no longer provides specialized forecasts for agriculture, but the Committee expects data to be made available to growers for their use.

From the amounts provided for operations and research, the Committee recommends providing \$97,000 to the NOAA Cooperative Institute for Regional Prediction at the University of Utah to begin implementation of data collection and automated weather station installation in preparation for the 2002 Winter Olympic Games. The Committee also recommends \$150,000 to improve the ability of southern Indiana to receive weather warnings by the installation of three 1,000 watt weather transmitters. The Committee expects the NWS to maintain and staff the Fort Smith, AR, weather service office [WSO] during fiscal year 1998, and that all available forecasting data will be provided to the WSO for the dissemination of timely tornado warnings.

The Committee is aware that the National Weather Service recently reinstated equipment which had been removed from the Midsouth Agricultural Weather Service Center in Stoneville, MS.

Because this equipment is incompatible with the support system used currently by the NWS, the Committee instructs the NWS to transfer additional equipment in order for this facility to perform and maintain a direct link with the NWS meteorological data base.

The Committee is concerned about criticisms regarding the circumstances of the installation and the subsequent performance of the Doppler weather surveillance radar (WSR-88D) located on Sulphur Mountain, Ventura County, CA. The Committee requests the General Accounting Office to review the findings in the April 1997 report by the Rose Institute of Claremont McKenna College, about the weather tower and conduct its own investigation of the weather radar tower if the General Accounting Office deems it appropriate.

NWS reorganization.—The Committee is aware that Commerce is undertaking a top-to-bottom review of the NWS. Besides an in-house study, an outside accounting firm will assess NWS operations with the intent of developing the optimal organization plan to maintain critical weather warning and forecast support services well into the next century. The Committee directs Commerce to take no final action without prior consultation with the Committees on Appropriations.

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

The Committee recommendation provides funds for the National Environmental Satellite, Data, and Information Service [NESDIS] at a level of \$496,805,000 for fiscal year 1998.

The Committee directs that \$3,000,000 from available funds be used to fund regional climate centers. These centers had been funded previously through the National Weather Service [NWS]. The Committee believes the work of the regional climate centers is particularly important, since specialized weather forecasting products are no longer issued by the NWS. The data collected and disseminated by the regional climate centers can also be used by NESDIS in its data and information services activities.

For the National Polar-Orbiting Environmental Satellite Program [NPOESS], the Committee has provided a total of \$134,408,000, of which \$51,503,000 is for the interagency program office to converge the NOAA and Department of Defense [DOD] polar satellite programs. The Committee expects NOAA to use these funds in fiscal year 1998. The Committee recommendation assumes that NOAA and DOD share equally in the costs of all common activities for this program.

The Committee is aware of several satellite proposals being developed by consortia of private sector firms and academia. These proposals are being developed to provide global wind direction data which is not available under current civilian remote sensing weather satellite systems. The Committee understands that NOAA can gain access to necessary satellite weather data at significantly lower cost by purchasing data from privately owned small satellites. Funding has been provided for NESDIS to initiate a demonstration project for the purchase from the private sector of global wind weather data. The wind data should be of an accuracy and coverage that will substantially improve weather forecasts, and it should be acquired by a technique that can be expanded to provide

other data products of interest to NOAA. The Committee expects NOAA to conduct an open competition and select a contractor prior to December 31, 1997, to provide the required global wind data beginning in 2001, and to report back to the Committee by March 1, 1998, with its detailed implementation plan for incorporating the new data to be acquired through this contract into its weather predictions. The Committee has provided an initial \$3,000,000 in fiscal year 1998 to find the collection of wind data through ground-based instrumentation similar to that used by the satellite, and the development of NOAA's ability to utilize the wind data for improvement of its forecast capability.

The Committee provides funds for the Geostationary Operational Environmental Satellite [GOES] Program at a level of \$241,215,000 in fiscal year 1998. The GAO, in reviewing the GOES Program, discovered the agency was forward funding expenses due in the first quarter of the fiscal year to its contractor, the National Aeronautics and Space Administration [NASA]. As a result of this review, NOAA has agreed to forward fund unobligated reserves to NASA to cover 1½ to 2 months' worth of expenses.

The Committee is concerned about the total of \$387,053 in funds GAO identified at NASA from GOES and NPOESS subcontracts. These subcontracts have not been closed out by NASA. It appears this is not being done by NASA on a regular basis. NOAA should demand greater accountability from NASA to close out these subcontracts in a timely manner and return to NOAA any available funds. The Committee directs NOAA to work with NASA to create a system by which NOAA may be able to track this funding as it is obligated and expended.

PROGRAM SUPPORT

The Committee recommendation provides \$71,658,000 for the NOAA program support functions. This level is \$39,000 less than current year funding, and \$5,500,000 less than the fiscal year 1998 request.

The Committee recommendation includes the amount of \$10,400,000 for operation of NOAA aircraft services, which is \$500,000 above the request and \$400,000 above the fiscal year 1997 level. This increase provides flying hours for the NOAA G-IV high altitude jet for hurricane reconnaissance, for which no funds were requested.

With the transfer of the aeronautical charting program to the FAA in fiscal year 1999, NOAA is directed to provide the Committee with its plan for the transfer of aviation assets supporting this program. This report should also include an assessment of remaining aircraft and an analysis of the use of these assets. This report should be transmitted to the Committee with the fiscal year 1999 budget request.

COASTAL ZONE MANAGEMENT FUND

Appropriations, 1997	\$7,800,000
Budget estimate, 1998	7,800,000
Committee recommendation	7,800,000

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

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

The Committee recommends deferment of payments to the Coastal Energy Impact Program on the part of the Pribilof Islands (St. Paul) until August 1998.

CONSTRUCTION

Appropriations, 1997	\$58,250,000
Budget estimate, 1998	¹ 44,195,000
Committee recommendation	88,000,000

¹For comparison this report displays the administration’s request using the current appropriations account structure.

This account provides for construction, repair, and modification of new facilities and additions to existing facilities, planning, design, and land acquisition. The Committee recommends a total funding level of \$88,000,000 for NOAA’s “Construction” account.

The Committee recommendation provides \$1,750,000 for the Sandy Hook lease and \$13,823,000 for Nexrad WFO construction. In addition, the Committee recommends the requested funding of \$4,465,000 for Columbia River facilities; \$8,000,000 for facilities and land acquisition associated with the National Estuarine Research Reserve System, of which \$2,000,000 is for public education and research facilities at the ACE Basin National Reserve; \$6,000,000 for the national marine sanctuaries; \$2,000,000 for environmental compliance, \$1,900,000 for the above standard costs at Boulder Laboratory; \$2,000,000 for the Honolulu Fisheries Laboratory to come into compliance with the Americans With Disabilities Act and other safety improvements; \$5,000,000 for the Gulf Coast Laboratory; \$16,000,000 for the Alaska facility; \$12,562,000 for the Goddard facility; \$7,000,000 for the Tiburon/Santa Cruz Laboratory; \$700,000 for the National Centers for Environmental Prediction; \$5,000,000 for environmental cleanup in the Pribilof Islands; and, \$1,800,000 for NOAA research facilities.

FLEET MAINTENANCE AND PLANNING

Appropriations, 1997	\$8,000,000
Budget estimate, 1998	¹ 11,823,000
Committee recommendation	15,823,000

¹For comparison this report displays the administration’s request using the current appropriations account structure.

The Committee recommendation provides an appropriation of \$15,823,000 for the “Fleet maintenance and planning” account, which replaces the former “Fleet modernization, shipbuilding, and conversion” account. This is an increase of \$7,823,000 above the fis-

cal year 1997 appropriation and the same as the fiscal year 1998 request.

The Committee directs the Secretary to use funds previously appropriated for sonar equipment to purchase sonar equipment for the RAINIER, and to use this equipment as a means to help reduce the costs, including insurance costs, associated with contracting with private sector companies that use such equipment. The Committee recommendation includes \$4,000,000 for the renovation and maintenance of the NOAA T-AGOS vessel *Relentless*. This former Navy vessel is being converted to perform fishery and marine mammal surveys in the Gulf of Mexico.

FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

Appropriations, 1997	\$200,000
Budget estimate, 1998	
Committee recommendation	200,000

The Committee recommendation provides \$200,000 for the fishing vessel and gear damage compensation fund.

The fishing vessel and gear damage fund provides compensation to U.S. fishermen whose vessels have been lost, damaged, or destroyed by foreign or domestic vessels. Revenue sources for this fund include: (1) surcharges not to exceed 20 percent of the fee imposed for any foreign fishing vessel permit issued under the Magnuson Fishery Conservation and Management Act; (2) administrative fees paid by claimants; (3) revenues from deposits or investments of fund balances not immediately required; and (4) funds not to exceed \$200,000 borrowed from the Treasury in the event the fund balance is insufficient to pay claims.

FISHERMEN'S CONTINGENCY FUND

Appropriations, 1997	\$1,000,000
Budget estimate, 1998	953,000
Committee recommendation	953,000

The Committee recommends the requested amount of \$953,000 for the fishermen's contingency fund, which is \$47,000 below the amount appropriated for fiscal year 1997.

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

FOREIGN FISHING OBSERVER FUND

Appropriations, 1997	\$196,000
Budget estimate, 1998	189,000
Committee recommendation	189,000

The Committee recommends \$189,000 for the foreign fishing observer fund for fiscal year 1998. This amount is the same as the fiscal year 1998 budget request and \$7,000 below the fiscal year 1997 level.

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

FISHING VESSEL OBLIGATIONS GUARANTEES

Appropriations, 1997	\$250,000
Budget estimate, 1998	238,000
Committee recommendation	338,000

The Committee recommendation provides \$338,000 for fishing vessel obligations guarantees. This amount is \$100,000 above the requested level for fiscal year 1998 and \$88,000 above the fiscal year 1997 level. In addition, \$100,000 is provided for entry level and small vessel IFQ obligation guarantees in the halibut and sablefish fisheries off Alaska pursuant to section 1104A(a)(7) of the Merchant Marine Act, 1936. The Committee provides these funds so that IFQ loans can be guaranteed in accordance with section 303(d)(4) of the Magnuson-Stevens Act and section 108(g) of the Sustainable Fisheries Act in advance of the collection of fees required for such purpose, which are not expected to be available until 1999.

The Committee recommends that the fishing vessel obligations guarantee program be used only for purposes which do not result in overcapitalization, including: the refinancing of existing debt; renovation and repair of existing vessels and facilities; construction of new shore plants for underutilized species, aquaculture, and waste reduction; and the replacement of obsolete vessels of similar size and harvesting capacity. The Committee directs that no loan guarantee be made for any new vessel that will increase the harvesting capacity in any U.S. fishery, consistent with section 302(b) of the Sustainable Fisheries Act.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 1997	\$28,490,000
Budget estimate, 1998	30,085,000
Committee recommendation	28,490,000

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

The Committee recommendation provides \$28,490,000 for the Commerce Department's "Salaries and expenses" appropriation for

fiscal year 1998. This amount is \$1,595,000 under the budget request and equal to the amount appropriated for fiscal year 1997.

OFFICE OF THE INSPECTOR GENERAL

Appropriations, 1997	\$20,140,000
Budget estimate, 1998	21,677,000
Committee recommendation	20,140,000

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

The Committee recommends \$20,140,000 for the Commerce Department's Office of the Inspector General for fiscal year 1998. This amount is identical to the fiscal year 1997 appropriations level and is \$1,537,000 under the budget request. The Committee notes that funds from the Department's working capital fund for the inspector general's office have decreased from \$1,033,000 in fiscal year 1996 to \$452,000 in fiscal year 1997. The Department intends to distribute \$460,000 to this office in fiscal year 1998. The Committee directs the Department to increase the distribution to the inspector general's office from the working capital fund by \$732,000 in fiscal year 1998.

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 1997 appropriations act (Public Law 103-317). Sections 201 through 207 are continuations of language included in previous appropriations acts.

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

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

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

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

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

Section 206 requires that any costs related to personnel actions incurred by a department or agency funded in title II of the accompanying act be absorbed within the total budgetary resources available to such department or agency.

Section 207 was included in Public Law 104–208, the Omnibus Consolidated Appropriations Act, 1997, allowing the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

Section 208 continues a working capital fund in the Bureau of Census to be available without fiscal year limitation. This provision was established by Public Law 104–208, the Omnibus Consolidated Appropriations, 1997.

Section 209 provides restrictions on the use of sampling for purposes of the decennial census.

Section 210 clarifies and expands the authority of the Secretary of Commerce to seize and detain commodities that are being exported in violation of U.S. law.

TITLE III—THE JUDICIARY

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

The Committee recommendation provides a total of \$3,513,727,000 for the judiciary. This amount includes the revised requested funding of \$262,838,000 for salaries and retirement funds of the Justices and judges, which are considered mandatory for budget purposes. The recommendation also provides an additional \$3,250,889,000 in discretionary funding for other judiciary programs under this title. The total amount provided by the Committee is an increase of \$251,618,000 over funding for fiscal year 1997.

The budget request submitted by the judiciary for fiscal year 1998 totals \$3,638,896,000. The discretionary portion of the request, \$3,374,198,000, represents an increase of \$373,294,000, or almost 10 percent over the enacted amounts for fiscal year 1997. Of this amount, \$50,000,000 is requested from the violent crime reduction trust fund. The Committee recommendation is \$125,169,000 below the request, but assumes that a significant amount of 1997 funds will carry over in some accounts in order to provide additional funding.

SUPREME COURT OF THE UNITED STATES

Appropriations, 1997	\$29,957,000
Budget estimate, 1998	33,275,000
Committee recommendation	35,073,000

The Committee recommends a total of \$35,073,000 for the Supreme Court of the United States for fiscal year 1998. The total amount is provided in two separate appropriation accounts as follows:

SALARIES AND EXPENSES

Appropriations, 1997	\$27,157,000
Budget estimate, 1998	29,278,000
Committee recommendation	28,903,000

The Committee recommends \$28,903,000 for fiscal year 1998 for the salaries and expenses of the Justices, their supporting personnel, and the costs of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is \$1,746,000 above the fiscal year 1997 appropriation and \$375,000 below the fiscal year 1998 request.

The Committee recommendation provides the requested adjustments to base for this account. In addition, the amount provided includes \$217,000 for six additional police for 24-hour outside pa-

trols and \$25,000 for a communications equipment modernization study.

CARE OF THE BUILDING AND GROUNDS

Appropriations, 1997	\$2,800,000
Budget estimate, 1998	3,997,000
Committee recommendation	6,170,000

The Committee recommends \$6,170,000 for fiscal year 1998 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 \$3,370,000 above the fiscal year 1997 appropriation and \$2,173,000 above the fiscal year 1998 request.

The Committee recommendation provides the requested adjustments to base for this account. In addition, the amount provided, intended as a downpayment on the renovation of the Supreme Court, includes: \$320,000 to complete elevator renovations; \$25,000 for Americans With Disabilities Act requirements; \$2,225,000 for building improvements and utility systems upgrades; \$40,000 to upgrade fire pump electric feeders; \$110,000 for the emergency electrical distribution system; \$300,000 to complete fire alarm system upgrades; \$200,000 for a lightning protection system; \$200,000 to completely replace and retrofit 13.2-kilovolt switchgear and cables; and \$200,000 for conservation of exterior stone sculpture.

U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

Appropriations, 1997	\$15,013,000
Budget estimate, 1998	16,156,000
Committee recommendation	15,796,000

The Committee recommends \$15,796,000 for fiscal year 1998 for the salaries and expenses of the U.S. Court of Appeals for the Federal Circuit. The recommendation is \$783,000 above the fiscal year 1997 appropriation and \$360,000 below the fiscal year 1998 request. The Committee recommendation provides the requested adjustments to base for this account. In addition, the amount provided includes \$131,000 for four additional clerk's office personnel and \$53,000 for a systems manager.

U.S. COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Appropriations, 1997	\$11,114,000
Budget estimate, 1998	11,478,000
Committee recommendation	11,478,000

The Committee recommends \$11,478,000 for fiscal year 1998 for the salaries and expenses of the U.S. Court of International Trade. The recommendation is \$364,000 above the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The Committee recommendation provides the requested adjustments to base for this account.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Appropriations, 1997	\$2,596,000,000
Budget estimate, 1998	2,891,840,000
Committee recommendation	2,789,777,000

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

The Committee recommends a total of \$2,789,777,000 for fiscal year 1998 for salaries and expenses of the Courts of Appeals, District Courts, and Other Judicial Services. The recommendation is \$193,777,000 above the fiscal year 1997 appropriation and \$102,063,000 below the fiscal year 1998 request. The recommendation reflects a refinement of anticipated funding requirements and fully funds adjustments to base. The recommendation also fully funds the following increases over fiscal year 1997: \$40,609,000 for bankruptcy clerks and \$36,678,000 for probation and pretrial services. In addition, the Committee understands that the judiciary will realize carryover funds of at least \$69,711,000 resulting from unanticipated fee revenue in fiscal year 1997, and will have other fees and reimbursable funds which were not included in the President's fiscal year 1998 budget.

The Committee supports efforts of the judiciary to make information available to the public electronically, and expects that available balances from public access fees in the judiciary automation fund will be used to enhance availability of public access.

Within the overall funding level provided, the judiciary is encouraged to fund additional magistrate judges and court support staff as necessary.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 1997	\$2,390,000
Budget estimate, 1998	2,450,000
Committee recommendation	2,450,000

The Committee recommends a reimbursement of \$2,450,000 for fiscal year 1998 from the special fund to cover expenses of the claims court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. The recommendation is \$60,000 above the fiscal year 1997 appropriation and identical to the fiscal year 1998 request.

DEFENDER SERVICES

Appropriations, 1997	\$308,000,000
Budget estimate, 1998	329,529,000
Committee recommendation	308,000,000

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

The Committee recommends \$308,000,000 for fiscal year 1998 for defender services. The recommendation is identical to the fiscal year 1997 appropriation and \$21,529,000 below the fiscal year 1998 request. In addition, the Committee understands that up to \$60,397,000 in carryover funds from unanticipated fee revenue will be available to apply to this account, if necessary.

Capital representations.—The Committee is alarmed by the disproportionate claim on limited resources being made by a small but growing number of capital representations. Preliminary figures for first- and second-degree murder cases indicate that the incremental costs of capital representations are almost 10 times that of noncapital representations. The Committee directs the Administrative Office of the U.S. Courts, in cooperation with the Judicial Conference, to carefully review best practices in defending, or presiding over, capital cases from the initial appearance of the defendant through final appeal with the intent of developing and disseminating guidelines focused on case cost containment. This effort should be coordinated with the Attorney General. The Committee recommendation includes language limiting the incremental costs of capital representations.

FEEES OF JURORS AND COMMISSIONERS

Appropriations, 1997	\$67,000,000
Budget estimate, 1998	69,651,000
Committee recommendation	68,252,000

The Committee recommends \$68,252,000 for fiscal year 1998 for the fees and allowances of grand and petit jurors and for the compensation of land commissioners and jury commissioners. The recommendation is \$1,252,000 above the fiscal year 1997 appropriation and \$1,399,000 below the fiscal year 1998 request. The recommendation reflects a reduction in estimated juror days and more efficient jury management. In addition, the Committee understands that \$2,000,000 in carryover funds are available in this account.

COURT SECURITY

Appropriations, 1997	\$127,000,000
Budget estimate, 1998	170,304,000
Committee recommendation	167,883,000

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

The Committee recommends \$167,883,000 for fiscal year 1998 for court security. The recommendation is \$40,883,000 above the fiscal year 1997 appropriation and \$2,421,000 below the fiscal year 1998 request. The recommendation reflects a refined estimate by the U.S. Marshals Service of court security requirements and fully funds court security personnel and equipment.

ADMINISTRATIVE OFFICE OF THE U.S. COURTS

SALARIES AND EXPENSES

Appropriations, 1997	\$49,450,000
Budget estimate, 1998	54,108,000
Committee recommendation	53,843,000

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

The Committee recommends \$53,843,000 for fiscal year 1998 for the salaries and expenses of the Administrative Office of the U.S. Courts [AO]. The recommendation is \$4,393,000 above the fiscal year 1997 appropriation and \$265,000 below the fiscal year 1998 request. The recommendation fully funds reestimated base adjustments and includes \$831,000 for additional automation staff. Within the overall funding level provided, the AO is encouraged to fund additional automation support staff as necessary. The recommendation assumes that \$1,855,000 in carryover funds from unanticipated fee revenue in fiscal year 1997 will be applied to the "Courts of appeals, district courts, and other judicial services" account, but that other fees and reimbursable funds which were not included in the President's fiscal year 1998 budget will be available.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

Appropriations, 1997	\$17,495,000
Budget estimate, 1998	18,425,000
Committee recommendation	17,495,000

The Committee recommends \$17,495,000 for fiscal year 1998 for the salaries and expenses of the Federal Judicial Center. The recommendation is identical to the fiscal year 1997 appropriation and \$930,000 below the fiscal year 1998 request. The recommendation includes \$200,000 for two additional video producers, one additional multimedia specialist, and \$100,000 for equipment.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

Appropriations, 1997	\$30,200,000
Budget estimate, 1998	32,200,000
Committee recommendation	34,200,000

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

The Committee recommends \$34,200,000 for fiscal year 1998 for the payment to the judicial officers' retirement fund, the judicial survivors' annuities fund, and the claims court judges' retirement fund for fiscal year 1998. The recommendation is \$4,000,000 above the fiscal year 1997 appropriation and \$2,000,000 above the fiscal year 1998 request. The increase reflects a refined estimate of requirements and fully funds the judiciary retirement system.

U.S. SENTENCING COMMISSION

SALARIES AND EXPENSES

Appropriations, 1997	\$8,490,000
Budget estimate, 1998	9,480,000
Committee recommendation	9,480,000

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.

The Committee recommends \$9,480,000 for fiscal year 1998 for the salaries and expenses of the U.S. Sentencing Commission. The recommendation is \$990,000 above the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The Commission proposed applying \$271,000 in carryover funds to public service announcements. The Committee recommends that the carryover balance be applied only to the training of probation officers. In addition, the Committee recommends that not less than \$238,206 (three full-time equivalents) be used to establish within the Commission a sentencing guidelines simplification task force made up of Commission staff.

GENERAL PROVISIONS—THE JUDICIARY

The Committee has included the following general provisions in the bill for the judiciary.

Section 301 contains 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 contains language, included in previous appropriations acts, which permits up to 5 percent of any appropriation made available for fiscal year 1997 to be transferred between judiciary appropriation accounts with the proviso that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 605 in the general provisions of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

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

Section 304 contains language, included in previous appropriations acts, to extend for 1 year the authorization for the judiciary automation fund in order to continue the orderly and effective administration of the judiciary's automation programs to make information and services more accessible to the public through enhancing the availability of electronic information.

Section 305 contains language reorganizing the ninth circuit court of appeals.

Section 306 authorizes a cost-of-living adjustment for Justices and judges in fiscal year 1998.

Section 307 provides that each State in a circuit shall have at least one resident from that State seated as an active judge in that circuit.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

The Committee recommends a total of \$4,014,533,000 for fiscal year 1998 for the Department of State. The recommendation is \$40,267,000 above the fiscal year 1997 appropriation and \$232,366,000 below the fiscal year 1998 request. These recommendations are at or below the authorization levels contained in Senate bill 903, the Foreign Affairs Reform and Restructuring Act of 1997, with exceptions noted.

Historically, State has emphasized staffing levels at the expense of investments in technology and infrastructure. The Committee recommendation reverses this trend. Technology and infrastructure accounts have received the maximum funding deemed prudent.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

Appropriations, 1997	\$1,725,300,000
Budget estimate, 1998	1,886,977,000
Committee recommendation	1,728,568,000

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

The Committee recommends \$1,728,568,000 for fiscal year 1998 for diplomatic and consular programs. The recommendation is \$3,268,000 above the fiscal year 1997 appropriation and \$158,409,000 below the fiscal year 1998 request. The recommendation is \$18,409,000 below the authorization. The apparent deep reduction is deceptive. The budget request sought to change the scoring of machine-readable visa [MRV] fees, treating the fees as a direct appropriation included under the discretionary cap. Congress rejected the proposed change, so MRV fees remain an offsetting collection.

China 2000.—The Committee recommendation includes \$3,000,000 for China 2000, as requested. The Committee directs that the entire amount will be dedicated to emergency repair of United States facilities in China. The Committee expects to be consulted prior to the release of these funds.

Improving shared administrative support services.—The President submitted a budget amendment on March 17, 1997, that included implementing legislation for the International Cooperative Administrative Support Services Program. That provision has been

included in the recommendation under the general provisions section of this title.

Spending decreases.—The Committee recommendation continues a hiring freeze for Foreign Service officers and Foreign Service nationals. Manpower savings help underwrite critical investments in information and communications technology modernization. The recommendation also takes advantage of exchange rate savings.

Common agenda.—The Committee supports the pursuit of programs under the common agenda established in 1993 as part of the Japan-United States framework for a new economic partnership. The Committee is concerned by the apparent lack of enthusiasm within the State Department for the common agenda. Therefore, the Committee directs the Department to provide the Committees on Appropriations with a status report by December 31, 1997, on both its efforts to implement the common agenda since 1993 and its future intentions for common agenda items.

International parental kidnapping.—The Committee is aware that the State Department has been delinquent in addressing the issues of international parental kidnapping. When a Federal kidnapping warrant or State warrant for custodial interference has been issued, the State Department must insist that the provisions of the Hague Convention on the Civil Aspects of Child Abduction are enforced by signatories to the convention so that abducted American children are returned to the United States. In countries that have not ratified the convention, the State Department should pursue whatever diplomatic, administrative, or legal avenues are available to enforce U.S. law.

Bureau of Diplomatic Security.—The erroneous assumption that the Bureau would receive a significant decrease in resources below the fiscal year 1997 request through the reprogramming process skewed the fiscal year 1998 budget submission. The recommendation of a total of \$160,981,000 in operating expenses and salaries for the Bureau reflects the necessary adjustments. A similar adjustment is made under the heading “Salaries and expenses.” There is no greater priority in this title than assuring the safety of U.S. personnel stationed abroad and their dependents.

Bureau of Oceans and International Environmental and Scientific Affairs.—The erroneous assumption that the Bureau would receive a significant increase in resources above the fiscal year 1997 request through the reprogramming process skewed the fiscal year 1998 budget submission. The recommendation of a total of \$12,725,000 in operating expenses and salaries for the Bureau reflects the necessary adjustments, plus an additional \$125,000 for a grant to support efforts by the Maui Pacific Center to help Pacific nations maintain fish stocks.

Adoptions in the Russian Far East.—Within available resources, the recommendation provides an additional \$500,000 over fiscal year 1997 only for personnel and equipment for the consulate in Vladivostok, Russia. The increase will, among other things, enable the consulate to fully process adoption cases onsite, sparing new parents and their child the arduous, and increasingly dangerous, trip from the Russian Pacific coast to Moscow.

Equatorial Guinea.—Within available funds, the Committee recommendation includes \$45,000 for a consular agent in Malabo, Equatorial Guinea.

Bilateral prisoner transfer treaties.—The Committee is concerned that the administration has failed to begin to negotiate bilateral prisoner transfer treaties. The Committee believes renegotiating existing treaties, which have been largely ineffective, is an essential element in our efforts to combat illegal immigration and to expedite the removal of criminal aliens from the United States to their countries of origin. The Committee reminds the administration of its responsibility in this area and directs the Department of Justice and Department of State to begin taking immediate steps to begin serious negotiations concerning bilateral prisoner transfer treaties. The Committee directs the Department of State to report to the appropriate committee on its progress not later than November 1, 1997.

The Committee has continued language in the bill, requested by the administration, which: (1) 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; (2) permits up to \$4,000,000 in amounts made available in the “Diplomatic and consular programs” account to be transferred to the “Emergencies in the diplomatic and consular service” account for evacuations and terrorism rewards; (3) extends MRV fees; (4) provides that 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; and (5) provides that 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.

SALARIES AND EXPENSES

Appropriations, 1997	\$352,300,000
Budget estimate, 1998	363,513,000
Committee recommendation	363,513,000

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

The Committee recommends \$363,513,000 for fiscal year for salaries and expenses. The recommendation is \$11,213,000 above the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The recommendation is identical to the authorization.

Bureau of Diplomatic Security.—The recommendation of a total of \$82,151,000 for operating expenses and salaries for the Bureau compensates for the aforementioned errors underlying the fiscal year 1998 request.

The Committee expects the Department of State to maintain manpower levels overseas by absorbing attrition losses out of the Bureau structure in Washington.

CAPITAL INVESTMENT FUND

Appropriations, 1997	\$24,600,000
Budget estimate, 1998	64,600,000
Committee recommendation	105,000,000

This account provides resources for desperately needed investments in information and communications systems.

The Committee recommends \$105,000,000 for fiscal year 1998 for the capital investment fund. The recommendation is \$80,400,000 above the fiscal year 1997 appropriation and \$40,400,000 above the fiscal year 1998 request. The recommendation is \$40,400,000 above the authorization and is identical to the level originally sought by State and slashed by the Office of Management and Budget.

The Department's information systems are totally inadequate to meet critical mission requirements. Overseas, about 82 percent of radio equipment, 55 percent of computer equipment, and 40 percent of telephone systems are obsolete.

OFFICE OF INSPECTOR GENERAL

Appropriations, 1997	\$27,495,000
Budget estimate, 1998	28,300,000
Committee recommendation	27,495,000

The Committee recommends \$27,495,000 for fiscal year 1998 for the Office of the Inspector General. The recommendation is identical to the fiscal year 1997 appropriation and \$805,000 below the fiscal year 1998 request. The recommendation is \$805,000 below the authorization.

REPRESENTATION ALLOWANCES

Appropriations, 1997	\$4,490,000
Budget estimate, 1998	4,300,000
Committee recommendation	4,100,000

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

The Committee recommends \$4,100,000 for fiscal year 1998 for representation allowances authorized by section 905 of the Foreign Service Act of 1980. The recommendation is \$390,000 below the fiscal year 1997 appropriation and \$200,000 below the fiscal year 1998 request. The recommendation is identical to the authorization.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

Appropriations, 1997	\$8,332,000
Budget estimate, 1998	7,900,000
Committee recommendation	7,900,000

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 recommends \$7,900,000 for fiscal year 1998 for protection of foreign missions and officials. The recommendation is

\$432,000 below the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The recommendation is identical to the authorization.

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

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

Appropriations, 1997	\$389,320,000
Budget estimate, 1998	373,081,000
Committee recommendation	420,281,000

This account provides the funding that allows the Department to manage U.S. Government real property in over 200 countries worth an estimated \$12,500,000,000 and to maintain almost 14,000 residential, office, and functional properties, not only for the Department of State, but for all U.S. employees overseas.

The Committee recommends \$420,281,000 for fiscal year 1998 for security and maintenance of U.S. missions. The recommendation is \$30,961,000 above the fiscal year 1997 appropriation and \$47,200,000 above the fiscal year 1998 request and the authorization.

The Committee recommends funding for all current leases; security, safety, and efficiency upgrades; maintenance of existing facilities; and supervision and management for ongoing projects.

Spending increases.—The State Department has a maintenance backlog totaling \$591,000,000, not including another \$500,000,000 in facilities so decrepit that they will have to be replaced outright. The recommendation provides an increase of \$19,600,000 for emergency repair and security projects worldwide. The additional funds shall be disbursed only after consultation with the Committees on Appropriations.

China.—The recommendation provides increases over the request for the following emergency renovation projects in Beijing: leased apartments (\$3,000,000) and chancery (\$14,600,000).

Overseas real estate.—The State Department anticipates overseas real property sales of \$180,000,000 in fiscal year 1997, a more than 20-fold increase over fiscal year 1996. Another \$136,000,000 in sales is anticipated in fiscal year 1998. The Committee is anxious to see State reach these targets, because shortfalls will force the Committee to transfer funds from the “Contributions to international organizations” account to this account on a dollar-for-dollar basis to cover desperately needed facility repair costs. The Committee does commend management for the great strides that it has made in developing a report that provides the individual status of all properties in the process of disposal, and the Committee looks forward to quarterly updates. Finally, the Committee welcomes the

establishment of the property board and awaits its recommendations.

Jerusalem Embassy.—The Committee is aware of proposals for the United States to build a new Embassy in Jerusalem. Authorization for construction funding was included in Senate bill 903, the Foreign Affairs Reform and Restructuring Act as passed the Senate. The recommendation provides \$10,000,000 in architectural and engineering funding to develop the necessary plans for a Jerusalem Embassy.

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

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

Appropriations, 1997	\$5,800,000
Budget estimate, 1998	5,500,000
Committee recommendation	5,500,000

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

The Committee recommends \$5,500,000 for fiscal year 1998 for emergencies in the Diplomatic and Consular Service. The recommendation is \$300,000 below the fiscal year 1997 appropriation and identical to fiscal year 1998 request. The recommendation is identical to the authorization.

The Committee has continued a provision permitting up to \$1,000,000 to be transferred from this account to the "Repatriation loans program" account to ensure an adequate level of resources for loans to American citizens through the "Repatriation loans program" account should that account require additional funds in fiscal year 1998 due to an unanticipated increase in the number of loans needed. The Committee has added a provision under the "Diplomatic and consular affairs" account permitting up to \$4,000,000 to be transferred from that account to the "Emergencies in the diplomatic and consular service" account to ensure adequate funds are available for evacuations and terrorism rewards.

REPATRIATION LOANS PROGRAM ACCOUNT

Appropriations, 1997	\$1,256,000
Budget estimate, 1998	1,200,000
Committee recommendation	1,200,000

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

The Committee recommends \$1,200,000 for fiscal year 1998 for the "Repatriation loans program" account as authorized by 22

U.S.C. 2671. The recommendation is \$56,000 below the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The recommendation is identical to the authorization.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

Appropriations, 1997	\$14,490,000
Budget estimate, 1998	14,490,000
Committee recommendation	14,490,000

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.

The Committee recommends \$14,490,000 for payment to the American Institute in Taiwan. The recommendation is identical to both the fiscal year 1997 appropriation and the fiscal year 1998 request. The recommendation is identical to the authorization.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY
FUND

Appropriations, 1997	\$126,491,000
Budget estimate, 1998	129,935,000
Committee recommendation	129,935,000

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

The Committee recommends \$129,935,000 for payment to the Foreign Service retirement and disability fund. The recommendation is \$3,444,000 above the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The recommendation is identical to the authorization.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

Appropriations, 1997	\$892,000,000
Budget estimate, 1998	1,023,000,000
Committee recommendation	957,009,000

The Committee recommends \$957,009,000 for fiscal year 1998 for payment of the obligations of U.S. membership in international organizations, including arrearages, as authorized by conventions, treaties, or specific acts of Congress. The recommendation is \$65,009,000 above the fiscal year 1997 appropriation and \$65,991,000 below the fiscal year 1998 request. The recommendation is \$34,991,000 below the authorization.

U.N. reform.—Months of intense negotiations have produced a bipartisan, bicameral U.N. reform package endorsed by the administration. The package has been incorporated into S. 903, the Foreign Affairs Reform and Restructuring Act of 1997. Highlights of the package include: settlement of U.N. arrears, a cap on both the U.N.

budget and U.S. contributions to the United Nations; strict guidelines for U.S. involvement in U.N. peacekeeping operations; improved peacekeeping reimbursement procedures; U.N. personnel reductions; limitations on worldwide conferences; and improved U.N. accounting and accountability. The Committee welcomes this historic agreement and has made the availability of funding for “Contributions to International Organizations,” including \$54,000,000 for U.N. arrears, contingent upon enactment of authorizing legislation. In addition, the Committee directs the Department to provide \$17,620,000 out of funds made available in fiscal year 1997 for the African crises fund to partially prepay U.N. regular budget assessments for calendar year 1997 to enhance U.S. negotiating leverage in the ongoing U.N. budget talks.

Spending decreases.—The recommendation assumes exchange rate savings due to the continuing strength of the U.S. dollar, savings realized from withdrawal from the Organization for Economic Cooperation and Development [OECD] development center and the Interparliamentary Union, and savings attributable to unneeded dues for the International Seabed Authority and the International Tribunal of the Law of the Sea, neither of which is expected to begin operations before fiscal year 1999.

Overseas real estate.—The State Department anticipates overseas real property sales of \$180,000,000 in fiscal year 1997, a more than twentyfold increase over fiscal year 1996. Another \$136,000,000 in sales is anticipated in fiscal year 1998. The Committee is anxious to see State reach these targets, because shortfalls will force the Committee to transfer funds from the “Contributions to international organizations” account to the “Security and maintenance of U.S. missions” account on a dollar-for-dollar basis to cover desperately needed facility repair costs.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

Appropriations, 1997	\$352,400,000
Budget estimate, 1998	286,000,000
Committee recommendation	200,320,000

The Committee recommends \$200,320,000 for fiscal year 1998 for U.S. payments for contributions for international peacekeeping activities, including arrearages. The recommendation is \$152,080,000 below the fiscal year 1997 appropriation and \$85,680,000, below the fiscal year 1998 request. The recommendation is \$45,680,000 below the authorization.

U.N. reform.—The Committee recommendation includes \$46,000,000 for arrears. In keeping with the aforementioned U.N. reform package, the availability of funding for contributions for international peacekeeping activities is subject to enactment of authorizing legislation.

War crimes.—The Committee recommendation includes \$10,120,000 for the Yugoslavia and Rwanda war crimes tribunals. In addition, the Committee directs the Department to provide \$2,380,000 out of funds made available in fiscal year 1997 for the African crises fund to partially prepay war crime tribunal assessments for calendar year 1997 as a demonstration of U.S. commitment to the prosecution of war crimes.

Spending decreases.—The crises in Afghanistan, Liberia, and the Great Lakes region of Africa have not developed to the degree feared or have concluded more rapidly than expected. Therefore, no new funds are provided for these contingencies.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

Appropriations, 1997	
Budget estimate, 1998	\$4,941,000
Committee recommendation	

The Committee does not recommend separate funding to finance the U.S. participation in multilateral intergovernmental conferences and contributions to new or provisional international organizations for fiscal year 1998. The Committee recommendation continues language under the “Contributions to international organizations” account to allow the transfer of up to \$10,000,000 to this account for the purpose of providing such funds.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

Appropriations, 1997	\$21,953,000
Budget estimate, 1998	24,953,000
Committee recommendation	24,663,000

The Committee recommends \$24,663,000 for fiscal year 1998 for the International Boundary and Water Commission, United States and Mexico [IBWC]. The recommendation is \$2,710,000 above the current fiscal year and \$290,000 below the fiscal year 1998 request. The recommendation is identical to the authorization. The total amount provided includes \$18,200,000 for salaries and expenses and \$6,463,000 for construction.

SALARIES AND EXPENSES

Appropriations, 1997	\$15,490,000
Budget estimate, 1998	18,490,000
Committee recommendation	18,200,000

The Committee recommends \$18,200,000 for fiscal year 1998 for the “Salaries and expenses” account. The recommendation is \$2,710,000 above the fiscal year 1997 appropriation and \$290,000 below the fiscal year 1998 request. The recommendation is identical to the authorization.

CONSTRUCTION

Appropriations, 1997	\$6,463,000
Budget estimate, 1998	6,463,000
Committee recommendation	6,463,000

The Committee recommends \$6,463,000 for fiscal year 1998 for construction. The recommendation is identical to the fiscal year 1997 appropriation, the fiscal year 1998 request, and the fiscal year 1998 authorization.

Funds are provided for several projects along the United States-Mexican border, as requested, including the American Canal extension (\$4,038,000); the Rio Grande canalization project (\$1,000,000);

the Colorado River project (\$1,000,000); and facilities renovation projects (\$425,000).

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

Appropriations, 1997	\$5,490,000
Budget estimate, 1998	5,660,000
Committee recommendation	5,010,000

The Committee recommends \$5,010,000 for fiscal year 1998 to fund the U.S. share of expenses of the International Boundary Commission [IBC], the International Joint Commission [IJC], the Border Environment Cooperation Commission [BECC], and the Bering Straits Commission [BSC]. The recommendation is \$480,000 below the fiscal year 1997 appropriation and \$650,000 below the fiscal year 1998 request. The recommendation is identical to the authorization, and includes \$785,000 for the IBC, \$3,225,000 for the IJC, \$960,000 for the BECC, and \$40,000 for a grant for the BSC.

INTERNATIONAL FISHERIES COMMISSIONS

Appropriations, 1997	\$14,549,000
Budget estimate, 1998	14,549,000
Committee recommendation	14,549,000

The Committee recommends \$14,549,000 for fiscal year 1998 to fund the U.S. share of the expenses of international fisheries commissions; participation in the International Council for the Exploration of the Sea; participation in the North Pacific Marine Sciences Organization; travel expenses of the U.S. commissioners and their advisors; and salaries of non-Government employees of the Pacific Salmon Commission for days actually worked as commissioners and panel members and alternates. The recommendation is identical to the fiscal year 1997 appropriation and the fiscal year 1998 request. The recommendation provides \$8,353,000 for the Great Lakes Fishery Commission, as requested, including \$7,724,000 for the sea lamprey operations and research program.

OTHER

PAYMENT TO THE ASIA FOUNDATION

Appropriations, 1997	\$8,000,000
Budget estimate, 1998	8,000,000
Committee recommendation	5,000,000

The Committee recommends \$5,000,000 for fiscal year 1998 for the Asia Foundation. The recommendation is \$3,000,000 less than the fiscal year 1997 appropriation, the fiscal year 1998 request, and the fiscal year 1998 authorization.

The Asia Foundation is a nongovernmental grantmaking organization that supports democratization in Asia. Congress has repeatedly urged the foundation to aggressively pursue private funds to support its activities.

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

Appropriations, 1997	\$41,500,000
Budget estimate, 1998	46,200,000
Committee recommendation	32,613,000

The Arms Control and Disarmament Agency [ACDA] advises and assists the President, the National Security Council, the Secretary of State, and other senior Government officials on arms control matters. On April 18, 1997, the White House announced that ACDA would be merged with the State Department within 1 year.

The Committee recommends \$32,613,000 for fiscal year 1998 for ACDA. The recommendation is \$8,887,000 below the fiscal year 1997 appropriation and \$13,587,000 below the fiscal year 1998 request. The recommendation is \$6,387,000 below the authorization.

The imminent absorption of ACDA into the State Department eliminates the need for reimbursable detailees. The Committee has adjusted the request by ACDA accordingly.

U.S. INFORMATION AGENCY

Appropriations, 1997	\$1,059,410,000
Budget estimate, 1998	1,077,788,000
Committee recommendation	1,057,527,000

The Committee recommends \$1,057,527,000 for fiscal year 1998 for the U.S. Information Agency [USIA] to carry out the information, educational, and cultural exchange activities of the Agency and international broadcasting operations. The recommendation also provides for the requested appropriation of interest and earnings on the Eisenhower Exchange Fellowship Program Trust Fund and the Israeli-Arab Scholarship Endowment Fund. On April 18, 1997, the White House announced that USIA would be merged with the State Department within 2 years.

The recommendation is \$1,883,000 below the fiscal year 1997 appropriation and \$20,261,000 below the fiscal year 1998 request. The recommendation is \$18,593,000 below the authorization.

The Committee notes that the fall of the Berlin wall has had a dramatic impact on this Agency. Since 1994 USIA has eliminated 2,994 Federal and grantee positions, including 128 positions proposed for elimination in fiscal year 1998. The details of the Committee's recommendations for the nine USIA accounts are outlined in the following paragraphs. These recommendations are at or below the authorization levels contained in S. 903, the Foreign Affairs Reform and Restructuring Act of 1997, with exceptions noted.

INTERNATIONAL INFORMATION PROGRAMS

Appropriations, 1997	\$441,375,000
Budget estimate, 1998	434,097,000
Committee recommendation	427,097,000

The Committee recommends \$427,097,000 for fiscal year 1998 for international information programs. The recommendation is \$14,278,000 below the fiscal year 1997 appropriation and

\$7,000,000 below the fiscal year 1998 request. The recommendation is identical to the authorization.

The Committee understands that favorable exchange rates have reduced funding requirements in this account by roughly \$6,000,000. The Committee recommendation assumes that the balance of the reduction will come out of foreign national employee compensation and benefits, under the West European and Canadian program.

The Committee recommendation includes the following limitations on the use of funds which have been carried in the bill in previous years: (1) \$700,000 for temporary employees; (2) \$25,000 for entertainment, including official receptions, as authorized by law; (3) \$1,400,000 for representation abroad as authorized by law; (4) \$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, and publication programs as authorized by law; and (5) \$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.

TECHNOLOGY FUND

Appropriations, 1997	\$5,050,000
Budget estimate, 1998	7,000,000
Committee recommendation	10,000,000

This account helps to modernize USIA's nonbroadcasting computer and telecommunications infrastructure. This account largely replaces an investment strategy that had relied heavily on available yearend funds.

The Committee recommends \$10,000,000 for fiscal year 1998 for the technology fund. The recommendation is \$4,950,000 above the fiscal year 1997 appropriation and \$3,000,000 above the fiscal year 1998 request. The recommendation is \$4,950,000 above the authorization and matches fiscal year 1998 unfunded requirements for computer hardware and software. The funding increase is intended to increase efficiency and productivity as a means of compensating for sharp, and continuing, reductions in agency manning.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

Appropriations, 1997	\$185,000,000
Budget estimate, 1998	197,731,000
Committee recommendation	200,000,000

The Committee recommends \$200,000,000 for fiscal year 1998 for educational and cultural exchange programs. The recommendation is \$15,000,000 above the fiscal year 1997 appropriation and \$2,269,000 above the fiscal year 1998 request. The recommendation is identical to the authorization.

The Committee notes that for fiscal year 1998, funding for exchange programs in the New Independent States [NIS] of the former Soviet Union is provided under the Foreign Operations appropriations bill.

The Committee recommends that the following be made available out of the funds provided in this account: \$99,236,000 for the Fulbright Program; \$5,739,000 for other academic programs, including

study of the United States, student advising and student services, and English language programs; \$59,015,000 for international visitor and citizen exchanges; and \$1,253,000 for cultural programs.

The Committee further recommends that the following be made available out of the funds provided in this account for the following exchange programs, and only the following exchange programs: Muskie (\$6,000,000); Humphrey (\$5,000,000); and Mansfield (\$2,172,000) fellowships; Irish Management Center (\$1,000,000); United States-Mexico Conflict Resolution Center (\$500,000), and Institute for Representative Government (\$400,000).

The Committee is aware of at least one nongovernmental exchange program currently receiving Federal funds with an astonishing 42 percent overhead rate. Funds for nongovernmental exchange programs may only be released upon certification by the U.S. Information Agency to the Committees on Appropriations that overhead costs account for no more than 15 percent of the total budget of a given exchange program. The Committee expects the certification process to be completed not later than December 31, 1997.

Governmentwide review of exchanges.—In 1995, the latest year for which complete data is available, 39 U.S. Government departments and agencies contributed more than \$2,400,000,000 to support foreign exchange and training programs. Tight budgetary constraints necessitate a thorough review of these activities to both eliminate duplication and overlap and ensure cost-effective, coordinated Federal support of exchanges. As requested by the administration, the Committee recommends \$565,000 to establish and staff the Office of the U.S. Government Exchange and Training Coordination.

Finally, within the total amount of funding provided, \$19,685,000 is recommended for exchange support activities as requested by the administration. This amount includes the aforementioned Exchange and Training Coordination Office.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

Appropriations, 1997	\$600,000
Budget estimate, 1998	600,000
Committee recommendation	570,000

The Committee recommends \$570,000 for an appropriation of interest and earnings in the Eisenhower Exchange Fellowship Program Trust Fund, authorized by the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454). The recommendation is \$30,000 below the fiscal year 1997 appropriation, the fiscal year 1998 request, and the authorization and reflects a refined estimate of interest and earnings available for fiscal year 1998. The Committee recommendation also assumes carryover of \$7,000.

The Eisenhower Exchange Fellowship Act of 1990 authorized a permanent endowment for the Eisenhower Exchange Fellowship Program. The act established the Eisenhower Exchange Fellowship Program Trust Fund in the U.S. Treasury for these purposes. A total of \$7,500,000 has been provided to establish a permanent en-

dowment for the program, from which interest and earnings in the fund are appropriated to Eisenhower Exchange Fellowships, Inc.

ISRAELI-ARAB SCHOLARSHIP PROGRAM

Appropriations, 1997	\$400,000
Budget estimate, 1998	400,000
Committee recommendation	400,000

The Committee recommends language in the accompanying bill which will appropriate interest and earnings of the Israeli-Arab Scholarship Endowment Fund totaling \$400,000. The recommendation is identical to the fiscal year 1997 appropriation, the fiscal year 1998 request, and the authorization.

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

INTERNATIONAL BROADCASTING OPERATIONS

Appropriations, 1997	\$325,000,000
Budget estimate, 1998	344,655,000
Committee recommendation	339,655,000

The Committee recommends \$339,655,000 for fiscal year 1998 for U.S. international broadcasting operations. Since the Committee rejects the proposal in the budget request to fund broadcasting to Cuba within this account, the figures listed above represent funding levels for non-Cuba broadcasting operations. The recommendation is \$12,655,000 above the fiscal year 1997 appropriation and \$5,000,000 below the fiscal year 1998 request. The recommendation is \$5,000,000 below the authorization. The recommendation assumes exchange rate savings.

Radio Free Asia.—Within available resources, the Committee recommendation provides \$20,000,000 for Radio Free Asia.

Targeting State sponsors of terrorism.—Within the funds provided for international broadcasting operations, \$5,000,000 is included to continue funding for programming targeted at countries the United States currently lists as sponsors of terrorism: Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria, as well as countries where American citizens and property are threatened by acts of terrorism. Not less than \$2,000,000 shall be used to develop a Farsi-language surrogate broadcasting service to Iran.

Advertising.—The Committee recommendation provides no funds for audience research. Audience research should be funded out of the proceeds of sales of advertising air time.

The bill language continues several provisions repeated in the request: (1) not to exceed \$1,000,000 of these funds shall remain available until expended; (2) not to exceed \$90,000 may be used for official receptions and representation in the United States and abroad; and (3) that \$250,000 in authorized fees can remain available until expended. One new provision ties the release of funds to advertising sales.

BROADCASTING TO CUBA

Appropriations, 1967	\$25,000,000
Budget estimate, 1998	22,095,000
Committee recommendation	22,095,000

The Committee recommends \$22,095,000 for fiscal year 1998 for broadcasting to Cuba. The recommendation is \$2,905,000 below the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The recommendation is identical to the authorization.

RADIO CONSTRUCTION

Appropriations, 1997	\$35,490,000
Budget estimate, 1998	32,710,000
Committee recommendation	32,710,000

The Committee recommends \$32,710,000 for fiscal year 1998 for radio construction. The recommendation is \$2,780,000 below the fiscal year 1997 appropriation and identical to the fiscal year 1998 request. The recommendation is \$5,000,000 below the authorization.

The recommendation is intended to provide funding for necessary maintenance, improvements, replacements, and repairs; satellite and terrestrial program feeds; and engineering support activities, broadcast facility leases, and land rentals.

EAST-WEST CENTER

Appropriations, 1997	\$10,000,000
Budget estimate, 1998	7,000,000
Committee recommendation	22,000,000

The Committee recommends \$22,000,000 for fiscal year 1998 for the East-West Center. The recommendation is \$12,000,000 above the fiscal year 1997 appropriation and \$15,000,000 above the fiscal year 1998 request. The recommendation is \$12,000,000 above the authorization.

NORTH/SOUTH CENTER

Appropriations, 1997	\$1,495,000
Budget estimate, 1998	1,500,000
Committee recommendation	3,000,000

The Committee recommends \$3,000,000 for fiscal year 1998 for the North/South Center. The recommendation is \$1,505,000 above the fiscal year 1997 appropriation and \$1,500,000 above the fiscal year 1998 request. The recommendation is \$7,000,000 below the authorization.

NATIONAL ENDOWMENT FOR DEMOCRACY

Appropriations, 1997	\$30,000,000
Budget estimate, 1998	30,000,000
Committee recommendation	

The Committee does not recommend funding for fiscal year 1998 for the National Endowment for Democracy [NED]. The recommendation is \$30,000,000 below the fiscal year 1997 appropriation, the fiscal year 1998 request, and the authorization.

The NED was originally established in 1984 during the days of the cold war as a public-private partnership to promote democratic

movements behind the Iron Curtain. Limited U.S. Government funds were viewed as a way to help leverage private contributions, and were never envisioned as NED's sole or major source of continuing funds. Since the cold war is over, the Committee believes that the time has come to eliminate Federal funding for this program.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

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

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

Section 404 waives through September 30, 1998, provisions of existing law that require authorizations to be in place for State Department, U.S. Information Agency, including international broadcasting operations, and Arms Control and Disarmament Agency activities prior to the expenditure of any appropriated funds.

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

Section 406 continues, with modifications, language regarding Vietnam.

Section 407 implements the International Cooperative Administrative Support Services Program.

Section 408 matches resources to commitments with regard to membership in international organizations.

Section 409 imposes, prospectively, a revolving door restriction on Mansfield fellows.

TITLE V—RELATED AGENCIES
DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

Appropriations, 1997	\$159,900,000
Budget estimate, 1998	161,400,000
Committee recommendation	137,000,000

The Maritime Administration [MarAd] in the Department of Transportation is responsible for administering several programs for the maritime industry relating to U.S. foreign and domestic commerce, and for national defense purposes.

The Committee recommendation provides a total of \$137,000,000 for the Maritime Administration for fiscal year 1998. The Committee's recommendations for specific accounts within the Maritime Administration are described in more detail below.

OPERATING-DIFFERENTIAL SUBSIDIES

(APPROPRIATION TO LIQUIDATE CONTRACT AUTHORITY)

Appropriations, 1997	\$148,430,000
Budget estimate, 1998	135,000,000
Committee recommendation	135,000,000

The Committee recommends \$135,000,000 for payment of obligations incurred for operating-differential subsidies of American flag vessels. This amount is identical to MarAd's budget request. Since the submission of the fiscal year 1998 budget, MarAd has determined that the subsidy program will have a carryover of fiscal year 1997 funds totaling \$56,600,000. The agency has determined that requirements in fiscal year 1998 will be \$51,000,000 and not the \$135,000,000 reflected in the fiscal year 1998 request. The Committee expects MarAd to use carryover funds in fiscal year 1998 for these subsidies, and provides \$22,427,00 to meet program requirements. This amount does not score against the Committee's 602(b) allocation for budget authority or outlays. The Committee is providing for liquidation of subsidy contracts that will be expiring within the next 4 years.

MARITIME SECURITY PROGRAM

Appropriations, 1997	\$54,000,000
Budget estimate, 1998	52,400,000
Committee recommendation	35,000,000

The Committee recommends \$35,000,000 for the new Maritime Security Program. The fiscal year 1998 budget request for this program was \$52,400,000. Since the submission of the administration's budget request, MarAd has advised the Committee the program will not need \$19,000,000 of the funds requested in fiscal

year 1998. Several carriers expected to participate in the program are not yet eligible, either because of efforts to reflag vessels or because their ships are still participating in the operating differential subsidy program. The Committee was advised that the program was expected to require no more than \$35,000,000 in fiscal year 1998.

OPERATIONS AND TRAINING

Appropriations, 1997	\$65,000,000
Budget estimate, 1998	70,000,000
Committee recommendation	69,000,000

This account funds operations of the Maritime Administration [MarAd], the U.S. Merchant Marine Academy, and provides grants to State maritime academies.

The Committee recommends an appropriation of \$69,000,000 to fund programs under this account. This amount is a reduction of \$1,000,000 from the budget request.

The Committee recommendation includes \$41,498,000 for the U.S. Merchant Marine Academy and State maritime schools. Of this amount \$31,939,000 is for the U.S. Merchant Marine Academy, with the remainder being used for the support of State maritime schools and the federally owned training ships assigned to each of these institutions. The Committee is aware that the U.S. Merchant Marine Academy has deferred maintenance on its physical plant, and has provided funds for this purpose. The General Accounting Office [GAO] advised the Committee that MarAd should consider implementing greater internal controls on expenditures used to repair and maintain maritime school ships. The Committee directs MarAd to keep primary records documenting the cost of all repairs and routine maintenance on these ships and to question any deficient work performed on these ships by contractors. The ships are federally owned and maintained; thus, they are a Federal responsibility. The appropriations in this section include \$27,500,000 for MarAd administration and operations. This represents a freeze at the fiscal year 1997 level for MarAd's operations.

The accompanying bill includes no funds for the Ready Reserve Force [RRF] for fiscal year 1998. In fiscal year 1996 funding for this account was transferred to the Department of Defense. Management of the program remains with MarAd, and the agency is reimbursed by the Department of Defense for its services. These reimbursements are reflected in MarAd's "Vessel operations revolving fund" account.

MARITIME GUARANTEED LOAN PROGRAM

Appropriations, 1997	\$40,900,000
Budget estimate, 1998	39,000,000
Committee recommendation	33,000,000

The Maritime Guaranteed Loan Program (title XI) provides subsidies for guaranteed loans for purchasers of vessels built in U.S. shipyards.

The Committee is providing \$33,000,000 for the Maritime Guaranteed Loan Program for fiscal year 1998, which is \$6,000,000 below the request and \$7,900,000 below the fiscal year 1997 appropriation. MarAd advised the Committee on July 1, 1997, that it an-

ticipated having a fiscal year 1997 carryover balance of \$34,854,000 in this account. This carryover, plus the amount the Committee provides in fiscal year 1998 will fund this program at a level of \$63,854,000. The Committee has provided \$4,000,000 for administrative expenses in order to allow the program to obligate its remaining unexpended balances.

ADMINISTRATIVE PROVISIONS

The bill includes several administrative provisions involving Government property controlled by MarAd, the accounting for certain funds received by MarAd, and a prohibition on obligations from the MarAd construction fund. These provisions have been carried in appropriations acts for the Maritime Administration for several years.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE
ABROAD

SALARIES AND EXPENSES

Appropriations, 1997	\$206,000
Budget estimate, 1998	206,000
Committee recommendation	206,000

The Committee recommends \$206,000 for the expenses of the Commission for the Preservation of America's Heritage Abroad. This amount is the same as the budget request and the fiscal year 1997 funding level. The recommendation will allow the Commission to fund its administrative expenses through appropriated funds while relying on privately donated funds for the actual purchase and restoration of property.

The purpose of the Commission is to encourage the preservation of cemeteries, monuments, and historic buildings associated with the foreign heritage of the American people.

COMMISSION ON THE ADVANCEMENT OF FEDERAL LAW
ENFORCEMENT

SALARIES AND EXPENSES

Appropriations, 1997	\$2,000,000
Budget estimate, 1998	
Committee recommendation	

The Committee does not recommend any funding for the expenses of the Commission on the Advancement of Federal Law Enforcement. The purpose of the Commission is to review, ascertain, evaluate, report, and recommend action on matters relating to Federal law enforcement. The Committee provided \$2,000,000 for this effort in the fiscal year 1997 supplemental appropriation.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

Appropriations, 1997	\$8,740,000
Budget estimate, 1998	11,000,000
Committee recommendation	8,740,000

The Committee recommends \$8,740,000 for the salaries and expenses of the Commission on Civil Rights. The amount recommended is \$2,260,000 less than the budget request and the same as the current year appropriation.

The Committee recommends bill language which provides: (1) \$50,000 to employ consultants; (2) a prohibition against reimbursing commissioners for more than 75 billable days, with the exception of the Chairman, who is permitted 125 billable days; (3) a limitation of four full-time positions under schedule C of the Excepted Service exclusive of one special assistant for each Commissioner; and (4) a prohibition on hiring any additional Senior Executive Service personnel.

The Committee notes the fiscal year 1998 budget submission assumes a 20-percent increase in FTE's. As in past years, the Committee recommends that the Commission augment its work force by obtaining detailees from other executive branch departments and agencies.

U.S. COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

Appropriations, 1997	\$2,196,000
Budget Request, 1998	500,000
Committee recommendation	459,000

The Committee recommends an appropriation of \$459,000 for fiscal year 1998 for the U.S. Commission on Immigration Reform. The Committee's recommendation represents the funding needed to finish the work of the Commission.

The Commission's mandate is to review and evaluate the impact of U.S. immigration policy and to transmit to the Congress a report of its findings and recommendations for additional changes that should be made with respect to immigration into the United States. The Commission must report to the Congress on September 30, 1997, and is slated to sunset on January 1, 1998.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

Appropriations, 1997	\$1,090,000
Budget estimate, 1998	1,090,000
Committee recommendation	1,090,000

The Committee recommends a freeze on funding for the Commission on Security and Cooperation in Europe [Helsinki Commission] at fiscal year 1997 levels. This amount is the same as the budget request and the fiscal year 1997 funding level.

The Helsinki 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

Appropriations, 1997	\$239,740,000
Budget estimate, 1998	246,000,000
Committee recommendation	242,000,000

The Committee recommends \$242,000,000 for the salaries and expenses of the Equal Employment Opportunity Commission [EEOC] for fiscal year 1998. This amount is \$4,000,000 less than the fiscal year 1998 request and equivalent to the fiscal year 1997 appropriation.

The bill also contains language included in previous appropriations acts allowing: (1) nonmonetary awards to private citizens; (2) up to \$27,500,000 for payments to State and local agencies; and (3) up to \$2,500 for official reception and representation expenses.

The Committee supports the recent changes adopted by the EEOC to use mediation-based alternatives to resolve disputes in some cases and to prioritize and categorize charges based on new charge handling procedures. These efforts may have a considerable effect on the workload of the EEOC, and the Committee notes that the increases proposed for the EEOC were requested prior to the implementation of these new procedures. The Committee expects the EEOC to continue its examination of alternatives to case processing in order to decrease its backlog of cases and reduce the rate of incoming casework.

The Committee is cognizant of the large backlog of cases before the EEOC and the EEOC's request for additional funding to reduce the backlog. At the same time, we are concerned that the Commission is allocating scarce resources to age discrimination cases which are already being litigated by the private bar. The Committee strongly urges that the Commission target its manpower and financial resources toward the prosecution of cases whose underlying facts are not the subject of independent litigation before the private bar.

FEDERAL COMMUNICATIONS COMMISSION
SALARIES AND EXPENSES

Appropriations, 1997	\$188,079,000
Budget estimate, 1998	219,079,000
Committee recommendation	185,949,000

The Committee recommends a total program level of \$185,949,000 for the salaries and expenses of the Federal Communications Commission [FCC], of which \$162,523,000 is to be derived from collection of existing section 9 fees. The remaining \$23,426,000 would be funded from direct appropriations.

The FCC is an independent agency charged with regulating interstate and foreign communications by means of radio, television, wire, cable, and satellite.

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, 1999; (5) authority to purchase uniforms and acquire vehicles; (6) for funding for special counsel fees; (7) for the collection of \$162,523,000 in section 9 fees; (8) for the sum appropriated to be reduced as section 9 fees are collected; and (9) for fees collected in excess of \$162,523,000 to be available in fiscal year 1998.

The Committee has chosen to deny requested increases related to the cost of relocating the FCC headquarters into consolidated new space. The fiscal year 1998 request for these costs is \$30,000,000. The Committee is concerned about the decision of the FCC to lease space in excess of the original prospectus. In addition, as of June 27, 1997, the FCC has not advised the Committee of the Agency's need to stay in their current quarters beyond December 1997. The Committee is concerned the new building will not be ready by that date.

The Committee expects the FCC to issue a request for proposals for combinatorial bidding systems for spectrum auctions. The current system of conducting the auctions may lead to bid rigging. The FCC should investigate the feasibility of utilizing a combinatorial bidding system which would accelerate the bidding process and reduce the possibility of gaming.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

Appropriations, 1997	\$14,000,000
Budget estimate, 1998	14,300,000
Committee recommendation	14,300,000

The Federal Maritime Commission [FMC] is an independent regulatory agency charged with administering several acts of law relating to the waterborne domestic and foreign offshore commerce of the United States.

The Committee recommends an appropriation of \$14,300,000 for the salaries and expenses of the Federal Maritime Commission.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriations, 1997	\$101,930,000
Budget estimate, 1998	108,000,000
Committee recommendation	108,000,000

The Federal Trade Commission [FTC] administers a variety of Federal antitrust and consumer protection laws. Activities in the antitrust area include detection and elimination of illegal collusion, anticompetitive mergers, unlawful single-firm conduct, and injurious vertical agreements. In addressing fraud and other consumer concerns, the FTC regulates advertising practices, service industry practices, marketing practices, and credit practices.

The Committee recommends total budget authority of \$108,000,000 for the salaries and expenses of the Federal Trade Commission for fiscal year 1998. The recommended amount of budget authority is the same as the fiscal year 1998 request and is \$6,070,000 above current year funding. Of this amount, \$10,000,000 is to be derived from prior year unobligated fee collec-

tions and \$70,000,000 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 \$28,000,000.

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

Given the limited resources available to the Federal Trade Commission, it is important that appropriated Federal funds not be spent on duplicative regulatory activities concerning hospital mergers. Consequently, this provision ensures that, for a period of 1 year, in any instance where the Commission had elected to first seek injunctive relief in court, and had lost not only at the district court level but also the appellate level prior to July 9, 1997, the Commission may not conduct an administrative proceeding on the very same matter.

The Committee believes that, in light of the recognition of the excess capacity that exists among the country's many hospitals and the ongoing effort to address this issue through appropriate consolidations, it is important that the Commission and others carefully examine the issues of each circumstance beyond the simple reduction in the number of competitors in a marketplace. In instances where the court has found that consumer welfare will be well served by a hospital merger, the Committee would hope that the Commission would closely examine their grounds for considering their merger in violation of antitrust laws. When such a hospital merger is consider by the Department of Justice, such a finding by the court stands.

The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for purchase of uniforms and hire of motor vehicles; (2) allows up to \$2,000 for official reception and representation expenses; (3) allows for the collection of fees; (4) allows for the sum appropriated to be reduced as fees are collected; (5) allows fees in excess of the amount designated in the bill to be available in fiscal year 1998, and (6) prohibits the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991. The Committee has retained bill language making funds appropriated from the Treasury for the FTC available until expended. This language change is necessary to avoid setting up a separate accounting system to track appropriated funds versus fee revenue.

NATIONAL GAMBLING IMPACT STUDY COMMISSION

Appropriations 1997	\$4,000,000
Budget estimate 1998	
Committee recommendation	

The Committee provided funding for the National Gambling Impact Study Commission in fiscal year 1997 assuming that legislation establishing the Commission would be enacted. The Commission was authorized by Public Law 104-169. The Committee is in receipt of a charter for the Commission dated June 15, 1997, which was transmitted by the Chairman of the Commission. The Commission intends to conduct a comprehensive legal and factual study of the social and economic impacts of gambling. The Commission will report its findings to the President, Congress, State Governors, and

native American tribal governments no later than 2 years after the date of its first meeting, which occurred on June 20, 1997.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

Appropriations, 1997	\$283,000,000
Budget estimate, 1998	340,000,000
Committee recommendation	300,000,000

The Committee recommends a total of \$300,000,000 for fiscal year 1998 for the provision of civil legal services. The recommendation is \$17,000,000 above the fiscal year 1997 appropriation and \$40,000,000 below the fiscal year 1998 request. The Committee recommendation includes \$273,070,000 for basic field programs, to be used for competitively awarded grants and contracts, \$7,911,000 for management and administration, \$2,019,000 for the Office of the Inspector General, and \$17,000,000 for pro se legal education demonstration projects focused on the unique needs of battered women and single mothers, particularly in inner cities, rural areas, and native American communities.

ADMINISTRATIVE PROVISIONS

The Committee recommendation continues the administrative provisions contained in the fiscal year 1997 appropriations act (Public Law 104-208) regarding operation of this program to provide basic legal services to poor individuals, including provisions relating to distribution of funding by formula according to the number of poor people residing in an area, with adjustments for certain isolated States and territories, and for native American communities.

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

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

Finally, new provisions establish recompetition and debarment procedures.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

Appropriations, 1997	\$1,189,000
Budget estimate, 1998	1,240,000
Committee recommendation	1,240,000

The recommendation provides \$1,240,000 for the Marine Mammal Commission in fiscal year 1998. This is \$51,000 above the fiscal year 1997 appropriation and at the level requested for fiscal year 1998.

NATIONAL BANKRUPTCY REVIEW COMMISSION

Appropriations, 1997	\$494,000
Budget estimate, 1998	
Committee recommendation	

The Bankruptcy Reform Act of 1994 (Public Law 103-394) created the National Bankruptcy Review Commission. The Commission was created to investigate and study issues related to the Bankruptcy Code, solicit views from parties concerned with the operation of the bankruptcy system, evaluate proposals, and submit a report of its findings to the President, Congress, and the Chief Justice by 1997.

The Committee has appropriated \$1,494,000 to fund the Commission since its creation. The Commission has held 12 meetings and 1 regional meeting. The Commission has taken written and oral testimony from more than 1,400 people, and 380 people from all segments of the bankruptcy community have been involved in the Commission's working groups and roundtable discussions. The Commission is slated to issue its report by October 20, 1997. The Committee, therefore, is recommending no further funding for the Commission in fiscal year 1998.

OUNCE OF PREVENTION COUNCIL

Appropriations, 1997	\$500,000
Budget estimate, 1998	9,000,000
Committee recommendation	

The Committee does not recommend funding for the Ounce of Prevention Council for program coordination and grantmaking.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

Appropriations, 1997	\$305,400,000
Budget estimate, 1998	317,412,000
Committee recommendation	317,412,000

The Securities and Exchange Commission [SEC] is an independent agency responsible for administering many of the Nation's laws regulating the areas of securities and finance.

The Committee recommendation provides total budget (obligational) authority of \$317,412,000 for the Securities and Exchange Commission for fiscal year 1998. The recommended amount of budget authority is equal to the fiscal year 1998 request and is \$12,012,000 above fiscal year 1997 funding.

Of the recommended operating level of \$317,412,000, the Committee provides a direct appropriation of \$35,889,000. The recommendation reduces the section 6(b) registration fees to a pro rata rate of \$250 per \$1,000,000 (roughly one thirty-fourth of 1 percent) for fiscal year 1998. In fiscal year 1997, the fee rate was one thirty-third of 1 percent. The recommendation assumes that \$156,984,000 will be available as an offset this year from 6(b) fees. The Committee also assumes that \$92,539,000 in offsetting fees will be available from the expansion to NASDAQ of the section 31 transaction fee in the Securities Exchange Act of 1934.

For fiscal year 1998, as during the current year, the Committee continues to emphasize the importance of the Office of Economic Analysis within the Commission and expects that adequate funds will be provided in order to carry out these important functions. The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for the rental of space; (2) makes up to \$3,000 available for official reception and representation expenses; (3) makes up to \$10,000 available for a permanent secretariat for the International Organization of Securities Commissions; and (4) makes up to \$100,000 available for expenses of meetings and consultations with foreign governmental and regulatory officials.

The Committee remains concerned about fraud occurring during stock transactions on the Internet. The Committee directs the Commission to report on its efforts to protect investors from Internet fraud. The report should be provided no later than February 1, 1998.

Diversification program.—The Committee is concerned that assets in mutual fund portfolios have more than tripled since 1990 to over \$3,300,000,000,000. These assets now exceed commercial bank deposits. The total market value of U.S. stocks has risen from \$3,100,000,000,000 in 1990 to \$7,100,000,000,000 in 1996. The Committee believes that investor education regarding the securities market is important. Therefore, the Committee directs the SEC to provide a program to inform investors of the risks and rewards of the market, including the need for diversification. The program should be in place by May 1, 1998.

Government Performance and Results Act [GPR].—The Committee has received the SEC's strategic plan. The Committee commends the Commission for its effort in constructing such a plan. The Committee is concerned that the plan may not influence the determination of achievements within programs. The Committee acknowledges that it is very difficult for a regulatory agency to qualify its goals.

SMALL BUSINESS ADMINISTRATION

Appropriations, 1997	\$852,417,000
Budget estimate, 1998	700,635,000
Committee recommendation	708,632,000

The Small Business Administration [SBA] is an independent agency created in 1953 to administer a group of Federal programs and policies focused on the Nation's small businesses.

The Committee recommends total funding of \$708,632,000 for the Small Business Administration. This amount is a decrease of

\$143,785,000 from the fiscal year 1997 enacted amount and is an increase of \$7,997,000 over the budget request. This amount is distributed among the five SBA appropriation accounts as described below. In general, the Committee is concerned about the ability of the SBA to manage its financial programs. In particular, the Committee is concerned about the failure of the agency to detect a significant error in the subsidy rate for the 7(a) program, which was discovered by the General Accounting Office.

SALARIES AND EXPENSES

Appropriations, 1997	\$235,047,000
Budget estimate, 1998	246,100,000
Committee recommendation	246,100,000

The Committee recommendation provides a direct appropriation of \$246,100,000 for the salaries and expenses of the Small Business Administration. This amount is \$11,053,000 above the fiscal year 1997 appropriation and is identical to the fiscal year 1998 budget request. The Committee expects the agency, with the exception of the Disaster Loan Program, to reduce its travel by 50 percent. 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 funding provided under this account for salaries and expenses assumes continued funding for the SBA Office of Advocacy, and includes the requested \$700,000 increase for fiscal year 1998. The Committee recommendation provides \$75,800,000 for fiscal year 1998 for small business development centers [SBDC's]. SBDC's provide essential services to small and startup companies. Under the current funding formula, however, States with small populations are not receiving adequate funding for their centers. The Committee recommends providing each State with a minimum of \$500,000 by directing the SBA to calculate the base SBDC funding and those States receiving less than \$500,000 receive an allocation to reach this funding level in fiscal year 1998. The Committee does not accept the administration's proposed plan to require the SBDC's to charge additional fees for their services. Of the funds made available to SBDC's, the Committee recommends \$35,000 to the Vermont SBDC to conduct a pilot project for a study of the current state of commerce on the Internet. The bill provides the requested increase of \$3,500,000 for the Service Corps of Retired Executives [SCORE]. The Committee recommends funding the Women's Business Center Program at the requested level. The Committee also recommends funding the National Women's Business Council at \$600,000. Of these funds, \$400,000 will be used for operation of the council and \$200,000 to carry out two Federal procurement research projects. From the amount provided for the women's demonstration program, SBA should consider funding a demonstration project in Vermont with the Northern New England Tradeswoman, Inc. Finally, an additional \$2,000,000 is recommended by the Committee for the defense economic transition program.

The Committee does not recommend the following increases: \$1,912,000 to hire 32 full-time equivalent employees for field office

processing of LowDoc applications; \$600,000 for expansion of the U.S. export assistance centers; and \$600,000 for export express financing.

The Committee recommends providing \$8,000,000 to assist the agency in its efforts to improve its ability to track and manage its loan portfolios. The agency should keep the Committee apprised of its efforts to improve these systems. There are several agencies with expertise in managing similar data, notably the Federal National Mortgage Association, who should be consulted by the SBA during its efforts to improve its systems. The Committee would be willing to receive a reprogramming from the agency during fiscal year 1998 for additional funds the agency believes it may need for this purpose. In addition, the Committee is willing to entertain a reprogramming for the regional regulatory fairness boards at a later date. The Committee wishes to review the agency's plans for the implementation of these boards before approving the requested \$500,000 to fund them.

Also, within available resources, the Committee recommends providing \$2,500,000 to administer the HUBZone program. The program provides Federal contracting preferences to small businesses that are located in economically distressed areas and employ a significant portion of their work force from these areas.

The Committee is concerned about the SBA's plans to redirect congressional intent with regard to the 7(j) program. This program was developed to make available to minorities quality business education opportunities, particularly at the graduate level. This year's budget request would turn the program into a short-term technical training program. The Committee recommends rejection of the increase of \$6,600,000 over the fiscal year 1997 level for the 7(j) program for this purpose. Further, the Committee has included language in the bill to prohibit any redirection of the 7(j) program during fiscal year 1998. The Committee has included bill language providing \$16,500,000 for the microloan technical assistance grants.

OFFICE OF INSPECTOR GENERAL

Appropriations, 1997	\$9,000,000
Budget estimate, 1998	10,600,000
Committee recommendation	10,600,000

The Committee recommends \$10,600,000 for the Office of Inspector General of the Small Business Administration. This amount is a \$1,600,000 increase over current funding. The Committee in fiscal year 1997 directed the SBA to increase its efforts to use private sector lenders for the processing, servicing, and liquidation of SBA loans. The Committee expects the inspector general to carefully monitor the outsourcing of SBA loan servicing activities. The Committee also expects the inspector general to continue oversight of the disaster loan program.

BUSINESS LOANS PROGRAM ACCOUNT

Appropriations, 1997	\$277,708,000
Budget estimate, 1998	267,235,000
Committee recommendation	275,232,000

The Committee recommends \$275,232,000 for the business loans program account for guaranteed business loans, including \$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.

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the estimated losses associated with all direct loan obligations and loan guarantee commitments made in fiscal year 1997, as well as the administrative expenses of the loans. The subsidy amounts are estimated on a net present value basis and the administrative expenses are estimated on a cash basis.

Business loan guarantees.—For business loan guarantees, the Committee recommends a total of \$181,232,000 for fiscal year 1998. For the 7(a) program, the Committee recommends a total of \$161,000,000, which is \$8,000,000 above the request for fiscal year 1998. The Committee expects the fiscal year 1997 carryover in this program of \$8,700,000 to be used, making a total of \$169,700,000 available in fiscal year 1998. This funding supports a program level of \$8,756,000. The Committee assumes these funds will be available at the current program subsidy rate of 1.93 percent.

The Committee was told repeatedly during fiscal year 1997 that there was no shortage of funds for the 7(a) program. Reports had reached the Committee in February that the SBA was advising 7(a) lenders that the program would not have enough funds for the year. In April and in May 1997, the Committee was told there was a run on the bank after lenders were told a cap would have to be placed on fund availability for the remainder of the fiscal year. The General Accounting Office reviewed the SBA's subsidy models, and on June 2, 1997, advised the agency of an error in the model which went undetected by SBA and the Office of Management and Budget. The correction of the error resulted in a significantly lower subsidy rate, 1.93 percent instead of 2.54 percent. This lower subsidy rate made more funds available in fiscal year 1997. Consistent with the President's budget request, the Committee is not appropriating new funding for the section 504 loan program in fiscal year 1998.

The Committee recommends the requested level of \$8,700,000 for the Small Business Investment Company [SBIC] debenture guarantees, which will provide a program level of \$376,200,000 in fiscal year 1998. The Committee also recommends \$11,600,000 for SBIC participating securities, which provides a program level of \$455,900,000 in fiscal year 1998. The Committee is aware of recently reported legislation which would permit the SBA to sell 5-year commitments for leverage to the SBIC's. This 5-year commitment is not possible under current law. In the event this legislation passes Congress and is enacted, the Committee recommends using \$3,900,000 in fiscal year 1997 SBIC carryover money to establish this new program.

The Committee recommends no new appropriation for the microloan direct and microloan guarantee programs for fiscal year 1998.

DISASTER LOANS PROGRAM ACCOUNT

Appropriations, 1997	\$326,932,000
Budget estimate, 1998	173,200,000
Committee recommendation	173,200,000

The appropriations request for fiscal year 1998 contained no request for new direct appropriations for the disaster loan program account. The agency believes sufficient funds are available from fiscal year 1997 to provide assistance under this program for fiscal year 1998. The funding in the budget estimate and the Committee's recommendation is carried over from fiscal year 1997. The Committee is concerned the program will not be able to sustain itself throughout fiscal year 1998. The Committee expects to be notified promptly if the agency finds the program needs more funding to meet the public's needs. It is the Committee's hope that the agency will not require supplemental appropriations for this purpose.

SURETY BOND GUARANTEES REVOLVING FUND

Appropriations, 1997	\$3,730,000
Budget estimate, 1998	3,500,000
Committee recommendation	3,500,000

Under the Surety Bond Guarantees Program, the Small Business Administration guarantees a portion of the losses sustained by a surety company as a result of the issuance of a bid, payment, and/or performance bond to a small business concern.

The Committee recommends an appropriation of \$3,500,000 for additional capital for the surety bond guarantees revolving fund. This amount is equal to the budget request, but is \$230,000 below the amount provided for fiscal year 1997. The Committee recommendation assumes enactment of proposed legislation that will reduce costs associated with this program, resulting in a funding level of \$1,672,000 for the surety bond program.

ADMINISTRATIVE PROVISIONS

The Committee believes the Small Business Administration has failed to heed the Committee's directive regarding reprogrammings. The Committee wishes to underscore the reprogramming requirements outlined in section 605. This recommendation includes an administrative provision in the bill language, as in last year's bill, providing the authority to transfer funds between the Small Business Administration's appropriations accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures. In addition, a reprogramming notification is required in any proposed organization, whether or not funding transfers will be associated with the proposed reorganization.

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The Committee recommends bill language that amends the Small Business Act to expand eligibility under the SBA's procurement assistance programs. All businesses that are located in and employ individuals from economically disadvantaged areas would now be able to participate in the section 8(a) and 8(d) programs.

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STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

Appropriations, 1997	\$6,000,000
Budget estimate, 1998	5,000,000
Committee recommendation	13,550,000

The Committee recommends \$13,550,000 for fiscal year 1998 for the State Justice Institute [SJI]. The recommendation is \$7,550,000 above the fiscal year 1997 appropriation and \$8,550,000 above the fiscal year 1998 request.

TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill. Sections 601 through 611 have been included in previous Commerce, Justice, and State, the Judiciary, and Related Agencies appropriations acts.

Section 601 prohibits any appropriation act from being used for publicity or propaganda purposes not authorized by law.

Section 602 prohibits any appropriation contained in the act from remaining available for obligation beyond the current year unless expressly so provided.

Section 603 provides that the expenditure for any appropriation contained in the act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law.

Section 604 provides that if any provision of the act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the act and the application of such provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 605 stipulates Committee policy concerning the reprogramming of funds. Section 605(a) prohibits the reprogramming of funds which: (1) create new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates offices or employees; (5) reorganizes offices, programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees—unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 605(b) prohibits a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 606 prohibits construction, repair, overhaul, conversion, or modernization of NOAA ships outside of the United States.

Section 607 addresses the purchase of American-made products.

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 reli-

gion similar to proposed guidelines published by the EEOC in October 1993.

Section 609 prohibits the use of funds to provide certain amenities and personal comforts in the Federal prison system.

Section 610 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. The language also provides transfer of authority between appropriation accounts to carry out the provision subject to the reprogramming procedures outlined in section 605 of this act.

Section 611 limits the availability of pornography to Federal prisoners.

TITLE VII—RESCISSIONS
DEPARTMENT OF JUSTICE
GENERAL ADMINISTRATION
WORKING CAPITAL FUND
(RESCISSION)

The Committee recommends a rescission of \$30,310,000 from the unobligated balances available in the Department's working capital fund [WCF]. As of July 7, 1997, Department officials estimated that in excess of \$30,310,000 of unobligated balances are available within the WCF.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE
STANDING RULES OF THE SENATE

Rule XVI, paragraph 7 requires that every report on a general appropriation bill filed by the Committee must identify items of appropriation not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The following appropriations have not been authorized either in whole or in part and fall under this rule:

Title I—Department of Justice; General administration, salaries and expenses; administrative review and appeals, Office of the Inspector General; United States Parole Commission, salaries and expenses; general legal activities; National Childhood Vaccine Injury Act, salaries and expenses; Antitrust Division, salaries and expenses; U.S. attorneys, salaries and expenses; Foreign Claims Settlement Commission; fees and expenses of witnesses; Federal Bureau of Investigation, salaries and expenses; Drug Enforcement Administration, salaries and expenses; Drug Enforcement Administration, construction; Immigration and Naturalization Service, salaries and expenses; Federal Prison System, salaries and expenses; Federal Prison System, building and facilities; Federal Prison Industries, Inc.; limitation on administrative expenses; Federal Prison Industries Inc.; juvenile justice programs; juvenile justice delinquency prevention; State and local law enforcement assistance block grants; and Weed and Seed Program.

Title II—Department of Commerce and related agencies: Office of the U.S. Trade Representative, salaries and expenses; International Trade Commission, salaries and expenses; Export Administration, operations and administration; International Trade Administration, operations and administration; economic development assistance programs; Patent and Trademark Office; National Institute of Standards and Technology, scientific and technical research and services; NIST industrial technology services; NIST construction of research facilities; National Oceanic and Atmospheric Administration operations, research, and facilities; NOAA construction; and Minority Business Development Agency.

Title IV—Department of State and related agencies: Diplomatic and consular services, Maui Pacific Center, salaries and expenses; capital investment fund; Office of Inspector General; representation allowances; 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 the Border Environment Cooperation Commis-

sion); international fisheries commissions; Asia Foundation; Arms Control and Disarmament Agency; U.S. Information Agency, salaries and expenses; technology fund; educational and cultural exchange programs; international broadcasting operations; broadcasting to Cuba; radio construction; and East-West Center.

Title V—Related agencies: Department of Transportation; Maritime Administration, operations and training; Commission on Civil Rights; Federal Communications Commission (except offsetting fee collections); and Securities and Exchange Commission.

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, the Committee ordered reported en bloc S. 1019, an original Legislative Branch appropriations bill and S. 1023, an original Treasury and General Government appropriations bill, 1998, subject to amendment and subject to their budget allocations, and S. 1022, an original Commerce-Justice-State appropriations bill, subject to amendment and subject to appropriate scoring, by a recorded vote of 28–0, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Stevens	
Mr. Cochran	
Mr. Specter	
Mr. Domenici	
Mr. Bond	
Mr. Gorton	
Mr. McConnell	
Mr. Burns	
Mr. Shelby	
Mr. Gregg	
Mr. Bennett	
Mr. Campbell	
Mr. Craig	
Mr. Faircloth	
Mrs. Hutchison	
Mr. Byrd	
Mr. Inouye	
Mr. Hollings	
Mr. Leahy	
Mr. Bumpers	
Mr. Lautenberg	
Mr. Harkin	
Ms. Mikulski	
Mr. Reid	
Mr. Kohl	
Mrs. Murray	
Mr. Dorgan	
Mrs. Boxer	

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE
STANDING RULES OF THE SENATE

Paragraph 12 of the rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee.”

In compliance with this rule, the following changes in existing law proposed to be made by this bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

TITLE 8—ALIENS AND NATIONALITY

CHAPTER 12—IMMIGRATION AND NATIONALITY

SUBCHAPTER III—NATIONALITY AND NATURALIZATION

PART II—NATIONALITY THROUGH NATURALIZATION

* * * * *

§ 1440. Naturalization through active-duty service in the Armed Forces during World War I, World War II, Korean hostilities, Vietnam hostilities, or other periods of military hostilities

(a) Requirements

* * * * *

“(a) **WAIVER OF CERTAIN REQUIREMENTS.**—(1) Clauses (1) and (2) of section 329(a) of the Immigration and Nationality Act (8 U.S.C. 1440(a)) shall not apply to the naturalization of any person—

“(A) * * *

“(B) who served honorably—

 “(i) in an active-duty status under the command of the United States Armed Forces in the Far East, or

 “(ii) within the Philippine Army, the Philippine Scouts, or recognized guerrilla units, at any time during the period beginning September 1, 1939, and ending December 31, 1946;”

“(B) who—

 “(i) is listed on the final roster prepared by the Recovered Personnel Division of the United States Army of those who served honorably in an active duty status within the Philippine Army during the World War II occupation and liberation of the Philippines,

 “(ii) is listed on the final roster prepared by the Guerrilla Affairs Division of the United States Army of those who received recognition as having served honorably in an active duty status within a recognized gue-

rilla unit during the World War II occupation and liberation of the Philippines, or

“(iii) served honorably in an active duty status within the Philippine Scouts or within any other component of the United States Armed Forces in the Far East (other than a component described in clause (i) or (ii)) at any time during the period beginning September 1, 1939, and ending December 31, 1946.”

* * * * *

“(2) Subject to subsection (c), in applying section 329 of the Immigration and Nationality Act, service described in paragraph (1)(B) is considered to be honorable service in an active-duty status in the military, air, or naval forces of the United States.

“(3)(A) For purposes of the second sentence of section 329(a) and section 329(b)(3) of the Immigration and Nationality Act, the executive department under which a person served shall be—

“(i) in the case of an applicant claiming to have served in the Philippine Army, the United States Department of the Army;

“(ii) in the case of an applicant claiming to have served in a recognized guerilla unit, the United States Department of the Army or, in the event the Department of the Army has no record of military service of such applicant, the General Headquarters of the Armed Forces of the Philippines; or

“(iii) in the case of an applicant claiming to have served in the Philippine Scouts or any other component of the United States Armed Forces in the Far East (other than a component described in clause (i) or (ii)) at any time during the period beginning September 1, 1939, and ending December 31, 1946, the United States executive department (or successor thereto) that exercised supervision over such component.

“(B) An executive department specified in subparagraph (A) may not make a determination under the second sentence of section 329(a) with respect to the service or separation from service of a person described in paragraph (1) except pursuant to a request from the Service.”

* * * * *

“(d) IMPLEMENTATION.—(1) Notwithstanding any other provision of law, for purposes of the naturalization of natives of the Philippines under this section—

“(A) the processing of applications for naturalization, filed in accordance with the provisions of this section, including necessary interviews, shall be conducted in the Philippines by employees of the Service designated pursuant to section 335(b) of the Immigration and Nationality Act; and

“(B) oaths of allegiance for applications for naturalization under this section shall be administered in the Philippines by employees of the Service designated pursuant to section 335(b) of that Act.

“(2) Notwithstanding paragraph (1), applications for naturalization, including necessary interviews, may continue to be processed,

and oaths of allegiance may continue to be taken in the United States.”

* * * * *
 [“(a) WAIVER.—(1) For purposes of the naturalization of natives of the Philippines under section 405 of the Immigration Act of 1990 [Pub. L. 101–649, set out below], notwithstanding any other provision of law—

 [(A) the processing of applications for naturalization, including necessary interviews, shall be conducted in the Philippines by employees of the Immigration and Naturalization Service designated pursuant to section 335(b) of the Immigration and Nationality Act of 1952, as amended [8 U.S.C. 1446(b)]; and

 [(B) oaths of allegiance shall be taken in the Philippines by employees of the Immigration and Naturalization Service designated pursuant to section 335(b) of the Immigration and Nationality Act of 1952, as amended.

[(2) Notwithstanding subsection (a)(1), applications for naturalization including necessary interviews may continue to be processed, and oaths of allegiance may continue to be taken in the United States.

[(3) The Attorney General shall prescribe such regulations as may be necessary to carry out this subsection.

[(b) TREATMENT OF OATHS OF ALLEGIANCE.—Records of oaths of allegiance taken in accordance with subsection (a)(1)(B) shall be entered in the permanent records of the Attorney General.

[(c) EFFECTIVE DATE.—The provisions of this section shall become effective 120 days from the date of enactment of this Act [Oct. 6, 1992].

[(d) EXTENSION OF APPLICATION PERIOD.—The provisions of this section shall apply to natives of the Philippines who applied for naturalization under section 405 of the Immigration Act of 1990 [Pub. L. 101–649, set out below] and who apply for naturalization within 2 years after the effective date of this section.

[(e) TERMINATION DATE.—This section shall cease to be effective 3 years after its effective date.”]

* * * * *

SUBCHAPTER I—GENERAL PROVISIONS

§ 1101. Definitions

(a) * * *

(1) * * *

* * * * *

(27) * * *

(A) * * *

[(J) an immigrant (i) who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State and who has been deemed eligible by that court for long-term foster care, and (ii) for whom it has been determined in administrative or judicial proceedings that it would not be in the

alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; except that no natural parent or prior adoptive parent of any alien provided special immigrant status under this subparagraph shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this chapter; or]

“(J) an immigrant—

“(i) who is present in the United States without having been admitted or paroled, or who has been paroled into the United States by the Attorney General specifically for the purpose of obtaining special immigrant status pursuant to this subparagraph;

“(ii)(I) who has been declared dependent on a juvenile court located in the United States if the dependency order is issued pursuant to a request made on behalf of the alien, the court notifies the Attorney General of the request for the order, and the Attorney General expressly consents to the court hearing the request; or

“(II) whom the juvenile court has legally committed to, or placed under the custody of, an agency or department of a State and who has been deemed eligible by that court for long-term foster care, except that while the alien is in the actual or constructive custody of the Attorney General, the court shall have jurisdiction to determine the custody status of the alien only if the Attorney General expressly consents to that jurisdiction; and

“(iii) for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; except that no natural parent or prior adoptive parent of any alien provided special immigrant status under this subparagraph shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act.”

* * * * *

SUBCHAPTER II—IMMIGRATION

* * * * *

PART V—DEPORTATION; ADJUSTMENT OF STATUS

* * * * *

§ 1255. Adjustment of status of nonimmigrant to that of person admitted for permanent residence

(a) * * *

* * * * *

(h) Application with respect to special immigrants

In applying this section to a special immigrant described in section 1101(a)(27)(J) of this title—

(1) such an immigrant shall be deemed, for purposes of subsection (a) of this section, to have been paroled into the United States; and

(2) in determining the alien’s admissibility as an immigrant—

(A) paragraphs (4), (5)(A), and (7)(A) of section 1182(a) of this title shall not apply, and

(B) the Attorney General may waive other paragraphs of section 1182(a) of this title (other than paragraphs (2)(A), (2)(B), (2)(C) (except for so much of such paragraph as related to a single offense of simple possession of 30 grams or less of marijuana), (3)(A), (3)(B), (3)(C), and (3)(E)) in the case of individual aliens for humanitarian purposes, family unity, or when it is otherwise in the public interest[.], *unless the alien was paroled into the United States by the Attorney General specifically in order to apply for such special immigrant status. Nothing in this subsection or section 101(a)(27)(J) shall be construed to require the Attorney General to parole into the United States any alien specifically for this purpose.*

The relationship between an alien and the alien’s natural parents or prior adoptive parents shall not be considered a factor in making a waiver under paragraph (2)(B). Nothing in this subsection or section 1101(a)(27)(J) of this title shall be construed as authorizing an alien to apply for admission or be admitted to the United States in order to obtain special immigrant status described in such section.

* * * * *

TITLE 22—FOREIGN RELATIONS AND INTERCOURSE

* * * * *

CHAPTER 9—FOREIGN WARS, WAR MATERIALS, AND NEUTRALITY

* * * * *

SUBCHAPTER I—WAR MATERIALS

§ 401. Illegal exportation of war materials

(a) Seizure and forfeiture of materials and carriers

Whenever an attempt is made to export or ship from or take out of the United States any arms or munitions of war or other articles in violation of law, or whenever it is known or there shall be probable cause to believe that any arms or munitions of war or other articles are intended to be or are being or have been exported or removed from the United States in violation of law, the Secretary of the Treasury, or any person duly authorized for the purpose by the President, may seize and detain such arms or munitions of war

or other articles and may seize and detain any vessel, vehicle, or aircraft containing the same or which has been or is being used in exporting or attempting to export such arms or munitions of war or other articles. *The Secretary of Commerce may seize and detain any commodity (other than arms or munitions of war) or technology which is intended to be or is being exported in violation of laws governing such exports and may seize and detain any vessel, vehicle, or aircraft containing the same or which has been used or is being used in exporting or attempting to export such articles.* All arms or munitions of war and other articles, vessels, vehicles, and aircraft seized pursuant to this subsection shall be forfeited.

(b) Applicability of laws relating to seizure, forfeiture, and condemnation

All provisions of law relating to seizure, summary and judicial forfeiture and condemnation for violation of the customs laws, the disposition of the property forfeited or condemned or the proceeds from the sale thereof; the remission or mitigation of such forfeitures; and the compromise of claims and the award of compensation to informers in respect of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this section, insofar as applicable and not inconsistent with the provisions hereof. *However, with respect to seizures and forfeitures of property under this section by the Secretary of Commerce, such duties as are imposed upon the customs officer or any other person with respect to the seizure and forfeiture of property under the customs law may be performed by such officers as are designated by the Secretary of Commerce or, upon the request of the Secretary of Commerce, by any other agency that has authority to manage and dispose of seized property.* Awards of compensation to informers under this section may be paid only out of funds specifically appropriated therefor.

* * * * *

TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE

* * * * *

PART I—ORGANIZATION OF COURTS

* * * * *

CHAPTER 3—COURTS OF APPEALS

* * * * *

§ 41. Number and composition of circuits

The **[thirteen]** *fourteen* judicial circuits of the United States are constituted as follows:

*	*	*	*	*	*	*
<i>Circuits</i>						<i>Composition</i>
District of Columbia						District of Columbia.
First						Maine, Massachusetts, New Hampshire, Puerto Rico, Rhode Island.
Second						Connecticut, New York, Vermont.

<i>Circuits</i>	<i>Composition</i>
Third	Delaware, New Jersey, Pennsylvania, Virgin Islands.
Fourth	Maryland, North Carolina, South Carolina, Virginia, West Virginia.
Fifth	District of the Canal Zone, Louisiana, Mississippi, Texas.
Sixth	Kentucky, Michigan, Ohio, Tennessee.
Seventh	Illinois, Indiana, Wisconsin.
Eighth	Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota.
【Ninth	Alaska, Arizona, California, Idaho, Montana, Nevada, Oregon, Washington, Guam, Hawaii.】
<i>Ninth</i>	<i>California, Guam, Nevada, Northern Mariana Islands.</i>
Tenth	Colorado, Kansas, New Mexico, Oklahoma, Utah, Wyoming.
Eleventh	Alabama, Florida, Georgia.
<i>Twelfth</i>	<i>Alaska, Arizona, Hawaii, Idaho, Montana, Oregon, Washington.</i>
Federal	All Federal judicial districts.
* * * * * * *	

§ 44. Appointment, tenure, residence and salary of circuit judges

(a) The President shall appoint, by and with the advice and consent of the Senate, circuit judges for the several circuits as follows:

<i>Circuits</i>	<i>Number of Judges</i>
District of Columbia	12
First	6
Second	13
Third	14
Fourth	15
Fifth	17
Sixth	16
Seventh	11
Eighth	11
【Ninth	28】
<i>Ninth</i>	15
Tenth	12
Eleventh	12
<i>Twelfth</i>	13
Federal	12.
<i>Thirteenth</i>	7
* * * * * * *	

(c) Except in the District of Columbia, each circuit judge shall be a resident of the circuit for which appointed at the time of his appointment and thereafter while in active service. While in active service, each circuit judge of the Federal judicial circuit appointed after the effective date of the Federal Courts Improvement Act of 1982, and the chief judge of the Federal judicial circuit, whenever appointed, shall reside within fifty miles of the District of Columbia. *In each circuit (other than the Federal judicial circuit) there shall be at least one circuit judge in regular active service appointed from the residents of each state in that circuit.*

* * * * * * *

§ 48. Terms of court

(a) The courts of appeals shall hold regular sessions at the places listed below, and at such other places within the respective circuit as each court may designate by rule.

<i>Circuits</i>	<i>Places</i>
District of Columbia	Washington.
First	Boston.
Second	New York.
Third	Philadelphia.
Fourth	Richmond, Asheville.
Fifth	New Orleans, Fort Worth, Jackson.
Sixth	Cincinnati.
Seventh	Chicago.
Eighth	St. Louis, Kansas City, Omaha, St. Paul.
[Ninth	San Francisco, Los Angeles, Portland, Seattle.]
<i>Ninth</i>	<i>San Francisco, Los Angeles.</i>
Tenth	Denver, Wichita, Oklahoma City.
Eleventh	Atlanta, Jacksonville, Montgomery.
<i>Twelfth</i>	<i>Portland, Seattle, Phoenix.</i>
Federal	District of Columbia, and in any other place listed above as the court by rule directs.

* * * * *

PART II—DEPARTMENT OF JUSTICE

* * * * *

CHAPTER 31—THE ATTORNEY GENERAL

* * * * *

§ 524. Availability of appropriations

* * * * *

(c)(1) * * *

* * * * *

(8)(A) * * *

(E) Subject to the notification procedures contained in section 605 of Public Law 103–121, and after satisfying the transfer requirement in subparagraph (B) above, any excess unobligated balance remaining in the Fund on September 30, **[1994]** *1997 and thereafter* shall be available to the Attorney General, without fiscal year limitation, for any Federal law enforcement, litigative/prosecutive, and correctional activities, or any other authorized purpose of the Department of Justice. Any amounts provided pursuant to this section may be used under authorities available to the organization receiving the funds.

* * * * *

(11) * * *

(A) * * *

(B) a civil administrative forfeiture proceeding conducted by a Department of Justice law enforcement component *or pursuant to the authority of the Secretary of Commerce.*

* * * * *

PART III—COURT OFFICERS AND EMPLOYEES

* * * * *

CHAPTER 41—ADMINISTRATIVE OFFICE OF UNITED STATES COURTS

* * * * *

§ 612. Judiciary Automation Fund

(a) * * *

* * * * *

[(1) TERMINATION OF AUTHORITY.—The Fund, and the authorities conferred by this section, terminate on September 30, 1997. All unobligated amounts remaining in the Fund on that date shall be deposited into the fund established under section 1931 of this title to be used to reimburse other appropriations.**]**

* * * * *

TITLE 42—THE PUBLIC HEALTH AND WELFARE

* * * * *

CHAPTER 112—VICTIM COMPENSATION AND ASSISTANCE

* * * * *

§ 10601. Crime Victims Fund

(a) **Establishment**

* * * * *

(d) **Availability for [judicial branch administrative costs; grant program percentages] *grant programs***

The Fund shall be available as follows:

[(1) The first \$6,200,000 deposited in the Fund in each of the fiscal years 1992 through 1995 and the first \$3,000,000 in each fiscal year thereafter shall be available to the judicial branch for administrative costs to carry out the functions of the judicial branch under sections 3611 and 3612 of title 18.**]**

[(2)] (1) **[(the next)]** *The first* \$10,000,000 deposited in the Fund shall be available for grants under section 10603a of this title.

[(3)] (2) Of the remaining amount deposited in the Fund in a particular fiscal year—

(A) 48.5 percent shall be available for grants under section 10602 of this title;

(B) 48.5 percent shall be available for grants under section 10603(a) of this title; and

(C) 3 percent shall be available for grants under section 10603(c) of this title.

[(4)] (3) The Director may retain any portion of the Fund that was deposited during a fiscal year that is in excess of 110 percent of the total amount deposited in the

Fund during the preceding fiscal year as a reserve for use in a year in which the Fund falls below the amount available in the previous year. Such reserve may not exceed \$20,000,000.

* * * * *

CHAPTER 136—VIOLENT CRIME CONTROL AND LAW ENFORCEMENT

* * * * *

SUBCHAPTER VI—CRIMES AGAINST CHILDREN

* * * * *

§ 14071. Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program

(a) In general

(1) State guidelines

The Attorney General shall establish guidelines for State programs that require—

(A) a person who is convicted of a criminal offense against a victim who is a minor or who is convicted of a sexually violent offense to register a current address **【with a designated State law enforcement agency】** for the time period specified in subparagraph (A) of subsection (b)(6) of this section; and

(B) a person who is a sexually violent predator to register a current address **【with a designated State law enforcement agency】** unless such requirement is terminated under subparagraph (B) of subsection (b)(6) of this section.

[(2) Court determination

【A determination that a person is a sexually violent predator and a determination that a person is no longer a sexually violent predator shall be made by the sentencing court after receiving a report by a State board composed of experts in the field of the behavior and treatment of sexual offenders.】

“(2) DETERMINATION BY STATE BOARDS.—

“(A) IN GENERAL.—A determination that a person is a sexually violent predator or a determination that a person is no longer a sexually violent predator for purposes of this section shall be made by the sentencing court, after considering—

“(i) the recommendations of the appropriate State board or boards under subparagraph (B)(iii); or

“(ii) with respect to a State described in subparagraph (C), the recommendations of the State, which shall be made in accordance with the procedures described in that subparagraph.

“(B) STATE BOARDS.—

“(i) *IN GENERAL.*—Except as provided in subparagraph (C), not later than 2 years after the date of enactment of the Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Registration Improvements Act of 1997, each State shall establish 1 or more State boards in accordance with this subparagraph.

“(ii) *MEMBERSHIP.*—Each State board established under this subparagraph shall be composed of—

“(I) experts in the behavior and treatment of sex offenders;

“(II) victims’ rights advocates; and

“(III) representatives of law enforcement agencies.

“(iii) *RECOMMENDATIONS.*—Upon the request of a sentencing court, a State board established under this subparagraph shall make a recommendation to the sentencing court regarding whether a person is a sexually violent predator or whether a person is no longer a sexually violent predator for purposes of this section.

“(C) *WAIVER.*—The Attorney General of the United States may waive the requirement that a State establish 1 or more boards in accordance with subparagraph (B), if the State demonstrates to the satisfaction of the Attorney General that the State—

“(i) has established alternative procedures for making recommendations to a sentencing court for purposes of subparagraph (A); and

“(ii) will make a recommendation described in clause (i) with respect to any person, upon the request of the sentencing court.”

* * * * *

(b) Registration requirement upon release, parole, supervised release, or probation

An approved State registration program established under this section shall contain the following elements:

[(1) Duty of State prison official or court] (1) DUTIES OF RESPONSIBLE OFFICIALS.—

1(A) If a person who is required to register under this section is released from prison, or placed on parole, supervised release, or probation, a State prison officer, [or in the case of probation, the court] a designated State agency, the court, or other responsible official, shall—

(i) inform the person of the duty to register and obtain the information required for such registration;

(ii) inform the person that if the person changes residence address, the person shall [give the new address to a designated State law enforcement agency in writing within 10 days] report the change of address as provided by State law;

(iii) inform the person that if the person changes residence to another State, the person [shall register the new

address with the law enforcement agency with whom the person last registered, and the person is also required to register with a designated law enforcement agency in the new State not later than 10 days after establishing residence in the new State, if the new State has a registration requirement] *shall report the change of address as provided by State law and comply with any registration requirement in the new State of residence;*

* * * * *

(B) In addition to the requirements of subparagraph (A), for a person required to register under subparagraph (B) of subsection (a)(1) of this section, the State prison officer [or the court], *the designated State agency, the court, or other responsible official*, as the case may be, shall obtain the name of the person, identifying factors, anticipated future residence, offense history, and documentation of any treatment received for the mental abnormality or personality disorder of the person.

[(2) Transfer of information to State and the FBI]

The officer, or in the case of a person placed on probation, the court, shall, within 3 days after receipt of information described in paragraph (1), forward it to a designated State law enforcement agency. The State law enforcement agency shall immediately enter the information into the appropriate State law enforcement record system and notify the appropriate law enforcement agency having jurisdiction where the person expects to reside. The State law enforcement agency shall also immediately transmit the conviction data and fingerprints to the Federal Bureau of Investigation.]

“(2) *TRANSFER OF INFORMATION TO FEDERAL BUREAU OF INVESTIGATION AND TO STATE.—*

“(A) *IN GENERAL.—A designated State agency, the court, or other responsible official, shall forward the registration information to the agency responsible for registration under State law, in accordance with State procedures that meet the requirements of subparagraph (B).*

“(B) *STATE PROCEDURES.—State procedures shall ensure that, as promptly as practicable—*

“(i) *the registration information is provided and made available to a law enforcement agency having jurisdiction where the person expects to reside;*

“(ii) *the registration information is entered into the appropriate State records or data system; and*

“(iii) *conviction data and fingerprints for registered persons are transmitted to the Federal Bureau of Investigation.”*

(3) Verification

(A) For a person required to register under subparagraph (A) of subsection (a)(1), *with respect to any person required to register under subsection (a)(1)(A), State procedures shall provide for verification of address not less than annually. Such verification may be effected by providing that, of this section, on each anniversary of the person’s initial registration date during the period in which*

the person is required to register under this section the following applies:

- (i) **【The designated State law enforcement】** *A designated agency shall mail a nonforwardable verification form to the last reported address of the person.*
- (ii) *The person shall mail the verification form to the designated **【State law enforcement】** agency within 10 days after receipt of the form.*
- (iii) *The verification form shall be signed by the person, and state that the person still resides at the address last reported **【to the designated State law enforcement agency】**.*
- (iv) *If the person fails to mail the verification form to the designated **【State law enforcement】** agency within 10 days after receipt of the form, the person shall be in violation of this section unless the person proves that the person has not changed the residence address.*

* * * * *

(4) Notification of local law enforcement agencies of changes in address

A change of address by a person required to register under this **【section reported to the designated State law enforcement agency shall be immediately reported to the appropriate law enforcement agency having jurisdiction where the person is residing. The designated law enforcement agency shall, if the person changes residence to another State, notify the law enforcement agency with which the person must register in the new State, if the new State has a registration requirement】** *section shall be reported by the person in the manner provided by State law. State procedures shall ensure that the updated address information is provided promptly to a law enforcement agency having jurisdiction over the location at which the person will reside and that the information is entered into the appropriate State records or data system.*

(5) Registration for change of address to another State

A person who has been convicted of an offense which requires registration under this section **【shall register the new address with a designated law enforcement agency in another State to which the person moves not later than 10 days after such person establishes residence in the new State, if the new State has a registration requirement】** *and who moves to another State, shall report the change of address to the responsible agency in the State the person is leaving, and shall comply with any registration requirement in the new State of residence. The procedures of the State the person is leaving shall ensure that notice is provided promptly to an agency responsible for registration in the new State, if that State requires registration.*

(6) Length of registration

* * * * *

“(7) OFFENDERS CROSSING STATE BORDERS.—
“(A) IN GENERAL.—

“(i) **REGISTRATION UNDER LAWS OF CERTAIN STATES.**—Any person who is required to register in that person’s State of residence under this section shall also register in accordance with the law that governs the registration, verification, and notification of sex offenders of each State in which that person is—

“(I) employed or carries on a vocation; or

“(II) enrolled as a student.

“(ii) **DEFINITIONS.**—In this subparagraph—

“(I) the term ‘employed or carries on a vocation’ includes employment that is full-time or part-time, for a period of time exceeding 14 days or for an aggregate period of time exceeding 30 days during any calendar year, whether financially compensated, volunteered, or for the purpose of government or educational benefit; and

“(II) the term ‘student’ includes any person who is enrolled on a full-or part-time basis, in any public or private educational institution, including any secondary school, trade or professional institution, or institution of higher education.

“(B) **NOTIFICATION REQUIREMENTS.**—The State authority responsible for the registration of sex offenders in each State shall ensure that each person who is required to register under this paragraph is notified of the requirements of this paragraph and the potential consequences of a failure to comply with those requirements.

“(8) **RELOCATING STATE PROBATIONERS AND PAROLEES.**—

“(A) **IN GENERAL.**—Notwithstanding any conflicting terms of a probation, parole, or transfer agreement, any person who is serving a sentence of probation, parole, or other supervised release for conviction of an offense that requires registration under this section, and who is residing in any State other than the State in which that person was sentenced for that offense, shall register in accordance with the law of the State of residence of the offender that governs the registration and notification of sex offenders, regardless of any registration or notification obligation under the law of the State in which that person was sentenced for the offense.

“(B) **EFFECT OF FAILURE TO COMPLY.**—A person required to register under subparagraph (A) who knowingly fails to comply with this paragraph, not later than 10 days after the date on which the person establishes residence in a State other than the State in which the person was sentenced as described in subparagraph (A)—

“(i) shall be subject to punishment by a State with respect to which the person is registered under subparagraph (A); and

“(ii) shall be guilty of an extraditable offense, for which a Federal warrant for unlawful flight to avoid prosecution is available.

“(C) NOTIFICATION REQUIREMENTS.—*Each State authority responsible for the registration of sex offenders who reside in that State—*

“(i) *shall ensure, during the course of verification of registration information, that each person who is required to register under this paragraph is notified of the requirements of this paragraph and the potential consequences of a failure to comply with those requirements; and*

“(ii) *whether the relocation of a sex offender described in this paragraph occurs under courtesy supervision or otherwise, shall—*

“(I) *notify the authority responsible for sex offender registration and notification in the State of relocation of the pending arrival of the offender in that State of relocation; and*

“(II) *provide the authority responsible for sex offender registration and notification in the State of relocation with information relating to the sex offender, including—*

“(aa) *the social security number, physical description, criminal record, terms of supervision, and any alias of the sex offender; and*

“(bb) *the address, telephone number, and any place of employment of the sex offender in the State of relocation.*

“(9) REPORTING REQUIREMENT.—*Not later than July 1, 1999, a State shall submit a report to the Attorney General that sets forth existing or proposed laws, including penalty provisions, regarding stalking crimes against individuals 16 years of age or younger.”.*

* * * * *

(d) Release of information

The information collected under a State registration program shall be treated as private data *to be disclosed only for criminal justice purposes* expect that—

(1) such information may be disclosed to law enforcement agencies for law enforcement purposes;

(2) such information may be disclosed to government agencies conducting confidential background checks; and

(3) **the designated State law enforcement agency and any local law enforcement agency authorized by the State agency** *the State or any agency authorized by the State* may release relevant information that is necessary to protect the public concerning a specific person required to register under this section, except that the identity of a victim of an offense that requires registration under this section shall not be released. *The sale or exchange of such information for profit or remuneration is prohibited and shall be subject to prosecution under State law.*

(e) Immunity for good faith conduct

Law enforcement agencies, employees of law enforcement agencies, [and State officials] *independent contractors acting at the direction of those agencies, and State officials* shall be immune from liability for good faith conduct under this section.

* * * * *

§ 14072. FBI database

(a) * * *

(g) Notification of FBI of changes in residence

(1) * * *

(3) Individual registration requirement

[A person] (A) *IN GENERAL.*—A person required to register under subsection (c) of this section or under a minimally sufficient offender registration program, including a program established under section 14071 of this title, who changes address to a State other than the State in which the person resided at the time of the immediately preceding registration shall, not later than 10 days after that person establishes a new residence, register a current address, fingerprints, and photograph of that person, for inclusion in the appropriate database, with—

[(A)] (i) the FBI; and

[(B)] (ii) the State in which the new residence is established.

“(B) FEDERAL OFFENDERS.—

“(i) IN GENERAL.—A person who is released from prison, or placed on parole, supervised release, or probation—

“(I) who is convicted under Federal law of—

“(aa) a criminal offense against a victim who is a minor; or

“(bb) a sexually violent offense; or

“(II) who has been determined to be a sexually violent predator,

shall, in addition to complying with the registration requirement in paragraph (2), register in accordance with the law of the State of residence of that person.

“(ii) NOTIFICATION REQUIREMENTS.—*The Director of the Bureau of Prisons shall ensure that each person who is required to register under this subparagraph is notified of the requirements of this subparagraph and the potential consequences of a failure to comply with those requirements.*

“(C) MILITARY PERSONNEL.—

“(i) IN GENERAL.—

“(I) REGISTRATION UNDER LAWS OF STATE OF RESIDENCE.—A member of the Armed Forces of the United States who has—

“(aa) been convicted of a criminal offense against a victim who is a minor;

“(bb) been convicted of a sexually violent offense; or

“(cc) been determined to be a sexually violent predator, by a court of the United States, a court of a State, or a court-martial under the Uniform Code of Military Justice, shall register with the entities referred to in subclause (II).

“(II) ENTITIES.—The entities referred to in this subclause are—

“(aa) the FBI; and

“(bb) the State of residence of the member, and if different from the State of residence, the State in which the member is permanently assigned.

“(III) DETERMINATION OF STATE OF RESIDENCE.—For purposes of subclause (II)(bb), the State of residence of a member of the Armed Forces of the United States is—

“(aa) in the case of a member whose permanent duty station is in a State (including such a member who resides on a military installation or is serving aboard a vessel at sea), the State where the member resides whenever the member is present at that permanent duty station; and

“(bb) in the case of a member whose permanent duty station is outside the United States, the State of the member’s home of record (as determined under regulations prescribed by the Secretary of the military department concerned).

“(i) EFFECT OF FAILURE TO COMPLY.—A person who is required to register under this subparagraph and who knowingly fails to comply with this section may be punished—

“(I) under section 170102(i)(1);

“(II) under the Uniform Code of Military Justice;

or

“(III) in accordance with the applicable laws of the State with respect to which that person is registered.

“(iii) NOTIFICATION REQUIREMENTS.—The Secretary of Defense shall ensure that each member of the Armed Forces of the United States who is required to register under this paragraph is notified of the requirements of this paragraph and the potential consequences of a failure to comply with those requirements.”

* * * * *

IMMIGRATION AND NATIONALITY ACT OF 1952

SEC. 286. (a) * * *

* * * * *

(r) BREACHED BOND/DETENTION FUND.—

(1) * * *

(2) There shall be deposited as offsetting receipts into the Fund all breached cash and surety bonds, in excess of \$8,000,000, posted under this chapter which are recovered by the Department of Justice, *and amount described in section 245(i)(3)b).*

(3) Such amounts as are deposited into the Fund shall remain available until expended and shall be refunded out of the Fund by the Secretary of the Treasury, at least on a quarterly basis, to the [Immigration and Naturalization Service] Attorney General for the following purposes—

["(s) IMMIGRATION DETENTION ACCOUNT.—(1) There is established in the general fund of the Treasury a separate account which shall be known as the 'Immigration Detention Account'. Notwithstanding any other section of this title, there shall be deposited as offsetting receipts into the Immigration Detention Account amounts described in section 245(i)(3)(B) to remain available until expended.

"(2)(A) The Secretary of the Treasury shall refund out of the Immigration Detention Account to any appropriation the amount paid out of such appropriation for expenses incurred by the Attorney General for the detention of aliens under sections 236(c) and 241(a).

"(B) The amounts which are required to be refunded under subparagraph (A) shall be refunded at least quarterly on the basis of estimates made by the Attorney General of the expenses referred to in subparagraph (A). Proper adjustments shall be made in the amounts subsequently refunded under subparagraph (A) to the extent prior estimates were in excess of, or less than, the amount required to be refunded under subparagraph (A).

"(C) The amounts required to be refunded from the Immigration Detention Account for fiscal year 1997 and thereafter shall be refunded in accordance with estimates made in the budget request of the Attorney General for those fiscal years. Any proposed changes in the amounts designated in such budget requests shall only be made after notification to the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of Public Law 104–134.

"(D) The Attorney General shall prepare and submit annually to the Congress statements of financial condition of the Immigration Detention Account, including beginning account balance, revenues, withdrawals, and ending account balance and projection for the ensuing fiscal year."]

* * * * *

[(4) The amount required to be refunded from Fund for fiscal year 1994 and thereafter shall be refunded in accordance with estimates made in the budget request of the Attorney General for those fiscal years: *Provided*, That any proposed changes in the amounts designated in said budget requests shall only be made after notification to the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 606 of Public Law 102–395.]

"(4) *The amounts required to be refunded from the Fund for fiscal year 1998 and thereafter shall be refunded in accordance with esti-*

mates made in the budget request of the President for those fiscal years. Any proposed changes in the amounts designated in such budget requests shall only be made after Congressional reprogramming notification in accordance with the reprogramming guidelines for the applicable fiscal year.”

* * * * *

MIKE MANSFIELD FELLOWSHIP ACT (PUBLIC LAW 103-236)

SEC. 253. PROGRAM REQUIREMENTS.

* * * * *

(1) * * *

(3)(A) * * *

(B) Fellows who are not detailees shall agree to return to the Federal Government for further employment for a period of at least **[2]** 5 years following the end of their fellowships, unless, in the determination of the Center, the fellow is unable (for reasons beyond the fellow’s control and after receiving assistance from the Center as provided in paragraph (8)) to find re-employment for such period.

* * * * *

SEC. 255. MANSFIELD FELLOWS ON DETAIL FROM GOVERNMENT SERVICE.

(a) * * *

* * * * *

(2) * * *

(A) continue in the service of the fellow’s agency at the end of the fellowship for a period of at least **[2]** 5 years unless the fellow is involuntarily separated from the service of such agency, and

* * * * *

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995 (PUBLIC LAW 103-317)

* * * * *

SEC. 506. (a) * * *

(b) * * *

(c) The provisions of these amendments to the Immigration and Nationality Act shall take effect on October 1, 1994 **[and shall cease to have effect on October 1, 1997]**.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1993 (PUBLIC LAW 102-395)

SEC. 610. PILOT IMMIGRATION PROGRAM.—(a) * * *

(b) For purposes of the pilot program established in subsection (a), beginning on October 1, 1992, but no later than October 1, 1993, the Secretary of State, together with the Attorney General,

shall set aside **[300]** 3,000 visas annually for **[five years]** *seven years* to include such aliens as are eligible for admission under section 203(b)(5) of the Immigration and Nationality Act and this section, as well as spouses or children which are eligible, under the terms of the Immigration and Nationality Act, to accompany or follow to join such aliens.

* * * * *

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

* * * * *

SEC. 203. Disposal of surplus property

* * * * *

(p) Transfer or conveyance of property for correctional facility use; consideration-free transfers; reimbursement for interim transfers; reversion option; terms and conditions

(1) Under such regulations as he may prescribe, the Administrator is authorized in his discretion to transfer or convey to the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, or any political subdivision or instrumentality thereof, surplus real and related personal property determined by the Attorney General to be **[required for correctional facility use by the authorized transferee or grantee under an appropriate program or project for the care or rehabilitation of criminal offenders as approved by the Attorney General]** *needed for use by the transferee or grantee for a law enforcement or fire and rescue purpose*. Transfers or conveyance under this authority shall be made by the Administrator without monetary consideration to the United States. If the Attorney General determines that any surplus property transferred or conveyed pursuant to an agreement entered into between March 1, 1982, and the enactment of this subsection was suitable for transfer or conveyance under this subsection, the Administrator shall reimburse the transferee for any monetary consideration paid to the United States for such transfer or conveyance.

* * * * *

BUDGETARY IMPACT OF BILL

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

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the First Concurrent Resolution for 1998: Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies:				
Defense discretionary	297	275	322	322
Nondefense discretionary	25,488	25,587	25,479	¹ 25,188
Violent crime reduction fund	5,225	5,225	3,401	3,381
Mandatory	522	497	532	492
Projections of outlays associated with the recommendation:				
1998				² 21,178
1999				5,508
2000				2,738
2001				1,967
2002 and future years				86
Financial assistance to State and local governments for 1998	NA	4,584	NA	648

¹ Includes outlays from prior-year budget authority.

² Excludes outlays from prior-year budget authority.

NA: Not applicable.

Note.—Consistent with the funding recommended in the bill for the United Nations arrearages and in accordance with section 206 of H. Con. Res. 84, the concurrent resolution on the budget for fiscal year 1998, the Committee anticipates that the Budget Committee will file a revised section 602(a) allocation for the Committee on Appropriations reflecting an upward adjustment of \$100,000,000 in budget authority and \$98,000,000 in outlays.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1998

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
TITLE I—DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	\$75,773,000	\$79,959,000	\$79,373,000	+\$3,600,000	— \$586,000
Emergency appropriations	3,600,000	.....	.....	- 3,600,000	.....
Total, salaries and expenses	79,373,000	79,959,000	79,373,000	.....	- 586,000
Counterterrorism fund	9,450,000	29,450,000	29,450,000	+ 20,000,000	.....
Emergency appropriations	20,000,000	.....	.....	- 20,000,000	.....
Total, Counterterrorism fund	29,450,000	29,450,000	29,450,000	.....	.....
Administrative review and appeals:					
Direct appropriation	62,000,000	70,007,000	20,007,000	- 41,993,000	- 50,000,000
Emergency appropriations	1,000,000	.....	.....	- 1,000,000	.....
Crime trust fund	48,000,000	59,251,000	59,251,000	+ 11,251,000	.....
Total, Administrative review and appeals	111,000,000	129,258,000	79,258,000	- 31,742,000	- 50,000,000
Office of Inspector General	31,960,000	33,211,000	33,211,000	+ 1,251,000	.....
Total, General administration	251,783,000	271,878,000	221,292,000	- 30,491,000	- 50,586,000
Appropriations	(179,183,000)	(212,627,000)	(162,041,000)	(- 17,142,000)	(- 50,586,000)
Emergency appropriations	(24,600,000)	.....	.....	(- 24,600,000)	.....
Crime trust fund	(48,000,000)	(59,251,000)	(59,251,000)	(+ 11,251,000)	.....
United States Parole Commission					
Salaries and expenses	4,845,000	4,799,000	5,009,000	+ 164,000	+ 210,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1998—Continued

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
Legal Activities					
General legal activities:					
Direct appropriation	420,793,000	466,557,000	437,178,000	+ 16,385,000	- 29,379,000
Emergency appropriations	1,719,000	.....	.....	- 1,719,000	.....
Crime trust fund	7,750,000	7,969,000	7,969,000	+ 219,000	.....
Total, General legal activities	430,262,000	474,526,000	445,147,000	+ 14,885,000	- 29,379,000
Vaccine injury compensation trust fund	4,028,000	4,028,000	4,028,000	.....	.....
Independent counsel (permanent, indefinite)	3,000,000	9,500,000	9,500,000	+ 6,500,000	.....
Antitrust Division	92,447,000	97,542,000	92,447,000	.....	- 5,095,000
Offsetting fee collections—carryover	- 16,000,000	- 10,000,000	- 10,000,000	+ 6,000,000	.....
Offsetting fee collections—current year	- 58,905,000	- 70,000,000	- 70,000,000	- 11,095,000	.....
Direct appropriation	17,542,000	17,542,000	12,447,000	- 5,095,000	- 5,095,000
United States Attorneys:					
Direct appropriation	923,340,000	1,018,617,000	986,404,000	+ 63,064,000	- 32,213,000
Emergency appropriations	10,900,000	.....	.....	- 10,900,000	.....
Crime trust fund	43,876,000	50,828,000	46,128,000	+ 2,252,000	- 4,700,000
Total, United States Attorneys	978,116,000	1,069,445,000	1,032,532,000	+ 54,416,000	- 36,913,000
United States Trustee System Fund	107,950,000	116,721,000	116,721,000	+ 8,771,000	.....
Offsetting fee collections	- 49,869,000	- 116,721,000	- 116,721,000	- 66,852,000	.....
Direct appropriation	58,081,000	.....	.....	- 58,081,000	.....
Foreign Claims Settlement Commission	953,000	1,226,000	1,226,000	+ 273,000	.....
United States Marshals Service:					
Direct appropriation	457,495,000	475,244,000	471,786,000	+ 14,291,000	- 3,458,000

Crime trust fund	25,000,000	25,553,000	25,553,000	+ 553,000	.....
Total, United States Marshals Service	482,495,000	500,797,000	497,339,000	+ 14,844,000	- 3,458,000
Federal Prisoner Detention	405,262,000	462,831,000	405,262,000	.....	- 57,569,000
Fees and expenses of witnesses	100,702,000	75,000,000	75,000,000	- 25,702,000	.....
Community Relations Service	5,319,000	7,500,000	5,319,000	.....	- 2,181,000
Assets forfeiture fund	23,000,000	23,000,000	23,000,000	.....	.....
Total, Legal activities	2,508,760,000	2,645,395,000	2,510,800,000	+ 2,040,000	- 134,595,000
Appropriations	(2,419,515,000)	(2,561,045,000)	(2,431,150,000)	(+ 11,635,000)	(- 129,895,000)
Emergency appropriations	(12,619,000)	.....	.....	(- 12,619,000)	.....
Crime trust fund	(76,626,000)	(84,350,000)	(79,650,000)	(+ 3,024,000)	(- 4,700,000)
Radiation Exposure Compensation					
Administrative expenses	2,000,000	2,000,000	2,000,000	.....	.....
Advance appropriation .....	.....	2,000,000	.....	.....	- 2,000,000
Payment to radiation exposure compensation trust fund	13,736,000	4,381,000	4,381,000	- 9,355,000	.....
Advance appropriation .....	.....	29,000,000	.....	.....	- 29,000,000
Total, Radiation Exposure Compensation	15,736,000	37,381,000	6,381,000	- 9,355,000	- 31,000,000
Interagency Law Enforcement					
Interagency crime and drug enforcement	359,430,000	294,967,000	294,967,000	- 64,463,000	.....
Federal Bureau of Investigation					
Salaries and expenses	2,257,880,000	2,482,267,000	2,495,267,000	+ 237,387,000	+ 13,000,000
Anti-terrorism activities (emergency appropriations)	115,610,000	.....	.....	- 115,610,000	.....
Counterintelligence and national security	147,081,000	147,081,000	200,000,000	+ 52,919,000	+ 52,919,000
Non-defense function .....	.....	.....	57,601,000	+ 57,601,000	+ 57,601,000
Total, intelligence and National Security	147,081,000	147,081,000	257,601,000	+ 110,520,000	+ 110,520,000
FBI Fingerprint identification	84,400,000	84,400,000	84,400,000	.....	.....
Advance appropriation, fiscal year 1999 .....	.....	47,800,000	.....	.....	- 47,800,000
Health care fraud enforcement	- 38,000,000	.....	.....	+ 38,000,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 1998—Continued

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
Subtotal	2,566,971,000	2,761,548,000	2,837,268,000	+ 270,297,000	+ 75,720,000
Crime trust fund	169,000,000	179,121,000	179,121,000	+ 10,121,000	.....
Telecommunications carrier compliance fund .....	.....	50,000,000	.....	.....	- 50,000,000
Defense function .....	.....	50,000,000	.....	.....	- 50,000,000
Emergency appropriations	60,000,000	.....	.....	- 60,000,000	.....
Construction	41,639,000	49,006,000	59,006,000	+ 17,367,000	+ 10,000,000
Total, Federal Bureau of Investigation	2,837,610,000	3,089,675,000	3,075,395,000	+ 237,785,000	- 14,280,000
Appropriations	(2,493,000,000)	(2,862,754,000)	(2,896,274,000)	(+ 403,274,000)	(+ 33,520,000)
Advance appropriations .....	.....	(47,800,000)	.....	.....	(- 47,800,000)
Emergency appropriations	(175,610,000)	.....	.....	(- 175,610,000)	.....
Crime trust fund	(169,000,000)	(179,121,000)	(179,121,000)	(+ 10,121,000)	.....
Drug Enforcement Administration					
Salaries and expenses	798,212,000	740,293,000	697,533,000	- 100,679,000	- 42,760,000
Diversion control fund	- 52,824,000	- 58,268,000	- 58,268,000	- 5,444,000	.....
Direct appropriation	745,388,000	682,025,000	639,265,000	- 106,123,000	- 42,760,000
Emergency appropriations	5,000,000	.....	.....	- 5,000,000	.....
Crime trust fund	220,000,000	400,037,000	441,117,000	+ 221,117,000	+ 41,080,000
Construction	30,806,000	5,500,000	10,500,000	- 20,306,000	+ 5,000,000
Total, Drug Enforcement Administration	1,001,194,000	1,087,562,000	1,090,882,000	+ 89,688,000	+ 3,320,000
Appropriations	(776,194,000)	(687,525,000)	(649,765,000)	(- 126,429,000)	(- 37,760,000)
Emergency appropriations	(5,000,000)	.....	.....	(- 5,000,000)	.....
Crime trust fund	(220,000,000)	(400,037,000)	(441,117,000)	(+ 221,117,000)	(+ 41,080,000)

Immigration and Naturalization Service					
Salaries and expenses	1,590,159,000	1,651,463,000	1,430,199,000	- 159,960,000	- 221,264,000
Emergency appropriations	15,000,000	.....	.....	- 15,000,000	.....
Immigration initiative (crime trust fund)	500,000,000	732,251,000	719,898,000	+ 219,898,000	- 12,353,000
Subtotal, Direct and crime trust fund	(2,105,159,000)	(2,383,714,000)	(2,150,097,000)	(+ 44,938,000)	(- 233,617,000)
Fee accounts:					
Immigration legalization fund	(1,893,000)	(1,259,000)	(1,259,000)	(- 634,000)	.....
Immigration user fee	(388,664,000)	(419,296,000)	(398,896,000)	(+ 10,232,000)	(- 20,400,000)
Land border inspection fund	(11,094,000)	(8,888,000)	(8,888,000)	(- 2,166,000)	.....
Immigration examinations fund	(567,550,000)	(646,916,000)	(646,916,000)	(+ 79,366,000)	.....
Breached bond fund	(6,613,000)	(104,471,000)	(138,900,000)	(+ 132,287,000)	(+ 34,429,000)
Immigration enforcement fines .....	.....	(13,800,000)	(3,800,000)	(+ 3,800,000)	(- 10,000,000)
Subtotal, Fee accounts	(975,774,000)	(1,194,630,000)	(1,198,659,000)	(+ 222,885,000)	(+ 4,029,000)
Construction	8,841,000	73,831,000	73,559,000	+ 64,718,000	- 272,000
Total, Immigration and Naturalization Service	(3,089,774,000)	(3,652,175,000)	(3,422,315,000)	(+ 332,541,000)	(- 229,860,000)
Appropriations	(1,599,000,000)	(1,725,294,000)	(1,503,758,000)	(- 95,242,000)	(- 221,536,000)
Emergency appropriations	(15,000,000)	.....	.....	(- 15,000,000)	.....
Crime trust fund	(500,000,000)	(732,251,000)	(719,898,000)	(+ 219,898,000)	(- 12,353,000)
(Fee accounts)	(975,774,000)	(1,194,630,000)	(1,198,659,000)	(+ 222,885,000)	(+ 4,029,000)
Federal Prison System					
Salaries and expenses	2,858,316,000	3,015,642,000	2,933,900,000	+ 75,584,000	- 81,742,000
Prior year carryover	- 90,000,000	- 50,000,000	.....	+ 90,000,000	+ 50,000,000
Direct appropriation	2,768,316,000	2,965,642,000	2,933,900,000	+ 165,584,000	- 31,742,000
Crime trust fund	25,224,000	26,135,000	6,135,000	- 19,089,000	- 20,000,000
Total, Salaries and expenses	2,793,540,000	2,991,777,000	2,940,035,000	+ 146,495,000	- 51,742,000
Buildings and facilities	395,700,000	252,833,000	267,833,000	- 127,867,000	+ 15,000,000
Federal Prison Industries, Incorporated (limitation on administrative ex- penses)	(3,042,000)	(3,930,000)	(3,042,000)	.....	(- 888,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1998—Continued

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
Total, Federal Prison System	3,189,240,000	3,244,610,000	3,207,868,000	+ 18,628,000	- 36,742,000
Office of Justice Programs					
Justice assistance:					
Direct appropriation	101,429,000	166,665,000	183,165,000	+ 81,736,000	+ 16,500,000
Emergency appropriations	17,000,000	.....	.....	- 17,000,000	.....
Total, Justice assistance	118,429,000	166,665,000	183,165,000	+ 64,736,000	+ 16,500,000
State and local law enforcement assistance:					
Direct appropriations:					
Byrne grants (discretionary)	60,000,000	.....	75,000,000	+ 15,000,000	+ 75,000,000
Weed and seed fund (earmark)	(28,500,000)	.....	(33,500,000)	.....	.....
Byrne grants (formula)	301,000,000	.....	376,500,000	+ 75,500,000	+ 376,500,000
Subtotal, Direct appropriations	361,000,000	.....	451,500,000	+ 90,500,000	+ 451,500,000
Crime trust fund:					
Byrne grants (discretionary) .....	.....	75,000,000	.....	.....	- 75,000,000
Weed and seed fund (earmark) .....	.....	(28,500,000)	.....	.....	(- 28,500,000)
Byrne grants (formula)	199,000,000	505,000,000	128,500,000	- 70,500,000	- 376,500,000
Community oriented policing services	1,400,000,000	1,400,000,000	1,400,000,000	.....	.....
Police corps	20,000,000	20,000,000	40,000,000	+ 20,000,000	+ 20,000,000
Law enforcement scholarship program .....	.....	20,000,000	.....	.....	- 20,000,000
Police recruitment grants program .....	.....	5,000,000	.....	.....	- 5,000,000
Prosecutorial initiatives targeting crime and violent juveniles program .....	.....	100,000,000	.....	.....	- 100,000,000
Local law enforcement block grant	523,000,000	.....	503,000,000	- 20,000,000	+ 503,000,000

Boys and Girls clubs (earmark)	(20,000,000)	(20,000,000)	(+20,000,000)			
Child exploitation investigations	30,000,000	(2,400,000)	(+2,400,000)			(+2,400,000)
Drug courts	50,000,000	40,000,000	+10,000,000			-35,000,000
Upgrade criminal history records	670,000,000	45,000,000	-5,000,000			+30,000,000
State prison grants	330,000,000	710,500,000	+70,500,000			
State criminal alien assistance program	196,500,000	350,000,000	+20,000,000			
Violence Against Women grants	30,000,000	248,750,000	+67,250,000			+15,000,000
State prison drug treatment	7,650,000	63,000,000	+31,200,000			-1,800,000
State courts assistance		50,000,000				-50,000,000
Other crime control programs		30,605,000	+15,050,000			-7,905,000
Subtotal, Crime trust fund	3,456,150,000	3,697,855,000	+138,500,000			-103,205,000
Total, State and local law enforcement	3,817,150,000	4,046,150,000	+229,000,000			+348,295,000
Juvenile justice programs	174,500,000	230,422,000	+60,922,000			+5,000,000
Crime trust fund		145,000,000	+145,000,000			+145,000,000
Total, Juvenile Justice programs	174,500,000	380,422,000	+205,922,000			+150,000,000
Public safety officers benefits program:						
Death benefits	30,126,000	31,003,000	+877,000			
Disability benefits	2,200,000	2,264,000	+64,000			
Carryover		-2,264,000	-2,264,000			-2,264,000
Federal law enforcement education assistance		2,000,000	+2,000,000			
Total Public safety officers benefits program	32,326,000	33,003,000	+677,000			-2,264,000
Total, Office of Justice Programs	4,142,405,000	4,642,740,000	+500,335,000			+512,531,000
Appropriations	(669,255,000)	(903,090,000)	(+233,835,000)			(+395,736,000)
Emergency appropriations	(17,000,000)		(-17,000,000)			
Crime trust fund	(3,456,150,000)	(3,739,650,000)	(+283,500,000)			(+116,795,000)
Total, title I, Department of Justice	16,425,003,000	17,278,990,000	+853,987,000			+14,969,000
Appropriations	(11,680,174,000)	(12,054,168,000)	(+373,994,000)			(-27,053,000)
Advance appropriations		(78,800,000)				(-78,800,000)
Emergency appropriations	(249,829,000)		(-249,829,000)			

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1998—Continued

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
Crime trust fund	(4,495,000,000)	(5,104,000,000)	(5,224,822,000)	(+ 729,822,000)	(+ 120,822,000)
(Limitation on administrative expenses)	(3,042,000)	(3,930,000)	(3,042,000)	.....	(- 888,000)
TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	21,449,000	22,092,000	22,092,000	+ 643,000	.....
International Trade Commission					
Salaries and expenses	40,850,000	41,980,000	41,000,000	+ 150,000	- 980,000
Total, Related agencies	62,299,000	64,072,000	63,092,000	+ 793,000	- 980,000
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	270,000,000	271,636,000	280,736,000	+ 10,736,000	+ 9,100,000
Export Administration					
Operations and administration	36,000,000	43,126,000	43,126,000	+ 7,126,000	.....
Emergency appropriations	3,900,000	.....	.....	- 3,900,000	.....
Total, Export Administration	39,900,000	43,126,000	43,126,000	+ 3,226,000	.....
Economic Development Administration					
Economic development assistance programs	328,500,000	319,000,000	250,000,000	- 78,500,000	- 69,000,000

Emergency appropriations	25,000,000				-25,000,000
Emergency appropriations (1997 supplemental)	50,200,000				-50,200,000
Salaries and expenses	20,036,000	24,028,000	22,028,000		+1,992,000
Emergency appropriations (1997 supplemental)	2,000,000				-2,000,000
Total, Economic Development Administration	425,736,000	343,028,000	272,028,000		-153,708,000
Minority Business Development Agency					
Minority business development	28,000,000	27,811,000	27,811,000		-189,000
Total, Trade and Infrastructure Development	825,935,000	749,673,000	686,793,000		-139,142,000
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	45,900,000	52,196,000	47,917,000		+2,017,000
Bureau of the Census					
Salaries and expenses	135,000,000	138,056,000	138,056,000		+3,056,000
Periodic censuses and programs	210,500,000	523,126,000	520,726,000		+310,226,000
Total, Bureau of the Census	345,500,000	661,182,000	658,782,000		+313,282,000
National Telecommunications and Information Administration					
Salaries and expenses	15,000,000	18,074,000	16,574,000		+1,574,000
Public broadcasting facilities, planning and construction	15,250,000		25,000,000		+9,750,000
Information infrastructure grants	21,490,000	36,000,000	11,000,000		-10,490,000
Total, National Telecommunications and Information Administration	51,740,000	54,074,000	52,574,000		+834,000
Patent and Trademark Office					
Salaries and expenses	61,252,000	27,000,000	27,000,000		-34,252,000
Fees collected	(601,723,000)	(629,320,000)	(629,320,000)		(+27,597,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 1998—Continued

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
(Prior year carryover)	(30,000,000)	.....	(27,000,000)	(- 3,000,000)	(+ 27,000,000)
Total, Patent and Trademark Office	(692,975,000)	(656,320,000)	(683,320,000)	(- 9,655,000)	(+ 27,000,000)
Total, Economic and Information Infrastructure	504,392,000	794,452,000	786,273,000	+ 281,881,000	- 8,179,000
SCIENCE AND TECHNOLOGY					
Technology Administration					
Salaries and expenses	9,500,000	9,230,000	8,800,000	- 700,000	- 430,000
National Institute of Standards and Technology					
Scientific and technical research and services	268,000,000	276,852,000	276,852,000	+ 8,852,000	.....
Industrial technology services	313,000,000	399,000,000	311,040,000	- 1,960,000	- 87,960,000
Construction of research facilities .....	.....	16,692,000	16,000,000	+ 16,000,000	- 692,000
Total, National Institute of Standards and Technology	581,000,000	692,544,000	603,892,000	+ 22,892,000	- 88,652,000
National Oceanic and Atmospheric Administration					
Operations, research and facilities	1,854,067,000	1,476,245,000	1,995,252,000	+ 141,185,000	+ 519,007,000
Offsetting collections—fees	- 3,000,000	- 3,000,000	- 3,000,000	.....	.....
Direct appropriation	1,851,067,000	1,473,245,000	1,992,252,000	+ 141,185,000	+ 519,007,000
(By transfer from Promote and Develop Fund)	(66,000,000)	(62,381,000)	(62,381,000)	(- 3,619,000)	.....
(By transfer from Damage assessment and restoration revolving fund, permanent)	6,000,000	5,000,000	5,000,000	- 1,000,000	.....

(Damage assessment and restoration revolving fund)	- 6,000,000	- 5,000,000	- 5,000,000	+ 1,000,000	.....
Total, Operations, research and facilities	1,851,067,000	1,473,245,000	1,992,252,000	+ 141,185,000	+ 519,007,000
Coastal zone management fund	(7,800,000)	(7,800,000)	(7,800,000)	.....	.....
Mandatory offset	(- 7,800,000)	(- 7,800,000)	(- 7,800,000)	.....	.....
Emergency appropriations (1997 supplemental)	10,800,000	.....	.....	- 10,800,000	.....
Fleet modernization, shipbuilding and conversion	8,000,000	.....	15,823,000	+ 7,823,000	+ 15,823,000
Fishing vessel and gear damage fund	200,000	.....	200,000	.....	+ 200,000
Fishermen's contingency fund	1,000,000	953,000	953,000	- 47,000	.....
Foreign fishing observer fund	196,000	189,000	189,000	- 7,000	.....
Fishing vessel obligations guarantees	250,000	238,000	338,000	+ 88,000	+ 100,000
Construction	58,250,000	.....	88,000,000	+ 29,750,000	+ 88,000,000
Capital assets acquisition .....	.....	503,464,000	.....	.....	- 503,464,000
Advance appropriations, fiscal year 1999-2010 .....	.....	3,485,517,000	.....	.....	- 3,485,517,000
Total, National Oceanic and Atmospheric Administration	1,929,763,000	5,463,606,000	2,097,755,000	+ 167,992,000	- 3,365,851,000
Total, Science and Technology	2,520,263,000	6,165,380,000	2,710,447,000	+ 190,184,000	- 3,454,933,000
General Administration					
Salaries and expenses	28,490,000	30,085,000	28,490,000	.....	- 1,595,000
Office of Inspector General	20,140,000	21,677,000	20,140,000	.....	- 1,537,000
Working capital fund (by transfer)	(3,000,000)	.....	(3,000,000)	.....	(+ 3,000,000)
Total, General administration	48,630,000	51,762,000	48,630,000	.....	- 3,132,000
National Institute of Standards and Technology					
Construction of research facilities (rescission)	- 16,000,000	.....	.....	+ 16,000,000	.....
National Oceanic and Atmospheric Administration					
Operations, research and facilities (rescission)	- 20,000,000	.....	.....	+ 20,000,000	.....
Total, Department of Commerce	3,800,921,000	7,697,195,000	4,169,051,000	+ 368,130,000	- 3,528,144,000
Total, title II, Department of Commerce and related agencies	3,863,220,000	7,761,267,000	4,232,143,000	+ 368,923,000	- 3,529,124,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 1998—Continued

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
Appropriations	(3,807,320,000)	(4,275,750,000)	(4,232,143,000)	(+ 424,823,000)	(- 43,607,000)
Advance appropriations		(3,485,517,000)			(- 3,485,517,000)
Emergency appropriations	(91,900,000)			(- 91,900,000)	
(By transfer)	(69,000,000)	(62,381,000)	(65,381,000)	(- 3,619,000)	(+ 3,000,000)
TITLE III—THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,704,000	1,654,000	1,654,000	- 50,000	
Other salaries and expenses	25,453,000	27,624,000	27,249,000	+ 1,796,000	- 375,000
Total, Salaries and expenses	27,157,000	29,278,000	28,903,000	+ 1,746,000	- 375,000
Care of the building and grounds	2,800,000	3,997,000	6,170,000	+ 3,370,000	+ 2,173,000
Total, Supreme Court of the United States	29,957,000	33,275,000	35,073,000	+ 5,116,000	+ 1,798,000
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	1,898,000	1,887,000	1,887,000	- 11,000	
Other salaries and expenses	13,115,000	14,269,000	13,909,000	+ 794,000	- 360,000
Total, Salaries and expenses	15,013,000	16,156,000	15,796,000	+ 783,000	- 360,000
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,447,000	1,483,000	1,483,000	+ 36,000	

Other salaries and expenses	9,667,000	9,995,000	9,995,000	+ 328,000	.....
Total, Salaries and expenses	11,114,000	11,478,000	11,478,000	+ 364,000	.....
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	225,956,000	227,674,000	227,674,000	+ 1,718,000	.....
Other salaries and expenses	2,330,044,000	2,614,166,000	2,562,103,000	+ 232,059,000	.....
Emergency appropriations	10,000,000	.....	.....	- 10,000,000	.....
Direct appropriation	2,566,000,000	2,841,840,000	2,789,777,000	+ 223,777,000	.....
Crime trust fund	30,000,000	50,000,000	.....	- 30,000,000	.....
Total, Salaries and expenses	2,596,000,000	2,891,840,000	2,789,777,000	+ 193,777,000	.....
Vaccine Injury Compensation Trust Fund	2,390,000	2,450,000	2,450,000	+ 60,000	.....
Defender services	308,000,000	329,529,000	308,000,000	.....	.....
Fees of jurors and commissioners	67,000,000	69,651,000	68,252,000	+ 1,252,000	.....
Court security	127,000,000	170,304,000	167,883,000	+ 40,883,000	.....
Total, Courts of Appeals, District Courts, and Other Judicial Services	3,100,390,000	3,463,774,000	3,336,362,000	+ 235,972,000	.....
Administrative Office of the United States Courts					
Salaries and expenses	49,450,000	54,108,000	53,843,000	+ 4,393,000	.....
Federal Judicial Center					
Salaries and expenses	17,495,000	18,425,000	17,495,000	.....	.....
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	30,200,000	32,200,000	34,200,000	+ 4,000,000	.....
United States Sentencing Commission					
Salaries and expenses	8,490,000	9,480,000	9,480,000	+ 990,000	.....
New Ninth Circuit Courts .....	.....	4,000,000	4,000,000	+ 4,000,000	.....
Judges pay raise .....	.....	6,000,000	6,000,000	+ 6,000,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 1998—Continued

Item	Senate Committee recommendation compared with (+ or -)				
	1997 appropriation	Budget estimate	Committee recommendation	1997 appropriation	
				Budget estimate	
Total, title III, the Judiciary	3,262,109,000	3,638,896,000	3,523,727,000	+261,618,000	-115,169,000
Appropriations	(3,222,109,000)	(3,588,896,000)	(3,523,727,000)	(+301,618,000)	(-65,169,000)
Emergency appropriations	(10,000,000)	.....	.....	(-10,000,000)	.....
Crime trust fund	(30,000,000)	(50,000,000)	.....	(-30,000,000)	(-50,000,000)
TITLE IV—DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	1,700,900,000	1,291,277,000	1,727,868,000	+26,968,000	+436,591,000
Registration fees	700,000	700,000	700,000	.....	.....
Emergency appropriations	23,700,000	.....	.....	-23,700,000	.....
Machine-readable Visa fees	(137,000,000)	.....	(140,000,000)	.....	.....
Fee proposal .....	.....	595,000,000	.....	.....	-595,000,000
Total, Diplomatic and consular programs	(1,725,300,000)	(1,886,977,000)	(1,728,568,000)	(+3,268,000)	(-158,409,000)
Salaries and expenses	352,300,000	363,513,000	363,513,000	+11,213,000	.....
Capital investment fund	24,600,000	64,600,000	105,000,000	+80,400,000	+40,400,000
Office of Inspector General	27,495,000	28,300,000	27,495,000	.....	-805,000
Representation allowances	4,490,000	4,300,000	4,100,000	-390,000	-200,000
Protection of foreign missions and officials	8,332,000	7,900,000	7,900,000	-432,000	.....
Security and maintenance of United States missions	364,495,000	373,081,000	420,281,000	+55,786,000	+47,200,000
Emergency appropriations	24,825,000	.....	.....	-24,825,000	.....
Total, Security and maintenance of United States missions	389,320,000	373,081,000	420,281,000	+30,961,000	+47,200,000
Emergencies in the diplomatic and consular service	5,800,000	5,500,000	5,500,000	-300,000	.....
Repatriation Loans Program Account:					
Direct loans subsidy	593,000	593,000	593,000	.....	.....

Administrative expenses	663,000	607,000	607,000	-56,000	.....
Total, Repatriation loans program account	1,256,000	1,200,000	1,200,000	-56,000	.....
Payment to the American Institute in Taiwan	14,490,000	14,490,000	14,490,000	.....	.....
Payment to the Foreign Service Retirement and Disability Fund	126,491,000	129,935,000	129,935,000	+3,444,000	.....
Total, Administration of Foreign Affairs	2,679,874,000	2,879,796,000	2,807,982,000	+128,108,000	-71,814,000
International Organizations and Conferences					
Contributions to international organizations, current year assessment	892,000,000	1,023,000,000	903,009,000	+11,009,000	-119,991,000
U.N. arrears .....	.....	.....	54,000,000	+54,000,000	+54,000,000
Contributions for international peacekeeping activities, current year	352,400,000	286,000,000	154,320,000	-198,080,000	-131,680,000
U.N. arrears .....	.....	.....	46,000,000	+46,000,000	+46,000,000
International conferences and contingencies .....	.....	4,941,000	.....	.....	-4,941,000
Total, International Organizations and Conferences	1,244,400,000	1,313,941,000	1,157,329,000	-87,071,000	-156,612,000
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	15,490,000	18,490,000	18,200,000	+2,710,000	-290,000
Construction	6,463,000	6,463,000	6,463,000	.....	.....
American sections, international commissions	5,490,000	5,660,000	5,010,000	-480,000	-650,000
International fisheries commissions	14,549,000	14,549,000	14,549,000	.....	.....
Total, International commissions	41,992,000	45,162,000	44,222,000	+2,230,000	-940,000
Other					
Payment to the Asia Foundation	8,000,000	8,000,000	5,000,000	-3,000,000	-3,000,000
Total, Department of State	3,974,266,000	4,246,899,000	4,014,533,000	+40,267,000	-232,366,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1998—Continued

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
RELATED AGENCIES					
Arms Control and Disarmament Agency					
Arms control and disarmament activities	41,500,000	46,200,000	32,613,000	-8,887,000	-13,587,000
United States Information Agency					
International information programs	440,000,000	434,097,000	427,097,000	-12,903,000	-7,000,000
Emergency appropriations	1,375,000	.....	.....	-1,375,000	.....
Total, salaries and expenses	441,375,000	434,097,000	427,097,000	-14,278,000	-7,000,000
Technology fund	5,050,000	7,000,000	10,000,000	+4,950,000	+3,000,000
Educational and cultural exchange programs	185,000,000	197,731,000	200,000,000	+15,000,000	+2,269,000
Eisenhower Exchange Fellowship Program, trust fund	600,000	600,000	570,000	-30,000	-30,000
Israeli Arab scholarship program	400,000	400,000	400,000	.....	.....
International Broadcasting Operations	325,000,000	366,750,000	339,655,000	+14,655,000	-27,095,000
Broadcasting to Cuba (direct)	25,000,000	.....	22,095,000	-2,905,000	+22,095,000
Radio construction	35,490,000	32,710,000	32,710,000	-2,780,000	.....
East-West Center	10,000,000	7,000,000	22,000,000	+12,000,000	+15,000,000
North/South Center	1,495,000	1,500,000	3,000,000	+1,505,000	+1,500,000
National Endowment for Democracy	30,000,000	30,000,000	.....	-30,000,000	-30,000,000
Total, United States Information Agency	1,059,410,000	1,077,788,000	1,057,527,000	-1,883,000	-20,261,000
Total, related agencies					
1,100,910,000 1,123,988,000 1,090,140,000 -10,770,000 -33,848,000					
Total, title IV, Department of State					
5,075,176,000 5,370,887,000 5,104,673,000 +29,497,000 -266,214,000					
Appropriations					
(5,025,276,000) (5,370,887,000) (5,104,673,000) (+79,397,000) (-266,214,000)					

Emergency appropriations	(49,900,000)	.....	.....	(-49,900,000)	.....
TITLE V—RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Operating-differential subsidies (liquidation of contract authority)	(148,430,000)	(135,000,000)	(135,000,000)	(-13,430,000)	.....
Maritime Security Program	54,000,000	52,400,000	35,000,000	-19,000,000	-17,400,000
Operations and training	65,000,000	70,000,000	69,000,000	+4,000,000	-1,000,000
Maritime Guaranteed Loan Program Account:					
Guaranteed loans subsidy	37,450,000	35,000,000	29,000,000	-8,450,000	-6,000,000
Administrative expenses	3,450,000	4,000,000	4,000,000	+550,000	.....
Total, Maritime guaranteed loan program account	40,900,000	39,000,000	33,000,000	-7,900,000	-6,000,000
Total, Maritime Administration	159,900,000	161,400,000	137,000,000	-22,900,000	-24,400,000
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	206,000	206,000	206,000	.....	.....
Commission on the Advancement of Federal Law Enforcement					
Salaries and expenses	2,000,000	.....	.....	-2,000,000	.....
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	2,196,000	500,000	459,000	-1,737,000	-41,000
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,090,000	1,090,000	1,090,000	.....	.....
Equal Employment Opportunity Commission					
Salaries and expenses	239,740,000	246,000,000	242,000,000	+2,260,000	-4,000,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 1998—Continued

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
Federal Communications Commission					
Salaries and expenses	188,079,000	219,079,000	185,949,000	-2,130,000	-33,130,000
Offsetting fee collections—current year	-152,523,000	-162,523,000	-162,523,000	-10,000,000	.....
Direct appropriation	35,556,000	56,556,000	23,426,000	-12,130,000	-33,130,000
Federal Maritime Commission					
Salaries and expenses	14,000,000	14,300,000	14,300,000	+300,000	.....
Federal Trade Commission					
Salaries and expenses	101,930,000	108,000,000	108,000,000	+6,070,000	.....
Offsetting fee collections—carryover	-16,000,000	-10,000,000	-10,000,000	+6,000,000	.....
Offsetting fee collections—current year	-58,905,000	-70,000,000	-70,000,000	-11,095,000	.....
Direct appropriation	27,025,000	28,000,000	28,000,000	+975,000	.....
Gambling Impact Study Commission					
Salaries and expenses	4,000,000	.....	.....	-4,000,000	.....
Legal Services Corporation					
Payment to the Legal Services Corporation	283,000,000	340,000,000	300,000,000	+17,000,000	-40,000,000
Marine Mammal Commission					
Salaries and expenses	1,189,000	1,240,000	1,240,000	+51,000	.....

National Bankruptcy Review Commission					
Salaries and expenses	494,000			-494,000	
Ounce of Prevention Council					
Direct appropriation	500,000	9,000,000		-500,000	-9,000,000
Crime trust fund					
Securities and Exchange Commission					
Salaries and expenses	305,400,000	317,412,000	317,412,000	+12,012,000	
Offsetting fee collections	-222,622,000	-249,523,000	-249,523,000	-26,901,000	
Offsetting fee collections—carryover	-45,000,000	-32,000,000	-32,000,000	+13,000,000	
Direct appropriation	37,778,000	35,889,000	35,889,000	-1,889,000	
Small Business Administration					
Salaries and expenses	239,547,000	246,100,000	246,100,000	+6,553,000	
Offsetting fee collections	-4,500,000			+4,500,000	
Direct appropriation	235,047,000	246,100,000	246,100,000	+11,053,000	
Office of Inspector General	9,000,000	10,600,000	10,600,000	+1,600,000	
Business Loans Program Account:					
Direct loans subsidy	1,691,000			-1,691,000	
Guaranteed loans subsidy	179,700,000	173,235,000	181,232,000	+1,532,000	+7,997,000
Micro loan guarantees	2,317,000			-2,317,000	
Administrative expenses	94,000,000	94,000,000	94,000,000		
Total, Business loans program account	277,708,000	267,235,000	275,232,000	-2,476,000	+7,997,000
Disaster Loans Program Account:					
Direct loans subsidy	105,432,000			-105,432,000	
Emergency appropriations	113,000,000			-113,000,000	
Administrative expenses	86,500,000	173,200,000	173,200,000	+86,700,000	
Emergency appropriations	22,000,000			-22,000,000	
Total, Disaster loans program account	326,932,000	173,200,000	173,200,000	-153,732,000	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 1998—Continued

Item	1997 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				1997 appropriation	Budget estimate
Surety bond guarantees revolving fund	3,730,000	3,500,000	3,500,000	-230,000	.....
Total, Small Business Administration	852,417,000	700,635,000	708,632,000	-143,785,000	+7,997,000
State Justice Institute					
Salaries and expenses ¹	6,000,000	5,000,000	13,550,000	+7,550,000	+8,550,000
Total, title V, Related agencies	1,675,831,000	1,610,816,000	1,514,532,000	-161,299,000	-96,284,000
Appropriations	(1,540,831,000)	(1,601,816,000)	(1,514,532,000)	(-26,299,000)	(-87,284,000)
(Liquidation of contract authority)	(148,430,000)	(135,000,000)	(135,000,000)	(-13,430,000)	.....
TITLE VI—GENERAL PROVISIONS					
GOVERNMENT-WIDE					
Defense function (by transfer) .....	.....	(34,025,000)	(34,025,000)	(+34,025,000)	.....
International function (by transfer) .....	.....	(47,089,000)	(47,089,000)	(+47,089,000)	.....
Domestic function (by transfer) .....	.....	(31,845,000)	(31,845,000)	(+31,845,000)	.....
Total, title VI, general provisions .....	.....	(112,959,000)	(112,959,000)	(+112,959,000)	.....
(By transfer) .....	.....	(112,959,000)	(112,959,000)	(+112,959,000)	.....
TITLE VII—RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration .....	.....	.....	.....	.....	.....
Working capital fund (rescission)	-36,400,000	.....	-30,310,000	+6,090,000	-30,310,000

