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DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 2003

JULY 24, 2002.—Ordered to be printed

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

REPORT

[To accompany S. 2778]

The Committee on Appropriations reports the bill (S. 2778) making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 2003, and for other purposes, reports favorably thereon and recommends that the bill do pass.

Amount in new budget (obligational) authority

Total bill as reported to Senate	$47,067,043,000
Amount of appropriations, 2002	44,272,536,000
Amount of budget estimates, 2003, as amended	43,907,072,000
The bill as reported to the Senate:	
Above the appropriations for 2002	+2,794,507,000
Above the estimates for 2003	+3,159,971,000

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BACKGROUND

PURPOSE OF THE BILL

This bill makes appropriations for the functions of the Departments of Commerce, Justice, State, the Judiciary and Related Agencies for the period October 1, 2002, through September 30, 2003. Functional areas include the pay, allowances, and support of personnel, operation and maintenance, procurement of equipment and systems, and research.

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, improving State Department operations, and fullfilling the needs of various independent agencies.

HEARINGS

The Subcommittee on Commerce, Justice, State, the Judiciary and Related Agencies Appropriations began hearings on the fiscal year 2003 budget request on February 26, 2002, and concluded them on March 21, 2002, after holding 7 separate sessions. The subcommittee heard testimony from representatives of the Departments of Commerce, Justice, State, the Judiciary, and various commissions.

SUMMARY OF THE BILL

The budget estimates for the departments and agencies included in the accompanying bill are contained in the budget of the United States for fiscal year 2003 submitted on January 30, 2002.

The total amount of new budget authority recommended by the Committee for fiscal year 2003 is $47,067,043,000. This amount is an increase of $2,794,507,000 above appropriations enacted for fiscal year 2002 for these departments and agencies. The Committee recommendation is $3,159,971,000 above the budget estimates.

REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

As in previous years, the Committee is inserting section 605 under title VI of the general provisions of the bill.

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

—Reprogramming of funds, whether permanent or temporary, in excess of $500,000 or 10 percent, whichever is less, between programs or activities. In addition, the Committee desires to be notified of reprogramming actions which are less than these

amounts 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.

The Committee directs each department or agency to notify the Committee when the number of political appointees rises above 10 percent from either of the previous 2 years or when five or more political appointees are added in a given year. The Committee should be notified 30 days before either of these situations occurs. Similar notification should be provided when the same number of personnel positions is converted from political appointments to civil service positions.

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

BUDGETARY IMPACT OF BILL

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

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation [1]	Amount of bill	Committee allocation [1]	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees, fiscal year 2003: Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies:				
Discretionary	43,475	43,475	44,416	[2] 42,736
Mandatory	NA	649	NA	640
Projection of outlays associated with the recommendation:				
2003				[3] 29,685
2004				8,208
2005				4,592
2006				1,930
2007 and future years				698
Financial assistance to State and local governments for 2003	NA	2,690	NA	442

[1] Levels approved by the Committee on June 27, 2002.
[2] Includes outlays from prior-year budget authority.
[3] Excludes outlays from prior-year budget authority.
NA: Not applicable.

ACCRUAL FUNDING OF RETIREMENT COSTS AND POST-RETIREMENT HEALTH BENEFITS

The President's Budget included a legislative proposal under the jurisdiction of the Senate Committee on Governmental Affairs to

charge to individual agencies, starting in fiscal year 2003, the fully accrued costs related to retirement benefits of Civil Service Retirement System employees and retiree health benefits for all civilian employees. The Budget also requested an additional dollar amount in each affected discretionary account to cover these accrued costs.

The authorizing committee has not acted on this legislation, therefore the Senate Appropriations Committee has reduced the dollar amounts of the President's request shown in the "Comparative Statement of New Budget Authority Request and Amounts Recommended in the Bill", as well as in other tables in this report, to exclude the accrual funding proposal.

The Committee further notes that administration proposals requiring legislative action by the authorizing committees of Congress are customarily submitted in the budget as separate schedules apart from the regular appropriations requests. Should such a proposal be enacted, a budget amendment formally modifying the President's appropriation request for discretionary funding is subsequently transmitted to the Congress.

The Senate Appropriations Committee joins with the House Appropriations Committee in raising concern that this practice, which has always worked effectively for both Congress and past administrations, was not followed for the accrual funding proposal. In this case, the Office of Management and Budget (OMB) decided to include accrual amounts in the original discretionary appropriations language request. These amounts are based on legislation that has yet to be considered and approved by the appropriate committees of Congress. This led to numerous misunderstandings both inside and outside of Congress of what was the "true" President's budget request. The Committee believes that, in the future, OMB should follow long-established procedures with respect to discretionary spending proposals that require legislative action.

TITLE I—DEPARTMENT OF JUSTICE

The Committee has made funding for law enforcement the centerpiece of the fiscal year 2003 appropriations bill. The Committee recommends $25,780,035,000 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 2003.

The Committee shares the desire of the House to channel most of its inquiries and requests for information and assistance through the budget offices or comptroller organizations, but reserves the right to call upon all organizations throughout the agencies. The Committee continues to stress the natural affinity between these offices and the Appropriations Committee, which makes such a relationship imperative.

Modular cost budgeting and chronic shortfalls.—Built into the cost of every new Justice Department employee are funds to partially cover so-called "modular costs", the costs of equipment, vehicles, facilities, and training integral to an employee's ability to perform his or her duty. Yet, in the Committee's experience, components are, almost without exception, desperately short of equipment, vehicles, facilities, and training. The reasons for this are unclear. However, it seems apparent that the modular cost approach has lulled components into ignoring necessary capital investments. It has also grossly inflated the cost of new employees without commensurate benefit. Built-in capital investment funds are siphoned off for purposes unknown while the Committee finds itself responsible for pulling together funds to address significant shortfalls in everything from computers to fingerprint powder. The Committee believes that the long-term health of the Department requires a new approach to budgeting. Therefore, the Justice Department is directed to drop modular cost budgeting beginning with the fiscal year 2004 request. The costing of new employees shall only include personnel salaries and benefits. Costs associated with new hires characterized broadly as "Contractual Services and Supplies", "Acquisition of Assets", and "Items with Multiple Object Classes" shall be budgeted directly in separate and identifiable capital investment lines in the request of each component. Justice Management Division is directed to submit a report on how this was achieved not later than February 5, 2003.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 2002	$91,668,000
Budget estimate, 2003	114,579,000
Committee recommendation	99,696,000

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

recommends an appropriation of $99,696,000. The recommendation is $14,883,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay raise for Federal employees, and $6,000,000 for requested Homeland Security program increases.

International Law Enforcement Training Academy/Mexico.—As was stated last year, the Committee believes a law enforcement training academy, similar to the International Law Enforcement Academies (ILEAs) in Budapest and Bangkok, should be established in Southern Mexico. United States law enforcement agency personnel would manage the facility and conduct the courses, and in the process develop personal relationships with Mexican law enforcement personnel that would be invaluable to future liaison and cooperative international law enforcement activities. The fiscal year 2002 conference agreement directed the Attorney General, in consultation and collaboration with the Secretary of State, to provide a report to the Committees on Appropriations no later than May 12, 2002 on the feasibility of establishing ILEA-Mexico. The report was supposed to include a timeline, cost analysis, and implementation plan for establishing ILEA-Mexico. To date, Congressional direction has been ignored. Not more than $8,250,000 of the amount provided under this heading shall be available for obligation and expenditure until the report is delivered to the Committees on Appropriations.

Security Locks Initiative.—It is imperative for the Justice Department to store classified materials securely and in compliance with Federal security standard FF–L–2740A. The recommendation includes $2,000,000 to upgrade security locks to ensure the safety of such critical information.

IDENTIFICATION SYSTEMS INTEGRATION

Appropriations, 2002	.....
Budget estimate, 2003	$24,478,000
Committee recommendation	.....

The Committee does not recommend an appropriation for this new account. Instead, funding is provided in separate accounts within this title.

There are no advantages in merging funding for the Joint Automated Booking System and Automated Biometric Identification System/Integrated Automated Fingerprint Identification System integration into a single account. Historically, such mergers have hindered program progress and complicated program oversight.

JOINT AUTOMATED BOOKING SYSTEM

Appropriations, 2002	$1,000,000
Budget estimate, 2003	.....
Committee recommendation	15,973,000

This account centrally funds development, acquisition, and deployment of the Joint Automated Booking System [JABS]. Previously, JABS funding was distributed among various Justice components.

The Committee recommends an appropriation of $15,973,000. The recommendation is $486,000 above last year's level, which included $1,000,000 in direct appropriations and additional funding

from other available resources within Justice. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and $14,957,000 for requested Homeland Security program increases.

The Committee has not adopted an Administration proposal to merge funding for JABS and Automated Biometric Identification System/Integrated Automated Fingerprint Identification System integration into a single new account.

JABS will: (1) standardize booking data, procedures, and equipment throughout Justice; (2) save funds by eliminating repetitive booking of suspects; and (3) improve public safety by identifying repeat offenders and persons with outstanding charges or warrants.

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

AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM/INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM INTEGRATION

Appropriations, 2002	.....
Budget estimate, 2003	.....
Committee recommendation	$9,000,000

This new account funds integration of the Automated Biometric Identification System and the Integrated Automated Fingerprint Identification System [IDENT/IAFIS].

The Committee recommends an appropriation of $9,000,000. The recommendation is identical to the budget request and to last year's funding level, which included funding from available resources within the Department.

Previously, funding for IDENT/IAFIS integration was provided under the heading "General Administration, Salaries and Expenses". The Committee has not adopted an Administration proposal to merge funding for IDENT/IAFIS integration and the Joint Automated Booking System into a single account.

There are considerable cost implications with this effort. As the Inspector General noted in a December 2001 report, and Justice confirmed in March 2002 briefings, the system, and particularly the operational costs to the Immigration and Naturalization Service [INS] of an integrated IDENT/IAFIS system could approach $1,900,000,000. This does not include additional significant costs that would indirectly be incurred by the Marshals Service, U.S. Attorneys, Executive Office of Immigration Review, and Bureau of Prisons. The Committee will have difficulty meeting these costs requirements in the foreseeable future. Rather than focusing on the relatively simple matter of integrating the two systems, Justice must craft an affordable, comprehensive plan that addresses border security throughout the Department. Therefore, 25 percent of $8,000,000 provided under this heading shall be available for obligation and expenditure only after the Justice Management Division delivers to the Committees on Appropriations a cost and operational effectiveness analysis [COEA] for IDENT/IAFIS. The COEA should cover all Justice Department costs, not just those of the Border Patrol or the INS. The remaining $1,000,000 shall be for a pilot program for software for IAFIS that is capable of expedited

background checks and that is capable of 10-fingerprint to 2-fingerprint comparisons.

CHIMERA

Appropriations, 2002	
Budget estimate, 2003	
Committee recommendation	$83,400,000

This new account funds the design, development, testing, and deployment of an interoperable computer network, "Chimera", for the Immigration and Naturalization Service.

The Committee recommends an appropriation of $83,400,000. The recommendation is $83,400,000 above the budget request. This request is identical to a requested Homeland Security program increase under INS.

INS suffers to an extreme from information technology (IT) "stovepiping". Over the years, INS has developed a myriad of independent systems to address specific needs or missions. These systems tend not to replace, but serve as an adjunct to, paper-driven processes. The systems have limited capability and are rarely compatible either internally or with other agencies. The significant funds invested in these systems have yielded little results.

Today, like the FBI, INS needs a more coordinated approach to avoid reprehensible errors, such as the Resendez-Ramirez and Atta/Alshehhi embarrassments. In the first, Border Patrol didn't know what FBI was doing. In the second, benefits didn't know what enforcement was doing. So, first and foremost, INS needs to be running on a common platform with common databases accessible, as needed and authorized, by all on the network.

Section 202 of the "Enhanced Border Security and Visa Entry Reform Act of 2002" recognized this critical deficiency and mandated the creation of an interoperable law enforcement and intelligence data system known as Chimera. Chimera will be a common hardware/software backbone deployed INS–wide. It will serve as the searchable, shareable repository of data bases migrated from existing ("legacy") INS systems that are incompatible with one another and with other law enforcement, State Department, and intelligence community systems. It also will serve as the foundation for student tracking and entry/exit applications.

Chimera is envisioned as a clone of Trilogy, the FBI's computer modernization program. In an effort to not repeat past mistakes, the FBI is directed to make a formal presentation to both the Justice Management Division [JMD] and the Appropriations Committees on lessons learned from Trilogy not later than October 15, 2002.

The Committee directs the JMD to manage Chimera. To the degree prudent, the Chimera program must: (1) leverage commercial-off-the-shelf software, (2) piggyback on past INS, Justice, and Federal Government information technology [IT] investments, and (3) quickly identify and dismantle or migrate legacy systems that have reached the end of useful service life or are of marginal value to the execution of core INS missions. JMD may also assess the value of developing and testing a prototype integrated database. To that end, JMD shall undertake a comprehensive survey of existing INS IT systems to build a definitive baseline of current capabilities and

deficiencies. The design of Chimera's architecture should build directly upon this foundation.

Prior to the next phase of investment in Chimera, JMD shall brief the Committees on Appropriations on: (1) current INS IT systems capabilities and shortcomings, (2) opportunities to leverage technical solutions developed, or lessons learned, by other Federal agencies and private industry, (3) program priorities designed to maximize INS performance as quickly as possible, and (4) projected schedule, with modular and measurable milestones, and costs, by fiscal year.

LEGAL ACTIVITIES OFFICE AUTOMATION

Appropriations, 2002	$15,765,000
Budget estimate, 2003	15,942,000
Committee recommendation	77,127,000

This account centrally funds acquisition, deployment, and maintenance of Legal Activities Office Automation [LAOA] systems, the largest components of which are the Justice Consolidated Network [JCN] and the Justice Consolidated Office Network [JCON]. Previously, LAOA funding was included under "General Legal Activities". The adoption of a common standard and uniform equipment across Justice components has improved efficiency and saved money.

The Committee recommends an appropriation of $77,127,000. The recommendation is $61,185,000 above the budget request and $42,527,000 more than last year's level. The Committee has not adopted a recommendation to use prior year funds and has instead appropriated the entire amount sought for LAOA. The Committee has made an exception to the philosophy underlying the proposed mark, because of the importance it places on migrating justice components to a common information technology platform.

LAOA is the computer modernization program for the legal divisions, including the Antitrust Division, the U.S. Attorneys, the U.S. Marshals Service, the U.S. Trustees, the Executive Office for Immigration Review, the Community Relations Service, and the offices funded through the "General Administration" and "General Legal Activities" accounts. The Committee has pushed hard in previous years to increase the funds for, and widen the scope of, JCN and JCON to maximize the benefits of a common computer system across components. This year, the Committee recommendation incorporates the Bureau of Prisons and Office of Justice Programs into the network.

NARROWBAND COMMUNICATIONS

Appropriations, 2002	$94,615,000
Budget estimate, 2003	149,254,000
Committee recommendation	229,400,000

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

The Committee recommends an appropriation of $229,400,000. The recommendation is $80,146,000 above the budget request to

address requirements of this critical program. The recommendation includes a 4.1 percent pay adjustment for Federal employees. Previously, narrowband communications compliance funding was scattered among various Justice components.

The Committee notes that Justice has signed a Memorandum of Understanding with the Treasury Department committing both to a joint design. Hopefully, Treasury will decide to become a full partner in the deployment and installation of the Justice Wireless Network [JWN]. A number of critical development milestones should be reached between June 2002 and March 2003, and the Committee expects the Wireless Management Office to keep it fully apprised of program progress.

Central management of narrowband radio investments will retain (1) maximize resource sharing; (2) ensure system efficiency and interoperability; and (3) sharply reduce up front and out year costs Department-wide, the more so if Treasury fully commits to the JWN.

COUNTERTERRORISM FUND

Appropriations, 2002	$4,989,000
Budget estimate, 2003	35,000,000
Committee recommendation	.....

The Committee does not recommend an appropriation for the "Counterterrorism fund" account. The recommendation is $35,000,000 below the request and $4,989,000 below the fiscal year 2002 appropriation. The funding provided for the Counterterrorism Fund in fiscal year 2002 does not recur in fiscal year 2003 and the $35,000,000 requested as a Homeland Security program increase for this account in fiscal year 2003 is included under salaries and expenses of the Federal Bureau of Investigation. The Committee is aware that there will be carryover balances available in fiscal year 2003 in excess of $43,000,000.

The purpose of the fund is 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) cover 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) cover the costs of conducting a terrorism threat assessment of Federal agencies and their facilities.

The budget request, however, included an additional $35,000,000 not for the fund's intended mission of providing the Justice Department needed flexibility in the days immediately following a catastrophe, but for regular operations of the Federal Bureau of Investigation [FBI] and the Drug Enforcement Administration [DEA]. Specifically, the budget request included this funding to serve as FBI reimbursements to the DEA for intelligence derived from the Special Operations Division [SOD]. This funding is therefore included in the salaries and expenses account of the FBI.

ADMINISTRATIVE REVIEW AND APPEALS

Appropriations, 2002	$177,147,000
Budget estimate, 2003	193,535,000
Committee recommendation	180,466,000

The Executive Office for Immigration Review [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 Committee recommends an appropriation of $180,466,000. The recommendation is $13,069,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

DETENTION TRUSTEE

Appropriations, 2002	$1,000,000
Budget estimate, 2003	1,388,566,000
Committee recommendation	1,385,966,000

The Detention Trustee oversees Federal detainees. The Committee recommends an appropriation of $1,385,966,000. The recommendation is $2,600,000 below the budget request.

Last year, the Committee's recommendation for the Detention Trustee included funding for the Justice Prisoner and Alien Transportation System [JPATS] and requested that the Justice Department include in its fiscal year 2003 budget request a proposal to centralize all detention funding under the Trustee. The Committee recommendation included that direction because only with control of funding can the Detention Trustee effectively oversee and manage detention. The Committee is pleased that the budget request met the Committee's recommendation last year to the extent that it centralizes funding for the Federal Prisoner Detention Program and the Immigration and Naturalization Service's Service Processing Center within the Department of Justice Detention Trustee.

However, while the Trustee has management responsibility for detention, and finally has been given control of funding for bed space, detention personnel still remain under the control of the various components. Without control of personnel, the Trustee will be forced to regularly contend with Presidentially-appointed officials in the Marshals Service [USMS], the Immigration and Naturalization Service [INS], and the Bureau of Prisons [BoP] who may disagree with his "guidance". If the Trustee is to effectively manage bed space, he must control the experts that negotiate inter-governmental agreements. Therefore, not later than 45 days after enactment of this Act, the Justice Department is directed to transfer such personnel from the USMS, INS, and BoP to the Detention Trustee as may be necessary to give the Trustee full operational control of bed space management. To the degree possible, such transfers should be voluntary and involve a minimum of disruption. Should said transfers not occur by this date, the $1,870,000 provided under this heading for additional management personnel shall immediately be transferred to the Working Capital Fund.

Because of the unique nature of the activities undertaken in this account, the Committee has broken with the general philosophy underlying the recommendation by providing the budget request rather than the fiscal year 2002 funding level. Almost all of the

funding proposed under this heading is for contract bed space. Bed space requirements are based on projections of the total number of detainees and the total number of incarceration days. These costs are essentially mandatory, since failure to pay them would result in the release on bond or recognizance of suspects thought to be a menace to public safety or a flight risk.

National clearinghouse for detention space.—The Committee fully supports the notion of a one-stop shop for detention space. Such a clearinghouse may be the only way to break the current "seller's market" that has allowed local bed space providers to charge excessive daily rates. The Committee believes that existing Justice networks, such as Law Enforcement Online, may serve as a vehicle for the clearinghouse or that lessons learned in the FBI's Internet café program may speed development of the clearinghouse. In cooperation with the Justice Department's Chief Information Officer, the Trustee is directed to pursue any and all cost-effective means of establishing the clearinghouse as rapidly as possible. The Committee recommendation includes $5,000,000 for this effort. The Committee expects to be regularly briefed on the Trustee's progress in making the clearinghouse a reality.

Justice Prisoner and Alien Transportation System.—The Committee is disappointed by the Justice Department's failure to make the Trustee the head of the Justice Prisoner and Alien Transportation System [JPATS]. As the Committee noted last year, endless disputes between JPATS "customers" are distracting managers from the complex task of operating an airline in a high security environment. As importantly, the lack of a sufficiently powerful manager leaves the program without an advocate in all-important budget debates. The result is a wide-body fleet in such a ruinous condition that only the dedication of the maintenance personnel and pilots keep these aircraft in the air. These problems leave little time to explore possible efficiencies in routing, scheduling, or other operational areas. The Department's proposed solution, outsourcing, fails to address the real issues affecting JPATS and is unacceptable except on a carefully limited, piecemeal basis. There should be no confusion that ultimate responsibility for the safe and secure transportation of prisoners rests solely with the Justice Department. That being so, the Trustee is directed to assume control of JPATS operations not later than January 1, 2003. The Committee will consider a reprogramming request to fund a business process re-engineering study after the Trustee has taken over JPATS and after the immediate need to replace aging wide-body aircraft has been fully addressed.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2002	$50,735,000
Budget estimate, 2003	63,937,000
Committee recommendation	54,825,000

The Committee recommends an appropriation of $54,825,000. The recommendation is $9,112,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and $3,000,000 for requested Homeland Security program increases.

The Committee recommendation includes an increase of $3,000,000 for 3 attorneys, 10 agents, and 12 auditors or program analysts to provide effective oversight of the Department's counterterrorism program. As the Inspector General [IG] noted in his budget justification, the Department's Strategic Plan for 2001–2006 "notes the significant management challenge facing the Department as it seeks to effectively manage its counterterrorism program and avoid potential gaps in coverage or duplicate services provided by state and local governments. In addition, the infusion of billions of dollars into the Department's efforts to combat terrorism presents its own set of challenges." The Committee concurs with the judgment of the IG and looks forward to regular progress reports.

U.S. Parole Commission

SALARIES AND EXPENSES

Appropriations, 2002	$9,876,000
Budget estimate, 2003	10,862,000
Committee recommendation	10,114,000

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 an appropriation of $10,114,000. The recommendation is $748,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

The Parole Commission is scheduled to be phased out November 1, 2002 as a result of the creation of sentencing guidelines. The Committee is aware that legislation has been proposed to extend the Parole Commission beyond this statutory phase out date. Funding provided for this account is subject to the enactment of this authorization.

Legal Activities

GENERAL LEGAL ACTIVITIES

Appropriations, 2002	$561,676,000
Budget estimate, 2003	645,299,000
Committee recommendation	579,495,000

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, and Interpol.

The Committee recommends an appropriation of $579,495,000. The recommendation is $65,804,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, Homeland Security related funding for the Criminal Division, and $1,996,000 for the administrative expenses associated with the Radiation Exposure Compensation Act [RECA], which was previously funded under a separate account.

Radiation Exposure Compensation Act Administrative Expenses.—The recommendation includes $1,996,000 for the administrative expenses associated with the Radiation Exposure Compensation Act [RECA]. The Committee expects that additional resources required to process RECA will be absorbed from within other resources available to the Civil Division. 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.

Automated Litigation Support.—The administration requested $25,000,000 for automated litigation support for the Department of Justice tobacco lawsuit. The Committee notes that sufficient funding is already available for administering the litigation. The Committee also notes that the Department may use other accounts, as necessary, to fund automated litigation support and other needs, so that the Department may pursue this lawsuit.

Courtroom technology.—To further enhance the presentation of evidence, as well as rapidly accelerate the pace of trials, the Committee recommendation provides $5,200,000 for courtroom technology to be distributed among the divisions on the basis of need.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 2002	$4,028,000
Budget estimate, 2003	4,028,000
Committee recommendation	4,028,000

This account covers Justice Department expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986. The Committee recommends a reimbursement of $4,028,000 for legal costs. The recommendation is identical to the fiscal year 2002 funding level and the budget request.

ANTITRUST DIVISION

SALARIES AND EXPENSES

Appropriations, 2002	$130,791,000
Budget estimate, 2003	137,799,000
Committee recommendation (including carryover)	133,133,000

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 $133,133,000 in budget (obligational) authority. The recommendation is $4,666,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

U.S. ATTORNEYS

SALARIES AND EXPENSES

Appropriations, 2002	$1,410,338,000
Budget estimate, 2003	1,506,373,000
Committee recommendation	1,474,779,000

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

The Committee recommends an appropriation of $1,474,779,000. The recommendation is $31,594,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and program enhancements and the annualization of personnel related to Homeland Security. The Committee is aware that the U.S. Attorneys will receive $91,993,000 in reimbursements in fiscal year 2003. As in the past, Committee recommendations focus the efforts of the U.S. Attorneys on those crimes where the unique resources, expertise, or jurisdiction of the Federal Government can, or must, be most effective.

IT Infrastructure.—The Committee recommends a total of $8,000,000 for the third and final phase of the overall telecommunications convergence initiative to implement Internet Protocol (IP) Technology. These funds will allow the U.S. Attorneys to improve performance, reliability, capacity, efficiency and security of the U.S. Attorneys' infrastructure by securely converging data, video, and voice transport over a single IP network.

Fundamental Reform.—Last year, in an attempt to fix the U.S. Attorneys' resource allocation process, the Committee waived all previous congressional guidance to the U.S. Attorneys regarding initiatives and the designation of funds. In addition, the Committee requested that the EOUSA submit a report to the Committees on Appropriations on these proposed reforms no later than March 17, 2002. While the submitted report included a number of activities currently underway by EOUSA to determine whether the resource allocation process places attorneys where the workload demand dictates and where productive use of the resources is assured, the report provided no specific information about the implementation of actual reform. The Committee therefore requests the EOUSA to submit an updated status report on actions planned or taken for actual reform to the Committees on Appropriations not later than May 15, 2003.

Civil Defensive Litigation.—In light of the recent waiver of congressional designations of caseloads, the Committee does not recommend including additional resources specifically for civil defensive litigation. Rather, the Committee recommends an increase in the number of authorized positions and full-time equivalent workyears for the U.S. Attorneys. With this increase, the U.S. Attorneys may allocate resources as needed to better address the significant increase and complexity of cases in civil defensive litigation over the last several years.

Courtroom technology.—The Committee recommendation provides $5,000,000 for additional personnel and training to support courtroom technology activities.

Cyber Crime and Intellectual Property Enforcement.—The U.S. Attorneys shall report to the Committee not later than April 30, 2003 on the number of copyright law prosecutions undertaken in the preceding year, including those under Public Law 105–147, by type and location.

Port Security Pilot Project.—The Committee remains concerned about security at U.S. seaports. The potential for crew members, passengers, and dangerous cargo to illegally enter the country and pose a threat to the country's security remains a harsh reality. The recommendation therefore includes $20,000,000 for four pilot projects to enhance security at our Nation's ports. Each of the pilot projects shall be coordinated under an Anti-terrorism Task Force and shall include Federal, State, and local law enforcement.

Legal education.—The Committee recommendation provides $18,842,000 for legal education and distance learning at the National Advocacy Center [NAC] as requested by the Administration. If merited, the NAC may expand or include antiterrorism and cybercrime classes. In addition, the Committee includes an additional $6,000,000 to acquire, upgrade, and equip space from the University of South Carolina to expand, among other things, distance learning capabilities at the NAC. NAC State and local training funds are provided under the Office of Justice Programs.

Violent crime task forces.—The Committee recommends an additional $1,000,000 within available resources to continue and expand task force activities associated with Operation Streetsweeper.

U.S. TRUSTEE SYSTEM FUND

Appropriations, 2002	$147,000,000
Budget estimate, 2003	167,510,000
Committee recommendation	150,381,000

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.

The Committee recommends a total of $150,381,000 in budget authority. The recommendation is $17,129,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

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

FOREIGN CLAIMS SETTLEMENT COMMISSION

Appropriations, 2002	$1,136,000
Budget estimate, 2003	1,136,000
Committee recommendation	1,136,000

The Committee recommends an appropriation of $1,136,000. The recommendation is identical to the fiscal year 2002 funding level and the budget request and fully provides for the adjudication of claims against: Germany relating to World War II; Cuba relating

to the Castro regime; and Iraq relating to the U.S.S. *Stark* incident and Desert Shield/Storm.

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

U.S. MARSHALS SERVICE

SALARIES AND EXPENSES

Appropriations, 2002	$643,896,000
Budget estimate, 2003	700,343,000
Committee recommendation	673,146,000

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

The Committee recommends an appropriation of $673,146,000. The recommendation is $27,197,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, less non-recurring costs, and includes full funding for both a 4.1 percent pay adjustment for Federal employees and $29,736,000 for Homeland Security initiatives.

The Committee recommendations are displayed in the following table:

United States Marshals Service

[in thousands of dollars]

	Committee recommendation
Prisoner moves	30,754
JPATS	26,954
All other	3,800
Special assignments	8,900
Judicial security	4,800
High threat trials	3,400
Judicial conferences	400
All Other Judicial Protection	1,000
Investigative services	2,600
15 Most Wanted	100
Major case fugitive	300
International offices	300
Task forces	400
Extraditions	900
Witness security	600
All other	1,500
Demonstrations (Vieques)	1,000
Unforeseeable requirements	500
District operating expenses	33,807
Operations	27,707
Perimeter security (NY)	3,900
Protection details (NY)	6,300
Deputy Attorney General detail	500
Travel	2,200
Supplies	5,700
Equipment rentals	600
Equipment (fuel, ammunition, safety & technical)	2,207
Awards/overtime	1,600
Communications	2,400

	Committee recommendation
Services	2,300
Guards & temporary personnel	6,100
Agency-wide support	46,798
Telecommunication & IT	20,064
Telephones	9,500
JCN/JCON recurring costs	10,564
Equipment, maintenance & miscellany	7,922
Rentals of copiers/fax	1,100
Meter mail, publishing/distribution, warehouse services	2,100
Building maintenance (moves, locks)	500
Field support:	
Safes/gun lockers	500
Hand/leg cuffs	722
Financial systems—contract support	500
Financial systems support costs	1,400
Transit subsidy	300
Medical exams/operational personnel	100
Background investigations	700
Vehicles	10,424
Permanent change of station	3,338
Training academy & training	5,050
Headquarters operating expenses	22,904
Consumables	7,806
Travel	1,368
Office supplies/uniforms	1,089
Equipment/equip. rentals	991
Fuel	50
Ammunition	20
Safety/technical equipment	160
Technical/investigatory equip.	120
Overtime	571
Awards	792
Communications	274
Contract	2,371
Special Operations Group	1,578
Electronic Surveillance Unit	7,700
Fugitive Task Forces	2,735
WIN/Commercial/Other Databases	2,766
DoD schools reimbursement	319
Rent	130,360
Headquarters security	1,600
Salaries and benefits	385,212
Protection of Judicial Process	211,029
Prisoner Transportation	10,039
Fugitive Apprehension	90,834
Electronic Surveillance Unit	[5,461]
Fugitive Task Forces	[5,524]
Special Operations Group	[1,289]
Seized Asset Management	3,559
D.C. Superior Court	21,616
Service of Process	11,122
Training Academy	2,313
ADP/Telecommunications	8,364
Management & Administration	26,336
Adjustments for prior year activity	750
Total, United States Marshals Service	661,085

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2003. The Committee recommendations are discussed in more detail in the following paragraphs.

The Committee recommendation includes $2,766,000 (excluding a $500,000 transfer from the Justice Detainee Information System) to improve and maintain the Warrant Information Network and to

continue subscriptions to various government and private networks and on-line services and $3,300,000 for Electronic Surveillance Unit recurring costs.

Courthouse Security Personnel.—The Committee is aware that the Marshals are manipulating vacancies to recover funds to cover shortfalls in other areas. Until the Marshals hire up to authorized levels, the Committee sees little reason to fund additional personnel. The Committee directs the Marshals to provide a report to the Committees on Appropriations describing the nature and extent of chronic shortfalls in their base budget. The report should be delivered not later than September 15, 2002.

Courthouse security equipment.—This account funds security equipment, furnishings, relocations, and telephone systems and cabling. The Committee recommendation provides $12,061,000 for courthouse security equipment. This equipment will outfit newly opening courthouses in the following locations:

USMS Courthouse Security Equipment

[In thousands of dollars]

	Committee recommendation
Detainee Facilities:	
Decatur, AL	45
Florence, AL	30
Gadsen, AL	40
Tuscaloosa, AL	45
Hot Springs, AR	805
Little Rock, AR	65
Fort Myers, FL	150
Key West, FL	683
Miami, FL	110
Rome, GA	110
Hammond, IN	70
Terre Haute, IN	438
Carbondale, IL	150
Rock Island, IL	390
Springfield, MA	150
Bangor, ME	75
Flint, MI	120
Marquette, MI	150
Natchez, MS	545
Billings, MT	240
Great Falls, MT	20
Helena, MT	24
Greensboro, NC	930
Roswell, NM	50
Santa Fe, NM	120
Buffalo, NY	110
Columbus, OH	180
Dayton, OH	150
Toledo, OH	225
Lawton, OK	272
Erie, PA	500
Pittsburgh, PA	600
Anderson, SC	65
Sioux Falls, SD	385
Laredo, TX	40
Danville, VA	75
Newport News, VA	390
Seattle, WA	265
Green Bay, WI	180

	Committee recommendation
Cheyenne, WY	144
Subtotal	9,136
ADT Security Equipment Maintenance	1,400
Security Engineering Services	673
Safety Program	852
Total, USMS Security Equipment	12,061

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2003.

The recommendation transfers funding for the Marshal's safety and health program from the "Salaries and Expenses" account to this subaccount.

Fugitive apprehensions.—Last year, the Committee directed the Marshals to establish task forces in New York City and Los Angeles dedicated full-time to the pursuit of the most dangerous fugitives on the eastern and western seaboard. The Committee notes with concern that the annualization of costs for the two task forces appears inadequate. In addition, the Committee believes that the establishment of two additional centrally-managed fugitive task forces in the heartland is essential to properly cover fugitive caseload. Therefore, the Committee recommendation includes an additional $2,268,000 to fully annualize the two existing task forces, and $5,832,000 for two new task forces, of which $3,856,000 is for the full year costs of 1811s and support staff on the task forces, $485,000 is for equipment and expenses, $335,000 is for State and local overtime and informant payments, and $1,155,000 is for permanent change of station moves. In addition, the Committee recommendation provides an increase of $5,500,000 over the fiscal year 2003 request for electronic surveillance unit [ESU] personnel, training, and equipment, including funding for surveillance vans and light aircraft, bucket trucks, a central signal collection system, secure communications equipment, various tracking systems, and night vision equipment.

Vehicles.—The Marshals Service's approach to fleet management is "run to failure". Though Federal guidelines call for replacing sedans after 3 years or 60,000 miles and SUVs after 4 years or 40,000 miles to avoid chronic problems with availability and excessive operations and maintenance costs, the Marshals have no fleet replacement cycle. As a result, deputies are chasing fugitives or transporting prisoners in vehicles whose unreliability pose an unnecessary risk to deputies. The Committee has scrutinized the Marshals' budget looking for low priority items that could be reduced or eliminated to free up resources for vehicle purchases. The Committee recommendation provides $10,424,000 for vehicle purchases. This shall be treated as a permanent increase to the base. None of these vehicles are to be assigned to headquarters.

Information Technology.—The Committee was pleased by the generous allocation of Legal Activities Office Automation funds made available to the Marshals in fiscal year 2002, but was surprised by the absence of a request for recurring funds in fiscal year 2003. The Committee assumes this to have been an inadvertent oversight. Robust and continuing investments in information tech-

nology ensures that the state of the art system of today is not the antique of tomorrow. The Committee recommendation provides an increase of $10,564,000 for circuit costs, courthouse moves, licenses, help desk and other operations and maintenance costs, and technology refreshment. The Committee expects not less than $17,179,000 for information technology recurring costs to be included in the fiscal year 2004 request as an adjustment to base.

CONSTRUCTION

Appropriations, 2002	$24,125,000
Budget estimate, 2003	15,126,000
Committee recommendation	15,126,000

This account funds construction, security, and furniture at existing courthouses. The Committee recommends an appropriation of $15,126,000. The Committee recommendation includes the fiscal year 2002 funding level, less non-recurring costs, and includes full funding for both a 4.1 percent pay adjustment for Federal employees and $13,273,000 for Homeland Security initiatives.

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

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

USMS Construction

[In thousands of dollars]

	Committee recommendation
Construction:	
Florence, AL	980
El Dorado, AR	807
Fayetteville, AR	800
El Centro, CA	600
Athens, GA	750
Sioux City, IA	810
Boise, ID	50
East St. Louis, IL	175
Rock Island, IL	300
Port Huron, MI	850
Fergus Falls, MN	100
Billings, MT	920
Great Falls, MT	400
Wilmington, NC	750
Anderson, SC	823
Charlottesville, VA	750
Newport News, VA	250
Green Bay, WI	300
Beckley, WV	50
Bluefield, WV	300
Charleston, WV	125

	Committee recommendation
Cheyenne, WY	410
Subtotal, construction	13,200
Planning, Design, & Relocation:	
Rome, GA	110
Carbondale, IL	350
Hammond, IN	50
Bangor, ME	100
Gulfport, MS	30
Natchez, MS	30
Durham, NC	475
Roswell, NM	250
Santa Fe, NM	500
Buffalo, NY	110
Toledo, OH	100
Lawton, OK	475
Erie, PA	320
Fort Worth, TX	135
Laredo, TX	20
Marshal, TX	110
Texarkana, TX	110
Danville, VA	75
Lynchburg, VA	30
Seattle, VA	50
Subtotal	3,430
Schedules & slippages	(3,110)
Minor repairs	375
ADT security equipment maintenance	531
Security specialist consultants/construction engineers	750
Total, USMS Construction	15,126

The Committee considers this an important step in reducing the backlog of critical security-related projects. As with courthouse security equipment, the Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2003.

Construction engineering consultants.—The Committee is aware that the Marshals have been using funds allocated by Congress for consulting services on construction projects to pay the Federal salaries of 9 permanent employees hired in fiscal year 2000. Apparently, this diversion of funds was prompted by confusion over terms and dollar amounts used by the Marshals and Congress. The Committee expects the salaries of permanent employees to be paid out of the "Salaries and Expenses" account and the salaries for construction consultants to be paid out of this account. The Marshals are directed to report on the proper execution of the construction engineering funds not later than 30 days after enactment of this Act.

Billings, MT.—The funds provided for construction for Billings shall only be available to renovate the Marshals Service space, including designated prisoner movement and holding areas, in the existing Federal courthouse, space previously occupied by the Bureau of Indian Affairs. No other proposals are to be considered.

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM

Appropriations, 2002	.....
Budget estimate, 2003	.....
Committee recommendation	$56,000,000

This account funds prisoner air transportation operations and maintenance, aircraft procurement, and facilities.

The Committee recommends an appropriation of $56,000,000. The recommendation is $56,000,000 above the budget request. As with other accounts that fund programs related to detention and incarceration, the Committee recommendation for the Justice Prisoner and Alien Transportation System [JPATS] deviates from the general philosophy underlying the recommendation. JPATS' per passenger pricing structure makes no provision for the capitalization of assets. The result is that large body aircraft responsible for prisoner movements will be flown until grounded for structural failure or other safety reasons. No replacements are planned. Therefore, unless Congress intervenes, the JPATS fleet will be allowed to diminish until no aircraft remain. Justice has no plan for dealing with the resulting crisis. Thus, in this case, the Committee recommendation has provided the funds necessary to avert disaster before it occurs.

The funds provided will allow the Marshals to procure four modern, fuel efficient, wide body aircraft and spares to replace four first generation airliners that have reached the end of their useful service lives. The Marshals shall report to the Committees on Appropriations on its procurement strategy not later than November 15, 2002.

FEDERAL PRISONER DETENTION

Appropriations, 2002	$706,182,000
Budget estimate, 2003	.....
Committee recommendation	.....

No funds are requested or recommended under the Federal Prisoner Detention Program. The budget request met the Committee's recommendation last year by centralizing funding for detention activities within the Federal Prisoner Detention Program and the Immigration and Naturalization Service under the Department of Justice Detention Trustee. This recommendation is identical to the budget request.

FEES AND EXPENSES OF WITNESSES

Appropriations, 2002	$156,145,000
Budget estimate, 2003	156,145,000
Committee recommendation	156,145,000

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 an appropriation of $156,145,000. The recommendation is identical to the fiscal year 2002 funding level and the budget request.

COMMUNITY RELATIONS SERVICE

Appropriations, 2002	$9,269,000
Budget estimate, 2003	9,364,000
Committee recommendation	9,474,000

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 an appropriation of $9,474,000, which is $110,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

ASSETS FORFEITURE FUND

Appropriations, 2002	$22,949,000
Budget estimate, 2003	22,949,000
Committee recommendation	22,949,000

The Committee recommends an appropriation of $22,949,000. The recommendation is identical to the fiscal year 2002 funding level and the budget request. 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.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

Appropriations, 2002	$1,996,000
Budget estimate, 2003	1,996,000
Committee recommendation	.....

No funds are recommended under this account. Rather, full funding for the administration expenses of the Radiation Exposure Compensation Fund is provided under the Civil Division of General Legal Activities.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

Appropriations, 2002	$338,577,000
Budget estimate, 2003	362,131,000
Committee recommendation	347,102,000

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

The Committee recommends an appropriation of $347,102,000. The recommendation is $15,029,000 below the budget request. The

Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

Special Operations Division Generated Wiretap Investigations.—The recommendation includes $6,774,000 to enhance the Organized Crime Drug Enforcement Task Force's [OCDETF's] capability to conduct complex, multi-district investigations developed from the Special Operations Division [SOD] intelligence and coordination, in order to target and dismantle significant drug trafficking organizations. Of that amount, $6,050,000 shall be for critical DEA field office staffing in areas of the country with the largest drug supply and $724,000 shall be for the Criminal Division of General Legal Activities to establish an electronic surveillance tactical support group consisting of attorneys and paralegals that can be sent on short-term deployments to U.S. Attorney offices that require assistance in conducting electronic surveillance in OCDETF investigations.

State and Local Overtime.—Overtime for State and local law enforcement officers who support OCDETF investigations has traditionally been funded by the Department of Justice Assets Forfeiture Fund (AFF). This year, OCDETF has included $8,000,000 in its request for State and local overtime out of concern that declining AFF receipts will be insufficient to cover these costs. The Committee supports the role of State and local law enforcement with OCDETF, but believes the AFF remains the proper source of funding for overtime. Should funds not be available for this purpose within AFF, the Committee will entertain a reprogramming request from an alternative source of funding.

To ensure that the Immigration and Naturalization Service [INS] only seeks reimbursable funds if INS agents are actually performing task force work, the INS is directed to match at least 25 percent of each reimbursable dollar from their direct appropriation on Organized Crime and Drug Enforcement Task Force cases before they can be reimbursed from this account.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

Appropriations, 2002	$4,236,073,000
Budget estimate, 2003	4,202,587,000
Committee recommendation	4,202,587,000

The Committee recommends an appropriation of $4,202,587,000. The recommendation is identical to the budget request. The Committee recommendation includes the fiscal year 2002 funding level, less non-recurring costs, and includes full funding for both a 4.1 percent pay adjustment and $493,330,000 for homeland security initiatives and related personnel. The Committee is aware that up to $103,300,000 in uncommitted carryover will be available to apply to this account and expects that new found efficiencies ("elimination of sixth men") will free up additional resources.

The Committee recommendation highlights the following initiatives:

Intelligence Production.—The recommendation includes an additional $7,731,000 to enhance headquarters and field office analytical capabilities to support the FBI's counterterrorism program, in-

cluding 20 headquarters Intelligence Research Specialists [IRSs] and 90 field IRS positions. IRSs provide time-sensitive analyses in support of investigations/operations and programmatic issues and strategic analyses aimed at identifying investigative priorities. Expertise in understanding current and projected terrorism threats shall be a prerequisite for these positions.

Hazardous Materials Response Capabilities.—Now more than ever, law enforcement personnel must be properly trained and equipped to encounter crime scenes where hazardous materials may be present. The Committee therefore includes an additional $9,333,000 for the FBI's Hazardous Materials Response Unit (HMRU) and an additional $3,272,000 for the Hazardous Devices School (HDS).

The HMRU provides an integrated approach to ensuring the safe and effective response to criminal acts and incidents involving hazardous materials, including specialized response teams, a national training program, interagency liaison, technical assistance to FBI field and Headquarters divisions, and the development of field response programs. The Unit trains, equips, and certifies FBI field office personnel for hazardous materials operations.

The HDS prepares public safety bomb technicians (BTs) to locate, identify, render safe, and dispose of improvised hazardous devices, including those containing explosives, incendiary materials, and materials classified as weapons of mass destruction (WMD). The program also includes training in the use of specialized equipment and protective clothing needed for the safe disposal of explosive materials. These funds will provide additional courses for BTs and provide necessary operations and maintenance funding associated with practical training villages.

Evidence Response Team Program.—The Evidence Response Team Program (ERTP) provides management and training for field personnel who are responsible for providing forensic and crime scene services. These personnel must respond to case investigations with the most current techniques, procedures, and equipment to ensure that critical evidence is identified and gathered for forensic analysis. The recommendation includes an additional $5,722,000 for personnel, training, field office supplies, equipment, surveying stations, underwater equipment and contractor support, physicals, canine evidence recovery, and technology assisted search team operational travel and equipment.

Cybercrime and Intellectual Property Enforcement.—Twenty-five percent of the software produced in the United States has been copied illegally in violation of U.S. copyright laws. Other industries have similarly suffered from high rates of counterfeiting, including pharmaceuticals, automobile manufacturing, videos and music. The estimate of lost revenue to such industries exceeds $300,000,000,000 annually. The Committee provides $10,000,000 of available resources for the vigorous pursuit of Federal copyright law violations.

Federal Convicted Offender Program.—The recommendation includes an additional $867,000 for the Federal Convicted Offender (FCO) Program. Last year, the FCO Program's authority to collect DNA samples was expanded to include additional crimes of violence and terrorism-related offenses. This funding will support 5

positions to manage and type Federal convicted offender samples, purchase equipment, and fund additional expenses related to this effort.

Polygraph Program.—In the past, the FBI only conducted polygraphs on new employees and individuals with access to certain sensitive programs or cases. The recommendation includes an additional $6,804,000 to expand the FBI's polygraph program to include periodic polygraph examinations for individuals who have broad access to the FBI's most sensitive information and for employees leaving for and returning from permanent foreign assignments.

Serial rapists.—The Violent Criminal Apprehension Program [ViCAP] has proven valuable in pursuing serial killers by fusing evidence across cases and jurisdictions. The Committee believes that expanding ViCAP to include sexual assault cases would greatly improve the ability of law enforcement at all levels to identify, capture, and prosecute serial rapists. Therefore, the Committee recommendation includes $1,005,000 to expand ViCAP to include rape cases.

Forensic research.—The FBI Laboratory's forensic research spending plan for fiscal year 2002 was very impressive. The Committee is aware that the FBI Laboratory still has a long list of unfunded research projects. The Committee recommendation includes an increase of $8,056,000 over last year's level to fund the highest priority forensic research proposals submitted to the Committee as part of the fiscal year 2002 spend plan. The FBI shall report back to the Committees on Appropriations on the disposition of these resources not later than February 1, 2003.

Center for Forensic Services in Indian Country.—Forensic services supporting general criminal investigations in Indian Country are currently provided through a patchwork of forensic support systems that do not adequately serve the needs of Federal and Tribal criminal justice systems. Most of Indian Country lacks timely examination of forensic evidence which has crippled investigators, prosecutors and the courts. The Committee recommendation therefore includes $6,000,000 to establish and operate a Center for Forensic Services in Albuquerque, New Mexico to be managed by the FBI Laboratory. The Center shall provide high-quality evidence examination, crime scene training, and other forensic services to investigators and prosecutors in Federal and Tribal cases throughout Indian Country.

Mitochondrial DNA.—The Committee recommendation includes $4,000,000 to maintain or establish 4 regional mitochondrial DNA [mtDNA] forensic labs in affiliation with the FBI Laboratory. The labs will analyze mtDNA from human remains or other evidence to assist law enforcement in the identification of missing persons or perpetrators. Affiliation with the FBI Laboratory ensures that uniform standards and procedures are maintained by all of the participating laboratories doing mtDNA analysis. The Committee notes that the four scientists and technicians required to oversee regional mtDNA labs were funded last year, but the labs themselves were not.

Investigative data warehousing.—Investigative data warehousing is phase II of Trilogy, the FBI's computer modernization initiative. Phase I of Trilogy will fuse into an enterprise database, the so-

called Virtual Case File [VCF], a handful of key legacy databases, currently stovepiped, that are central to the day-to-day investigatory and intelligence gathering activities of the Bureau. Investigative data warehousing will migrate an additional 34 priority, highly specialized legacy databases, also currently stovepiped, into the VCF. This program is essential for the FBI to fully access its collected data. The Committee recommendation includes $50,300,000 for investigative data warehousing. Knowing the magnitude of this project, the Committee looks forward to regular updates on its progress. The first briefing shall occur within 30 days of the enactment of this Act and shall address in detail the execution plan for fiscal year 2003.

Information assurance.—The Committee has been very impressed by the comprehensive approach to, and rapid development of, information assurance capabilities at the Bureau. A series of wide ranging and very comprehensible briefings provided excellent insight into the program's scope, capabilities, and goals. The Committee recommendation includes $18,435,000 to continue information assurance initiatives undertaken last year. The Committee expects that the "one stop shopping" information desk for security customers will be fully operational by the end of the fiscal year. The Committee recommendation also includes $29,738,000 for the Enterprise Security Operations Center [ESOC]. With the lack of information included in the FBI's budget request about the ESOC, funding was provided only as a result of a candid and thorough briefing at the unclassified level. The Committee notes the necessity of total disclosure to ensure funding for initiatives.

Security and Exchange Commission Threat Assessment.—The Committee directs the Force Protection Unit of the Security Division to conduct a threat assessment of the Security and Exchange Commission to ensure the safety of its employees. The FBI shall submit a report to the Committees on Appropriations on its findings not later than March 15, 2002.

Collaborative capabilities.—The Committee recommendation includes $11,000,000 for collaborative capabilities. Collaborative capabilities are phase III of Trilogy. Collaborative capabilities will open the FBI's heretofore closed, classified computer network to other Federal, State, and local law enforcement and intelligence agencies. There is concern with this effort. An open network is inherently vulnerable to attack. Fortunately, Internet cafe, a standalone system for web access, should provide the Bureau with time to perfect a secure, shared network. The Committee believes that extensive lab testing followed by thorough piloting is essential to the success of this initiative. The Committee looks forward to observing lab and field demonstrations at every critical milestone in the development of collaborative capabilities.

Analytical tools for data mining and visualization.—The Committee is familiar with the demonstrated value of these software tools and has provided money in the past for the acquisition of earlier versions. The Committee recommendation provides $5,000,000 for analytical tools. The Committee directs the Bureau to provide the Committees on Appropriations with a detailed spend plan that shall not require Congressional approval after it has decided how best to use the funds provided.

Internet cafe.—The Committee is aware that the FBI is wrestling with the risks of opening its previously closed computer network to the Web. The Committee is fully aware that no security system can fully protect its host from threats on the Internet. Still, an enormous amount of freely- or commercially-available information can be found on the Web that could prove very useful in pursuing criminal or national security investigations. As an interim measure, the Bureau has requested funds to establish stand alone access to the Web, referred to as Internet cafes. The Committee considers this a prudent step. The recommendation includes $3,620,000 for Internet cafes. The Bureau shall provide a report to the Committees on Appropriations on the distribution and use of Internet cafes not later than May 1, 2003.

Physical Surveillance Program.—As the FBI expands its efforts to collect intelligence about potential domestic and international terrorists groups and respond to threats against the United States and other extraordinary incidents, the need for surveillance technology and equipment grows. The recommendation includes an additional $5,137,000 for development, deployment, and support of core technologies associated with tracking and locating, mobile surveillance, and design and fabrication capabilities.

Tactical Operations.—Court ordered tactical operations only serve as an effective investigative tool if the FBI has the resources to address emerging technologies, such as advanced digital communications, command and control and computers, radio frequency communications and data links, and sophisticated encryption. The Committee therefore includes in its recommendation an additional $12,612,000 for research and development and for engineering to support ongoing and new strategic initiatives directed against new technologies posed by the high-technology industries.

Special Operations Division.—As noted elsewhere, the Committee has rejected the proposal to fund regular operations out of the Counterterrorism Fund, an account designed solely to provide the Justice Department needed flexibility in the days immediately following a catastrophe. Therefore, the Committee recommendation includes $35,000,000 under this account for FBI reimbursements to the Drug Enforcement Administration [DEA] for intelligence derived from the Special Operations Division. The Committee directs the Bureau to provide a full accounting of its reimbursements to the DEA not later than December 1, 2003.

Re-enginering the workforce.—The FBI request for additional analysts and technological enhancements highlights the Bureau's shift from a manpower-intensive to an information-intensive approach to intelligence gathering and crime fighting. However, this shift has come, thus far, without a comprehensive approach to human capital investment. The Director's stated priorities: counterterrorism [CT], counterintelligence [CI], and cybercrime ["cyber"], will require marked shifts in the skills of the Bureau workforce. A far more diversified workforce of scientists, engineers, technicians, analysts, support, and other staff, as well as agents, will be required. To maintain and enhance proficiency of this new workforce during the current information and technology revolution, employees will need constant field exposure and continual in-service training and education to keep skills finely honed. For that

reason, the Bureau must develop and maintain a manpower master plan that, at a minimum, includes an analysis of, and justification for: (1) the proper mix of agent, specialist, and support personnel in foreign and domestic field offices and headquarters at the squad, unit, section, and division levels, (2) mandatory, substantive inservice training programs of at least 40 hours per year for all personnel that include both in-house, other Federal, and private training and development opportunities, (3) career paths for personnel in specialized areas, especially CT, CI, cyber, and security, with an emphasis on lifetime commitment to specialization, (4) the proper balance of personnel versus capital investments to ensure that Bureau employees are properly equipped with the essential tools of their particular trade, and (5) a deployment strategy that maximizes the benefits of professional cross-pollination between highly specialized personnel. The report shall be completed not later than December 31, 2003. The Bureau shall provide a progress report to the Committees on Appropriations by July 1, 2003 and shall provide the Committees with a final copy of the plan upon completion.

The remaining funds provided in the Committee recommendation are intended to address a variety of requested homeland security initiatives and to cover the costs of lingering unmet needs associated with the events of September 11, 2001. Release of these funds shall be subject to the submission and approval of a spend plan or spend plans in keeping with section 605 of this Act.

Aviation.—The FBI is directed to submit a 5-year aviation master plan that includes: (1) current fleet assets by type, (2) logged flight hours by aircraft/helicopter, (3) projected useful service life remaining (under what assumptions) by aircraft/helicopter, (4) missions by aircraft/helicopter type, (5) utilization of current fleet assets, by mission type, for the last 5 years by year, (6) basing, by aircraft/helicopter locations. The plan should also discuss the costs and benefits of maintaining versus replacing current fleet assets through 2008, maldeployments or other causes of underutilization of current fleet assets, if applicable, and capabilities of current fleet assets versus current and projected mission requirements. The report shall be delivered not later than December 3, 2002.

Rapid Deployment Logistics Unit.—The Rapid Deployment Logistics Unit [RDLU] was created outside the Committee's purview through an internal reallocation of resources. The number and composition of Rapid Deployment Teams [RDTs] were settled by the Bureau without the Committee's insight or input. To date, the Committee has never received a briefing on the RDLU or RDTs. That being so, the Committee expects the FBI to submit a comprehensive report on the purpose of the RDLU, the capabilities of the RDLU and RDTs, and the personnel and equipment requirements of both for the next 5 years, by year.

Joint Terrorism Task Force.—The Bureau is seeking to quadruple the amount of funding available for Joint Terrorism Task Forces [JTTFs]. The increased funding would be used for space to house JTTFs and backfill the FBI slots transferred to JTTFs. The FBI's goal is to establish a JTTF in every field office by the end of fiscal year 2003. The value of JTTFs, both in general and relative to their cost, remains open to debate as does the value of having JTTFs in 56 locations. Since JTTFs are now competing with

Regional Terrorism Task Forces, Anti-Terrorism Task Forces and the Foreign Terrorist Tracking Task Force, not to mention the Counterterrorism Division, for resources to meet the same mission, a thorough review of the program is in order. The Bureau is directed to submit a report to the Committees on Appropriations that, at a minimum, includes a thorough discussion of JTTF caseload over the last 5 years by type (domestic/foreign), offense(s), and disposition (referred for prosecution, prosecuted, convicted, etc.) on a task force by task force basis. The report should also include an explicit discussion of threats in existing or proposed JTTF locations. The report shall be delivered not later than October 30, 2002.

National Infrastructure Protection Center.—A March 2001 report on computer intrusion squad training, promotion, and retention has yet to be delivered to the Committee on Appropriations. As a result, almost $20,000,000 in NIPC funding remains on hold until the Bureau presents a reasonable plan for its use. The Committee expects a reasonable plan regarding these funds to be submitted to, and approved by, the Committees on Appropriations by September 30, 2002. In addition, the Committee recommendation includes $17,221,000 for phase II of a three phase research and development initiative being run by the STAU.

Emergency communications.—The FBI has established a requirement for the Critical Response Unit [CRU] to respond to five crisis sites simultaneously with state-of-the-art secure communications equipment and personnel. How this requirement was arrived at is unknown. It is also unclear how the CRU's communications suite integrates with that of the Foreign and Domestic Emergency Support Teams, the Hostage Rescue Team, the Critical Incident Response Group, the Strategic Information & Operations Center, Special Weapons & Tactics Teams, and a host of other specialized units, all of which have communications suites of their own. The Committee presumes that communications gear deployed by the CRU is fully interoperable with that of all other emergency response units it is charged with supporting and that duplication of gear between units has been eliminated. Therefore, the Bureau is directed to submit a CRU communications master plan to the Committees on Appropriations not later than January 15, 2003 that: (1) outlines in detail the criteria that must be met for the CRU to deploy, (2) justifies in detail the five simultaneous crisis sites requirement, and (3) outlines in detail the personnel and non-personnel needs of the CRU for the next 5 years by year. The plan shall be delivered not later than November 1, 2002.

Technically Trained Agents.—The Committee has been supportive of Technically Trained Agents [TTAs], though the Committee has differed with the Bureau on priorities. The Committee continues to believe that properly equipping and training TTAs is a higher priority than simply adding more bodies. As justification material accompanying the request for 50 new positions notes, one-third of TTAs are probationary. Clearly, TTAs need more seasoning. The Bureau is directed to report on its strategy for using intense supervision and continuing in-service training and education to compensate for the distinct lack of experience in its TTA force. The report shall be delivered not later than January 1, 2003.

Budget restructuring.—As part of the spend plan or plans described above, the Committee expects the FBI to adopt a new budget structure premised on seven decision units: (1) Counterterrorism, (2) National Security, (3) Cyber-investigations, (4) Criminal Enterprises & Federal Crimes, (5) Forensic & Technical Services, (6) Field Support, and (7) Criminal Justice Services. The Committee understands that an on-going review of classification issues will preclude the need for any decision unit totals to be rolled up in the formal budget submission or any supporting documents. The Committee congratulates the Bureau on this breakthrough.

Last year, the Committee concluded that the FBI's inability to respond swiftly to changing patterns of crime was in part attributable to an antiquated budget structure that did little to protect the Director's strategic priorities, ease management of high risk programs, or provide the transparency necessary for effective Congressional oversight.

The new structure, all but identical to last year's proposed restructuring, will: (1) focus FBI resources on the Director's top three priorities, (2) elevate and sustain a number of longstanding Congressional priorities, (3) afford field-level managers the flexibility to use their workforce to maximum advantage in addressing local criminal investigatory priorities, (4) consolidate the funding of a number of mutually-supportive initiatives that are currently scattered across multiple decision units, and (5) eliminate the current artificial isolation of a number of cross-cutting functions and activities.

The Committee believes that the new budget structure will significantly enhance FBI performance and commends the Bureau for its support in developing this proposal.

CONSTRUCTION

Appropriations, 2002	$33,791,000
Budget estimate, 2003	1,250,000
Committee recommendation	1,250,000

The Committee recommends an appropriation of $1,250,000. The recommendation is identical to the fiscal year 2002 funding level, less non-recurring costs, and to the budget request.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 2002	$1,481,783,000
Budget estimate, 2003	1,545,919,000
Committee recommendation	1,530,470,000

The Committee recommends an appropriation of $1,530,470,000. The recommendation is $15,449,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and $24,683,000 for requested Homeland Security program increases.

The Committee recognizes the crucial role DEA plays in the drug war. As the world's leading drug enforcement agency and the only single-mission Federal agency dedicated to drug law enforcement, DEA has developed the unique capability of identifying, targeting,

investigating, and disrupting or dismantling drug organizations. DEA's mission has taken on a new significance since the terrorist attacks on September 11, 2001. Drug enforcement is critical to protecting our national security as it eliminates the financial base of criminal organizations and deprives them of drug proceeds that may be used to fund terrorist acts.

Enhancements.—The recommendation provides $24,683,000 for DEA's requested Homeland Security enhancements for information security and anti-terrorism security measures. None of these funds shall be obligated until a spend plan has been submitted to and approved by the Committees on Appropriations.

Information security.—The DEA is seeking funds to initiate an information security program. While the Committee applauds this effort, the Committee sees little benefit in re-inventing the wheel. The FBI has just completed a thorough review of its information security needs, and has undertaken wide-ranging improvements noteworthy for their simplicity and cost effectiveness. Prior to the release of funds for the DEA's information security program, the DEA shall sign with the head of the FBI's Security Division and the Chief Information Officer of the Justice Department a memorandum of understanding [MOU] that charges the latter two signatories with providing technical assistance to DEA program managers with an emphasis on no- or low-cost government- or commercial-off-the-shelf solutions. The Committee expects to be briefed on the details of DEA's plan, the contents of the MOU, and FBI and Justice contributions to a successful rollout not later than 60 days after the signing of the MOU.

Financial Investigations.—The Committee also provides $4,121,000 for financial investigations to increase efforts to target drug organizations that finance terrorist activities. Additional personnel shall work closely with Federal, State, and local law enforcement as well as private and regulatory sectors of the financial community to identify individuals and institutions for investigation, and identify money laundering techniques employed by terrorists. Additional personnel and emphasis shall be placed in the following locations: Denver, Colorado, Wilmington, Delaware, Chicago, Illinois, New York City, New York, Charleston, South Carolina, and Dallas, Texas.

Overseas Offices.—While DEA repeatedly defends its presence overseas, very little effort has been made to monitor and evaluate the need for all of these foreign offices after they have been opened. The DEA is therefore directed to submit a report to the Committees on Appropriations that provides the productivity level, workload, and mission for each existing overseas office no later than February 15, 2002. The report shall include a review and rightsizing proposal for each of the overseas offices to ensure that the most urgent needs are being met with the limited resources available.

Integrated Drug Enforcement Assistance.—The Committee is pleased with the Administrator's new initiative for drug prevention and treatment, known as Integrated Drug Enforcement Assistance [IDEA]. IDEA is a coordinated anti-drug plan that combines law enforcement with intensive community follow-up designed to reduce drug demand. IDEA teams DEA agents with State and local

law enforcement to arrest and prosecute drug traffickers within designated communities, and then forms coalitions to reduce demand through drug prevention and treatment. The recommendation provides $5,926,000 to expand IDEA. The DEA is directed to report back to the Committees on Appropriations on how it intends to use these funds not later than January 30, 2003.

Aviation assets.—Helicopters and light aircraft play an essential role in the covert surveillance, pursuit, and capture of drug traffickers. The Committee understands that the DEA's aging fleet of air assets has entered a deadly spiral of low availability and high maintenance hours, and costs, per flight hour. The Committee recommendation provides $6,336,000 for single engine light enforcement helicopters. The DEA is directed to report back to the Committees on Appropriations on how it intends to use these funds not later than January 30, 2003.

Methamphetamine lab clean-up.—The Committee remains alarmed by the public health and safety menace posed by methamphetamine labs. The by-products of methamphetamine production: anhydrous ammonia, ether, sulfuric acid, and other toxins are volatile, corrosive, and poisonous. Often, lab operators secrete these waste products in abandoned or little-used buildings in populous areas to hide evidence or dump them in rivers and streams to eliminate evidence. Danger of explosion is real and the potential for serious environmental contamination well documented. Therefore, the Committee recommendation includes $20,000,000 that shall only be available to reimburse the DEA and States and localities for the costs associated with assisting in, or undertaking, the removal and disposal of hazardous materials at clandestine methamphetamine labs.

Drug Enforcement Equipment.—The effectiveness of DEA agents is threatened by shortfalls and delays in the distribution of critical equipment. The Committee believes that agents must have state-of-the-art equipment in order to stay ahead of or merely keep pace with that of drug traffickers. The Committee recommendation therefore provides $4,733,000 for high priority equipment. The DEA is directed to report back to the Committees on Appropriations on how it intends to use these funds not later than January 30, 2003.

Northern New Mexico Anti-Drug Initiative.—The Committee acknowledges the need for a focused response to illegal drug trafficking in northern New Mexico and expects the DEA to continue to devote sufficient resources to this problem in cooperation with other Federal law enforcement agencies.

"Drug Diversion Control Fee" Account.—The Committee has provided $87,771,000 for DEA's Drug Diversion Control Program. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

The Committee notes that the request included an additional $24,616,000 for program enhancements based on an unresolved Final Rule. The draft rule proposing a fee increase to support these enhancements has not been published yet and is not expected to be published until December 5, 2002. Moreover, the earliest new collections could begin is July 1, 2003, 2 months prior to the end of

fiscal year 2003. The request clearly precipitates the ability of the DEA to collect the fees to support these program increases.

Should the DEA determine that these enhancements more accurately reflect the mission of the Drug Diversion Control Program than current activities, the DEA may redirect existing resources within this account through the reprogramming process.

IMMIGRATION AND NATURALIZATION SERVICE

(INCLUDING OFFSETTING FEE COLLECTIONS)

SALARIES AND EXPENSES

Appropriations, 2002	$3,821,240,000
Budget estimate, 2003	3,765,247,000
Committee recommendation	3,765,247,000

The Committee recommends an appropriation of $3,765,247,000. The recommendation is identical to the budget request.

The Committee recommendation includes the fiscal year 2002 funding level, less non-recurring costs, and includes a 4.1 percent pay increase and $947,983,000 for Homeland Security program increases and related personnel. The Committee is aware that up to $51,366,000 in carryover will be available to apply to this account and expects that new found efficiencies ("elimination of sixth men") will free up additional resources.

Border Patrol Staff and Equipment.—Since the terrorist attacks on September 11, 2001, the security of our borders has become paramount. To ensure there are sufficient personnel to protect our borders, the Committee recommendation includes an additional $76,276,000 for 570 additional Border Patrol agents, as authorized, and $25,000,000 to transfer 285 experienced Border Patrol agents to the Northern border. Along with additional personnel, the recommendation includes an additional $28,000,000 to enhance the Enforcement Case Tracking System [Enforce] database and to deploy additional biometric equipment to better document and track the investigation, identification, apprehension, detention, and/or removal of immigration law violators.

Entry-exit system.—The Committee has begun to analyze the full implications of the Enhanced Border Security and Visa Entry Reform Act of 2002, the USA Patriot Act of 2001, the Visa Waiver Permanent Program Act of 2000, the Immigration and Naturalization Service Data Management Improvement Act of 2000, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, and the Immigration Act of 1990 on travel to and from the United States by Americans and foreigners. In brief, to fully implement laws currently on the books, it will be necessary for every traveler leaving or entering the United States, be they U.S. citizens or not, to be fingerprinted and to carry a machine-readable, tamper-proof travel document with at least one unique biometric identifier. Information on all travelers, including biographical information, biometrics, and entry and exit dates, will be retained within a central database, readily available to Federal, State, and local law enforcement agencies. Mandatory interviews for visa applicants will be required to provide necessary intelligence information and certain aliens will be required to register periodically (reciprocity being the

hallmark of diplomacy, it should be expected that similar requirements would be imposed on U.S. citizens seeking visas for travel abroad). Cost estimates to properly implement the current body of law runs into the tens of billions of dollars. While the Committee includes the $362,000,000 requested for the Entry-exit system, it is unclear what this system is or will become, and how it will address these expansive directives. Accordingly, no funds shall be obligated or expended until a spend plan has been submitted to and approved by the Committees on Appropriations.

Pay Upgrades.—Attrition rates among Border Patrol agents and INS inspectors is at an all time high. To help address this ever increasing crisis, the Committee recommendation includes an additional $37,200,000 for new and recurring costs for a Border Patrol pay increase from GS–9 level to GS–11 level for journeymen with 1 year of successful work experience and $20,600,000 for a pay increase for INS inspectors with 1 year of successful work experience at the GS–9 level.

Land Border Inspectors.—The recommendation includes $34,000,000 to hire, train and deploy 460 additional immigration inspectors that will enhance border security at land border ports-of-entry.

Staffing Levels.—The Committee notes that INS staffing levels at the Santa Teresa and Columbus Ports of Entry in New Mexico are not sufficient to meet the needs of those ports. In particular, through non-commercial traffic has significantly increased over the past year at Santa Teresa, yet INS staffing has not kept pace. The Committee urges the INS to give full consideration to the needs of the New Mexico ports when making staffing decisions.

The Committee is aware of a growing number of illegal aliens in Iowa and Illinois. The Committee directs the INS to review the INS law enforcement needs of the Quad Cities, a metropolitan area incorporating the Iowa communities of Davenport and Bettendorf, and the Illinois communities of Moline and Rock Island.

In addition, the Committee recognizes the heavy and increasing workload in northwest Arkansas, and encourages the INS to establish a sub-office with an officer-in-charge in Fort Smith, Arkansas.

Alternatives to Detention.—The Committee recommendation includes $7,300,000 for the Alternatives to Detention Program. This funding will support community-based organizations to screen asylum seekers and other INS detainees for community ties, provide them with necessary services, and help to assure their appearance at court hearings.

Legal Orientation Programs.—The Committee recommends $2,800,000 for non-governmental agencies to provide "live presentations" to persons in INS detention prior to their first hearing before an immigration judge. These presentations will provide immigration detainees with essential information about immigration court procedures and the availability of legal remedies to assist detainees in distinguishing between meritorious cases and frivolous cases.

Information Resource Management.—The Committee recommendation includes an additional $83,400,000 for an "interoperable law enforcement and intelligence data system" for the INS, re-

ferred to as Chimera, within a separate account under General Administration to be managed by the Justice Management Division.

Green Cards.—The Committee is aware that resident aliens in the United States are using over 2,000,000 green cards with no expiration date. These documents do not have the secure features of the optical memory cards currently used as green cards, and thus could be subject to extensive counterfeiting and represent a major impediment to securing the nation's borders. The Committee directs the INS to submit a report not later than February 1, 2003 to the Committees on Appropriations with the number of green cards currently issued with no expiration date, the original date they were issued, as well as a proposed plan to replace these older green cards.

The recommendation also includes $6,544,000 for the Debt Management Center, $16,289,000 for the Law Enforcement Support Center, and an additional $100,000,000 to address shortfalls in vehicles and equipment.

OFFSETTING FEE COLLECTIONS

As in past years, the Committee directs the INS to allocate funding for base activities before it undertakes any program enhancements.

IMMIGRATION USER FEE

The Committee recommends a spending level of $658,295,000, the full amount requested.

To the degree that fee resources are available, the Committee includes an increase of $51,503,000 over fiscal year 2002 for 760 additional inspectors and support staff for inspections operations at airports and seaports, as well as an increase of $368,000 for additional attorneys to respond to an increasing caseload.

INS Inspector Staffing.—The Committee recommends the INS give full consideration to the needs of the Miami International Airport and the Ed McNamara Terminal Northwest Airlines World Gateway when making airport inspector staffing decisions.

IMMIGRATION EXAMINATIONS FEE

The Committee recommends a spending level of $1,462,803,000, the full amount requested.

To the degree that fee resources are available, the Committee recommendation includes an increase of $50,496,000 to accelerate the pace of efforts to reduce the time required to adjudicate immigration benefit applications. With this funding, the INS claims it will be able to attain a 6-month national average for the processing of all benefits applications and ensure application processing and related services are timely, consistent, fair and of high quality.

BREACHED BOND/DETENTION FUND

The Committee recommends a spending level of $171,275,000, the full amount requested.

Detention and Removals.—The Committee recommendation includes $50,069,000 for the planning and construction of additional detention bed space. This funding will address the increasing num-

ber of apprehended illegal aliens, which consistently exceeds available detention space.

CONSTRUCTION

Appropriations, 2002	$228,054,000
Budget estimate, 2003	267,138,000
Committee recommendation	265,443,000

The Committee recommends an appropriation of $265,443,000. The recommendation is $1,695,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and $145,000,000 for requested Homeland Security program increases.

The recommendation includes $250,000 for the construction of an INS processing and office facility in Nome, Alaska.

FEDERAL PRISON SYSTEM

Because of the compulsory legal requirements for detention and incarceration, the Committee has broken with the general philosophy underlying the recommendation for this account. The funds to manage the growing prisoner population, including the costs of bed space, food, and health care, are by their very nature mandatory expenses. The recommendation therefore makes an exception and covers the minimum costs projected for these spending categories.

SALARIES AND EXPENSES

Appropriations, 2002	$3,808,600,000
Budget estimate, 2003	4,081,765,000
Committee recommendation	4,083,237,000

The Committee recommends total budgetary resources of $4,083,237,000 for the salaries and expenses of the Federal prison system for fiscal year 2003. The recommendation is $1,472,000 above the budget request.

Activation of new prisons.—The Committee recommendation includes funding for activation of four new facilities which will add 4,416 beds: FCI Gilmer, West Virginia, USP Big Sandy, Kentucky, USP McCreary County, Kentucky, and USP Victorville, CA. The Committee also recommends activation funding for expansions at USP Marion, Illinois and FCI Safford, Arizona. These two expansions will add nearly 800 beds.

Female inmates.—The Committee supports the National Institute of Corrections' continuing work with correctional systems (State and Federal) to address the issue of staff sexual misconduct involving female inmates in correctional institutions through the provision of technical assistance, education and training, and other monitoring activities pursuant to the recommendations of the General Accounting Office.

BUILDINGS AND FACILITIES

Appropriations, 2002	$813,552,000
Budget estimate, 2003	395,243,000
Committee recommendation	500,221,000

The Committee recommends a total of $500,221,000 for fiscal year 2003 for the construction, modernization, maintenance, and

repair of prison and detention facilities housing Federal prisoners. This amount is $104,978,000 above the budget request.

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

Sentenced Capacity Projects

(In thousands of dollars)

Expansion of Existing Facilities:	
FCI Sandstone, MN (Housing Unit)	5,300,000
FCI Otisville, NY (Witness Security Unit)	11,600,000
USP Florence, CO (Special Housing Unit)	5,600,000
Subtotal	22,500,000
New Facilities:	
Hazelton, WV (Secure Female Unit)	66,600,000
FCI Pollock, LA	116,872,000
USP Berlin, NH (With Work Camp and Protective Custody Unit)	20,000,000
FCI Mid-Atlantic Region	34,837,000
Subtotal	238,309,000
Schedules and Slippages	50,000,000
Total New Construction Program Increases	260,809,000

The Committee commends the BOP for working diligently to increase inmate housing capacity by expanding existing facilities within available funds. The Committee fully supports these cost effective efforts and expects the BOP to continue its reprogrammings and funds transfer requests in a timely manner to expedite these construction projects.

FEDERAL PRISON INDUSTRIES, INC.

(LIMITATION ON ADMINISTRATIVE EXPENSES)

Appropriations, 2002	$3,429,000
Budget estimate, 2003	3,429,000
Committee recommendation	3,429,000

This Committee recommends a limitation on administrative expenses of $3,429,000 for the Federal Prison Industries, Inc. This amount is equal to the fiscal year 2002 funding level and to the amount requested.

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

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

Appropriations, 2002	$437,008,000
Budget estimate, 2003	214,024,000
Committee recommendation	2,242,057,000

The Committee recommends an appropriation of $2,242,057,000. The recommendation is $2,028,033,000 above the budget request.

The funding provided for justice assistance includes funds to States for research, evaluation, statistics, information sharing, emergency assistance, missing children assistance, counterterrorism programs, and the management and administration of grants provided through the Office of Justice Programs.

Justice Assistance

	Committee recommendation
National Institute of Justice	$64,879,000
The National Law Enforcement and Corrections Technology Centers	22,000,000
Bureau of Justice Statistics	32,335,000
Missing children	29,000,000
Regional information sharing system	28,278,000
White Collar Crime Center	9,230,000
Office of Domestic Preparedness	2,038,000,000
Management and administration	40,335,000
Total justice assistance	2,242,057,000

National Institute of Justice (NIJ).—The Committee recommends an appropriation of $64,879,000. The recommendation is $13,422,000 below the budget request and $10,422,000 above the fiscal year 2002 level. In addition, $20,000,000 will be provided to NIJ in fiscal year 2003 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.

In particular, the Committee commends the efforts and leadership of NIJ's Office of Science and Technology (OS&T). NIJ's OS&T has assisted local law enforcement in making significant advances in the areas of nonintrusive, concealed weapons and contraband detection, vehicle stopping, DNA testing, officer protection, less-than-lethal incapacitation, information management, counterterrorism, crime mapping, location and tracking, secure communications, and noninvasive drug detection. The Committee directs that OS&T receive no less than the amounts provided in fiscal year 2002, notwithstanding any fiscal year 2003 increases for the National Law Enforcement and Corrections Technology Center (NLECTC) program.

The National Law Enforcement and Corrections Technology Centers.—Since 1994, the National Law Enforcement and Corrections Technology Centers (NLECTC) have served the State and local law enforcement and corrections communities by providing support, research findings, and technical expertise on issues that allow them to perform their jobs safer and more effectively. The NLECTC sys-

tem consists of facilities located across the country and each facility specializes in one or more specific areas of research and development. The Committee commends the work that NIJ's Office of Science and Technology (OST), and through it the NLECTC system, has done to improve the capabilities of the law enforcement and corrections communities. To further the work of the NLECTC system, the Committee recommends $22,000,000 for the continued support of the system. The Committee directs that none of the increases provided for the NLECTC shall be used to supplant OS&T's existing budget. Within available funds, the Committee recommends that NIJ consider funding the Center for Civil Force Protection and the Public Safety Technology Assessment Facility at Sandia National Laboratories in New Mexico. The Center provides important physical security counterterrorism assistance to Federal, State, and local law enforcement. Of the amount provided, the Committee directs that funds be distributed in the following manner to the six Regional Centers:

The National Law Enforcement and Corrections Technology Regional Centers

[In thousands of dollars]

	Amount
Northeast Regional Center	3,000
Southeast Regional Center	3,000
Rocky Mountain Regional Center	
Western Regional Center	3,000
Rural Law Enforcement Technology Center	3,000
Northwest Center	3,000
Total for Regional Centers	18,000

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

—$750,000 for Lane County, Oregon's Breaking the Cycle of Juvenile Drug Abuse program to decrease juvenile crime and drug abuse through early identification and intervention;

—$1,500,000 is for the Center for Task Force Training Program;

—$750,000 to the North Carolina Attorney General's Office for Telemarketing Fraud Enforcement and Privacy Project; and

—$650,000 for the Mistral Security Non-Toxic Drug Detection and Identification Aerosol Technology.

—$350,000 for the Pennsylvania Task Force on Prison Overcrowding;

—$750,000 for Operation Ceasefire in Charleston, SC for overtime for response teams.

Bureau of Justice Statistics (BJS).—The Committee recommends an appropriation of $32,335,000. 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.

Office of Victims of Crime.—The Office of Victims of Crime (OVC) administers formula and discretionary grants designed to benefit victims, provide training to professionals who work with victims, develops projects to enhance victims' rights and services, and undertakes public education and awareness activities on behalf of crime victims. In fiscal year 2002, OVC was provided $68,100,000 to respond to the September 11, 2001 terrorist attacks. The Com-

mittee directs that the OVC provide a report to the Committee no later than December 31, 2002 on the status of how the emergency funds have been spent.

Missing Children Program.—The issue of child exploitation has been raised to the forefront of the national conscience due to the recent string of child pornography and missing children cases that have been highlighted in the media over the last few months. The Committee continues to strongly support the Missing and Exploited Children Program run by the Bureau of Justice Assistance. The Committee recommends $29,000,000 to continue and expand efforts to protect the nation's children, especially in the areas of locating missing children, as well as the growing wave of child sexual exploitation found on the Internet.

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

(1) $12,500,000 to expand the Internet Crimes Against Children Task Forces (ICAC Task Force). These task forces assist State and local law enforcement agencies in acquiring the knowledge, equipment, and personnel resources necessary to successfully prevent, interdict, and investigate cases of child exploitation on the Internet.

(2) $12,500,000 for National Center for Missing and Exploited Children (NCMEC). The NCMEC is the clearinghouse and national resource center regarding the issue of missing and exploited children. Last year the Center accepted over 155,000 hotline calls from law enforcement, prosecutors, and citizens requesting information or services. The Center also assisted in the recovery of more than 5,000 missing, abducted, and runaway children.

In addition, the Committee created the CyberTipline under the NCMEC in fiscal year 1999. The CyberTipline provides online users an effective means of reporting Internet-related child sexual exploitation in the areas of distribution of child pornography, online enticement of children for sexual acts, and child prostitution. Within the amounts provided for the NCMEC, the Committee recommends $2,245,000 for the continuation of the Cybertipline.

(3) $3,000,000 for the Jimmy Ryce Law Enforcement Training Center for training of State and local law enforcement officials investigating missing and exploited children cases.

Regional Information Sharing System (RISS).—The Committee recommends an appropriation of $28,278,000. The RISS program provides funds to maintain six regionally-based information sharing centers which allow for information and intelligence services to be disseminated nationwide addressing major, multi-jurisdictional crimes. The Committee supports the current effort to link the RISS system with the Law Enforcement On-Line (LEO) information system, which will greatly expand access to critical law enforcement information at the Federal, State, and local level.

Management and Administration.—The Committee provides $40,335,000 for management and administration of the Bureau of Justice Assistance account. The Committee directs that the current hiring freeze that has been placed on the Office of Justice Programs (OJP) be lifted and that OJP actively fill all authorized vacant positions. Furthermore, the OJP is directed to provide quarterly reports to the Committee on the status of its hiring process.

The Office of Domestic Preparedness.—The Committee has long viewed State and local jurisdictions' ability to detect, prevent and respond to a terrorist attack as one of its highest priorities. State and local responders are first to arrive on the scene when a terrorist attack occurs and must be prepared to protect life and property. This function is inherently non-Federal, although Federal resources and expertise are needed to manage the crisis and provide support to State and local assets when an attack overwhelms their resources.

The recommendation demonstrates the Committee's continued support for the Office of Domestic Preparedness (ODP). ODP must continue its vital and successful program for assisting State and local response agencies. Continued funding to ODP is more critical now than ever, given the unprecedented threat to our National security that we currently face. Responding to an act of terrorism is manifestly different than responding to natural disasters. Grouping terrorism preparedness and response, especially as it concerns weapons of mass destruction (WMD), under an emergency management "all hazards" approach puts our first responders, as well as the general public, at risk. Treating both types of catastrophe response in the same manner does not account for the fundamental differences between the national security/law enforcement response to terrorism and the emergency management response to terrorism.

[In thousands of dollars]

	Committee recommendation
State Strategic Planning	60,000
Web Site Pilot	5,000
Equipment:	
Grants	1,047,000
Pine Bluff	10,000
Equipment Standards and Testing	15,000
POD Enhancements	20,000
NSSE POD	5,000
IAB	1,000
Emerging Equipment Demo/Test-bed program	15,000
T/A for State Plans	15,000
Subtotal, Equipment	1,128,000
Training:	
NDPC Training Program	190,000
CDP	[50,000]
LSU	[35,000]
NMT	[35,000]
TEEX	[35,000]
NTS	[35,000]
Dugway	10,000
Continuing and Emerging Training	125,000
Consequence Training	[5,000]
State Training Competitive Discretionary Grants	80,000
New Training Centers	60,000
Virtual Medical Campus	2,000
Dartmouth Institute for Security and Technology Studies	18,000

	Committee recommendation
Oklahoma City National Memorial Institute for the Prevention of Terrorism	18,000
Subtotal, Training	503,000
Exercises:	
Grants	200,000
Top Officials (TOPOFF) Exercise Series	15,000
Federal, State and Local (FSL) Regional Exercise Series	5,000
Improved Response Program (IRP)	10,000
Interagency Exercise Fund	8,000
Cross-border Exercises	3,000
Prepositioned Equip. Program POD Exercises	3,000
Evaluation & After Action Program	5,000
Emerging Exercise Needs	3,000
Exercise Support Program	20,000
Subtotal, Exercises	272,000
Technical Assistance (TA)	50,000
Management and Administration	20,000
Total, Office of Domestic Preparedness	2,038,000

The recommendation includes $60,000,000 for State Strategic Planning. This funding will allow States to begin formalizing their planning for homeland security that will be headed by the homeland security offices established by the Governors. ODP is directed to work with the States reassess their response capabilities and to update and enhance their Three-Year Statewide Domestic Preparedness Strategies in fiscal year 2003. In updating and enhancing their Strategies, States are expected to consult with local governments regarding the scope, design, and allocation of resources. Also, of the funds provided, $5,000,000 is for ODP to continue a pilot project to develop a comprehensive, interactive web site to support the Nation's State and local first responders and disseminate to them a wide spectrum of critical information needed for domestic preparedness.

Equipment.—The recommendation includes $1,128,000,000 for the equipment grant program managed by the Office of Domestic Preparedness (ODP). This program provides funding to enhance the capabilities of State and local jurisdictions to respond to and mitigate the consequences of terrorist attacks. The Committee urges ODP to work with the States to develop procedures which expedite the awarding of equipment grants. The Committee does not support the concept of requiring States to match equipment grants funds in order to qualify for funding under this program.

Of the funds provided for equipment, the recommendation includes $1,047,000,000 for grants to the States based on their approved Three-Year Statewide Domestic Preparedness Strategies. These funds are available to all States on a formula basis, as authorized by section 1014 of the USA PATRIOT ACT, (Public Law 107–56). Also of the funds provided for equipment, $10,000,000 is recommended to continue and expand ODP's successful mobile equipment training program at Pine Bluff Arsenal. The augmentation of this program will be required because of the significant increases in funding for equipment for first responders provided in

this Act. Also of the funds provided for equipment, $15,000,000 is for the development of standards for personal protective, decontamination, detection, and communications equipment. These types of equipment are lacking in operational standards for use in a WMD incident. Also within the funds provided for equipment, $1,000,000 is for the Interagency Board (IAB) to continue its efforts to develop equipment standards. The IAB was established by the Justice Department in 1999 to advise and make recommendations to the Attorney General on matters concerning first responder equipment and standards. Also of the funds provided for equipment, $20,000,000 is for ODP's Prepositioned Equipment (POD) Program. This program has established sets of prepositioned equipment designated to be deployed immediately to the scene of a terrorist attack for use by first responders. This funding will provide for the maintenance and operational costs of the 11 equipment pods currently funded under this program. Also of the funds provided for equipment, $5,000,000 is recommended for the purchase and operation of an equipment pod that can be strategically positioned during designated National Security Special Events (NSSE). This pod will provide specialized equipment for 150 responders to immediately replenish equipment that is lost, damaged, or destroyed during a WMD attack at a NSSE. Also of the funds provided for equipment, $15,000,000 is for the development of an Emerging Equipment Demonstration and Test-bed Program. This program is designed to rapidly deploy new and emerging technologies into the field for true operational testing. This program will help bring state-of-the-art technologies to first responders in the field. Finally, $15,000,000 is recommended for technical assistance for State plans.

Training.—The recommendation includes $503,000,000 for ODP for first responder training programs. Of the funding provided for training, $190,000,000 is for the continuation and expansion of the training currently underway at the existing Consortium training centers. Of this amount, the Center for Domestic Preparedness shall receive $50,000,000; Louisiana State University, New Mexico Institute for Mining and Technology, Texas A&M University, and the Nevada Test Site shall each receive $35,000,000.

The Three-Year Statewide Domestic Preparedness Strategies exposed a "preparedness gap" in this Nation. That is, the number of individuals that must receive training before we can consider ourselves prepared for terrorism involving WMD is considerable. However, in order to provide training to greater numbers of responders, additional capacity must be built. Also of the funding provided for training, $10,000,000 shall be used to continue an already-established program between Dugway Proving Ground and the National Domestic Preparedness Consortium (NDPC) to develop and deliver advanced bio-terrorism training utilized the Dugway Proving Ground's specialized facility.

The Committee further expects that, with the funding provided, ODP will develop and implement a comprehensive and aggressive training standardization program. This should include the establishment of training standards for each of the key public safety disciplines involved in terrorism response. The Committee expects

that all current and future training will adhere to these standards, once developed.

New Training Centers.—Of the funds provided, $60,000,000 shall be to establish new training centers. Decisions concerning the establishment of the new training centers shall be made by ODP in consultation with the Committees on Appropriations.

Dartmouth Institute for Information Infrastructure Protection.—Of the funds provided, $18,000,000 is recommended for the Institute for Information Infrastructure Protection (I3P), a consortium of not-for-profit and academic research institutions (including national laboratories operated by private contractors) managed and led by the Institute for Security Technology Studies at Dartmouth College. Within this amount, $15,000,000 is for grants. The I3P will collaborate with the Office of Science and Technology Policy, the President's Critical Infrastructure Protection Board, other relevant government agencies, and the private sector to develop a prioritized national research and development (R&D) agenda in cyber security and information infrastructure protection (IIP). It will also fund research to address R&D priorities identified by the I3P agenda and leadership, and promote collaboration and information sharing among cyber security and IIP research institutions in academia, industry, and government.

Oklahoma City National Memorial Institute for the Prevention (MIPT).—Of the funds provided, $18,000,000 is recommended for MIPT. MIPT's Best Practices/Lessons Learned Knowledge Base is an Internet repository where emergency responders can share best practices, observations, and lessons learned to improve our ability to combat terrorism on U.S. soil. It will provide a forum for responders in every State, Territory, and community across the United States. This information sharing will allow trend analysis to strengthen civilian responder training programs, identify equipment shortfalls, and focus research agendas.

Exercises.—The recommendation includes $272,000,000 for ODP to assist State and local jurisdictions in planning and conducting WMD exercises to test and validate their terrorism response plans and make determinations regarding future needs. Based on its pre-September 11 review of the Statewide Strategies, ODP estimated that more than 2,500 State and local jurisdictions needed to conduct WMD exercises. Within the amount provided for exercises, $200,000,000 is for grants to meet critical combating terrorism exercise needs identified in the Three-year Statewide Domestic Preparedness Strategies. These grants will provide the resources to properly design, develop, conduct, and evaluate performance-based exercises under a State-administered multi-year exercise program.

In May, 2000, ODP ran the highly successful "Top Officials," or "TOPOFF", exercise. This was an exercise series which provided a cycle of performance-based exercises for Federal, State, and local officials and first responders. TOPOFF demonstrated coordinated National crisis and consequence management capabilities in response to a range of WMD threats. The Committee recommends $15,000,000 for the continuation of the TOPOFF series, with TOPOFF II scheduled to take place in May, 2003. TOPOFF II involves 9 major exercise activities, culminating in a full-scale National exercise.

Within the funds made available for exercises, $5,000,000 is for the Federal, State, and local (FSL) exercise program. This program integrates regional homeland security activities through a comprehensive cycle of exercises. This program's particular emphases is on rural homeland security, multi-State emergency management assistance compacts (EMACS), and multi-jurisdictional mutual aid agreements (MAAs).

For the continuation of the Nunn-Lugar-Domenici (NLD) Domestic Preparedness Program, the Committee recommends $10,000,000 for the NLD Chemical and Biological Improved Response Program (IRP) to conduct analysis and evaluations of response improvements, including doctrine, plans, policies, procedures, protocols, equipment, and exercises to address terrorism involving chemical or biological weapons.

Federal, State, and local participation in national-level combating terrorism exercises is hampered by inadequate and uneven funding. This results in incomplete or diminished participation, thwarting effective analysis of combating terrorism preparedness. Of the funds made available for exercises, $8,000,000 shall be to establish an exercise fund, to be administered by ODP, to ensure full participation by key Federal, State, and local entities in national-level combating terrorism exercises. For periodic exercises required to test and evaluate pod deployment and use, the Committee recommends $3,000,000. Also, $3,000,000 is recommended for Cross Border exercises with Mexico and Canada.

Due to the scope, pace, and complexity of the National exercise program, $5,000,000 is recommended for an evaluation program. This program will allow ODP to conduct evaluations of programs and program activities conducted in support of existing ODP training, exercise, technical assistance, and equipment programs.

For emerging exercise needs, $3,000,000 is recommended. The Committee directs ODP to conduct a comprehensive review of government and commercial exercise and simulation applications and methodologies. This will augment the capacity of State and local jurisdictions to effectively address their exercise requirements.

Also within funds made available for exercises, $20,000,000 is for specialized technical support to assist States and local jurisdictions in administering multi-year combating terrorism exercise programs. This assistance shall consist of direct technical support to States and local jurisdictions for exercise design, development, and evaluation, and the conduct of performance-based exercises.

Technical assistance.—The recommendation includes $50,000,000 for the Office of Domestic Preparedness' technical assistance and planning support for the States. The Committee directs ODP to provide targeted, site-specific assistance to local jurisdictions. Of this amount, $7,000,000 is to develop a pilot program to field and evaluate strategies for assessing and reducing vulnerabilities at events involving large concentrations of people in both urban and rural environments. This program should establish generic vulnerability assessment tools for State and local government self-assessments, provide assistance for the application of such tools in support of State and local public and private entities responsible for coordinating such events, work with event coordinators, emergency managers, and first responders to expose vulnerabilities via exer-

cises and simulations, identify, field, and evaluate emerging technologies and structural procedures to mitigate vulnerabilities; prepare and circulate a newsletter that describes and evaluates the performance of emerging technologies, evaluate overall vulnerability assessment program impacts, and transition "lessons learned" in support of State and local planning activities.

Management and administration.—The Committee recommends $20,000,000 for the Office of Domestic Preparedness to manage the expansion of its domestic preparedness programs, as directed in this Act.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

Appropriations, 2002	$2,403,354,000
Budget estimate, 2003	751,878,000
Committee recommendation	1,827,715,000

The Committee recommends an appropriation of $1,827,715,000. This recommendation is $1,075,837,000 above the budget request. These funds provide assistance to State and local governments in their drug control and other law enforcement efforts as follows:

Office of Justice Programs—State and local law enforcement assistance

[In thousands of dollars]

	Committee recommendation
Local law enforcement block grant	400,000
Boys and Girls Clubs	[80,000]
Law Enforcement Technology	[20,000]
Cooperative agreement program	20,000
Indian assistance	48,000
Indian Country Prison Grants	[35,000]
Alcohol and Substance Abuse	[5,000]
Indian tribal courts program	[8,000]
Byrne grants:	
Discretionary	94,000
Formula	500,000
Drug courts	50,000
Juvenile accountability incentive block grant	249,450
Violence Against Women Act programs	390,565
Substance abuse treatment for state prisoners	70,000
Safe Return Program	900
Law enforcement family support programs	1,500
Senior citizens against marketing scams	2,000
Motor Vehicle Theft Prevention	1,300
Total, State and local law enforcement assistance	1,827,715

Local law enforcement block grant.—The Committee recommendation includes $400,000,000 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 to assist 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.

Boys and Girls Clubs.—Within the amounts provided for the local law enforcement block grants, the Committee recommends $80,000,000 for the Boys and Girls Clubs. The Committee com-

mends Boys and Girls Clubs of America for its effort to reach all children who are in need of support and affirmation.

Indian Country Grants.—The recommendation provides $48,000,000 for Indian Country grants. Of this amount, $8,000,000 is to assist tribal governments in the development, enhancement, and continuing operation of tribal judicial systems by providing resources for the necessary tools to sustain safer and more peaceful communities and to implement Section 201 of title II of the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and $35,000,000 is for Indian Country Prison Construction. The Committee understands that the Comprehensive Indian Resources for Community Law Enforcement (CIRCLE) initiative is working well in three Indian communities in which it is deployed. The Committee urges the department to consider ways to expand the CIRCLE project into other communities. In addition, the Committee requests that not later tan June 15, 2003, the Department submit a proposal to expand the CIRCLE project by integrating and coordinating resources from across the Federal agencies for purposes of Indian law enforcement, public safety, substance abuse, tribal justice systems, and facilities construction into a small grant program to Indian tribes and tribal consortia.

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

—$5,000,000 to the Standing Rock Sioux Tribe in South Dakota for a Juvenile Detention and Recovery Facility;

—$2,900,000 to the Yankton Sioux Tribe in South Dakota for the construction of a Juvenile Detention Facility;

—$900,000 to the Lower Brule Sioux Tribe for the construction of a detention facility.

Edward Byrne Grants to States.—The Committee recommendation provides $594,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $94,000,000 is for discretionary grants and is $500,000,000 for formula grants.

Within the amount provided for formula grants, the Committee expects the Bureau of Justice Assistance [BJA] to provide:

—$12,000,000 for the continuation of Project HomeSafe for safety packets which include a gun locking device and information on how to handle and store guns safely. These safety packets are distributed by the foundation at no charge to any municipality that adopts the program. The Committee continues to expect that no funds be obligated for this purpose until at least an interim gun lock standard is adopted to ensure that the locks being distributed are not vulnerable to accidental or intentional disengagement. In addition, the Committee expects that a final gun lock standard be adopted no later than March 1, 2003.

—$4,500,000 for the motor vehicle title information system, as authorized by the Anti-car Theft Improvement Act.

Within the amount provided for BJA discretionary grants, the Committee expects the Bureau of Justice Assistance to provide:

—$500,000 for the Adams County, Pennsylvania Emergency Services Training Facility for program enhancements;

—$150,000 to the University of North Dakota's Agricultural Law Program to ensure that farmers, agribusiness and other rural residents are well informed and represented on agriculture related issues;
—$1,100,000 for an alcohol interdiction program designed to investigate and prosecute bootlegging crimes as part of a statewide effort to reduce fetal alcohol syndrome in Alaska;
—$210,000 to the Alaska D.A.R.E. Drug Rehabilitation Program for a statewide coordinator and for the implementation new DARE curriculum;
—$1,000,000 for the Alaska Native Justice Center for a restorative justice program;
—$1,100,000 for New York's Alfred University Rural Justice Institute to provide support services to youths and families who are victims of domestic violence;
—$1,500,000 for the An Achievable Dream in Newport News, Virginia, which provides services to ask-risk youth to help them perform better academically and socially;
—$750,000 for the Arizona Criminal Justice Commission;
—$250,000 to the Beaverton, Oregon Police Department for the Identity Theft Prevention Initiative;
—$200,000 to the Bristol, Rhode Island Police Department for the outfitting of, and support training for, a mobile command post;
—$300,000 for the Oglala Sioux Tribe in South Dakota to automate the functions of the court system, so as to enhance the capacity of the Oglala Sioux Tribe justice system to arrest, prosecute, convict, and rehabilitate offenders;
—$250,000 for the Children's Medical Assessment Center in South Carolina to extend forensic healthcare services to outlying rural areas, and to extend the tracking and medical case management programs to all law enforcement jurisdictions in the local Tri-County area;
—$150,000 to the Chattanooga Endeavors program in Tennessee to expand services and establish new public-private partnerships;
—$450,000 for the Chicago Project for Violence Prevention in Illinois;
—$750,000 to the City of Cincinnati, Ohio to improve training for police recruits and current officers;
—$1,000,000 to the City of Ocean Springs, Mississippi to equip an Emergency Management and Public Safety Facility;
—$250,000 for the City of Wellston, Missouri for a holding cell;
—$500,000 for the Community Safety Initiative in Kansas City, Missouri;
—$100,000 for the Criminal Justice Institute in Arkansas for DNA training and law enforcement;
—$750,000 to Iowa State University for the creation of a Cyber Protection Laboratory which will test and evaluate computer crime defense mechanisms;
—$2,750,000 for the D.A.R.E. program to re-train all D.A.R.E. officers nationwide and produce D.A.R.E. workbooks;
—$1,000,000 to the Alaska Department of Corrections for a web based corrections offender information system, to be imple-

mented in cooperation with Utah, New Mexico, Colorado, and Idaho;

—$499,477 for the New Mexico Administrative Office of the Courts to establish Dependency Drug Courts in three judicial districts;

—$80,000 to the Marysville, California police department for a mobile command center;

—$2,000,000 to the South Carolina Department of Natural Resources for expanded responsibilities related to homeland security;

—$300,000 to the Metropolitan Family Services in Illinois for the Domestic Violence and Substance Abuse program;

—$500,000 for Tulane University in Louisiana for a domestic violence clinic;

—$150,000 to the Native American Community Board in Lake Andes for the continuation of the Domestic Violence shelter and Community Prevention Program;

—$300,000 to the Rhode Island Coalition Against Domestic Violence for the establishment of the Rhode Island Supreme Court's Domestic Violence Training and Monitoring Unit (DV Unit);

—$550,000 for the Albuquerque, NM DWI Resource Center to fund drunk driving awareness and prevention programs;

—$215,000 to Edmunds County, South Dakota for a county-wide emergency warning system;

—$4,000,000 for the Eisenhower Foundation for the Youth Safe Haven program;

—$1,750,000 to establish the Emergency Providers Access Directory (EPAD), which provide a comprehensive list of all State and local first responders so that resources can be quickly marshaled in the case of future large scale disaster.

—$50,000 for the Court Appointed Special Advocate (CASA) program in Davison, South Dakota which will provide advocates for children in the First Circuit;

—$100,000 for Franklin County, New York's Domestic Violence Intervention Program to establish a third shelter in Northern New York and to increase the program's outreach efforts;

—$500,000 to Gallatin County, Montana for the Gallatin County Re-Entry Program to provide supervision, support, and training to offenders referred by Gallatin County Courts;

—$500,000 for the Las Vegas Metropolitan Police Department's Hispanic American Resources Team (HART) to provide enhanced resources to Las Vegas' Hispanic community;

—$30,000 to the Huntington County, Pennsylvania Courthouse for security enhancements;

—$750,000 for the Sam Houston State University in Texas to establish the Institute for the Study of Violent Groups;

—$450,000 for the Iowa Elderly Fraud Prevention Initiative;

—$1,000,000 to the Iowa Department of Public Health for an intense drug treatment initiative aimed at nonviolent drug offenders serving time in Polk, Linn, and Story counties;

—$1,000,000 for Jane Doe, Inc. in Massachusetts;

—$1,500,000 to Jefferson County Alabama for an county-wide Emergency Warning System;

—$1,970,000 for the Lewis and Clark Bicentennial Bi-State Safety Project to provide safety mechanisms, medical services, and communications systems for visitors to the Lewis and Clark trail during the Bicentennial Commemoration;
—$1,000,000 for the New Hampshire Department of Safety to train safety and municipal officers in the North Country (Litteton Area Learning Center);
—$3,000,000 for the Mental Health Courts Program in accordance with the America's Law Enforcement and Mental Health Project Act;
—$150,000 for Louisiana's Metropolitan Battered Women's Program;
—$240,000 to the Minneapolis, Minnesota Police Department for its Crises Intervention Team;
—$500,000 to the University of Mississippi for TechLaw online training for police;
—$350,000 to continue support for an innovative and effective program which helps single head-of-household women with children reject a life of crime and drugs and build a self supporting lifestyle;
—$4,500,000 for the Executive Office of U.S. Attorneys to support the National District Attorneys Association's participation in legal education training at the National Advocacy Center;
—$400,000 for the New Hampshire Department of Safety to purchase two Remotec Andres V–A1 hazardous duty robot;
—$3,000,000 for the National Center for Justice and the Rule of Law at the University of Mississippi School of Law to sponsor research and produce judicial education seminars and training for judges and other criminal justice professionals;
—$5,000,000 to continue the effective crime prevention program (McGruff the Crime Dog) and meet the enormous demand from local law enforcement organizations regarding effective crime prevention practices;
—$3,000,000 for the National Fatherhood Institute, the National Physicians Center for Family Resources, and the Alabama Police Institute to study the causes and consequences of out-of-wedlock childbirth and its impact on criminal activity;
—$150,000 to the University of North Dakota's Native Americans into Law program to recruit and retain American Indian law students;
—$270,000 to the University of South Carolina for the National Center for Prosecution Ethics;
—$250,000 to the University of South Carolina's Children's Law Office for programs to improve the professional practice in child maltreatment and juvenile justice in South Carolina;
—$600,000 to the New Hampshire Department of Corrections for the purchase of digital radios to allow officers in the Department to communicate with other law enforcement officers around the State;
—$500,000 for program expansion at the Northeastern Illinois Public Safety Training Academy;
—$185,000 for South Dakota's Northern Hills Area court Appointed Special Advocate (CASA) Program for the expansion of

the volunteer advocate network and to create an extension office to serve the Fourth Circuit;

—$5,000,000 to the New York City Police Department for safety equipment to respond to a chemical or biological incident;

—$2,000,000 for the New Hampshire State Police's and US Attorneys Office's cooperative effort to combat crime at the border, gang-related crime, and in investigating outlaw motorcycle gangs;

—$350,000 to Alaska's Partners for Downtown Progress for an innovative program for alcohol offenders, using treatment in lieu of incarceration;

—$500,000 for the Philadelphia, Pennsylvania Safe Streets Initiative;

—$500,000 for the Pittsburgh, Pennsylvania Police Bureau's Virtual Perimeter Video Surveillance system, which allows live monitoring of multiple locations by robotic cameras;

—$410,781 for the Colorado Springs, Colorado Police Department to integrate the Police Accountability and Service Standards (PASS) Model department-wide;

—$300,000 to the Rhode Island Select Commission on Race and Police-Community Relations for its Police Professionalism Initiative;

—$350,000 for Turtle Mountain Community College's 'Project Peacemaker' which seeks to increase the number of American Indians trained in either Tribal government or law;

—$4,000,000 for the South Carolina State Ports Authority (SCSPA) for the implementation of Project Seahawk. This project is designed to enhance security at and around the Port of Charleston. Funding is provided for the acquisition of communications equipment, computer software and hardware technology, and research and development needed to execute the project;

—$3,000,000 to include New Hampshire police, medical and fire services in a comprehensive public safety training and communications system;

—$55,000 for the Multnomah County, Oregon sheriff's Office to purchase portable radios to be used by the fifty-one members of its reserve unit;

—$1,000,000 for the Ridge House Treatment Facility to provide stabilization, habilitation, and re-entry skills to the Nevada criminal justice population;

—$250,000 for Riverfront District Community Policing Stations in Montgomery, Alabama;

—$500,000 to the Robinson Community Learning Center in South Bend, Indiana to support efforts at reducing the rate of local youth violence and young adult homicide;

—$100,000 to the Safe Harbor Domestic Violence Shelter in Aberdeen, South Dakota for equipment and programming;

—$500,000 for the Salt Lake Valley, Utah Emergency Communications Center;

—$1,300,000 for the San Joaquin Valley, California Rural Agricultural Crime Prevention Program;

—$450,000 for the City of Savannah, Georgia to expand the Savannah Impact Program (SIP);

—$2,000,000 for continued support for the expansion of Search Group, Inc. and the National Technical Assistance and Training Program to assist States, such as West Virginia, to accelerate the automation of fingerprint identification processes;
—$750,000 to the City of Fairfield, California for planning, equipment, and training necessary for response in the event of an emergency involving hazardous materials;
—$1,250,000 for Standing Against Global Exploitation (SAGE) to replicate and expand training materials, regional training modules, and intensive technical assistance for survivors of prostitution, sexual exploitation, violence, abuse, and trauma;
—$250,000 to the State of Wisconsin Court Interpreter's Program for statewide training programs for current and potential court interpreters;
—$1,000,000 to Stop the Violence in South Carolina for programs to reduce crime and create sustainable neighborhood development through a successful model of community involvement;
—$180,000 for the Homeless Outreach Team (HOT) in San Diego, California which assists the homeless in San Diego in being placed in the appropriate social services programs;
—$1,500,000 for the National Judicial College in Reno, Nevada to provide education and training to judges, focusing particularly on judicial proficiency, competency, skills, and productivity;
—$2,000,000 for the Tools for Tolerance Program;
—$2,500,000 for grants to implement Sections 101, 102, and 103 of Title I of the Indian Tribal Justice Technical and Legal Assistance Act of 2000;
—$508,476 for the Shonshone-Bannock Tribe at the Fort Hall Reservation in Idaho. Funds will be used for the architectural and engineering fees associated with construction of a new Justice Center;
—$200,000 to the University of New Hampshire for the violent crime against women on campus reduction program;
—$3,000,000 for the development of a security system at the Emergency Operations Center located in Virginia;
—$1,000,000 for Washington County, Oregon for its County Alcohol and Drug Free Housing project;
—$250,000 to the University of Southern Colorado for the Western Forensic Science and Law Enforcement Training Center;
—$200,000 to the Yell County, Arkansas Juvenile Detention Center for drug and alcohol detoxification, counseling, and rehabilitation program; and
—$500,000 for Montana's Yellowstone County Family Drug Court which provides services to parents and guardians whose children have been removed from the home because of abuse or neglect due to substance abuse.

Drug courts.—The Committee recommends $50,000,000 for drug courts. The Committee notes that localities can also access funding for drug courts from the Local Law Enforcement Block Grant and Juvenile Accountability Block Grant. In addition, the Committee directs OJP to provide a report to the Committee no later than December 31, 2003, on the long term sustainability of the drug courts being established under this program.

Juvenile accountability incentive block grant.—The Committee recommends $249,450,000 for the Juvenile Accountability Incentive Block Grant Program to address the growing problem of juvenile crime by encouraging accountability-based reforms at the State and local level.

Violence Against Women Act programs.—The Committee recommends $390,565,000 for grants to support the Violence Against Women Act. Grants provided under this recommendation are for the following programs:

Violence Against Women Act programs

[In thousands of dollars]

	Committee recommendation
General formula grants	184,765
National Institute of Justice	5,200
OJJDP-Safe Start Program	[10,000]
BJS Study of domestic violence case processing	1,000
Grants to encourage arrest policies	65,000
Rural domestic violence	40,000
Legal Assistance Program	40,000
Campus Violence Program	10,000
Elder Abuse, Neglect, and Exploitation	5,000
Safe Haven Program	15,000
Education and Training to Assist Disabled Female Victims	7,500
Stalker Database Expansion	3,000
Training programs	5,000
Victims of child abuse programs:	
Court appointed special advocates (CASA)	12,000
Training for judicial personnel	2,300
Grants for televised testimony	1,000
Total, VAWA programs	390,565,000

The fiscal year 2003 funding will be used to develop and implement effective arrest and prosecution policies to prevent, identify, and respond to violent crimes against women, strengthen programs addressing stalking, and provide much needed victims services. This includes specialized domestic violence court advocates who obtain protection orders. In addition, programs should be strengthened to encourage reporting of domestic violence by providing assurances that law enforcement and attorney support systems would be available. This funding is to be distributed to States to significantly enhance the availability of services, prosecutors, and law-enforcement officials to women and children who are subjected to domestic violence. The fiscal year 2002 Senate Report required the Department to submit a report detailing a plan to address violence against women with particular emphasis on Alaska which ranks first in the Nation for domestic violence and child abuse. The report was to be completed by May 1, 2002, but has yet to be received by the Committee. The Department is directed to provide monthly updates on its progress until the report is completed as required.

Substance abuse treatment for State prisoners.—The Committee recommends $70,000,000, for the Residential Substance Abuse Treatment Program for State Prisoners [RSAT]. The RSAT Program provides financial and technical assistance to assist State and local governments 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, education and job training, and halfway houses. In addition, as in fiscal year 2002, up to 10 percent of the total program level maybe used for the treatment of parolees. These grants should only fund treatment for individuals up to 1 year after they are released from a State prison.

Safe Return Program.—The Committee recommends $900,000 to continue and expand training of law enforcement and other emergency response personnel to locate missing Alzheimer patients.

Law enforcement family support programs.—The Committee recommendation provides $1,500,000 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.

Senior citizens against marketing scams.—The recommendation provides $2,000,000 for this program to assist law enforcement in preventing and stopping marketing scams against the elderly. The Committee requests that some program sessions be held at the National Advocacy Center. Also, the Committee directs that this effort be coordinated with the Federal Trade Commission.

Motor Vehicle Theft Prevention.—The recommendation provides $1,300,000 for grants to combat motor vehicle theft.

WEED AND SEED PROGRAM

Appropriations, 2002	$58,925,000
Budget estimate, 2003	58,925,000
Committee recommendation	58,925,000

The Committee recommends an appropriation of $58,925,000. The recommendation is identical to the budget 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

VIOLENT CRIME REDUCTION PROGRAMS

Appropriations, 2002	$1,050,440,000
Budget estimate, 2003	1,381,034,000
Committee recommendation	1,062,628,000

The Committee recommends $1,062,628,000 for the Community Oriented Policing Services (COPS). The recommendation is $319,234,000 below the budget request, which included $800,000,000 for the proposed Justice Assistance Grant Program that was to be transferred to OJP and that the Committee does not fund. The Committee provides funding under this account as follows:

Public Safety and Community Policing Programs

COPS Hiring Program.—The Committee recommends $330,000,000 for the COPS hiring program. Within the amounts available for officer hiring, up to $180,000,000 is available for the hiring of school resource officers. To date, the COPS Office has made over 32,700 grants to more than 12,400 of the Nation's 18,000 law enforcement agencies. Through its hiring grant programs, COPS has funded over 114,000 officers, including 4,500 School Resource Officers. The Committee does not support the Administration's proposal of eliminating the COPS hiring programs. There continues to be a need at the State and local level for additional law enforcement officers, especially in light of the fact that the nation's first responders are now recognized as the front line of defense against future terrorist attacks.

The Committee also recognizes that State and law enforcement agencies depend on technology and communications equipment to perform their jobs safely and effectively. Therefore, the Committee includes language for a new communications technology grant program under the COPS Crime-Fighting Technologies section of this report.

Protecting our children.—Terrorists have the ability to confront the United States with contingencies we have never considered. One such contingency involves our children. Therefore, the Committee provides $10,000,000 for training to assist school resource officers in preventing acts by predatory adversaries involving weapons aimed at significant school populations. The officers will be trained in non-intrusive defensive measures taken to reduce the vulnerability to terrorist attacks and offensive measures taken to prevent, deter, and respond to terrorism. The Committee directs that a report be provided to the Committees on Appropriations no later than January 1, 2003 on the spending plan for this effort.

Training and Technical Assistance.—The COPS Office has created a network of Regional Community Policing Institutes (RCPIs) that are strategically located throughout the country and make up a national network that disseminates training and technical assistance to officers and community members on a diverse array of issues, including community policing, the effective use of computers and communications technology, and police integrity. To date, more than 173,000 law enforcement personnel and community members have been trained through the RCPI network and the Community Policing Consortium. The Committee recommendation includes $21,000,000 for COPS to continue providing training and technical assistance to the law enforcement community.

Indian Country.—The Committee recommendation includes $40,000,000 to be used to improve law enforcement capabilities on Indian lands and native villages, both for hiring uniformed officers, including village public safety officers, and for the purchase of equipment and training for new and existing officers. The Committee recommends that 5 percent of the COPS funds be provided directly to tribal judicial systems to assist Tribal courts with the increased caseload associated with the increased arrests as a result of the additional funds for tribal law enforcement.

Police Corps.—The Committee recommends $15,000,000 for the Police Corps Program. The Committee understands that the Police

Corps program has sufficient unobligated balances available to allow the program to maintain its activities in fiscal year 2003 at the prior year level.

Methamphetamine Enforcement and Clean-Up.—The Committee recommends $45,000,000 for State and local law enforcement programs to combat methamphetamine production and distribution, to target drug "hot spots," and to remove and dispose of hazardous materials at clandestine methamphetamine labs. Since fiscal year 1998, COPS has provided $141,900,000 in funding to more than 60 State and local law enforcement agencies to hire personnel, purchase equipment, and clean-up labs, as well as obtain training in methamphetamine related interdiction tactics, investigation, and prosecution.

Within the amounts provided, the Department is expected to review, in consultation with DEA, the following proposals, provide grants if warranted, and report to the Committees on its intentions:

—$500,000 for personnel, training, and equipment under the Arizona Methamphetamine Initiative;

—$1,000,000 to the Arkansas State Police for the Arkansas Methamphetamine Law Enforcement Initiative;

—$414,977 for the Oklahoma Bureau of Narcotics and Dangerous Drug Control to properly train and equip officers for operations involving clandestine methamphetamine labs;

—$150,000 for the Criminal Justice Institute at the University of Arkansas at Little Rock to train rural law enforcement officers in the issues of safety, investigation, and evidence collection related to methamphetamine production;

—$1,000,000 for the Iowa Office of Drug Control Policy to combat the spread of methamphetamine in east central counties through intelligence gathering, enforcement, and lab clean up operations;

—$4,000,000 for Hawaii County, Hawaii to carry out enforcement, prosecution, and cleanup activities associated with the manufacture, use, and distribution of methamphetamine;

—$1,500,000 for the Indiana State Police to combat the production, distribution, and use of methamphetamine;

—$500,000 to the Iowa Office of Drug Control Policy to create a secure intelligence system;

—$400,000 for the Iowa Tanks-A-Lock project to equip anhydrous ammonia tanks with locking mechanisms that prevent theft by manufacturers of methamphetamine;

—$250,000 for the Jackson County, Mississippi Sheriff's Department to combat methamphetamine;

—$1,000,000 to the Nebraska State Patrol for a Methamphetamine Drug Use Enforcement and Research Program. Funding is provided for drug treatment, enforcement enhancements, and laboratory enhancements;

—$200,000 to Marion County, Oregon for its Meth Lab Surveillance and Eradication project, which will provide law enforcement with training, equipment, and an improved communications system;

—$3,500,000 for the continuation of the Washington State Methamphetamine Program;

—$750,000 for the Mississippi Bureau of Narcotics to combat methamphetamine and to train officers on the proper recognition, collection, removal, and destruction of methamphetamine;
—$3,500,000 for the Missouri Drug Eradication Initiative, to be divided among Missouri's 29 drug task forces. This amount includes $200,000 for the Jefferson County Sheriff's Office, and $50,000 for the Phelps County Sheriff's Department I–44 Drug Interdiction Project;
—$1,500,000 for MoSmart. Funding is to assist sheriffs and rural drug task forces in combating methamphetamine production, use, and distribution by providing needed equipment, training, and lab clean up resources;
—$1,500,000 for the Sioux City, Iowa Regional Methamphetamine Training Center, to provide training to officers from eight States;
—$500,000 for the Minot State University, ND, rural methamphetamine project;
—$1,000,000 to the Central Utah Narcotics Task Force for the Sevier Region Methamphetamine Project;
—$500,000 for the Iowa Office of Drug Control Policy to combat the spread of methamphetamine in south central Iowa through intelligence gathering, enforcement, and lab clean-up operations;
—$1,000,000 to the Vermont Department of Public Safety to continue funding five troopers who are involved in combating heroin distribution and use in the Vermont Drug Task Force;
—$1,400,000 for the Wisconsin Methamphetamine Law Enforcement Initiative; and
—$1,250,000 for Yellowstone County, Montana's Methamphetamine Initiative which will focus on increased drug enforcement and clean-up.

Bullet-proof Vests Grant Program.—The Committee recommendation includes $26,000,000 to continue this program for formula grants to States, local governments, and Indian tribes to be used for the purchase of armored vests for law enforcement officers in the jurisdiction of the grantee.

Crime-Fighting Technologies Programs

Law Enforcement Technology Program.—The Committee recommends $118,615,000 for continued development of technologies and automated systems to assist State and local law enforcement agencies in investigating, responding to and preventing crime.

Within the amount provided, the COPS office should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

—$500,000 to the City of El Centro, California for the purchase of 800 MHZ portable and mobile radios for emergency operations;
—$1,000,000 to the City of Owensboro, Kentucky and Daviess County, Kentucky to implement an improved emergency responder and 911 operations system;
—$250,000 to the City of Flint, Michigan for upgrades to its 911 emergency response system;

—$750,000 for the Abilene, Texas Police Department to upgrade and expand the emergency response and communications network;
—$2,000,000 to the State of Alaska to build statewide shared multi-agency communications network;
—$1,500,000 for the Alaska Department of Public Safety to upgrade its communications systems;
—$100,000 for the Brooklyn, Ohio Police Department to purchase a computer aided dispatch system and mobile data terminals;
—$1,500,000 for Brown County, South Dakota to replace radio equipment, modernize the telephone infrastructure, and purchase computer-aided dispatch technology for the county's Regional Communications Center;
—$1,500,000 to the City of Jackson, Mississippi for the public safety automated technologies system;
—$375,000 for South Dakota's Cheyenne River Sioux Tribe to modernize its current court system by upgrading computer systems and acquiring court service processors;
—$200,000 to the Choctaw County, Alabama Emergency Management Agency for a Emergency Warning Notification System;
—$1,400,000 for the City of Cincinnati, Ohio to implement a record management system;
—$1,000,000 to the City of Seattle, Washington for digital video surveillance cameras;
—$2,000,000 to the City of Oceanside, California to upgrade the public safety radio system;
—$30,000 to the Charter Township of Mt. Morris, Michigan for closed circuit video camera technology;
—$8,000,000 for a grant to the Southeastern Law Enforcement Technology Center's Coastal Plain Police Communications initiative for regional law enforcement communications equipment. The State capitol of Columbia should be given due consideration in this year's implementation;
—$250,000 to the Columbia, Mississippi Police Department for technology;
—$4,000,000 for the Consolidated Advanced Technologies for Law Enforcement (CAT lab) Program;
—$910,000 for the City and Borough of Juneau, Alaska for equipment and technology enhancements at the Juneau Dispatch and Evidence Center;
—$300,000 for the City and Borough of Ketchikan, Alaska for an Emergency and 911 Dispatch system;
—$3,000,000 to Montgomery County, Maryland to establish an integrated criminal justice information system;
—$1,500,000 for the Rockville, Maryland Police Department to upgrade communications, records management, and emergency services systems;
—$1,000,000 to the City of Wasilla, Alaska for a regional dispatch center;
—$800,000 for the City of Jackson, Tennessee to install mobile data terminals in police vehicles;
—$1,000,000 to the City of Memphis, Tennessee to install a regional law enforcement communications system;

—$500,000 for Cowlitz County, Washington to replace its emergency response radio system;
—$7,100,000 for the Southwest Border Anti-Drug Information System of which $3,500,000 is to go to the State of Idaho;
—$950,000 to equip the Critical Infrastructure Protection Project (CIPP) in Virginia;
—$300,000 for Curry County, Oregon to fund upgrades and repairs needed to maintain the integrity of the communications system;
—Up to $3,000,000 for the acquisition or lease and installation of dashboard mounted cameras for State and local law enforcement on patrol. One camera may be used in each vehicle, which is used primarily for patrols. These cameras are only to be used by State and local law enforcement on patrol;
—$1,500,000 for the Delaware State Police to upgrade communications and video capabilities, purchase a real-time x-ray machine, and portable receivers;
—$250,000 to the City and County of Denver, Colorado for an intelligent emergency service dispatch system;
—$1,500,000 for the City of Des Moines, Iowa to develop a regional geographic information system that will enhance homeland defense and emergency response capabilities;
—$500,000 for the Downriver Mutual Aid Data Network for an 800 mhz digital communications system;
—$500,000 to Eau Claire County, Wisconsin's Police Communications Project for a computer aided dispatch and records management system;
—$500,000 to the Sandy City, Utah Police Department for an automated records storage and communications system to operate in conjunction with the court system;
—$2,250,000 for the Montana Public Safety Services Office to acquire enhanced 9–1–1 communications technology;
—$1,000,000 for Hamilton County, Ohio to replace and upgrade the current dispatch system;
—$2,500,000 to the Harrison County, Mississippi Sheriff's Department for the Public Safety Automated Systems project;
—$400,000 to the Indianapolis, Indiana Police Department to upgrade the existing laptop computer system to a wireless land area network;
—$250,000 to the National Center for Victims of Crime INFOLINK Program;
—$1,500,000 for Jefferson County, Alabama to upgrade the public safety radio system and improve interoperability;
—$1,000,000 to the Johnson County, Kansas Sheriff's Department for a computer-aided dispatch system;
—$200,000 for the Town of Johnston, Rhode Island to acquire mobile data computers, a video surveillance system for police headquarters, and an automated telephone system;
—$1,000,000 to the State of Kansas for the Public Safety Communications Network;
—$25,000 to Bath and Menifee Counties in Kentucky for the purchase of law enforcement equipment;
—$60,000 to the Rowan County, Kentucky Sheriff's Office and the Morehead Police Department for the purchase of radar

units, mobile cameras, communications equipment, a records management system, and other investigative equipment;

—$3,000,000 for Law Enforcement On-Line (LEO) information system which provides criminal justice information to law enforcement agencies throughout the country;

—$1,000,000 to the University of Houston in Texas to acquire, test, evaluate, and expand upon existing police vehicle technology;

—$95,000 for Leake County, Mississippi for police technology and equipment;

—$1,500,000 for the Louisiana Commission on Law for a statewide Technology Coordination Project;

—$1,500,000 to the City of Madison, Wisconsin Police Department's Consolidated Communications Project for new hardware, software, data conversion, training, and project administration;

—$1,000,000 to the Maine State Police for a new voice and data communications system;

—$1,500,000 to the Metropolitan Radio Board in Minnesota for a regional, digital public safety communications system;

—$2,000,000 for the City of Milwaukee, Wisconsin's Police Department to purchase and install mobile digital radios in its squad cars;

—$2,250,000 for Minnehaha County, South Dakota to upgrade its existing communications system and to link with the new State of South Dakota Radio System;

—$2,250,000 to the Missouri Police Chiefs Association for technology, equipment, and regional training;

—$250,000 to the Madisonville, Kentucky Police Department for mobile data terminals;

—$500,000 to the City of Montrose, Colorado for a records management system and related technology to interface with the public safety communications system;

—$20,000 to Moody County, South Dakota for upgrades to the emergency response communications system;

—$750,000 to the Town of Mountain Village, Colorado for a regional public safety communications system;

—$1,000,000 for the County of Bergen, New Jersey to implement a multi-agency radio communications system that will provide interoperability capability across all agencies and integrate the operations of the Bergen County government;

—$5,000,000 to the National Sheriff's Association for a multistate information system that will enable local law enforcement agencies to share important criminal justice information;

—$1,500,000 for the New Castle County, Delaware Police Department for a new records management system, additional computers and software, and surveillance equipment;

—$200,000 to the Kenton County, Kentucky Sheriff's Office for communications system improvements;

—$200,000 to the New Hampshire Department of Public Safety to provide equipment and technology to ten small law enforcement agencies throughout New Hampshire;

—$400,000 to the Newago County Office of Administration for the acquisition of an 800 mhz digital communications system;

—$1,000,000 to the New Hampshire Police Standards and Training Facility to purchase technology and equipment for training recruits;
—$350,000 for the City of Huntsville, Alabama to upgrade computer systems in police headquarters and district stations;
—$575,000 for the Billings, Montana Police Department for vehicle enhancements, including automatic vehicle locators, in-car report writing modules, and mobile roaming technology;
—$1,050,000 for the Towns of Barre, St. Albans, and Springfield, Vermont to be divided equally, providing $350,000 for each. This funding will be used to upgrade communications capabilities and for the purchase of mobile data terminals;
—$1,000,000 for the Lubbock, Texas Police Department to purchase mobile data terminals and related software;
—$1,000,000 for Project Hoosier SAFE–T, a Statewide emergency response and telecommunications project;
—$1,000,000 for the County of Passaic, New Jersey for the purchase of a trunked radio system;
—$1,500,000 for the Oklahoma Department of Public Safety to provide comprehensive radio and data communications capabilities for all emergency response agencies units in Oklahoma;
—$400,000 for the Louisville-Jefferson County, Kentucky Public Safety Communications System to study requirements and develop a plan to implement a common interoperable voice and data communications system for public safety organizations in the metropolitan area;
—$300,000 to the City of Santa Rosa, California for radio communications and emergency response systems upgrades;
—$1,500,000 for the Borough of Fort Lee, New Jersey to improve the emergency services radio system;
—$1,500,000 to the North Carolina State Highway Patrol for the development and implementation of an interoperable Voice Trunking Network (VTN) real-time voice communication system throughout the State;
—$300,000 to REJIS for the establishment of a computer information system to serve the St. Louis Region;
—$2,000,000 for the Montana Sheriff's & Peace Officers Association for a reverse 9–1–1 system which will allow State and local officials to distribute emergency information to citizens over their phone lines using auto-dialing technologies;
—$800,000 to the Rockdale County, Georgia Sheriff's Office to purchase mobile data computers and in-car video systems;
—$1,500,000 to San Miguel County, New Mexico Emergency Services for a county wide communications system;
—$850,000 to Simpson County, Mississippi for a public safety automated technologies system;
—$2,500,000 for South Dakota's Sherrifs and Police Chiefs Association to acquire communications equipment, computers, and other crime-fighting technologies;
—$3,000,000 for a grant for the Southeastern Law Enforcement Technology Center to partner with SPAWAR to advance research and development into software radio technology;
—$1,500,000 to the Oklahoma Department of Public Safety for a statewide public safety communications system;

—$1,500,000 to the Kansas City, Missouri Police Department for mobile data terminals;
—$1,500,000 to Wake County, North Carolina's Department of Public Safety and Emergency Management for technology infrastructure improvements for law enforcement vehicles;
—$200,000 for the Pike County, Illinois Sheriff's Department to upgrade law enforcement technologies and modernize equipment;
—$50,000 for the City of West Point, Kentucky for the purchase of law enforcement equipment;
—$2,000,000 for the training of village public safety officers and small village police offices and acquisition of emergency response and search and rescue equipment for rural communities;
—$250,000 to the Warren County, Mississippi Sheriff's Department for technology enhancements;
—$125,000 for the Wilkinson County, Mississippi Sheriff's Department for police technology and equipment;
—$1,500,000 for the Wilmington, Delaware Police Department to purchase surveillance cameras, metal detectors, and protective suits for responding to hazardous materials incidents; and
—$300,000 to the Wyoming Law Enforcement Academy in Douglas, Wyoming for technology upgrades.

The COPS Interoperable Communications Technology Program.—The Committee recommends $100,000,000 for the Office of Community Oriented Policing Services (COPS) Interoperable Communications Technology program, to be designed and implemented by the COPS Office, in consultation with the Office of Science and Technology (OS&T) within the National Institute of Justice, as well as the Bureau of Justice Assistance (BJA). The Committee seeks to utilize the expertise of all three organizations so as to create a grant program that is highly responsive to the immediate needs of the State and local law enforcement community and that takes full advantages of the expertise and lessons learned from OS&T's and BJA's research and development in the field of interoperable law enforcement communications, particularly project AGILE. In addition, the Committee is aware that the Office of Domestic Preparedness and the National Institute of Standards and Technology (NIST) have significant experience in law enforcement communications, and therefore it is also recommended that COPS seek guidance from these agencies when designing and implementing this program.

This program should address the critical need of law enforcement to improve cross-jurisdictional communication and information sharing. The Committee directs the COPS Office to develop and submit to the Committee, no later than 45 days after the implementation of this Act, proposed guidelines for the program. Consistent with the COPS Office's existing grant programs, the COPS Interoperable Communications Technology program should include a 25 percent local match requirement. The Committee is aware that the Federal Emergency Management Administration (FEMA) has a similar program designed for Fire Departments and EMS, and therefore COPS should consult with FEMA to ensure that these programs are providing compatible communications equip-

ment that will allow interoperability among all first responders in a given jurisdiction. The Committee urges that grants under these programs be used, whenever possible, to purchase cost effective cross band repeaters or other frequency or band patching solutions, which allow agencies to make existing communications systems interoperable. Because of the complexities associated with these systems, the Committee provides $3,000,000, within available amounts, to be transferred to the Bureau of Justice Assistance to provide technical assistance, utilizing OS&T's expertise, to grantees regarding the implementation of the equipment.

The Committee understands and support the need for minimum standards for law enforcement communications technology. Therefore, OS&T should assist COPS in incorporating existing minimum standards into the formulation of this grant program. The Committee also provides, within available amounts, $5,000,000 to be transferred to NIST to continue the efforts of the Office of Law Enforcement Standards (OLES) regarding the development of a comprehensive suite of minimum standards for law enforcement communications.

In addition, the Committee is aware that a number of cross band repeaters have been distributed by the Federal Government to local jurisdictions throughout the United States. The Committee directs that NIJ provide an inventory no later than March 1, 2003 regarding the locations of all of these systems.

Crime Identification Technology Act.—The Committee recommends $45,000,000 to be used and distributed pursuant to the Crime Identification Technology Act of 1998, Public Law 105–251, of which $11,000,000 is to be transferred to the NIJ to develop technologies to improve school safety. Under that Act, eligible uses of the funds are (1) upgrading criminal history and criminal justice record systems; (2) improvement of criminal justice identification, including fingerprint-based systems; (3) promoting compatibility and integration of national, State, and local systems for criminal justice purposes, firearms eligibility determinations, identification of sexual offenders, identification of domestic violence offenders, and background checks for other authorized purposes; (4) capture of information for statistical and research purposes; (5) developing multi-jurisdictional, multi-agency communications systems; and (6) improvement of capabilities of forensic sciences, including DNA.

Within the overall amounts recommended, the OJP should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

—$500,000 to the Arkansas Crime Information Center and the Arkansas Sheriff's Association for Phase II of the JailNet project;

—$2,000,000 to the Arkansas State Police for its Automated Fingerprint Identification System;

—$500,000 to the Ogden City, Utah Police Department for an automatic finger print identification system (AFIS);

—$800,000 for a Centralized Sex Offender Registry Program for the State of Colorado;

—$2,000,000 for CJIS WareNET to connect all State law enforcement agencies into one information database;

—$250,000 to the Ogden City, Utah Police Department for a consolidated records management system;
—$2,500,000 for the Alaska Criminal Justice Information System to integrate Federal, State, and local criminal records along with social service and other records. It expects the system design to include the capability to provide background checks on potential child care workers for child care providers and families with the permission of the job applicant. The State should consult with the National Instant Check System for technical expertise;
—$5,000,000 for the South Carolina Judicial Department to purchase equipment for the integration of the case docket system into a state-of-the-art comprehensive database to be shared between the court system and law enforcement;
—$2,000,000 to the Vermont Department of Public Safety for the Criminal Justice Integration System Project;
—$3,000,000 to the Minnesota Department of Public Safety for the integrated criminal justice information system titled CriMNet;
—$200,000 for Pennsylvania's Cross Current Corporation Criminal Justice County Integration Project;
—$500,000 to the Sandy City, Utah Police Department for an automated records storage and communications system to operate in conjunction with the court system;
—$100,000 to the Ogden City, Utah Police Department for a facial recognition system;
—$2,000,000 to the Great Cities Universities Coalition in Georgia for criminal justice data gathering and analysis;
—$250,000 to the City of Gulfport, Mississippi for the Gulfport Critical Incident Response Technologies;
—$1,000,000 to the Missouri Office of the State Court Administrator for computer upgrades and modernizations of the juvenile court system;
—$450,000 for implement a Louisiana Statewide Sex Offender Database;
—$500,000 Whatcom County, Washington's Multi-Jurisdictional Criminal Justice Data Integration Project to develop and implement an integrated county-wide communications system;
—$500,000 for the Offenders' Unified Tracking for Rehabilitation, Enforcement, Assistance, and Community Health (OUTREACH) program at the University of Pennsylvania Lee Center of Criminology;
—$2,000,000 for the Ohio Bureau of Criminal Investigation to purchase Live-Scan machines for use by Ohio law enforcement agencies;
—$3,000,000 for the South Carolina Law Enforcement Division to obtain equipment, convert existing databases and integrate systems for accurate and rapid processing of information to support identifications for criminal and civil purposes;
—$250,000 to the South Bend, Indiana Police Department for the purchase of an automated fingerprint imaging system (AFIS);
—$75,000 to the St. Louis, Missouri Police Department to enhance an existing web-based crime analysis and information sharing system;

—$1,000,000 for the Syracuse University Cross-Information Language Retrieval system to assist law enforcement in the search and analysis of foreign Internet document databases;
—$1,900,000 to upgrade automated fingerprint identification systems (AFIS) in Hawaii; and
—$850,000 for the University of Southern Mississippi for crime identification technology training.

Upgrade Criminal History Records (Brady Act).—Within the amounts available for crime identification technology, the Committee recommends $35,000,000, 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. Additionally, the national sexual offender registry [NSOR] component of the Criminal History Records Upgrade Program has two principal objectives. The registry assists States in developing complete and accurate in-State registries. It will also assist States in sharing their registry information with the FBI system which identifies those offenders for whom special law enforcement interest has been noted.

Crime Laboratory Improvement Program.—The Committee recommends $35,000,000 for the crime laboratory improvement program.

DNA Backlog Elimination.—The Committee recommends $40,000,000 to reduce the DNA sample backlog. Within this amount, $5,000,000 is available for Paul Coverdell Forensics Sciences Improvement grants.

Within the overall amounts recommended for the Crime Laboratory Improvement and DNA Backlog Elimination Programs, the OJP should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

—$500,000 to Allegheny County, Pennsylvania for the Allegheny County Forensics Laboratory for improvements;
—$180,000 to the Arkansas State Crime Lab for the continuation of the Arkansas Crime Lab DNA Backlog Reduction program;
—$142,900 to the Broome County, New York Government Security Division for a computer and video forensics laboratory;
—$1,500,000 to establish the Metropolitan Forensic Science Center in Albuquerque, New Mexico which will serve law enforcement agencies involved in Indian Country;
—$800,000 for the National Academy for Forensic Computing in Central Piedmont, North Carolina;
—$1,250,000 for the DNA Testing Center at Florida Gulf Coast University;
—$750,000 for the Commonwealth of Virginia to enhance existing State forensic laboratory capabilities for analysis and training;
—$400,000 for the Birmingham Police Department to improve and update their forensic laboratory;
—$500,000 for the Forensics Laboratory at East Stroudsburg University, Pennsylvania to assist Pennsylvania's law enforcement community by expediting the processing of the State's DNA backlog;

—$500,000 to the Indiana State Police, Laboratory Division for personnel, equipment, supplies, and contractual needs in order to meet the increased demands on the DNA Analysis Unit;
—$500,000 to the Kansas Bureau of Investigation for lab equipment and an information management system to track evidence;
—$3,000,000 for the Marshall University (MU) Forensic Science Program in West Virginia;
—$750,000 for the Mississippi Crime Lab to improve the State's capability to analyze DNA evidence;
—$750,000 for the University of Tennessee to continue the development of technology, forensic training, and research;
—$1,500,000 for the State University of New York at Albany to establish the North East Regional Forensic Institute;
—$500,000 for upgrades at the Northern Illinois Police Crime Laboratory;
—$800,000 to the Ohio Bureau of Criminal Investigation for improvements to its Forensic Science Lab;
—$900,000 to the Pikes Peak Metro Crime Lab in Colorado for renovations necessary to meet the demand for DNA analysis services;
—$1,500,000 to the South Carolina Law Enforcement Division for equipment to support a Federal and State collaboration of investigators and forensics experts to solve high technology crimes through one center;
—$3,000,000 to the South Carolina Law Enforcement Division for continued funding to support the growing State and local law enforcement needs in the only full service forensic laboratory in South Carolina;
—$970,000 to the Southeast Missouri Crime Lab for modernizations and equipment;
—$500,000 to Texas Tech University for the Southwest Institute for Forensic Sciences;
—$2,000,000 for the State of Maryland and the City of Baltimore DNA Labs to be evenly divided among each; and
—$4,000,000 for the West Virginia University (WVU) Forensic Identification Program.

Prosecution Assistance Programs

Southwest Border Prosecutions.—The Committee recommends $50,000,000 to provide assistance to State and local prosecutors located along the Southwest border, including the integration and automation of court management systems. This program will provide financial assistance to Texas, New Mexico, Arizona, and California for the State and local costs associated with the handling and processing of drug and alien cases referred from Federal arrests.

Gun Violence Reduction Program.—The Committee recommends $50,000,000 for a new program that will encourage States to increase the prosecution of gun criminals. This program encompasses a broad range of gun violence strategies, including hiring and training of local prosecutors and implementing public awareness campaigns to advertise tough sentences for gun crimes and foster community support.

Community Crime Prevention

Police Integrity Program.—The Committee recommends $17,000,000 for the Police Integrity Program. This program promotes police integrity, the appropriate use of police authority, and community policing through delivering training and technical assistance to local communities, as well as by providing grants that will help agencies create or strengthen local programs that help build trust between police and their communities.

The Offender Re-entry Program.—The Committee recommends $15,000,000 for the Offender Re-entry Program. The Department of Justice, in collaboration with the Departments of Labor, Health and Human Services, Housing and Urban Development, and Education, OJP will provide grants to communities to design, implement, enhance, and evaluate reentry programs for serious, violent offenders.

Project Sentry.—The Committee recommends $15,000,000 for Project Sentry. This program will create a new Federal and State partnership establishing safe schools task forces across the country that will prosecute and supervise juveniles who violate Federal and State firearms laws and adults who illegally furnish firearms to them. An additional $5,000,000 is provided for this initiative through the Juvenile Justice programs, for a total funding level of $20,000,000.

Safe Schools Initiative.—The Committee recommends $20,013,000 for programs aimed at preventing violence in public schools, and to support the assignment of officers to work in collaboration with schools and community-based organizations to address crime and disorder problems, gangs, and drug activities.

Within the amount provided, the COPS office should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

—$500,000 for the Alaska Community in Schools Mentoring Program;

—$1,000,000 for the Police Athletic League of New Jersey to implement a short term residential summer camp program for youth;

—$1,500,000 for the East Orange Police Athletics League to provide services and programs, including parenting classes, computer training, GED preparation, mentoring and recreational programs;

—$1,000,000 for Wisconsin's Families & Schools Together (FAST) Prevention Program to provide services to at-risk youth;

—$60,000 for Washington County, Oregon's Hillsboro Boys and Girls Club Gang Prevention Program which is a targeted outreach program to deter young people from gang involvement;

—$1,000,000 for the Safe Schools Initiative in the City of Macon, Georgia to allow public schools to expand programs that are dedicated to addressing gangs, drugs, and violence;

—$500,000 for the Juvenile Justice and Delinquency Program in Macon, Georgia. This funding will be used to improve mentoring programs that are dedicated to reducing incidences of juvenile crime, violence, and substance abuse;

—$1,500,000 to the National "I Have A Dream" Foundation for at-risk youth;
—$400,000 for the New Mexico Police Athletic League to continue the statewide Law enforcement and Professional Business Volunteer Technology and Mentoring program and to expand its program to assist at-risk youth to 14 additional sites;
—$1,300,000 for the University of Montana to facilitate a statewide community based curriculum development initiative that promotes responsible behavior and reduces youth violence in schools and communities;
—$100,000 for the Jefferson County, Illinois Sheriff's Office and Hamilton-Jefferson County Regional Office of Education to implement a safe schools program;
—$500,000 for New Mexico's School Security Technology and Resource Center (SSTAR) to provide public schools with physical security assessments, to test existing school security systems, and to implement tailored security plans;
—$295,000 for the Watch D.O.G.S. Across America in Springdale, Arkansas to enhance school safety; and
—$1,500,000 to provide community-based, cost-effective alternative programs for juveniles who are, have been or maybe subject to compulsory care, supervision or incarceration in public or private institutions in several States including South Carolina.

Management and Administration.—The Committee recommends $35,000,000 for the management and administration of the COPS Office. Within the funds provided, the Committee directs the COPS office to maintain a staffing level of no less than 215 full-time positions. The Committee shall be provided a report no later than December 31, 2002 on the efforts being made by COPS to achieve this staffing goal.

JUVENILE JUSTICE PROGRAMS

Appropriations, 2002	$305,860,000
Budget estimate, 2003	257,801,000
Committee recommendation	298,425,000

The Committee recommends an appropriation of $298,425,000. The recommendation is $40,624,000 above the budget request.

Juvenile justice and delinquency prevention.—The Committee recommendation includes a total of $298,425,000 for administrative expenses and grants to States and localities for projects in the areas of education, research, prevention, and rehabilitation including:

1. $7,112,000 for the Office of Juvenile Justice and Delinquency Prevention [OJJDP] (Part A).
2. $88,800,000 for formula grants for assistance to State and local programs (Part B).
3. $58,513,000 for discretionary grants for national programs and special emphasis programs (Part C).

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

—$500,000 to the Saginaw Chippewa Indian Tribe of Michigan for a victims of crime program;

—$450,000 to the After School and Counseling Programs for At-Risk Native American Youth in South Dakota;
—$400,000 to Task Inc. for a demonstration project with the Circuit Court of Cook County, Illinois to serve non-violent offenders who demonstrate mental illness and/or substance abuse;
—$35,000 for the City of Fort Thomas, Kentucky to develop and implement a drug education and prevention program in the school system;
—$90,000 to Lewis County, Kentucky and the City of Vanceburg, Kentucky to develop and implement a drug education and prevention program in the school system and provide additional resources to address law enforcement problems associated with drug use;
—$200,000 to the Patriot Center in Rockford, Illinois for programs for at-risk youth;
—$750,000 to the Bethesda Home for Boys in Savannah, Georgia to assist in providing delinquency intervention counseling;
—$500,000 to the Birmingham, Alabama Education Technology (BET) Center for at-risk-youth programs;
—$1,000,000 for the Cal Ripken, Sr. Foundation for youth prevention programs aimed at leadership, teamwork, and drug prevention;
—$200,000 for the Camden City, New Jersey Housing Authority to establish a drug prevention program for children in low income housing developments;
—$840,000 for Oregon Partnership's Champions for Healthy Kids and Communities program to provide local youth and adult leadership development education and training on underage drinking and drug use;
—$60,000 to the South Coast Inter-Agency Narcotics Team, Coquille, Oregon for drug prevention;
—$500,000 to the United Way of Chittendon County, Vermont to continue the Champlain Mentoring Initiative Project;
—$300,000 to Charles Mix County, South Dakota for a full-time substance abuse counselor for local youth, and for the expansion of youth programs in Lake Andes and Wagner, South Dakota;
—$5,000,000 to I-Safe America for internet safety education for grades K–12 to prevent child predation on the internet;
—$75,000 to the Nez Perce Tribe in Lapwai, Idaho for the Child Protection Program to coordinate the services of human resource programs;
—$4,000,000 to the National Center for Missing and Exploited Children for the Child Sexual Exploitation Campaign to expand services to law enforcement in cases of child pornography, child molestation, and sexual exploitation;
—$400,000 to Ohio's Children Who Witness Violence Program for crisis intervention, assessment and treatment services to children and families impacted by violence;
—$200,000 for Parents and Children Together (PACT) to provide gang prevention services, counseling and outreach, and supervised, alternative activities to youth in the Kuhio Park Terrace and Kuhio Homes housing units in Honolulu, Hawaii;

—$2,000,000 to the University of New Hampshire's Crimes Against Children Research Center;
—$300,000 for the Elizabeth Buffum Chace Family Resource Center in Warwick, Rhode Island to provide services for members of the community affected by domestic violence;
—$100,000 for the Family Ties Supervised Visitation Services in Wakefield, Rhode Island to provide domestic violence prevention and services;
—$4,500,000 to Fox Valley Technical College of Appleton, Wisconsin to increase and expand services offered to local law enforcement involved in the investigation of child abuse and neglect;
—$200,000 to From Darkness to Light in Charleston, South Carolina which seeks to prevent child abuse and obtain services for victims of child abuse by providing information about the prevalence and consequences of child sexual abuse;
—$1,500,000 to expand and replicate the Beyond Bars program;
—$1,500,000 for Girls and Boys Town, USA;
—$2,000,000 for the National Council of Juvenile and Family Court Judges to improve the juvenile and family court judicial system, specifically in handling child abuse and neglect cases;
—$600,000 for the Iowa Big Brothers Big Sisters Rural Youth Mentoring Initiative;
—$300,000 to the City of Jackson, Mississippi for a juvenile justice program;
—$1,000,000 to Western Kentucky University for the Juvenile Delinquency Project;
—$390,000 for the Juvenile Fire Setters program;
—$2,000,000 to the State of Alaska for a Child Abuse Investigation Program;
—$750,000 to Alaska's LOVE Social Services to establish and enhance after school programs in Fairbanks, AK for at risk youth;
—$600,000 for the Boys and Girls Home of Nebraska to expand programs geared towards youth who have committed minor offenses and/or have unique mental, psychological and behavioral problems;
—$500,000 for a statewide at-risk youth mentoring program in Alaska involving community based organization, schools, and non-profit entities including Boys and Girls Clubs and Big Brother-Big Sisters.
—$500,000 for Juvenile Offender Treatment and Prevention Project to provide mental health treatment and prevention services to youth and families involved with or at high risk of involvement with the Tulsa County juvenile justice system;
—$500,000 for the Kansas Big Brothers Big Sisters to expand services to all 105 counties in the State;
—$500,000 to the City of Los Angeles, California for the Family Violence Program;
—$100,000 for Marion County, Oregon's Life Directions Peer Mentoring Partnership which seeks to break the cycle of drug addiction, violent crime, and teenage pregnancy;
—$1,000,000 to Montana's Yellowstone Boys and Girls Ranch for the Living Independently and Fostering Empowerment (LIFE)

program, which prepares emotionally troubled youth between ages 18 and 22 for independent living;

—$125,000 to Virginia's Lonesome Pine Office on Youth for the continuation of delinquency prevention and youth development programs;

—$500,000 to the Low County Children's Center in South Carolina for continued support for a collaborative effort among local organizations in Charleston that provide full services to children who have been abused;

—$400,000 for Pennsylvania's Martin Luther King, Jr. Center for Non-Violence to continue its Life Skills program which enables students to work alongside business and industry mentors;

—$500,000 to Mission St. Joseph's child protection program in North Carolina, which addresses the abuse and neglect of children in the Southern Appalachians who suffer from developmental disabilities;

—$1,400,000 for the National Child Protection Development and Training Center in Minnesota;

—$3,000,000 for the National Council of Juvenile and Family Court Judges to provide special training and education for judges assigned to juvenile and family courts nationwide;

—$400,000 to Prevent Child Abuse America for the National Family Support Roundtable;

—$2,000,000 to the National Center for Missing and Exploited Children for the NETSMARTZ Initiative to expand the program into schools, homes, and youth organization nationwide;

—$200,000 for Nevada Child Seekers to assist in locating missing children and providing resources for the families of missing children;

—$750,000 for the Afterschool Services Pilot program operated by the New Mexico State University Cooperative Extension Service to serve youth who are at home alone or are unsupervised between 2 and 6 in the afternoon;

—$60,000 for the North Shore Youth Council in Long Island, New York to provide family counseling and youth development services to underserved children in the Miller Place and Rocky Point school districts;

—$3,000,000 for Parents Anonymous, Inc., to develop partnerships with local communities to build and support strong, safe families and to help break the cycle of abuse and delinquency;

—$3,000,000 for the 'Innovative Partnerships for High Risk Youth' demonstration;

—$650,000 for Prarie View Prevention Services in Sioux Falls, South Dakota to establish a pilot project for the long-term treatment of juvenile methamphetamine abuse and dependence;

—$150,000 to the Crow Creek Sioux Tribe in South Dakota for Project Safe;

—$400,000 for the Rapid Response Program in Washington and Hancock Counties in the State of Maine;

—$250,000 for the Safer Learning Center in Chicago, Illinois for expansion of mentoring and peer-learning programs;

—$250,000 to Boysville of Michigan and SER Metro Detroit for the Samaritan Center;

—$2,500,000 to the South Carolina Department of Juvenile Justice for a modern information network to improve tracking and services provided to juveniles;
—$580,000 for St. Joseph's Indian School in South Dakota for juvenile delinquency prevention programs;
—$100,000 for the St. Louis for Kids program to provide after-school programs for at-risk elementary school students in inner city St. Louis, Missouri;
—$450,000 for the State of Pennsylvania Witness Protection Program;
—$900,000 for the Arkansas Boys and Girls Clubs to expand after-school programs, drug and violence prevention activities, and mentoring of at-risk children;
—$400,000 for a grant for the Milwaukee Summer Stars Program;
—$1,250,000 for the Teens, Crime and Community program;
—$60,000 to the Child Advocacy Center in Springfield, Missouri for support services;
—$1,500,000 to The Family Development Foundation in Las Vegas, Nevada for domestic violence prevention and intervention;
—$1,900,000 for law related education for continued support;
—$300,000 for the University of Southern Mississippi Juvenile Justice Prevention Partnership program;
—$300,000 to the Vermont Children's Forum to expand the teen leadership training program as well as develop strategies to combat teen delinquency and promote teen leadership development;
—$300,000 for a grant to the Vermont Coalition of Teen Centers;
—$1,000,000 for the Wisconsin Safe & Sound Program which combines aggressive enforcement, community organizing, and the establishment of "safe places" for children to go during non-school hours in Milwaukee's highest crime areas;
—$600,000 to Utah State University for the Youth and Families with Promise Program;
—$300,000 for the Youth Center of Wyoming Valley, Pennsylvania to provide preventative substance abuse education programs;
—$300,000 for the Vermont Department of Employment and Training to establish a statewide young offender reentry system targeted at young men aged 18–21;
—$250,000 to Jefferson County, Colorado for the Youth System Improvement Project;
—$500,000 for the Youth Violence Prevention Research Project at the University of South Alabama;
—$150,000 for the City of Aberdeen, South Dakota to establish a Youth-Adult Partnership of Aberdeen (YAPA) community youth center, which will provide structured out-of-school activities for teens; and
—$1,000,000 for Kansas YouthFriends to expand the school mentorship program.

4. $12,000,000 for the Youth Gangs (Part D) Program which provides grants to public and private nonprofit organizations to pre-

vent and reduce the participation of at-risk youth in the activities of gangs that commit crimes.

5. $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 program.

6. $16,000,000 for the Juvenile Mentoring Program [JUMP] (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. This program has proven successful in reaching at-risk youth and has significant support at the local level. 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. The Committee encourages OJP to focus on applications submitted by community based organizations with a proven history of providing effective and efficient one-on-one services. Within the amounts provided, the Committee provides $5,000,000 for the Big Brothers/Big Sisters program to expand its capacity to serve more at-risk youth.

7. $95,000,000 for the At Risk Children's Program (Title V). Under Title V of juvenile justice programs, the At Risk Children's Program provides funding to support comprehensive delinquency prevention plans formulated at the community level. The program targets truancy and school violence; gangs, guns, and drugs; and other influences that lead juveniles to delinquency and criminality. Within the amounts provided, up to $5,000,000 may be used for the Project Sentry program.

Safe Schools Initiative [SSI].—The Committee includes $15,000,000 within the Title V grants for the Safe Schools Initiative. This effort may include training and services such as: accountability and responsibility training; violence reduction training, including dispute resolution; juvenile mentoring; training for teachers and families to recognize troubled children; and parent accountability and family strengthening education. Of the amounts provided for the School Safety Initiative, the Committee directs that $10,000,000 be transferred to the Part C discretionary grant program to fund juvenile justice prevention programs that seek to improve the lives of the nation's youth, and thereby improve children's educational environments.

Tribal Youth Program.—The Committee includes $12,500,000 within Title V grants for programs to reduce, control, and prevent crime both by and against tribal and Native youth; for interventions for court-involved tribal youth; for improvement to tribal and Native juvenile justice systems; and for prevention programs focusing on alcohol and drugs, including the Alaska Federation of Natives to develop an underage drinking prevention program in rural Alaska that includes assessment and education and focuses on the children of alcoholics. Within this amount, the Committee directs that $2,000,000 be provided for a grant to fund the Alaska Illegal Drug and Alcohol Use Initiative.

Enforcing the Underage Drinking Laws Program.—The Committee recommends $25,000,000 within Title V grants to assist States in enforcing underage drinking laws. Each State shall receive $360,000 and $6,640,000 shall be available for discretionary grants to States. The Office of Justice Programs is directed to provide a report to the Committee no later than March 1, 2003 on the accomplishments of the program to date. Within the amounts provided for underage drinking, OJP shall make an award to the Alaska Federation of Natives to develop an underage drinking prevention program in rural Alaska including assessment and education, focusing on the children of alcoholics.

Juvenile justice research, evaluation, training, and technical assistance.—The Committee recognizes that high quality research, evaluation, and statistical analysis are critical to understanding and addressing the causes of youth crime, understanding the scope of delinquency and its impact on the juvenile justice system, and identifying effective approaches to delinquency control that can be replicated at the State and local levels. The Committee recommendation allows the Office of Juvenile Justice and Delinquency Prevention Programs [OJJDP] to set aside 2 percent for training and technical assistance and 10 percent for research, evaluation, and statistics activities.

8. *Victims of Child Abuse Act*.—The Committee recommends $11,000,000 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. The recommendation includes $11,000,000 to improve investigations and prosecutions (subtitle A) as follows:

—$2,500,000 to establish regional children's advocacy centers, as authorized by section 213 of VOCA;

—$5,500,000 to establish local children's advocacy centers, as authorized by section 214 of VOCA;

—$1,000,000 for the National Children's Advocacy Center in Huntsville, Alabama to develop and implement a training program; and

—$850,000 for a continuation grant to the National Network of Child Advocacy Centers for technical assistance and training, as authorized by section 214a of VOCA.

ELECTION REFORM GRANT PROGRAM

Appropriations, 2002	
Budget estimate, 2003	$400,000,000
Committee recommendation	400,000,000

The Committee recommends $400,000,000 for the Office of Justice Programs to establish an election reform grant program as authorized by H.R. 3295, the Martin Luther King, Jr. Equal Protection of Voting Rights Act of 2002, as amended and passed by the Senate on April 11, 2002. Within the amount provided, $150,000,000 is for the Federal Election Reform Incentive Grant Program, $10,000,000 is for the Protection and Advocacy Services Grant Program, $150,000,000 is for the Uniform and Non-discriminatory Election Technology and Administration Requirements Grant Program, and $90,000,000 is for the establishment of the

Federal Election Accessibility Grant Program as established by H.R. 3295, as amended and passed by the Senate.

PUBLIC SAFETY OFFICERS BENEFITS

Appropriations, 2002	$37,724,000
Budget estimate, 2003	53,054,000
Committee recommendation	53,054,000

The Committee recommends an appropriation of $53,054,000. The recommendation is equal to the budget request and provides all mandatory funding for death benefits under the Public Safety Officers Benefits Program. This program provides a lump-sum death benefit payment to eligible survivors of Federal, State, and local public safety officers whose death was the direct and proximate result of a traumatic injury sustained in the line of duty. In addition, $4,000,000 is provided to pay for disability benefits to public safety officers who are permanently disabled in the line of duty. Within the available carryover balances, sufficient funding is available for the program which provides payments for education purposes to the dependents of Federal, State, and local public safety officers who are killed or permanently disabled in the line of duty. No additional funding is provided to expand the education benefits program in fiscal year 2003.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The Committee recommends the following general provisions:

Section 101 makes up to $45,000 of the funds appropriated to the Department of Justice available for reception and representation expenses.

Section 102 allows the Department of Justice to spend up to $10,000 for rewards for information regarding acts of terrorism against U.S. citizens or property at levels not to exceed $2,000,000 per reward.

Section 103 allows the Department of Justice, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between appropriations, but limits to 10 percent the amount that can be transferred into any one appropriation.

Section 104 provides technical assistance funds to improve oversight of certain grant programs.

Section 105 transfers certain collections from one fee account to another under the Immigration and Naturalization Services.

Section 106 allows Justice to collect reimbursements from manufacturers for warranty work done in-house.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of $5,962,105,000 for the U.S. Trade Representative, the International Trade Commission, and the Department of Commerce for fiscal year 2003. This amount is $14,726,000 below the total request.

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, 2002	$30,097,000
Budget estimate, 2003	32,299,000
Committee recommendation	30,832,000

The Committee recommends an appropriation of $30,832,000 for the U.S. Trade Representative. The recommendation is $1,467,000 below the budget request. The recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees. The budget request recommended shifting jurisdiction over the U.S. Trade Representative to the Executive Office of the President. The Committee does not concur with this recommendation.

The Office of the U.S. Trade Representative is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and leading negotiations with other countries on such matters. The U.S. Trade Representative's areas of responsibility include all matters within the World Trade Organization, including implementation of the Uruguay Round of multilateral trade agreements; trade, commodity, and direct investment matters dealt with by international institutions such as the Organization for Economic Cooperation and Development and the United Nations Conference on Trade Development; industrial, agricultural and services trade policy, and trade-related intellectual property protection and environmental issues.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2002	$51,440,000
Budget estimate, 2003	54,000,000
Committee recommendation	54,600,000

The Committee recommends an appropriation of $54,600,000. The recommendation is $600,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

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.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Appropriations, 2002	$345,547,000
Budget estimate, 2003	363,678,000
Committee recommendation	350,242,000

The Committee recommends an appropriation of $350,242,000. In addition, the Committee anticipates $3,000,000 in fees. The recommendation is $13,436,000 below the budget request and includes a 4.1 pay adjustment for Federal employees. The recommendation includes a $13,100,000 increase to hire 82 full-time equivalents within Market Access and Compliance, Import Administration, and the U.S. Foreign and Commercial Service for continuation of the trade compliance and monitoring initiatives.

The Committee does not recommend the Administration's estimate of $13,000,000 in fees during fiscal year 2003. Rather, as in past years, the Committee recommends $3,000,000 in fees. The Administration proposed a $10,000,000 fee increase as part of its fiscal year 2003 budget request. The ITA's plan was to commission a study during fiscal year 2002 to identify areas of cost recovery on fee collections. The Administration has not provided the Committee with findings from such a study or an explanation of from exactly where the fees would be collected. Until such an explanation is available, the Committee will not recommend that there be an increase in fee collections.

The Committee recommendation includes $13,325,000 for Administration and Executive Direction. The Administration's proposal included a $10,375,000 increase over the fiscal year 2002 level for this line office. Under the Administration's proposal, to fund this increase, $8,700,000 would be removed from the U.S. Foreign and Commercial Service budget; $775,000 would be removed from the Import Administration budget; $350,000 would be removed from the Market Access and Compliance budget; and $550,000 would be removed from the Trade Development budget. This increase would reflect ITA's consolidation of Chief Information Officer (CIO) activi-

ties to ensure that all systems within the bureau communicate and compliment each other. The Administration maintains that this transfer would assure centralized leadership and management of ITA information technology decisions, planning, management and updating. The Committee finds the goal of streamlining CIO functions laudable and recommends that in the future, the Department of Commerce work with the Committee to promote such an effort throughout the Department. To date, however the Department has not submitted a plan as to exactly how such a consolidation would move forward. The Committee therefore does not recommend this effort and rather recommends restoration of funds to the ITA line offices. These funds may be transferred to the Administration and Executive Director account upon approval of a section 605 reprogramming by the Committee on Appropriations.

The recommended funding levels are reflected in the following table:

ITA Funding

Trade development	$68,083,000
Market access and compliance	28,197,000
Import Administration	44,006,000
U.S. and Foreign Commercial Service	199,631,000
Administration/executive direction	13,325,000
Offsetting Fee Collections	(3,000)
ITA total appropriation	350,242,000

Trade Development.—The Committee recommends an appropriation of $68,083,000. The recommendation is $10,687,000 above the budget request. The Committee recommends continued funding for the enhancement of the agency's export data base, funding for the National Textile Center at a level of $10,000,000 and the Textile/Clothing Technology Center at a level of $3,000,000.

Market Access and Compliance.—The Committee recommends an appropriation of $28,197,000. The recommendation is $7,619,000 below the budget request. Assuring that U.S. companies receive the full benefit of our trade agreements is critically important. In fiscal year 2002, the Committee approved a large increase for compliance and enforcement. The Committee directs the Office of Market Access and Compliance (MAC) to continue with their compliance effort and recommends $23,525,000 within available funds for this purpose.

The Committee recommends $1,500,000 within available funds for ITA to continue to place and maintain support for compliance officers in China, Japan, and the European Union, and other key markets so that they can detect and swiftly address compliance problems U.S. companies face in these markets.

Import Administration.—The Committee recommends an appropriation of $44,006,000. The recommendation is $7,741,000 below the budget request. The Committee recommendation includes $1,500,000 for the Import Administration to continue to place and maintain overseas enforcement officers, including monitoring compliance with the World Trade Organization and other international commitments on antidumping and subsidies.

The Committee recommendation provides $3,500,000 for the Import Administration to monitor import data and customs flows for

surges in key markets and sectors, such as steel and lumber, and take immediate action when such surges are detected. Such action should include using resources to expedite unfair trade cases so U.S. companies can receive relief at the earliest possible date. In addition, Import Administration must vigorously monitor foreign subsidies so that action can be taken if the subsidies violate trade agreements.

The Committee recommends $2,500,000 to review and evaluate in-depth China and Japanese compliance with antidumping and countervailing duty commitments. China and Japan represent the majority of unfair trade actions, and the Committee believes there is an urgent need for greater attention to both Japanese and Chinese trade practices.

U.S. and Foreign Commercial Service [US&FCS].—The Committee recommends an appropriation of $199,631,000. The recommendation is $5,713,000 below the request.

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

Administration and Executive Direction.—The Committee recommends an appropriation of $13,325,000. The recommendation is $1,540,000 below the budget request. Bill language is included which prohibits certain offices from taking funds from other accounts. If additional funds are needed, a reprogramming request should be submitted to the Committee for approval.

EXPORT ADMINISTRATION

Appropriations, 2002	$70,649,000
Budget estimate, 2003	100,198,000
Committee recommendation	98,540,000

The Committee recommends an appropriation of $98,540,000. The recommendation is $1,658,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and $26,786,000 for requested Homeland Security program increases.

The Bureau of Export Administration [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 detects, prevents, investigates, and assists in the sanctioning of illegal dual-use exports. Within available funds, the Committee recommendation provides $6,159,000 to improve BXA's information technology security program; $33,577,000 for licensing and regulatory activities; $29,323,000 to divert exports of items that could contribute to the weapons of mass destruction programs of China, Russia, and India or to terrorist capabilities of certain rogue states such as Iraq, Iran, Libya, and Syria; and $6,326,000 for the Critical Infrastructure Assurance Office's (CIAO) mission on critical infrastructure outreach to state and local governments.

The Committee directs BXA to conduct a comprehensive study on the health, competitiveness, and the contribution of the U.S. textile and apparel industry to the U.S. economy and in particular to the U.S. armed forces. The study should include a review of whether the United States is increasing its dependency on foreign sources for critical textile-related materials; potential threats to internal security from increased foreign sourcing and dependency; whether the Berry amendment and other Buy-American restrictions are being effectively enforced by the Department of Defense. The Committee requests that the study be completed no later than May 1, 2003 and recommends $750,000 within available funds for this purpose.

The Committee recommendation fully funds the fiscal year 2003 request for authorized CIAO activities. The Committee does not recommend funds for the Technology and Evaluation Program because it exceeds the CIAO's authority. Rather, the Committee recommendation includes $20,000,000 for the Export Administration to implement a CIAO activity to address the private sector's inattention to the terrorist threats to our national critical infrastructure. The Committee directs the CIAO to develop a public-private partnership, to consist of a team of experts that have both the technological and legal expertise provide assistance to the private sector. This initiative should first target those sectors and companies that are determined to be of the highest importance to U.S. national security needs. The Committee recommends that the CIAO develop a plan and a funding request for this initiative.

ECONOMIC DEVELOPMENT ADMINISTRATION

Appropriations, 2002	$365,557,000
Budget estimate, 2003	348,000,000
Committee recommendation	366,211,000

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 an appropriation of $366,211,000. The recommendation is $18,211,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees. Funding amounts for the two appropriations accounts under this heading are displayed below.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Appropriations, 2002	$335,000,000
Budget estimate, 2003	317,235,000
Committee recommendation	335,000,000

The Committee recommends an appropriation of $335,000,000. The recommendation is $17,765,000 above the budget request and is identical to the fiscal year 2002 funding level.

The Committee recommendation provides funding of $250,000,000 for public works grants (title I), $24,000,000 for planning assistance, $10,500,000 for trade adjustment assistance,

$40,900,000 for economic adjustment grants (title IX), and $9,100,000 for technical assistance.

The Committee is aware of several proposals for economic development or adjustment assistance and strongly urges EDA to consider applications for the following proposals within applicable procedures and guidelines and provide a grant, if warranted: (1) the Vermont Economic Development Fund; (2) infrastructure improvement at Discovery Square and Lancaster Square, PA; (3) a proposal for economic development in Albuquerque, New Mexico; (4) development of a multi-purpose dock in Cordova, AK; (5) a proposal for a wireless initiative in Taylor County, KY; and (6) a proposal for technology initiatives at Mississippi Valley State University.

The Committee lauds EDA for its continued efforts to strengthen private sector business activity and development on Indian lands, and urges that it act expeditiously to develop an implementation plan for the recently enacted Native American Business Development, Trade Promotion, and Tourism Act.

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

SALARIES AND EXPENSES

Appropriations, 2002	$30,557,000
Budget estimate, 2003	30,765,000
Committee recommendation	31,211,000

The Committee recommends an appropriation of $31,211,000. The recommendation is $446,000 above the budget request.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

Appropriations, 2002	$28,381,000
Budget estimate, 2003	28,906,000
Committee recommendation	28,636,000

The Committee recommends an appropriation of $28,636,000. The recommendation is $270,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees. The Committee notes that since its inception in 1969, neither the Minority Business Development Agency nor its predecessor, the Office of Minority Business Enterprise, have ever been authorized.

ECONOMIC AND INFORMATION INFRASTRUCTURE

The Committee includes 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, 2002	$62,515,000
Budget estimate, 2003	73,220,000
Committee recommendation	63,758,000

The Committee recommends an appropriation of $63,758,000. The recommendation is $9,462,000 below the budget request and includes funding to continue the necessary task of updating and improving statistical measurements of the U.S. economy and international transactions. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

The Economic and Statistics Administration 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 (BEA) and the Under Secretary for Economic Affairs are funded in this account.

The Committee recommends $56,600,000 for BEA. Of the amounts provided, the Committee recommends a total of $38,200,000 for the BEA's economic accounts and $18,400,000 other statistical programs. The economic accounts are used to formulate the nation's gross domestic product (GDP). Of the amounts provided for economic accounts, $25,400,000 is for the national economic accounts which produce the various input-output, personal spending, and other national data that feed into the GDP estimates; $7,100,000 is for international economic accounts which collect and develop the external sector estimates for the national economic accounts; $3,800,000 is for the regional economic accounts which process and develop benchmark wage and salary data; and $1,900,000 is for analysis and dissemination of data on economic trends for the GDP accounts data.

BUREAU OF THE CENSUS

Appropriations, 2002	$490,800,000
Budget estimate, 2003	705,316,000
Committee recommendation	496,846,000

The Committee recommends an appropriation of $496,846,000. The recommendation is $208,470,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees. The Committee's recommendations for the Census Bureau accounts are described in more detail below.

SALARIES AND EXPENSES

Appropriations, 2002	$169,424,000
Budget estimate, 2003	204,996,000
Committee recommendation	173,223,000

The Committee recommends an appropriation of $173,223,000. The recommendation is $31,773,000 below the budget request. This account provides for the salaries and expenses associated with the

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

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

The Committee recommendation includes an increase of $5,463,000 to improve estimates of the Nation's Gross Domestic Product and an increase of $5,192,000 to measure the impact of electronic business on the economy. The Committee does not recommend funding increases for trade statistics or restoration of the Survey of Income and Program Participation.

The Committee requests that the Bureau include in its budget submission in fiscal year 2004 a report on the reimbursements it has received for work requested by other Federal agencies or private organizations.

PERIODIC CENSUSES AND PROGRAMS

Appropriations, 2002	321,376,000
Budget estimate, 2003	500,320,000
Committee recommendation	323,623,000

The Committee recommends an appropriation of $323,623,000. The recommendation is $176,697,000 below the budget request. This amount, when combined with approximately $15,000,000 in carryover, will fully fund periodic censuses and programs.

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.

For the 2010 decennial census, the Committee recommendation includes $41,875,000 to establish an early design and planning process to test a simplified, streamlined census designed to collect "short form" data.

For other programs under this account, the Committee recommends the requested levels of $52,375,000 for economic censuses; $5,773,000 for census of governments; $6,092,000 for intercensal demographic estimates; $6,284,000 for electronic information collection; $37,811,000 for geographic support; and $23,795,000 for data processing systems. The Committee also recommends $12,658,000 for demographic survey sample redesign.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

Appropriations, 2002	$81,273,000
Budget estimate, 2003	60,349,000
Committee recommendation	81,688,000

The Committee recommends on appropriation of $81,688,000. The Committee recommendation is $21,339,000 above the budget

request. The Committee recommendation includes a 4.1 percent pay adjustment for Federal employees.

SALARIES AND EXPENSES

Appropriations, 2002	$14,054,000
Budget estimate, 2003	16,581,000
Committee recommendation	14,352,000

The Committee recommends on appropriation of $14,352,000. The recommendation is $298,000 above the budget request.

The Committee retains language from previous years 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, 2002	$51,716,000
Budget estimate, 2003	43,556,000
Committee recommendation	51,776,000

The Committee recommends an appropriation of $51,776,000. The recommendation is $8,220,000 above the budget request. Public broadcasters face a significant challenge in making the transition from analog to digital broadcasting. The public broadcasters, as well as commercial broadcasters, are required to make the change from analog to digital broadcasting by 2005. This is an expensive task, and is going to be particularly challenging for public broadcasters whose networks include numerous translator stations.

These challenges are particularly great for those broadcasters who are located in, or who serve, largely rural areas. As in past years, the Committee continues to urge the agency to place emphasis on the needs of these stations, and to support focusing resources on distance learning initiatives targeting rural areas.

TECHNOLOGY OPPORTUNITIES PROGRAM

Appropriations, 2002	$15,503,000
Budget estimate, 2003	212,000
Committee recommendation	15,560,000

The Committee recommends an appropriation of $15,560,000. The recommendation is $15,348,000 above the budget request. The Committee expects NTIA to limit eligibility for this program.

In its February 2002 annual report on Internet use, "A Nation Online: How Americans Are Expanding Their Use of the Internet," the Department of Commerce reported that while Internet use among the poor and minorities has increased rapidly over the last 3 years, these groups still lag behind a majority of Americans who have access to the Internet. In its fiscal year 2003 budget request, the administration slated the Technology Opportunities Program (TOP) for elimination. According to the Department's fiscal year 2003 Budget in Brief, the reason for the elimination is that the program has fulfilled its mission. Clearly, there are great numbers of people that would continue to benefit from the TOP program and the Committee recommends its full funding.

The regional information sharing system [RISS] under the Department of Justice provides funding for law enforcement entities

which have traditionally obtained funding from the TOP Program. The Committee recommendation excludes law enforcement entities eligible for the RISS Program from applying for TOP funds. The Committee expects NTIA to give preference to applications from consortia and for purposes such as public safety or other uses for which there is no other funding source available.

The Committee is aware of several proposals for information infrastructure grants and strongly urges NTIA to consider applications for the following proposals within applicable procedures and guidelines and provide a grant, if warranted: (1) a broadband access initiative in Vermont; (2) a technology training initiative proposal by Morgan State University; (3) graduate education and applied research in South Dakota; and (4) a business to business electronic commerce program in Kentucky.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

Appropriations, 2002	$1,127,501,000
Budget estimate, 2003	1,304,357,000
Committee recommendation	1,145,571,000

The Committee recommends total budget resources of $1,145,571,000. The recommendation is $158,786,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees. The recommendation does not include the $207,000,000 surcharge on patent and trademark fees proposed in the President's fiscal year 2003 budget.

The Patent and Trademark Office [PTO] is charged with administering the patent and trademark laws of the United States. PTO examines patent applications, grants patent protection for qualified inventions, and disseminates technological information disclosed in patents. PTO also examines trademark applications and provides Federal registration to owners of qualified trademarks. The PTO is subject to the policy direction of the Secretary of Commerce, but the agency has independent control of its budget, expenditures, personnel, procurement and other administrative and management functions.

Patent laws administered by the PTO encourage invention, innovation and investment. The PTO plays a critical role in promoting the continued development of intellectual property in this country. For established companies, new patents improve competitiveness, increase productivity, help bring new products and services to market, and create jobs. For entrepreneurs, patents can make or break a new business.

Preparing PTO for the Workload Associated with the 21st Century Economy.—For fiscal year 2002, the Committee directed the PTO to develop a 5-Year Strategic Plan for the PTO with three core objectives: (1) prepare the agency to handle the workload associated with the 21st century economy, (2) improve patent quality, and (3) reduce patent and trademark pendency. The Committee directed that the plan include recommendations to improve retention and productivity of the examiner workforce, targeted hiring increases to deal with high-growth areas, improved training, and E–Govern-

ment and other capital improvements designed to improve productivity. The Committee directed that the plan also include benchmarks for measuring progress in achieving each of those objectives.

While the PTO has briefed the Committee on the outlines of a 5-year strategic plan for the agency that is generally responsive to direction from Congress, the plan calls for some of the most sweeping changes to the patent review process in 200 years. The plan requires authorizing legislation to change the statutory fee structure, alter the PTO pay scale, contract out major functions, and implement several recommended patent review policy and process changes that may be controversial. If any implementing legislation including fee changes are approved by Congress and enacted into law, the Committee would favorably consider a supplemental request that would use any additional fee income resulting from increased PTO fees to improve patent quality and reduce patent and trademark pendency at the PTO.

In the interim, the Committee recommendation supports efforts to shift PTO resources to high priority areas and a more gradual increase in staffing to ensure that examiners have expertise, tools, and training necessary to produce quality patents on a timely basis. This approach is consistent with the outline of the PTO 5-year strategic plan released in June 2002 and PTO authorizing legislation passed by the House and Senate with bipartisan support earlier this Congress.

Within the total amounts recommended, the Committee directs that PTO cover all proposed adjustments to base. In addition, the Committee recommends the following targeted funding increases: (1) $29,200,000 to hire 750 new patent examiners to help improve patent quality and reduce patent pendency; (2) $47,775,000 for an e-government initiative. Of this amount, $13,575,000 is provided to fully implement the PTO's e-trademark initiative by the end of fiscal year 2003, and $29,500,000 is provided for the PTO's e-patent initiative to ensure that the new system is fully operational by the end of fiscal year 2004; (3) $4,700,000 is to implement the PTO's information technology initiative; and (4) $30,149,000 for a retention initiative focused on the patent examiner corps that is intended to reduce attrition and improve the quality of patent examination.

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, 2002	$8,238,000
Budget estimate, 2003	7,886,000
Committee recommendation	7,932,000

The Committee recommends an appropriation of $7,932,000. The recommendation is $46,000 above the budget request and will fully fund the current operations of the Technology Administration. The Committee recommendation includes a 4.1 pay increase for Federal employees.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Appropriations, 2002	$686,751,000
Budget estimate, 2003	563,110,000
Committee recommendation	692,169,000

The Committee recommends a total of $692,169,000 for the three appropriations accounts under the National Institute of Standards and Technology [NIST]. The recommendation is $129,059,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees and $5,000,000 for requested Homeland Security program increases. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

Appropriations, 2002	$321,111,000
Budget estimate, 2003	384,809,000
Committee recommendation	336,443,000

The Committee recommends an appropriation of $336,443,000. The recommendation is $48,366,000 below the budget request.

The Committee recommendations are displayed in the following table:

Electronics and Electrical Engineering	$41,876,000
Manufacturing Engineering	20,720,000
Chemical Science and Technology	36,256,000
Physics	33,565,000
Material Science and Engineering	57,434,000
Building and Fire Research	22,239,000
Computer Science and Applied Mathematics	20,936,000
Technology Assistance	17,936,000
National Quality Program	5,282,000
Research Support Activities	42,906
Total, STRS	336,443,000

Within the amounts provided, the Committee approves the following increases: (1) $4,000,000 in the Building and Fire Research Program for the development of standards pertaining to construction of high-rise buildings; (2) $4,000,000 in the Physics program to provide measurements, standards, and test methods for the development of advanced nanotechnologies; (3) $4,000,000 in the Computer Science and Applied Mathematics program to develop new measurements, test methods, and guidelines for the protection of the Nation's critical infrastructures; (4) $3,400,000 in the Chemical Science and Technology Program to change measurement and standards activities related to the reduction and monitoring of global climate change, including $1,000,000 to restore reductions in enviremental measurements at the Hollings Marine Laboratory; (5) $4,000,000 in the Computer Science and Applied Mathematics Program for quantum computing. The Committee recommendation includes $48,581,000 for Research Support Activities, of which only

$12,100,000 may be used to fund business systems. The Committee recommends that no funds be used for FAIR Act studies. The Committee does not recommend funding for the Critical Infrastructure Protection Grants Program. The Advanced Technology Program was developed to evaluate these types of grant applications, and (6) $2,500,000 under the Wind Research Program to continue funding an existing cooperative agreement between NIST and Texas Tech University.

INDUSTRIAL TECHNOLOGY SERVICES

Appropriations, 2002	$291,032,000
Budget estimate, 2003	119,607,000
Committee recommendation	291,976,000

The Committee recommends an appropriation of $291,976,000. The recommendation is $172,369,000 above the budget request.

Manufacturing Extension Partnership Program [MEP].—The Committee recommends an appropriation of $106,623,000 to fully fund all of the MEP centers.

Advanced Technology Program [ATP].—The Committee recommends an appropriation of $185,353,000. The recommendation is $39,198,000 above the budget request. This amount, when combined with approximately $11,000,000 in carryover, will fully fund ATP awards at current levels. Within the amounts made available, $45,000,000 shall be used for administrative costs, internal laboratory support, and for Small Business Innovation Research Program [SBIR] requirements. NIST may not apply a contracts and grants processing surcharge to the ATP program.

The Committee is concerned that the Department of Commerce has had difficulty understanding Congressional intent in regards to funding of new awards under the ATP program. In fiscal year 2002, the Committees on Appropriations provided $60,700,000 for new ATP awards, yet the Department committed to issuing only $35,000,000. The Committees on Appropriations clarified Congressional intent on this matter by modifying bill language in the fiscal year 2002 Supplemental Appropriations bill. The Committee recommends similar modified bill language which obligates the Department of Commerce to spending a full $60,700,000 in fiscal year 2003 towards the awards. In addition, in the fiscal year budget request, NIST proposed reforms, supposedly designed to improve the ATP program. The Committee reminds NIST that the creation of legislation regarding ATP reform is a function of the U.S. Congress and that NIST shall issue $60,700,000 in new ATP awards in fiscal year 2003 even in the absence of Congressional action on suggested authorizing legislation.

In the budget request, the administration proposed reduced funding for the Advanced Technology Program. The Committee does not recommend this approach and is concerned that the ATP awarding process has been purposely hindered as a result of philosophical differences of opinion between the Department of Commerce and the U.S. Congress. Therefore, the Committee directs the Department of Commerce to submit a written plan on how it intends on making timely ATP awards in fiscal year 2003. This plan should be submitted and approved by the Appropriations Subcommittees on Commerce, Justice, State and the Judiciary before any funds

are obligated for Department of Commerce, Departmental Management.

CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 2002	$62,393,000
Budget estimate, 2003	54,212,000
Committee recommendation	63,750,000

The Committee recommends an appropriation of $63,750,000. The recommendation is $9,538,000 above the budget request and fully funds the highest priority safety, capacity, maintenance, and repair projects at NIST. Of the amounts provided, $15,000,000 is provided for equipping and relocation expenses related to NIST's Advanced Measurement Laboratory in Gaithersburg, MD and $19,265,000 is for construction and renovation projects at NIST's Boulder, CO site.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2002	$3,258,848,000
Budget estimate, 2003	3,127,614,000
Committee recommendation	3,350,356,000

The Committee recommends an appropriation of $3,350,356,000 for National Oceanic and Atmospheric Administration [NOAA]. Transfers and de-obligations total $78,200,000. The recommendation is $216,742,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and $23,200,000 for requested Homeland Security program increases. The amount provided includes $480,000,000 for programs in the conservation spending category. Programs funded within the conservation spending category include the Coastal and Estuarine Land Protection Program, Estuarine Conservation, Coastal Observation Technology System, Cooperative Institute for Coastal and Estuarine Environmental Technology, Ocean Exploration and National Marine Fisheries Service, Habitat Research and Conservation. During this time of continued budgetary constraint, the Committee recommendation continues to make funding for ocean, coastal, fisheries, and atmospheric programs a high priority.

As in past years, the Committee expects NOAA and the Department 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. Bill language is included that authorizes a NOAA Business Management Fund.

OPERATIONS RESEARCH, AND FACILITIES

The Committee recommends discretionary appropriations of $2,336,801,000 for operations, research, and facilities for fiscal year 2003. The recommendation is $122,719,000 above the budget request. Of this amount, $264,488,000 is provided for conservation.

Sea Grant College Program.—Through its budget request, the administration slated the National Sea Grant College Program for termination under NOAA and reconstitution under the National

Science Foundation (NSF). The Committee does not support this ill-conceived notion. Instead, the Committee recommends a total appropriation of $63,410,000 for Sea Grant. Under the NSF, Sea Grant would lose its State matching requirement and it would lack authorization to continue its successful Extension Program. The Sea Grant program has a long-standing commitment to problem-oriented scientific research and education that responds to the needs of industry, government, resource managers, university scientists, and the broader public. The outreach and technology transfer services of the Sea Grant program have improved science-based fisheries management, pollution remediation, seafood safety, marine safety, and marine engineering. The Committee is concerned that NSF, with its tradition of funding basic science, will be less responsive to the research agenda successfully developed by Sea Grant.

Ocean and Coastal Observing Systems.—The Committee reaffirms its support for the establishment of an integrated interagency ocean and coastal observing system that will provide critical information to a wide variety of users of ocean and coastal information and services. The Committee recognizes the Nation needs substantially better information on the current and future state of the ocean and its role in environmental change. Adequate predictive capability is a prerequisite to the development of sound policies at the national and regional level, policies ranging from maritime commerce to public health, from fisheries to safety of life and property, from climate change to national security.

Broad scale discussions have been underway for almost three decades on this topic, but coordinated attention at the Federal level has begun in earnest only in recent years. In its fiscal year 2002 Senate Report, the Committee directed the Office of Science and Technology Policy to develop an interagency plan for the research, technology demonstration, and ultimately, the implementation of an integrated ocean observing system. The Committee notes that efforts are underway to develop such a plan, but to date, no such interagency plan has yet been submitted.

The Committee directs NOAA to work with its partners on the National Ocean Research Leadership Council (NORLC) to submit a plan to the Committee prior to the release of the President's budget for fiscal year 2004. This plan will detail an implementation strategy for the establishment of an integrated ocean and coastal observing system. This plan shall, at a minimum: (1) include an interagency governance structure; (2) define the roles and responsibilities of each agency in implementing and operating the system; (3) provide multi-year funding estimates by agency; and (4) include a process for regional coordination and technical support to ensure development of integrated regional systems with a national observing initiative.

In addition, as development of an integrated long-term Federal plan proceeds, the Committee urges NOAA to coordinate existing or planned regional coastal observing systems, particularly those for which Congress has provided funding or those which use Federal platforms such as buoys. The Committee directs NOAA to utilize the data management and technical expertise of the Coastal Services Center to perform this function as well as provide edu-

cation and outreach to participating Federal agencies, academic institutions, State agencies, and other interests.

Ocean Health Initiative.—One area where coastal observing systems would be useful is in exploring the relationship between the oceans and human health. In 1999, a National Research Council report, *From Monsoons to Microbes: Understanding the Ocean's Role in Human Health*, focused attention on the implications of ocean phenomena for human health. The phenomena include climate change, weather events, coastal hazards, infectious diseases, and harmful algal blooms. As the nation faces increasing coastal pressures and scientists identify alarming changes in coastal systems, including changes in sentinel species such as dolphins and fish, NOAA is uniquely positioned to play a strong role in identification, prediction, and prevention of such changes. In addition, genetic and other characteristics of marine organisms can be used for medical advances and NOAA can help build a bridge between marine scientists and human health experts.

The Committee directs the Under Secretary to establish an Ocean Health Initiative to coordinate and focus agency activities on critical areas of concern and identify critical gaps in coverage. The Committee is providing $10,000,000 that shall be used for critical research and projects aimed at closing identified gaps. The Committee directs NOAA to: (1) work with the National Science Foundation and the National Institute of Environmental Health Sciences in developing a joint program that builds on and complements existing NOAA programs; (2) establish an external peer reviewed grant process; and (3) provide for the selection and funding of internationally recognized "distinguished" scholars to work in collaboration with NOAA researchers. NOAA will submit a spend plan for approval by the Committees on Appropriations before program funding is obligated.

Fisheries Management Reform.—The Committee continues to be gravely concerned over the need for reform of the Federal fishery management system. In June 2002, the National Academy of Public Administration (NAPA) and the National Research Council (NRC) issued the report requested by the Committee that continues and expands the review begun in the June 2000 report prepared for NOAA, *An Independent Assessment of the Resource Requirements for the National Marine Fisheries Service.* The NAPA/NRC report confirmed that the agency is in a management crisis that will require years to resolve, and stated that NMFS must demonstrate leadership to ensure the necessary changes are made in the fishery management structure. The Committee supports current efforts by the Agency to strengthen accountability in both the Councils and the Agency.

However, the Committee is concerned that implementation of the changes has been extremely slow, even when the funds have been provided by Congress. More aggressive action is needed, particularly in strengthening analytical capabilities and litigation preparedness. The Committee directs NOAA, no later than June 30, 2003, to report to the Committee on its progress in implementing the reforms identified in the NAPA/NRC report, as well as issues identified by NMFS, including how the Administration's budget proposal for fiscal year 2004 will help achieve these reforms.

Pacific Salmon Funding.—The Committee notes the lack of accountability and performance standards for resources distributed to restore endangered and threatened salmon through the Pacific Coastal Salmon Recovery Fund. For fiscal year 2002, Congress provided the National Marine Fisheries Service $115,000,000 to be distributed among certain States and tribes for habitat restoration and salmon recovery. The Secretary of Commerce is imposed with substantial legal obligations under the Endangered Species Act because no less than twenty six runs of Pacific salmon are listed as endangered. Failure to make progress toward recovery under the Endangered Species Act poses adverse legal consequences for the agency. The Committee has no assurances from the Administration that any of these funds have contributed to the recovery of Pacific salmon. This is particularly important at a time when the Department is struggling to respond to a huge litigation caseload, which the Committee has provided substantial funds to help reduce. Furthermore, there appears to be no way to accurately estimate total annual Federal expenditures for Pacific salmon recovery, but funds provided to the various agencies are more than $500,000,000 per year.

The Committee believes that some mechanism assuring legal and fiscal accountability is required for distribution of funds to States with listed salmon species. Section 6 of the Endangered Species Act provides for such a mechanism, linking the distribution of recovery funds to assurances that the State has an adequate and active program for endangered species conservation. The Committee directs NOAA to enter into Section 6 cooperative agreements with the States and tribes that are using funds for recovery of listed species to clarify State and tribal involvement in regional and local recovery programs. The Committee expects NOAA to request appropriations in their fiscal year 2004 budget for recovery of endangered runs of Pacific Salmon under section 6 to support cooperative State and tribal activities that contribute to the recovery of the Pacific Salmon runs. In addition, the Committee directs NOAA to provide an annual report to the Committee no later than March 30 of each year on the projects funded through the Pacific Salmon Recovery Fund and their projected and actual results, particularly focusing on progress toward recovery of endangered and threatened salmon species and projected ending date for funding needs based on recovery schedules. The Committee recommends that not less than 1 percent of the amounts made available for the Pacific Coastal Salmon Recovery Fund be made available to NOAA to accomplish this task.

NOAA Operations, Research, and Facilities Fiscal Year 2003

	Committee Recommendation
National Ocean Service	$403,543,000
National Marine Fisheries Service	587,852,000
Oceanic and Atmospheric Research	395,685,000
National Weather Service	682,010,000
National Environmental Satellite and Data Information Services	133,841,000
Program Support	202,870,000
Total Operations, Research, and Facilities	2,336,801,000

NATIONAL OCEAN SERVICE

[In thousands of dollars]

	Committee recommendation
Navigation Services:	
Mapping & Charting:	
Mapping & Charting Base	36,542
Coastal Storms	1,000
Joint Hydrographic Center	4,250
Joint Hydrographic Center—Bathymetric Research	2,000
Electronic Navigation Charts	3,350
Shoreline Mapping	2,000
Address Survey Backlog/Contracts	20,450
MS/LA Digital Coast	1,000
Vessel Lease/Time Charter	9,900
Subtotal, Mapping and Charting	80,492
Geodesy:	
Geodesy Base	21,539
National Spatial Reference System	250
Height Modernization Study—NGS Implementation	250
Height Modernization Study NC	1,000
Height Modernization Study CA	1,000
Height Modernization Study MS	1,000
Geodetic Survey—LA	1,000
S. Carolina Geodetic Survey	500
Subtotal, Geodesy	26,539
Tide & Current Data	13,709
PORTS	3,000
Coastal Storms	1,000
Upper Cook Inlet Tidal Research	500
Subtotal, Tide & Current Data	18,209
Total, Navigation Services	125,240
Ocean Resources Conservation and Assessment:	
Ocean Assessment Program (OAP):	
Ocean Assessment Program Base	15,128
Coastal Observation Technology System	2,500
Center for Integrated Marine Technologies	2,800
Alliance for Coastal Technologies	2,800
Sea Grant Program—NH	2,800
Carolina Coastal Ocean Observing and Prediction System	2,800
Wallops Ocean Observation Project	2,000
Coastal Storms	750
Beaufort	3,000
Pfiesteria Research and HAB Rapid Response	3,925
Coastal Services Center	20,000
Pacific Coastal Center	2,000
Harmful Algal Blooms	5,000
Coastal Watershed Groundwater Assessment NH	500
CREST	450
Harmful Algal Bloom Task Force SC	600
Aquatic Research Consortium MS	2,500
Coop Institute for Coastal and Estuarine Enviro Tech	6,550
Hawaii Coral Reef Initiative	1,500
National Coral Reef Institute—Florida	1,000
Coral Reef Program	14,000
National Fish and Wildlife Foundation—NFWF	1,500

	Committee recommendation
JASON Education and Outreach	2,000
Subtotal, Ocean Assessment Program (OAP)	96,103
Response and Restoration:	
Response and Restoration Base	4,641
Estuarine and Coastal Assessment	2,670
Estuarine Restoration Program	1,200
Damage Assessment Program	5,200
Oil Pollution Act of 1990	1,000
Coastal Protection and Restoration Project	1,000
Spill Response and Restoration Program	2,000
Marine Debris Removal SC	175
Edisto Beach Marsh Restoration	100
Water Control Impoundments SC	700
Coastal Remediation Technology	750
Subtotal, Response and Restoration	19,436
Oceanic and Coastal Research:	
Oceanic and Coastal Research Base	6,293
Fish Forensics/Enforcement	1,300
MERHL	4,000
Murrell's Inlet Special Area	200
Gulf of Alaska Ecosystem Monitoring	750
Nowcast/Forecast Operational System	500
Pfiesteria/Toxins Research	1,000
Aquidneck Island	600
Subtotal, Ocean and Coastal Research	14,643
Coastal Ocean Science:	
Coastal Ocean Program Base	12,890
ECOHAB	4,200
Hypoxia	1,085
South Florida Ecosystem	1,200
Joint Hydrographic Center—Bathymetric Research	1,200
Subtotal, Coastal Ocean Science	20,575
Total, Ocean Resources Conservation & Assessment	150,757
Ocean and Coastal Management:	
Coastal Management:	
CZM Grants	68,963
CZMA Program Administration	3,483
National Estuarine Research Reserve System	16,400
Nonpoint Pollution Implementation Grants	1,000
Marine Protected Areas	3,000
Subtotal, Coastal Management	92,846
Ocean Management:	
Marine Sanctuary Program:	
Marine Sanctuary Program Base	33,500
Northwest Straits Citizens Advisory Commission	1,200
Subtotal, Ocean Management	34,700
Total, Ocean and Coastal Management	127,546
TOTAL, NATIONAL OCEAN SERVICE—ORF	403,543

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

The Committee recommends an appropriation of $403,543,000 for the National Ocean Service [NOS]. The recommendation is $25,031,000 above the budget request.

Navigation.—The Committee recommends $4,250,000 for the Joint Hydrographic Center. In addition, the Committee recommends $3,200,000 for bathymetric surveys off the Northeast Coast of the United States and around the Aleutian Chain in accordance with the data needs identified by a Joint Hydrographic Center on the potential expansion of United States lands beyond the Exclusive Economic Zone. Within the funding recommendation for Shoreline Mapping, the Committee recommends that NOS focus on mapping the shoreline of the North Slope of Alaska.

Ocean Resources Conservation and Management.—The Committee recommends continued funding for the Coastal Observation Technology System within the National Ocean Service to provide a national framework, technical assistance, and support for sustained coastal observation systems, with particular emphasis on coordinating regional systems. The Committee recommendation includes $15,700,000 for this program, of which $2,800,000 is for the Alliance for Coastal Technologies; $2,800,000 is for the Center for Integrated Marine Technologies; $2,800,000 is for the University of New Hampshire Sea Grant program; $2,000,000 is for the Wallops Ocean Observation Consortium; and $2,800,000 is for Carolina Coastal Ocean Observing and Prediction System. Funding for this activity is from the conservation category.

The Committee recommends $500,000 for Nowcast/Forecast Operational Systems to coordinate research on waves, temperature, and current dynamics to forecast weather and ocean conditions affecting both wildlife and human safety.

The Committee recommendation includes $14,000,000 for the Coral Reef Program, subject to approval of a spend plan by the Committees on Appropriations. The Committee recommends $3,000,000 for the Beaufort Laboratory and encourages the lab to pursue opportunities for collaborative research with area universities. Under Response and Restoration, $750,000 is provided for Coastal Remediation Technology to develop a cooperative program with the Cooperative Institute for Coastal and Estuarine Environmental Technology to evaluate innovative environmental technologies for estuary remediation. Under funding for the Coastal Ocean Program, the Committee directs the program to work with and continue its current levels of support for the Baruch Institute's research and monitoring of small, high-salinity estuaries and to continue its current levels of support for the LUCES program. Within the funds provided for the MERHL, the Committee directs NOAA to create a scientific and professional (ST) position to act as the Director of the MERHL.

Ocean and Coastal Management.—The Committee recommendation includes full funding for Coastal Zone Management Act Administration. The Committee recommends $3,483,000 under the Administration account. The Committee recommends $33,500,000 for the National Marine Sanctuary Program (NMSP). The Committee supports elevation of the NMSP to that of Office of National Marine Sanctuaries. Further, the Committee recommends that this Office have authority to create Regional Offices and recommends

an additional five full-time equivalents to implement this regional approach.

The Committee encourages NOAA to continue its work with the Mariner's Museum and the Navy on efforts to recover and preserve the Monitor.

NATIONAL MARINE FISHERIES SERVICE

[In thousands of dollars]

	Committee recommendation
Base:	
Direct labor	35,919
Personnel benefits	8,980
Former personnel	1,122
Travel of persons	2,245
Rent, Communications, Utilities, Miscellaneous Charges	6,735
Contractual services	22,449
Supplies and materials	4,490
Equipment	3,367
Grants, fix charges	25,817
All other	1,122
Total, Base	112,246
Fisheries Research and Management Services:	
Science and Technology:	
AKFIN	3,200
Alaska Fisheries Development Foundation	1,000
Alaska Groundfish Monitoring	2,087
Alaska Groundfish Monitoring—Bering Sea Fishermen's Association CDQ	175
Alaska Groundfish Monitoring—Crab Research NMFS	473
Alaska Groundfish Monitoring—Gulf of Alaska Coastal Communities	250
Alaska Groundfish Monitoring—NMFS Field Fishery Monitoring	300
Alaska Groundfish Monitoring—NMFS Rockfish Research	350
Alaska Groundfish Monitoring—Winter Pollock Survey	1,000
Alaskan Groundfish Surveys	661
Alaskan Groundfish Surveys—Calibration Studies	240
American Fisheries Act Implementation	3,525
Atlantic Herring and Mackerel	200
Bering Sea Pollock Research	945
Bluefin Tuna Tagging	850
Bluefish/Striped Bass	700
Charleston Bump Billfish Tagging	150
Chinook Salmon Research at Auke Bay	300
Computer Hardware and Software	3,492
Cooperative Research—National Cooperative Research	2,750
Cooperative Research—NE Cooperative Research	3,250
Cooperative Research—SE Cooperative Research	3,000
Cooperative Research Northeast Consortium	5,000
Driftnet Act Implementation	1,800
Driftnet Act Implementation/Pacific Rim Fisheries	150
Driftnet Act Implementation/Science Observer Russian EEZ	250
Expand Stock Assessments—Improve Data Collection	12,000
Fish Statistics—Atlantic States Marine Fisheries Commission	2,000
Fish Statistics—Economics & Social Sciences Research	4,000
Fish Statistics—National Fisheries Information System	2,575
Fish Statistics—National Standard 8	1,000
Fish Statistics	13,900
Fisheries Development Program—Hawaiian Fisheries Development	1,000
Fisheries Development Program—Product Quality and Safety/Seafood Inspection	8,685
Fisheries Oceanography	1,000

	Committee recommendation
FMP Extended Jurisdiction, State of Alaska	1,500
GULF FIN Data Collection Effort	3,500
Gulf of Maine Groundfish Survey	567
Gulf of Mexico Consortium	3,000
Hagfish Reproduction	150
Halibut Data Collection	450
Hawaii Seafood Safety and Inspections	800
Hawaii Stock Management Plan	750
Highly Migratory Shark Fishery Research Program	1,500
Horseshoe Crab Research	700
Information Analysis and Dissemination	21,890
JIMAR	2,500
Lobster Sampling	150
Magnuson Stevens Implementation off Alaska	4,350
MARFIN	2,500
MARFIN—NE Activities	250
MARFIN Red Snapper	750
MarMap	850
Massachusetts Fisheries Institute	500
NAPA/NAS Management Review	1,050
Steller Sea Lion/Pollock Research North Pacific Council and Management	2,000
New England Stock Depletion	1,000
NMFS Facililties Maintenance	4,000
Observers—Fishery Observers	2,000
Observers/Training—Atlantic Coast Observers	3,350
Observers/Training—East Coast Observers	350
Observers/Training—Hawaii Longline Observer Program	4,000
Observers/Training—N. Pacific Marine Resources Observers	1,875
Observers/Training—N. Pacific Observer Program	800
Observers/Training—West Coast Observers	3,730
PACFIN Catch Effort Data	3,000
Pacific Highly Migratory Species Research	750
Recreational Fishery Harvest Monitoring RECFIN	3,450
Recreational Fishery Harvest Monitoring RECFIN—SC	500
Red Snapper Monitoring and Research	7,500
Reduce Fishing Impacts on EFH	500
SEAMAP	1,400
Shrimp Pathogens South Carolina	450
South Carolina Taxonomic Center	500
West Coast Groundfish	5,220
Subtotal, Science and Technology	176,340
Conservation and Management:	
Alaska Near Shore Fisheries State of Alaska	1,000
American Fisheries Act	2,174
American Fisheries Act—N. Pacific Council	499
American Fisheries Act—National Standards 4 and 8 State of Alaska	499
Anadromous Fish Commission—North Pacific	750
Anadromous Grants	2,100
Bering Sea Crab State of Alaska	1,000
Gulf of Alaska Coastal Communities Coalition	375
Columbia River Facilities	3,365
Columbia River Hatcheries—Monitor, Evaluation and Reform	1,700
Columbia River Hatcheries and Facilities	11,457
Cooper River Corridor Management	125
Driftnet Act Implementation/State Participation—AK/WA	200
Fisheries Management Programs	27,182
Halibut/Sablefish	1,200
Hawaiian Community Development	500
Interjurisdictional Fisheries Grants	2,590
International Fisheries Commission State of Alaska	400
Interstate Fish Commissions—3 Commissions	750

	Committee recommendation
Interstate Fish Commissions—Atlantic Cooperative Management	7,250
Magnuson Stevens Implementation off Alaska	2,050
Management of George's Bank	478
National Environmental Policy Act	5,000
Pacific Salmon Treaty	5,612
Pacific Salmon Treaty—Chinook Salmon Agreement	1,844
Refine EFH Designations	1,000
Regional Councils	15,000
SCORE	3,000
South Carolina Seafood Marketing	100
Yukon River Chinook Salmon State of Alaska	1,000
Yukon River Chinook Salmon—Yukon River Drainage Fisheries Assoc	499
Subtotal, Conservation and Management	100,699
Total, Fisheries Research and Management Services	277,039
Protected Resources Research and Management Services:	
Science and Technology:	
Antarctic Research	1,650
Atlantic Salmon Research	710
Bottlenose Dolphin Research	1,000
Columbia River Endangered Species Studies	299
Dolphin Encirclement	3,300
Dolphin/Yellowfin Tuna Research	250
Endangered Species Act—Atlantic Salmon	1,717
Endangered Species Act—Marine Mammals, Sea Turtles & Other Species	3,500
Endangered Species Act—Other Species	2,700
Endangered Species Act—Pacific Salmon Recovery	17,450
Endangered Species Act—Right Whale Activities	3,500
Endangered Species Act—Sea Turtles	5,250
Hawaiian Monk Seals	825
Hawaiian Sea Turtles	6,300
Marine Mammal Protection	7,120
Marine Mammal Protection—Ice Seals	250
Marine Mammal Protection—State of Alaska Harbor Seal Research	900
Marine Mammal Strandings	4,000
Rancho Nuevo Sea Turtles	350
Recovery of Endangered Large Whales	1,000
Steller Sea Lion Recovery Plan—Alaska Fisheries Foundation	1,000
Steller Sea Lion Recovery Plan—Alaska Sea Life Center	5,000
Steller Sea Lion Recovery Plan	5,000
Steller Sea Lion Recovery Plan—N. Pacific Universities MM Consortium	2,500
Steller Sea Lion Recovery Plan—Univ of AK Gulf Apex Predator	1,000
Steller Sea Lions—Endangered Species Act	850
Subtotal, Science and Technology	77,421
Conservation and Management Services:	
Atlantic Salmon Recovery Plan	450
Chinook Salmon Management	150
Cook Inlet Beluga	200
Endangered Species Act—Atlantic Salmon	500
Endangered Species Act—Pacific Salmon Recovery	20,500
Endangered Species Act—Right Whale Activities	3,500
Marine Mammal Strandings—Alaska SeaLife Center	1,000
Marine Mammal Strandings—Charleston Health and Risk Assessment	800
Native Marine Mammals—Alaska Eskimo Whaling Commission	500
Native Marine Mammals—Alaska Harbour Seals	150

	Committee recommendation
Native Marine Mammals—Aleut Pacific Marine Resources Observers	125
Native Marine Mammals—Beluga Whale Committee	225
Native Marine Mammals—Bristol Bay Native Association	50
Protected Species Management—California Sea Lions	750
Protected Species Management—NFWF Species Management	1,000
Protected Species Management—State of Maine Salmon Recovery	1,500
Southeastern Sea Turtles	300
State of Maine Recovery Plan	150
Steller Sea Lion Recovery Plan—State of Alaska	2,000
Subtotal, Conservation and Management Services	33,850
Total, Protected Resources Research and Management Services	111,271
Habitat Conservation Research and Management Services:	
Bay Watersheds Education and Training Program	3,500
Oxford	2,900
Blue Crab Advanced Research Consortium	2,500
Charleston Bump	450
Chesapeake Bay Multi-Species Management	500
Chesapeake Bay Oyster Research	2,000
Chesapeake Bay Studies	3,500
Center for Marine Education and Research MS	2,500
Connecticut River Partnership	300
Coral Reef	11,000
Habitat Conservation	5,151
Kenai Peninsula Fish Habitat Restoration	1,000
Magnuson Stevens Implementation off Alaska	850
Marsh Restoration—NH	1,000
Mobile Bay Oyster Recovery	1,000
South Carolina Oyster Recovery	1,000
Non-native Oyster Chesapeake Bay Project—VA	1,000
Total, Habitat Conservation Research and Management Services	40,151
Enforcement and Surveillance Services:	
Driftnet Act Implementation	1,375
Enforcement and Surveillance	20,420
Enforcement and Surveillance—Cooperative Agreements w/States	5,500
Enforcement and Surveillance—Vessel Monitoring System	4,500
Subtotal, Enforcement	31,795
Partnerships in Enforcement:	
Enforcement and Surveillance—Cooperative Agreements w/States	15,000
SC DNR Research Vessel	350
Subtotal, Partnerships in Enforcement	15,350
Total, Enforcement and Surveillance Services	47,145
TOTAL, NATIONAL MARINE FISHERERIES SERVICE—ORF	587,852

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

The Committee recommends an appropriation of $587,852,000 for the National Marine Fisheries Service [NMFS]. The recommendation is $88,000 below the budget request.

Base funding.—The Committee has worked closely with the National Marine Fisheries Service to differentiate between fixed and variable costs, leading to the first accurate accounting of so-called base funding. The Committee commends those who participated in this endeavor. Transfers of funds between subaccounts within the base account, or into or out of the base account, shall be subject to reprogramming requirements regardless of dollar amount.

The Committee recommends bill language establishing a NMFS Regional Office for the Pacific area. The Committee expects that the Regional Administrator for this new regional office be hired within 60 days of enactment of this Act.

Fisheries Litigation Issues.—The Committee recommendation includes $5,000,000 for the NMFS to address National Environmental Policy Act (NEPA) issues. To date, $42,000,000 has been appropriated to NOAA to maintain an up-to-date litigation docket and conduct periodic analyses of its litigation record and pending caseload. In the past, the Committee has also directed NMFS to improve its administrative record keeping by employing standardized methods uniformly throughout the regional fisheries management councils, fisheries management regions, and fisheries science centers. The Committee directed that such an administrative record should contain all required analyses, so that officials involved in the process could assure themselves by inspection that the record supported their proposed actions prior to their approval.

To date, the NMFS has ignored this direction. Furthermore, the NMFS has provided no justification of how it has spent the funds that have been appropriated for these purposes. To curtail such wanton abandon of Congressional direction and to help the NMFS come to grips with its litigation shortfalls, the Committee recommends a new approach. The Committee recommends $5,000,000 to establish an Office of National Environmental Policy Act Compliance. This Office will be coordinated by a Senior Executive Service level employee who will report directly to the Assistant Administrator for Fisheries. Under the direction of this National Coordinator, each fisheries management regional office or fisheries management council will house a regional NEPA Coordinator. At a minimum, NOAA will employ 50 individuals by September 30, 2003 to work on its NEPA issues. None of the funds recommended for this effort will be made available for regional council support. NMFS shall submit for approval to the Committees on Appropriations a spend plan on this action before November 30, 2002.

The Committee is pleased with the work conducted by National Academy of Public Administration and the National Research Council on its report, *An Independent Assessment of the Resource Requirements for the National Marine Fisheries Service*. The Committee recommends that NAPA continue to review NMFS management systems and recommends $750,000 for it to do so. The Committee also recommends $300,000 for the NRC Ocean Studies Board to focus on issues at the interface between research and management such as adequacy of equipment, and staff training. The Committee looks forward to hearing from the NAPA and the NRC on their progress.

The Committee has included bill language requiring the Secretary of Commerce to establish a Regional office for the Pacific Area within 60 days of enactment of the Act.

The Committee recommendation includes $7,000,000 for North Atlantic right whale research, management activities, and Atlantic coastal States' implemention of cooperative Federal-State right whale recovery plans, such as those concluded under section 6 of the Endangered Species Act [ESA]. The Committee directs that funding for right whales will be in keeping with the annualization of the fiscal year 2002 right whale plan as approved by Congress. Of the amounts provided, the Committee expects NMFS to expedite right whale recovery in consultation with the Implementation Team and the Take Reduction Team. The NMFS is expected to support priority management, enforcement, and ship strike prevention activities, including expedited development and deployment of innovative fishing gear and whale tracking technologies, improved stranding response and procedures, a whale-sighting advisory system, and a mandatory ship-reporting system. No more than 20 percent of funds provided to NMFS may be used for salaries of existing personnel.

Fisheries Research and Management.—The Committee recommends $3,450,000 for the recreational fishing information network [RecFIN] program, and expects that the Pacific, Atlantic, and Gulf States shall each receive one-third of these funds with funding for inshore recreational species assessment and tagging efforts in South Carolina. In addition,the Committee expects that $500,000 will be used to continue the effort to enhance the annual collection and analysis of economic data on marine recreational fishing. The Committee recommends that the $750,000 for the Interstate Fish Commissions be equally divided among the three commissions. As in prior fiscal years, funds appropriated for the Hawaii Fisheries Development and Hawaii Stock Management Plan programs shall be administered by the Oceanic Institute. The Committee recommends that NMFS double its effort with regard to California Cooperative Fisheries Investigation cruises. Of the amounts recommended for the Stellar Sea Lion Recovery Plan, $1,000,000 is for Alaska Fisheries Foundation to study innovative methods to deter whale predation of sea lions. In addition, the Committee expects NOAA to continue its research initiative on Pacific decadal oscillation, predator-prey relationships with particular emphasis on killer whale predation on sea lion pups, and to explore other factors in the marine environment that may be contributing to the decline of Stellar sea lions and other marine mammal populations.

Of the amounts recommended for SCORE, $1,000,000 is for New Hampshire, $1,000,000 is for South Carolina, and $1,000,000 is for the Mote Marine Laboratory.

Protected Resources Research and Management.—Of the amounts provided for Native Marine Mammals, $100,000 is to enable the Alaska Eskimo Whaling Commission to participate in International Whaling Commission meetings.

Habitat Conservation.—The Committee recommendation includes $3,500,000 for Chesapeake Bay Studies, of which $500,000 is for sea grass restoration. In addition, the Committee recommends that NOAA continue a micro-grant program allowing local governments

and non-profit organizations to perform fisheries and shellfish restoration on the Chesapeake Bay. The Committee recommendation includes $1,500,000 for seven full-time equivalents for the Oxford Laboratory to support the NOAA Chesapeake Bay Office's fisheries, habitat restoration, and ecosystem research needs. The Committee provides a total of $3,500,000 for the Bay Watersheds Education and Training Program to be administered by the NOAA Chesapeake Bay Office. Of this amount, $2,000,000 is to continue the program in the Chesapeake Bay Watershed, $500,000 is for a pilot program in the Narragansett Bay, $500,000 is for a pilot program in the Mystic River Estuary, and $500,000 is for a pilot program in the Monterey Bay.

Enforcement and Surveillance.—The Committee recommendation provides $350,000 for a fisheries research vessel for the South Carolina Department of Natural Resources. The Committee recommends continued support at last year's level for marine forensics and southeast fisheries' law enforcement, and the Committee expects continued cooperative laboratory activities between NMFS and State and local governments and the academic community. The Committee recommends that the three interstate marine fisheries commissions may be eligible to receive a portion of the Cooperative Enforcement Program funds for use in providing law enforcement coordination among the States and NMFS. Of the amounts provided for Enforcement and Surveillance-Cooperative Agreements with States, the Committee recommends $3,500,000 for the South Carolina Department of Natural Resources.

OCEANIC AND ATMOSPHERIC RESEARCH

[In thousands of dollars]

	Committee recommendation
Climate Research:	
Laboratories & Joint Institutes:	
Aeronomy Laboratory (Colorado)	8,111
Atlantic Oceanographic and Meterological Laboratory (Florida)	5,691
Air Resources Laboratory (CO,ID,NC,NV,TN)	3,447
Climate Diagnostic Center (Colorado)	2,555
Climate Monitoring and Diagnostic Laboratory (Colorado)	5,952
Environmental Technology Laboratory (Colorado)	243
Forecast Systems Laboratory (Colorado)	156
Geophysical Fluid Dynamics Laboratory (New Jersey)	14,229
Pacific Marine Environmental Laboratory (Washington)	8,523
Space Environmental Center (Colorado)	236
Subtotal, Laboratories & Joint Institutions	49,143
Climate & Global Change Program:	
Base	68,608
Aerosols-Climate Interaction	2,000
Variability Beyond ENSO	1,000
Climate Forcing Agents	1,000
Accelerating Climate Models—IRI	2,100
Subtotal, Climate & Global Change Program	74,708
Climate Observations & Services:	
Climate Reference Network	3,000
Climate Data & Info and CLASS in PAC	1,000
Baseline Operations	2,500
Regional Assessments, Education and Outreach	1,750

	Committee recommendation
Climate Change Assessments	650
Weather-Climate Connection	900
Carbon Cycle	2,300
Ocean Observations/Ocean Systems	3,500
ARGO-Related Costs	7,950
Climate Modeling Center (GFDL)	4,000
Global Climate Atmospheric Observing System	3,000
Subtotal, Climate Observations & Services	30,550
Climate Partnership Programs:	
Central CA Ozone Study	500
East Tennessee Ozone Study	300
International Pacific Research Center (U of HI)	2,000
Arctic Research Initiative (SEARCH)	2,000
Subtotal, Climate Partnership Programs	4,800
Total, Climate Research	159,201
Weather & Air Quality Research:	
Laboratories & Joint Institutes:	
Aeronomy Laboratory (Colorado)	2,054
Atlantic Oceanographic and Meterological Laboratory (Florida)	3,921
Air Resources Laboratory (CO,ID,NC,NV,TN)	2,077
Climate Monitoring and Diagnostic Laboratory (Colorado)	166
Environmental Technology Laboratory (Colorado)	6,864
Forecast Systems Laboratory (Colorado)	10,646
Geophysical Fluid Dynamics Laboratory (New Jersey)	3,077
National Severe Storms Labroratory (Oklahoma)	7,552
Pacific Marine Environmental Laboratory (Washington)	264
Space Environmental Center (Colorado)	7,242
Subtotal, Laboratories & Joint Institutes	43,863
U.S. Weather Research Program:	
Base	2,750
Targeted Wind Sensing	2,000
Subtotal, U.S. Weather Research Program	4,750
Weather & Air Partnership Programs:	
Tornado Severe Storm Research	1,000
New England Air Quality Study	1,750
AIRMAP	5,000
STORM	1,000
Subtotal, Weather & Air Partnership Programs	8,750
Total, Weather & Air Quality Research	57,363
Ocean, Coastal, and Great Lakes Research:	
Laboratories & Joint Institutes:	
Atlantic Oceanographic and Meterological Laboratory (Florida)	3,219
Environmental Technology Laboratory (Colorado)	445
Great Lakes Environmental Research Laboratory (Michigan)	4,940
Great Lakes Environmental Research Laboratory (Michigan)	2,471
Great Lakes Environmental Research Laboratory (Michigan)	821
Pacific Marine Environmental Laboratory (Washington)	7,389
Subtotal, Laboratories & Joint Institutes	19,285
National Sea Grant College Program:	
Base	57,410
Aquatic Nuisance Species/Zebra Mussel Research	3,000

	Committee recommendation
Gulf of Mexico Oyster Initiative	1,000
Oyster Disease Research	2,000
Subtotal, National Sea Grant College Program	63,410
National Undersea Research Program (NURP):	
Base	13,770
National Institute for Undersea Science and Technology	5,000
Aquarius II	12,000
Subtotal, National Undersea Research Program (NURP)	30,770
Ocean Exploration	20,000
Ocean & Coastal Partnership Programs:	
Arctic Research	2,000
Cooperative Institute for Arctic Research	350
Institute for Science Technology and Public Policy	1,000
Gulf of Maine Council	250
Lake Champlain Research Consortium	300
NISA/Ballast Water Demonstrations	2,250
NISA/Prevent & Control Invasive Species	800
NISA Alaska	1,500
NOAA Marine Aquaculture Program	2,606
Ocean Health Initiative	10,000
Cooperative Institute for New England Mariculture and Fisheries	3,000
Aquaculture Education Program—Cedar Point MS	2,000
Pacific Tropical Ornamental Fish	500
Tsunami Hazard Mitigation	6,300
Subtotal, Ocean & Coastal Partnership Programs	32,856
Total, Ocean, Coastal, and Great Lakes Research	166,321
High Performance Information Technology	12,800
TOTAL NOAA RESEARCH—ORF	395,685

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

The Committee recommends an appropriation of $395,685,000 for Oceanic and Atmospheric Research. The recommendation is $104,832,000 above the budget request.

Base funding.—The Committee has worked closely with the Office of Oceanic and Atmospheric Research to differentiate between fixed and variable costs, leading to the first accurate accounting of so-called base funding. The Committee commends those who participated in this endeavor. The amounts recommended under Oceanic and Atmospheric Research, "Laboratories and Joint Institutes", "Climate and Global Change-Base Program", and "U.S. Weather Research Program-Base", are subject to the following funding guidelines: Thirty-two percent is for direct labor; 8 percent is for personnel benefits; 1 percent is for former personnel; 2 percent is for travel of persons; 6 percent is for rent and utilities; 20 percent is for contractual services; 4 percent is for supplies and materials; 3 percent is for equipment; 23 percent is for grants and fixed charges; and 1 percent is for miscellaneous expenses. Transfers of funds between these guidelines, or into or out of the base accounts, shall be subject to reprogramming requirements regardless of dollar amount.

Climate Change Research Initiative.—The Committee does not recommend $18,000,000 as requested, for the Climate Change Research Initiative. The Committee has reviewed this initiative and has concluded that it is an ill-defined program established through the political process. The Committee has, for many years, supported robust funding for the Climate and Global Change Program and activities under Climate Observations and Services. The Committee is concerned that the administration's proposed increases for Climate Change Research are not provided under the Global Change Research Program, but under a separate Climate Change Research Initiative not related to the research program being conducted pursuant to the coordinated Federal process established by Congress in the Global Change Research Act of 1990. The Committee supports increased funding for global climate change but believes that the funding should be provided to NOAA for research priorities established under the U.S. Global Climate Research Program decision making structure. The Committee has provided $159,201,000 for climate research. This funding level does not include funds appropriated for climate research elsewhere within NOAA's budget.

Of the amounts provided for Tsunami Hazard Mitigation, $1,000,000 is for the Tsunami Warning and Environmental Observing in Alaska.

Ocean Exploration.—The Committee recommendation includes $20,000,000 for Ocean Exploration, an increase of $6,000,000 over the fiscal year 2002 level. Of this amount, the Committee recommends $1,000,000 for the Center for Marine Cultural Resources. These amounts will be administered by NOAA to establish a Cooperative Institute of Marine Cultural Resources, in collaboration with the University of Rhode Island and NOAA's Ocean Exploration program.

NISA.—The Committee recommends $2,250,000 for National Invasive Species Act/Ballast Water Demonstrations. The amount recommended is for the Chesapeake Bay and Great Lakes ballast water demonstrations to be allocated according to the fiscal year 2002 level. Of the amounts provided, $250,000 is for the Center for Innovative Technologies to continue activities begun in fiscal year 2002.

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

Ocean, Coastal, and Great Lakes Research.—Within the amount provided for the Great Lakes Environmental Research Lab (GLERL), the Committee recommends that NOAA support research programs on aquatic invasive species mitigation and reduction in the Lake Champlain Basin. Of the amounts recommended for the National Sea Grant College Program, no less than $3,000,000 will be dedicated towards hiring of additional personnel, at the State program level, to act as liaisons between NOAA, Sea Grant Institutions, and the commercial and recreational fishing industries. The

Committee recommends $13,770,000 for the National Undersea Research Program (NURP). Of the amount provided, $6,885,000 is for research conducted through the east coast NURP centers and $6,885,000 is for the west coast NURP centers, including the Hawaiian and Pacific Center and the West Coast and Polar Regions Center. The Committee expects level funding will be available for Aquarius, ALVIN, and program administration.

The Committee recommends $12,000,000 for the next generation undersea laboratory/habitat. The Committee directs the Administrator of NOAA, working with NURP, the Office of Ocean Exploration, the Director of the National Marine Sanctuaries in Key Largo, Florida as well as the University of North Carolina Wilmington to design and build a new relocatable undersea laboratory/habitat. This new, modern laboratory/habitat supported by the Committee's recommendation will significantly improve the Nation's ability to conduct valuable research and promote understanding and education of our oceans and its resources. Before deployment, an operational plan shall be put in place to identify locations only within the waters of the United States where this laboratory will be used to address our most important marine challenges in priority order. This plan shall be submitted to the Committees on Appropriations for approval. This new platform shall be deployed first in the Florida Keys National Marine Sanctuary, in an area such as the Tortugas reserve.

The Committee recommendation includes $2,000,000 for Arctic Research. Of this amount, $350,000 is for the Cooperative Institute for Arctic Research.

NATIONAL WEATHER SERVICE

[In thousands of dollars]

	Committee recommendation
Operations and Research:	
Local Warnings and Forecasts:	
Base	483,178
Air Quality Forecasting Pilot Program	3,000
Alaska Data Buoys	1,700
Aviation Forecast	35,596
Edmunds County Warning System	215
High Resolution Temperature Forecasting	3,000
Mt. Washington Observatory	500
New England Weather Technology Initiative	500
NC Flood Plain Mapping Pilot	2,000
Sustain Cooperative Observer Network	1,890
Subtotal, Local Warnings and Forecasts	531,579
Advanced Hydrological Prediction Services	4,500
Aviation Weather	
WFO Maintenance	5,000
Weather Radio Transmitters:	
Weather Radio Transmitters Base	2,320
NOAA Weather Radio Transmitters—WY	400

	Committee recommendation
North Dakota Ag Weather Network	340
Subtotal, Weather Radio Transmitters	3,060
Central Forecast Guidance	43,525
Total, Operations and Research	587,664
Systems Operation & Maintenance:	
NEXRAD	39,996
ASOS	7,650
AWIPS	36,500
Weather & Climate Supercomputing Backup	7,200
NWSTG Backup	3,000
Total, Systems Operation & Maintenance	94,346
TOTAL NATIONAL WEATHER SERVICE—ORF	682,010

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

The Committee recommends an appropriation of $682,010,000 for the National Weather Service [NWS] for operations, acquisitions, and research. The recommendation is $75,099 above the request.

Local Warnings and Forecasts.—The "1995 Secretary's Report to Congress on Adequacy of NEXRAD Coverage and Degradation of Weather Services" requested further studies of several sites, including Williston, ND and Erie, PA. The Committee provided funds to begin mitigation in fiscal year 1999 at these sites. The Committee has provided $4,790,000 to continue current operations at these sites. In addition, the Committee directs the NWS to make appropriate arrangements to maintain a local presence for the maintenance of the NOAA weather radio antenna in Erie, PA and develop a strategy to adequately address the prediction of lake-effect snow in the area.

The Committee recommendation includes $3,000,000 to complete analysis of the air quality pilot program, finalize a concept of operations, and begin procurement of the information technology infrastructure necessary to support operational air quality forecasts by the end of fiscal year 2004. In addition, $3,000,000 is provided to complete the operational implementation of the temperature forecasting pilot in New England. The Committee recommendation provides for the modernization of a total of 200 meteorological observing stations and for the operational use of high resolution forecasts models at 8 sites in fiscal year 2003.

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

[In thousands of dollars]

	Committee recommendation
Environmental Satellite Observing Systems:	
Satellite Command and Control	32,461
Satellite Facilities Security	300

	Committee recommendation
Product Processing and Distribution	18,150
Subtotal, Environmental Satellite Observing Systems	50,911
Product Development, Readiness & Application:	
Base	18,768
Coral Reef Monitoring	750
Joint Center/Accelerate Use of Satellites	750
Global Wind Demo	4,000
Subtotal, Product Development, Readiness & Application	24,268
Commercial Remote Sensing Licensing & Enforcement	.....
Total, Environmental Satellite Observing Systems	75,179
NOAA's Data Centers & Information Services:	
Archive, Access & Assessment:	
Base	32,000
Archive, Access & Assessment/Climate Database Modernization	6,214
Subtotal, Archive, Access & Assessment	38,214
Coastal Data Development	4,513
Regional Climate Centers	3,600
Environmental Data Systems Modernization	12,335
Total, NOAA's Data Centers & Information Services	58,662
TOTAL NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE—ORF	133,841

The Committee recommends an appropriation of $133,841,000 for the National Environmental Satellite, Data, and Information Service [NESDIS]. The recommendation is $12,525,000 below the request.

The Committee directs NESDIS to maintain current staffing levels at the Gilmore Creek Tracking Station in fiscal year 2003. NESDIS will provide a report to the Committees on Appropriations by March 1, 2003 on how it plans to implement the new National Orbiting Environmental Satellite System and its plans for the Gilmore Creek Tracking Station including staffing projections.

PROGRAM SUPPORT

[In thousands of dollars]

	Committee recommendation
Corporate Services:	
Under Secretary and Associate Offices Base	27,000
Policy Formulation and Direction Base	35,000
Federal Employee Pay Parity	12,507
Educational Partnership Program/Minority Serving Institutions	14,000
National Ocean Science Education Program	1,000
Total, Corporate Services	89,507
Facilities:	
Maintenance, Repairs and Safety	4,000
Boulder Facilities Operations	4,500
National Aquarium Infrastructure Repairs	1,000

	Committee recommendation
Environmental Compliance	2,000
Pribilof Islands Cleanup	6,000
Total, Facilities	17,500
Marine Operations & Maintenance:	
Marine Services:	
Marine Services Base (Data Acquisition)	64,000
AGATE PASS (Coastal YTT) Operations	350
FAIRWEATHER Operations	4,100
Subtotal, Marine Services (including base)	68,450
Fleet Planning and Maintenance:	
Fleet Planning and Maintenance	11,213
AGATE PASS (Coastal YTT) Maintenance	250
FAIRWEATHER Maintenance	450
Subtotal, Fleet Planning and Maintenance	11,913
Total, Marine Operations and Maintenance	80,363
Aviation Operations: Aircraft Services	15,500
Total, Aircraft Services	15,500
Total, Marine and Aviation Operations	95,863
GRAND TOTAL PROGRAM SUPPORT—ORF	202,870

The Committee recommends an appropriation of $202,870,000 for the NOAA program support functions. The recommendation is $1,712,000 below the request.

Corporate Services.—The Committee recommends $14,000,000 to provide funding to historically black colleges and universities to train scientists. The Committee recommends that this program be extended to Native Hawaiian Serving Institutions and Alaskan Native Serving Institutions as defined in the Higher Education Act.

Facilities.—The Committee supports improvements to the infrastructure of the National Aquarium and recommends $1,000,000 for needed repairs. The Committee expects the Department of Commerce to draft a 20-year working plan for the National Aquarium.

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

[In thousands of dollars]

	Committee recommendation
NOS:	
Coastal and Estuarine Land Conservation Program (CELP):	
Base	12,900
Seacoast, NH	2,000
Los Cerritos Wetlands, CA	2,000
Laughlin Cove, WA	300
Maury Island, WA	1,800
Rocky Point, RI	1,900
Satilla River, GA	2,000
Harbor Herons, NY	2,000
Deer Island, MS	2,200
North Bass Island, OH	2,000
East Sandusky Bay, OH	2,000
Mill River, CT	2,000
Farm River, CT	300

	Committee recommendation
Morro Bay Dunes, CA	2,000
Wetlands Harbor, LA	1,600
Hawaii Coastal Lands	3,000
Coastal Bays, MD	2,000
Chesapeake, Eastern Shore, MD	2,000
Nanjemoy, MD	2,000
Deer Lagoon, WA	600
City of Two Harbors, MN	400
Long Island, NY	1,000
Bonneau Ferry, SC	10,000
Cooper River, West Branch, SC	2,000
Subtotal, Coastal and Estuarine Land Conservation Program	60,000
Estuarine Land Acquistion & Construction:	
NERRS Base	10,012
ACE Basin	4,500
Great Bay Partnership	6,000
Grand Bay, MS	6,000
Morris Island	4,000
Subtotal, NERRS Acquisition/Construction	30,512
Marine Sanctuaries Construction:	
Base	10,000
Subtotal, Marine Sanctuary Construction	10,000
Other NOS Facilities:	
Kasitsna Bay Laboratory	1,400
Beaufort Lab	500
Subtotal, Other NOS Facilities	1,900
Total NOS—PAC	102,412
NMFS:	
Honolulu Lab	15,000
Kodiak Pier	2,000
Ketchikan Facilities	3,000
Pascagoula Laboratory	2,000
Phase III—Galveston Laboratory Renovation—NMFS	2,000
Total, NMFS—PAC	24,000
OAR:	
Systems Acquisition:	
Comprehensive Large Array Data Stewardship System	3,600
Research Supercomputing	6,519
Subtotal, OAR Systems Acquisition	10,119
Construction:	
Barrow Planning and Design	1,000
Norman Consolidation Project	6,000
Subtotal, OAR Construction	7,000
Total, OAR—PAC	17,119
NWS:	
Systems Acquisition:	
ASOS	5,125

	Committee recommendation
AWIPS	16,264
NEXRAD	8,260
Radiosonde Network Replacement	6,500
Weather and Climate Supercomputing	20,000
Subtotal, NWS Systems Acquisition	56,149
Construction: WFO Construction	10,630
Subtotal, NWS Construction	10,630
Total, NWS—PAC	66,779
NESDIS:	
Systems Acquisition:	
Geostationary Systems	227,398
Polar Orbiting Systems	359,538
EOS & Advanced Polar Data Processing, Distribution & Archiving Systems	3,000
CIP Single Point of Failure	2,800
Coastal Remote Sensing	3,000
Subtotal, NESDIS Systems Acquisition	595,736
Construction:	
Satellite CDA Facility	4,000
Suitland Facility	8,890
Subtotal, NESDIS Construction	12,890
Total, NESDIS—PAC	608,626
Program Support:	
CAMS	10,000
G–IV Instrumentation Upgrades	8,400
Fleet Replacement:	
Small Waterplane Area Twin Hull Vessel	9,000
Fisheries Research Vessel Replacement	50,874
Hydrographic Equipment Upgrades	6,200
Subtotal, OMAO Fleet Replacement	66,074
Total, Program Support—PAC	84,474
GRAND TOTAL PAC	903,410

The Committee recommendation provides $903,410,000 for Procurement, Acquisition, and Construction. The recommendation is $92,023,000 above the request. The amount provided includes $100,512,000 for programs in the conservation spending category.

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

National Ocean Service.—The Committee recommends $60,000,000 for the coastal and estuarine land conservation program. This program is funded under the conservation spending category. This program provides funds for matching grants to States, communities, and groups engaged in land conservation efforts that benefit coastal and estuarine areas. These funds will be used expressly to acquire lands or interests in lands that include significant conservation, recreation, ecological, historical or aesthetic values to further the goals of a federally approved Coastal Zone Management Program or a National Estuarine Research Reserve. Of

the amount provided for this program in fiscal year 2003, the Committee recommends the following projects: $2,000,000 for the Seacoast in New Hampshire, $2,000,000 for Cooper River, West Bank, South Carolina, $10,000,000 for Bonneau Ferry, South Carolina, $2,000,000 for Los Cerritos Wetlands in California, $1,900,000 for Rocky Point in Rhode Island, $2,000,000 for Satilla River in Georgia, $2,000,000 for Harbor Herons in New York, $2,200,000 for Deer Island in Mississippi, $2,000,000 for North Bass Island in Ohio, $2,000,000 for East Sandusky Bay in Ohio, $2,000,000 for Mill River in Connecticut, $300,000 for Farm River in Connecticut, $2,000,000 for Morro Bay Dunes in California, $3,000,000 for Coastal Lands in Hawaii, $2,000,000 for Coastal Bays in Maryland, $2,000,000 for Chesapeake, Eastern Shore, Maryland, $2,000,000 for Nanjemoy, Maryland, $600,000 for Deer Lagoon in Washington, $400,000 for City of Two Harbors, MN, $1,600,000 for Wetlands Harbor, LA, and $1,000,000 for Long Island Coastal Lands in New York.

Under a new section entitled, "Estuarine Land Acquisition and Construction," the Committee recommends $4,500,000 for ACE Basin, $6,000,000 for the Great Bay Partnership, $6,000,000 for Grand Bay, MS, and $4,000,000 for Morris Island.

The Committee recommends $500,000 for repairs and facilities improvements at the Beaufort Laboratory. In recognition of the dilapidated conditions at the laboratory due to decades of neglect, the Committee encourages the lab to develop a 10-year facilities plan for Pivers Island.

Program Support.—The Committee recommendation provides $9,000,000 for a Small Waterplane Area Twin Hull vessel to be homeported in New Castle, NH.

OTHER

[In thousands of dollars]

	Committee recommendation
OPERATIONS, RESEARCH, FACILITIES (ORF):	
Direct Obligations	2,405,801
De-Obligations	(17,000)
Transfers: Coastal Zone Management Fund	3,000
TOTAL, DISCRETIONARY ORF BUDGET AUTHORITY	2,391,801
Transfers: Promote & Develop American Fisheries	(55,000)
Subtotal, ORF Transfers	(55,000)
TOTAL, CJS ORF APPROPRIATION	2,336,801
PROCUREMENT, ACQUISITION, CONSTRUCTION (PAC):	
Direct Obligations	903,410
De-Obligations	(3,200)
TOTAL, DISCRETIONARY PAC BUDGET AUTHORITY	900,210
TOTAL, CJS PAC APPROPRIATION	900,210
OTHER DISCRETIONARY APPROPRIATIONS:	
Fisherman's Contingency Fund	954
Foreign Fishing Observer Fund	191
Fisheries Financing Program	(3,000)

	Committee recommendation
Coastal Zone Management Fund	(3,000)
Pacific Coastal Salmon Fund	115,000
TOTAL, OTHER DISCRETIONARY APPROPRIATIONS	110,145
NOAA Grand Total Discretionary Appropriations	3,350,356

PACIFIC COASTAL SALMON RECOVERY FUND

Appropriations, 2002	$157,419,000
Budget estimate, 2003	110,000,000
Committee recommendation	115,000,000

The Committee recommends $115,000,000 for Pacific Coastal Salmon conservation to be funded under the conservation category. Of this amount, $95,000,000 is for the Pacific Coastal Salmon Recovery Fund. Within the funding for the Pacific Coastal Salmon Recovery Fund, the Committee recommends $30,050,000 for the State of Washington, $24,650,000 for the State of Alaska, $14,000,000 for the State of Oregon, $14,000,000 for the State of California, $9,000,000 for the Pacific Coastal Tribes, and $3,300,000 for the Columbia River Tribes. Of the funds provided for the State of Alaska, $5,000,000 is for the Arctic Yukon-Kushokwim Sustainable Salmon initiative, $1,000,000 is for construction of salmon mitigation passes, $1,000,000 is for the Cook Inlet Fishing Community Assistance Program, $500,000 is for the Yukon River Drainage Association, $500,000 is for Fort Richardson fisheries, $500,000 is for Elmendorf AFB hatcheries, $500,000 is for Fort Wainwright fisheries, $450,000 is for universal quality standards, $450,000 is for competitive analysis of global salmon, $250,000 is to restore the king salmon runs in Coffman Cove, $250,000 is to enable the State of Alaska to participate in discussions regarding the Columbia River hydrosystem management, and $100,000 is for United Fishermen of Alaska's subsistence program. Of the amounts provided for the State of Washington, $5,000,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish Report. The monies shall be spent in accordance with the terms and conditions of the Forest and Fish Report and consistent with the requirements of the Endangered Species Act and Clean Water Act. Of the amount provided to the State of Oregon, $1,100,000 is for conservation mass marking at the Columbia River Hatcheries.

FISHERMEN'S CONTINGENCY FUND

Appropriations, 2002	$952,000
Budget estimate, 2003	954,000
Committee recommendation	954,000

The Committee recommends an appropriation of $954,000 for the fishermen's contingency fund.

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, 2002	$191,000
Budget estimate, 2003	191,000
Committee recommendation	191,000

The Committee recommends an appropriation of $191,000 for the foreign fishing observer fund.

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

FISHERIES FINANCE PROGRAM ACCOUNT

Appropriations, 2002	$287,000
Budget estimate, 2003	
Committee recommendation	

The Committee notes that an appropriation is not necessary for the fisheries finance program account. Of the loan authority provided through bill language, $5,000,000 is for entry level and small vessel individual fishery quota (IFQ) obligation guarantees in the halibut and sablefish fisheries off Alaska pursuant to section 1104A(a)(7) of the Merchant Marine Act of 1936. These funds are provided for IFQ loans in accordance with section 303(d)(4) of the Magnuson-Stevens Act and section 108(g) of the Sustainable Fisheries Act.

DEPARTMENT MANAGEMENT

SALARIES AND EXPENSES

Appropriations, 2002	$37,652,000
Budget estimate, 2003	48,254,000
Committee recommendation	41,494,000

The Committee recommends an appropriation of $41,494,000 for Departmental Management. The recommendation is $6,760,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and $3,000,000 for requested Homeland Security program increases.

OFFICE OF THE INSPECTOR GENERAL

Appropriations, 2002	$20,176,000
Budget estimate, 2003	22,670,000
Committee recommendation	20,635,000

The Committee recommends an appropriation of $20,635,000 for the Commerce Department's Office of the Inspector General. The recommendation is $2,035,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The Committee includes the following general provisions for the Department of Commerce that were included in the fiscal year 2001 appropriations act. Sections 201 through 208 are continuations of language included in previous appropriations acts.

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

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

Section 203 prohibits any funds 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 provides the authority to transfer funds between Department of Commerce accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures.

Section 205 allows the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

Section 206 permits the Department of Commerce franchise fund to retain a percentage of earnings from services provided for capital investments.

Section 207 provides funding for 4 grants and a cooperative agreement.

Section 208 clarifies allowable applications of a grant program.

Section 209 clarifies allowable applications of a grant program.

Section 210 clarifies that Congress has not approved a change in name for the Bureau of Export Administration.

TITLE III—THE JUDICIARY

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

The Committee recommends a total appropriation of $4,965,151,000 for the judiciary. The recommendation is $276,459,000 below the budget request. The Committee is aware that a total of $331,462,000 in fees, reimbursables, and carryover is available in various accounts across this title to supplement direct appropriations.

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

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

Appropriations, 2002	$39,988,000
Budget estimate, 2003	46,324,000
Committee recommendation	44,399,000

The Committee recommends an appropriation of $44,399,000 for the Justices, their supporting personnel, and the costs of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is $1,925,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment, $3,000,000 for requested Homeland Security program increases, and certain mandatory increases for judicial officers.

Homeland Security enhancements include $417,000 for costs related to an offsite mail screening facility; $871,000 for Supreme Court police pay parity and overtime, $162,000 for three PC/network/security specialists; and $1,550,000 for security related automation enhancements.

Adjustments to Base.—The Supreme Court included as adjustments to base an elevated pay increase, as compared to the 2.6 percent pay increase proposed in the budget for all other Federal employees, as well as police pay parity and overtime. While the Committee included these funds in its recommendation, the Committee does not agree with the Court's practice of displaying significant program increases as adjustments to base. Accordingly, in developing future budget requests, the Committee directs the Court to include any non-mandatory increases, including cost of living increases above that proposed in the budget for Federal employees, as program increases.

CARE OF THE BUILDING AND GROUNDS

Appropriations, 2002	$67,530,000
Budget estimate, 2003	53,626,000
Committee recommendation	53,304,000

The Committee recommends an appropriation of $53,304,000 for personnel and other services relating to the Supreme Court building and grounds, which is supervised by the Architect of the Capitol. The recommendation is $322,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and $55,000 for requested Homeland Security program increases, including replacement of seven metal detectors at the Supreme Court building.

Adjustments to Base.—The Court included a number of non-mandatory increases as adjustments to base, including: an elevated pay increase, as compared to the 2.6 percent pay increase proposed in the budget for all other Federal employees; increases in the cost of training; and exterior painting and caulking. As previously stated, the Committee does not agree with the Court's practice of displaying significant program increases as adjustments to base and directs the Court to include any non-mandatory increases as program increases in all future budget requests.

Building renovations.—The recommendation includes $49,696,000 to complete funding for critical upgrades to the Supreme Court building. By providing the remaining funds needed for this renovation project, the Architect of the Capitol, who is responsible for maintaining this historic structure, may pursue a single contract to ensure accountability of the contractors. The Architect of the Capitol shall submit to the Committees on Appropriations a meaningful schedule and cost estimate based upon updated design plans for the renovation project by December 15, 2002 and shall update the report upon completion of the plans.

U.S. Court of Appeals for the Federal Circuit

SALARIES AND EXPENSES

Appropriations, 2002	$19,287,000
Budget estimate, 2003	21,893,000
Committee recommendation	20,136,000

The Committee recommends an appropriation of $20,136,000. The recommendation is $1,757,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment, $354,000 for Homeland Security related automation enhancements, and certain mandatory increases for judicial officers.

U.S. Court of International Trade

SALARIES AND EXPENSES

Appropriations, 2002	$13,064,000
Budget estimate, 2003	13,777,000
Committee recommendation	13,529,000

The Committee recommends an appropriation of $13,529,000. The recommendation is $248,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment, $276,000 for Homeland Security related enhancements, and certain mandatory increases for judicial officers.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Appropriations, 2002	$3,596,116,000
Budget estimate, 2003	4,014,107,000
Committee recommendation	3,814,211,000

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 appropriation of $3,814,211,000 for salaries and expenses of the Courts of Appeals, District Courts, and Other Judicial Services. The recommendation is $199,896,000 below the budget request. The Committee notes that the judiciary reestimate of funding requirements is $18,945,000 below the budget request. As noted at the beginning of the title, the Committee understands that at least $120,588,000 in carryover will be available to apply to this account, if necessary.

The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment, $150,161,000 for Homeland Security related enhancements, and certain mandatory increases for judicial officers.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 2002	$2,692,000
Budget estimate, 2003	2,784,000
Committee recommendation	2,784,000

The Committee recommends a reimbursement of $2,784,000 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 identical to the budget request.

DEFENDER SERVICES

Appropriations, 2002	$500,671,000
Budget estimate, 2003	588,741,000
Committee recommendation	531,792,000

The Committee recommends an appropriation of $531,792,000. The recommendation is $56,949,000 below the budget request.

The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment, and $24,149,000 for Homeland Security related enhancements, including increases in the number of representations by the Federal Defender Organization and Criminal Justice Act (CJA) Panel Attorneys. The Committee continues to support the $90 hourly for CJA panel attorneys.

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 CJA, as amended.

Criminal Justice Act Panel Attorney Rates.—In fiscal year 2002, the Committee provided a significant increase in CJA panel attorney hourly rates from $75 to $90 in-court and from $55 to $90 out-of-court. This large increase was funded and approved by Congress because the hourly rates authorized in 1986 had not kept pace with inflation and many Federal judges were reporting difficulty in finding qualified counsel willing to accept CJA appointments at rates that were one-third to one-half the rates charged in private practice.

This year, the request included an additional increase in the CJA hourly rate to $113, a 25 percent increase over the recently approved increased rate of $90 for fiscal year 2002. The Committee believes this request is premature since the current hourly rate of $90 was only implemented in May, 2002, and it is too soon to determine whether the new $90 rate will address the problem of obtaining adequate counsel.

The Committee does not agree with the judiciary practice of displaying significant increases in CJA panel attorney hourly rates as an adjustment to base. Accordingly, in developing future budget requests, the Committee directs the judiciary to include any increase in CJA panel attorney hourly rates, above the cost of living increase proposed in the budget for Federal employees, as a program increase.

FEES OF JURORS AND COMMISSIONERS

Appropriations, 2002	$48,131,000
Budget estimate, 2003	57,826,000
Committee recommendation	54,636,000

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

The Committee recommends an appropriation of $54,636,000. The recommendation reflects the judiciary's reestimate of fiscal year 2003 requirements.

COURT SECURITY

Appropriations, 2002	$220,677,000
Budget estimate, 2003	298,235,000
Committee recommendation	290,442,000

The Committee recommends an appropriation of $290,442,000. The recommendation is $7,793,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment and $37,437,000 for requested Homeland Security program increases.

Growth in the Court Security Program.—The Committee notes the substantial growth in funding experienced in the Court Security Program. In the past 5 years, the program has nearly doubled—increasing from $167,000,000 in fiscal year 1998 to a total appropriation of almost $300,000,000 in fiscal year 2002. In light of this growth, the Committee wants to ensure that these resources

are being efficiently managed and spent for the purposes for which they have been appropriated. Therefore, the Committee requires the submission of a court security program spending plan, in accordance with Section 605 of this Act, prior to the obligation of no more than 25 percent of the funds appropriated herein. Further, the Committee notes and emphasizes the role of the Administrative Office of the U.S. Courts (AO) to oversee and ensure the effective use of court security funds and expects the Director of the AO to coordinate the development of this plan with the assistance of the United States Marshals Service.

Supervisory-Level Deputy U.S. Marshals.—The Committee recommendation includes bill language and funding to support 106 supervisory, deputy marshals at the local level to coordinate the protection of judges both on and off site, oversee the courthouse security program, and ensure that emergency response procedures for chemical/biological, terrorist, or other attacks are in place. The Committee understands that these supervisory-level deputy marshals will be devoted full-time to judicial security.

Court Security Officers (CSO) Revised Medical Standards.—In January 2001, the U.S. Marshals Service began implementing new CSO medical examination procedures and revised medical standards based on the results of a requirements study of CSO duties conducted by the Public Health Service's Office of Federal Law Enforcement Medical Programs. To ensure that CSOs are as physically fit as necessary to perform their security functions and respond in emergency situations, the Committee fully supports the implementation of these new medical procedures and standards.

ADMINISTRATIVE OFFICE OF THE U.S. COURTS

SALARIES AND EXPENSES

Appropriations, 2002	$61,664,000
Budget estimate, 2003	66,912,000
Committee recommendation	64,655,000

The Committee recommends an appropriation of $64,655,000. The recommendation is $2,257,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment, and $793,000 for Homeland Security related enhancements, including program oversight of crisis response, security and safety.

The Administrative Office of the U.S. Courts [AO] hosts the Judicial Conference and serves the Federal courts through administrative support, program management, and policy development support.

The Committee supports the AO's efforts to increase program oversight, particularly with regard to the stewardship of resources and court security.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

Appropriations, 2002	$19,735,000
Budget estimate, 2003	21,885,000
Committee recommendation	20,156,000

The Committee recommends an appropriation of $20,156,000. The recommendation is $1,729,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment.

The Federal Judicial Center improves the management of Federal judicial dockets and court administration through education for judges and staff and research, evaluation, and planning assistance for the courts and the judicial conference.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

Appropriations, 2002	$37,000,000
Budget estimate, 2003	35,300,000
Committee recommendation	35,300,000

The Committee recommends an appropriation of $35,300,000 for payments to the Judicial Officers' Retirement Fund and the Claims Court Judges Retirement Fund. The recommendation is identical to the budget request.

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

U.S. SENTENCING COMMISSION

SALARIES AND EXPENSES

Appropriations, 2002	$11,575,000
Budget estimate, 2003	13,200,000
Committee recommendation	11,835,000

The Committee recommends an appropriation of $11,835,000. The recommendation is $1,365,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment.

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

GENERAL PROVISIONS—THE JUDICIARY

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

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

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

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

Section 304 provides a pay raise for Justices and judges.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

The Committee recommends an appropriation of $7,898,015,000. The recommendation is $240,860,000 below the budget request. Security, technology, and infrastructure accounts have received the maximum funding deemed prudent.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

Appropriations, 2002	$3,630,012,000
Budget estimate, 2003	3,936,844,000
Committee recommendation	3,802,982,000

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 an appropriation of $3,802,982,000. The recommendation is $133,862,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees, and funding for Homeland Security program increases. Within the amount provided, the Committee recommendation includes $175,000 to support the United States' membership in the Arctic Council and $40,000 for the Bering Straits Commission. The former includes funds for representation expenses and travel for U.S. delegates.

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

DIPLOMATIC & CONSULAR PROGRAMS

[Dollars in thousands]]

	Positions	Committee recommendation
Overseas Bureaus:		
African Affairs	1,241	$221,835
Near Eastern Affairs	950	146,820
South Asian Affairs	745	66,803
East Asian & Pacific Affairs	1,517	235,305
European Affairs	2,713	516,329
Western Hemispheric Affairs	2,197	246,128
International Organization Affairs	355	47,225
International Conferences		4,813
FSN Separation Liability Trust Fund		7,677

DIPLOMATIC & CONSULAR PROGRAMS—Continued

[Dollars in thousands]]

	Positions	Committee recommendation
Subtotal		1,492,935
Functional Bureaus:		
Consular Affairs	249	46,146
Economic & Business Affairs	202	23,458
Intelligence & Research	305	40,892
International Information Programs	283	44,557
Oceans/Int'l Environmental/Scientific Affs	157	21,018
Political-Military Affairs	182	25,876
Non-Proliferation	177	23,680
Arms Control	106	22,324
Verification & Compliance	76	13,629
Diplomatic Security	893	224,911
Information Resource Management	529	161,630
Democracy, Human Rights, & Labor	97	11,282
Population, Refugees, & Migration		477
Legislative Affairs	69	7,151
Legal Advisor	233	35,201
Bureau of Public Affairs	209	27,314
Counterterrorism Research & Development		1,800
Office of International Criminal Justice	10	1,039
Trafficking in Persons	14	3,515
Subtotal		735,900
Management Programs	1,840	485,699
Continuing Overseas Language Training		(10,000)
Administrative Programs	1,398	469,160
Diplomatic Telecommunications Service		(47,657)
Federal Employee Pay Parity		40,202
Subtotal		3,223,896
Worldwide Security Upgrades:		
Guards—Worldwide Protection		142,046
Physical Security Equipment		18,912
Domestic Equipment		(3,500)
Physical Security Technical Support		68,932
Armored Vehicles		10,536
Personnel/Training		119,780
Radio Replacements		7,413
Information/Systems Security		51,825
Chemical/Biological Program		9,857
Perimeter Security Enhancements		74,000
Center for Antiterrorism Training		52,000
Frontline Security Readiness		22,197
Federal Employee Pay Parity		1,588
Subtotal		579,086
Total, Diplomatic & Consular Programs		3,802,982

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

New post openings.—The Committee is aware that regional bureaus have discovered a clever way to influence the process by which Congress must consider and approve any request by the Department of State to open a new post. The Committee is aware of an instance in which a post, with the support of its parent bureau, arranged for temporary and long term office space and housing,

hired local nationals onto the staff, and began conducting relations with the local host government before the request was even transmitted to Congress. By establishing this foothold presence, the Embassy and the bureau make it all but impossible for State and Congress to deny the request, even if it makes good policy sense to do so. Congressional approval is not a formality. The Committee firmly believes that, while posts should have input into decisions about expanding the U.S. presence, they should not drive the process. Decisions about post openings must be based on both overall foreign policy objectives, and resource limitations of the Department. All future requests to establish new U.S. consulates must hereafter be accompanied by a full accounting of an embassy's expenditures in the region in question, including costs associated with local hires, operational expenses, Temporary Duty Assignment (TDY) personnel, and travel. Additionally, each regional bureau must, on an annual basis, submit to the Committee a comprehensive accounting of the cost of any Department of State activities that take place outside of a geographic radius of 200 miles of an already-established and Congressionally-approved post. These reports should be compiled and delivered to the Committee at the time of the Department's yearly budget submission to Congress.

Diplomatic Security.—Explosive growth in Diplomatic Security (DS) manning has created an imbalance between seasoned and unseasoned agents that can only be solved with time. The best training available does not compare to the value of experience. Of the 893 Diplomatic Security personnel, more than half the growth has taken place during the past 2 years, with 389 new Diplomatic Security agents hired in fiscal year 2002, and with 92 new Diplomatic Security agents hired in fiscal year 2001. Furthermore, the Committee remains concerned about Department decisions concerning the placement of DS agents. The purpose of the Bureau of Diplomatic Security is to provide a secure environment for the conduct of American diplomacy worldwide. The Committee understands that DS must maintain a base staff in Washington, DC, and that it is responsible for the security of approximately 100 domestic locations. However, DS cannot perform its core mission of protecting the more than 50,000 U.S. Government personnel, staff, and dependents who serve at our 260 overseas posts—where the threat is much higher—unless its agents are out in the field, at post. This is a time of heightened threat to our installations abroad, as demonstrated most recently by attacks against the U.S. Consulate in Karachi, Pakistan, and an American-attended place of worship in Islamabad, Pakistan, as well as threats against U.S. properties in Rome, Italy and Bogota, Colombia. Given this changed security environment, the Committee is alarmed by DS' continued stubbornness on the issue of placement of DS agents overseas. The Committee is aware that there are 799 Diplomatic Security personnel managing facilities at 100 locations in the United States while there are only 94 Diplomatic Security agents posted abroad. The Committee recommends full funding for the 134 Diplomatic Security agents; however, no less than 100 of the new hires shall be posted overseas at the nation's most critical posts. In addition, the Committee directs the Department to shift no fewer than 250

agents to the most critical overseas posts no later than March 1, 2003.

Worldwide security upgrades.—The Committee recommendation includes $579,086,000 for worldwide security upgrades, of which $504,889,000 is for ongoing security activities and $52,000,000 is for the Center for Anti-Terrorism Security Training. Full funding is provided for procedural and technical security enhancements as well as for training, operational support, and infrastructure. Of the funding provided for guards-worldwide protection, $5,000,000 is for uniformed protection officers to provide additional perimeter patrol, and delivery vehicle inspections 24 hours a day, 7 days a week, for an additional 19 high-risk posts. None of the funds provided for security may be obligated until a complete and thorough accounting of prior year security funds has been forwarded to the Committee.

Security enhancements.—At this time of heightened threat to American posts abroad, the benefits of the security enhancement funds the Committee has provided to the Department since the Dar and Nairobi bombings in 1998 are being realized. The most recent indicator of the benefit of improving physical security at U.S. posts overseas came on June 14, 2002, when a suicide bomber detonated a 500-pound fertilizer bomb outside the U.S. Consulate General in Karachi. While, tragically, the lives of local Pakistani guards and passers-by were lost, the loss of American lives was prevented and the physical damage to the building was minimized. While the blast shattered a section of the wall, the office building was not damaged in any significant way. The Consulate's perimeter wall had recently been reinforced, and barriers installed between the wall and the street prevented the vehicle from reaching the building. Shatter resistant window film also significantly mitigated the force of the blast. An earlier reconfiguration of interior office space, undertaken to provide additional blast separation, also proved helpful. The Committee believes that continual security upgrades to existing properties are as important as the Department's Capital Security Construction program. The Committee urges the Department to consider augmenting its funding request next fiscal year and in future years under the Worldwide Security Upgrades account.

Host country relations.—The Committee recommendation includes $2,000,000 out of available funds to continue the Ambassador's Fund for Cultural Preservation. U.S. Ambassadors serving in less developed countries may submit competitive proposals for one-time or recurring projects with awards based on the importance of the site, the country's need, and the potential of the award to make a meaningful contribution to the preservation of a site, object, or form of expression. The Department is directed to submit an annual report to the Committees on Appropriations on winning projects.

Bureau of Consular Affairs.—The Bureau of Consular Affairs is tasked with providing support to U.S. citizens abroad, facilitating travel to and from, as well as immigration to, the United States, and serving as the first firewall of our National border security framework. Because of its responsibilities in these areas, the Bureau of Consular Affairs has more daily interaction with individuals, both U.S. citizens and foreign nationals, than any other

branch of the State Department. The Committee is aware that the majority of Consular Affairs personnel respond to inquiries, requests, and crises in a professional and courteous manner. However, the Committee also is aware of an increasing number of complaints by Americans and foreign nationals about discourteous treatment at certain U.S. posts overseas. The Department has no formal process by which it addresses such complaints and, when warranted, to discipline this unacceptable behavior. The Committee recommendation includes $500,000, to be transferred to the Office of the Inspector General of the Department of State, with which it shall undertake a thorough review of the quality of service Consular Affairs provides to both the U.S. and non-U.S. public it is intended to serve. This review should consider the nature and quantity of the complaints received, to the extent that such information is available, those policies and procedures currently in place within the Bureau of Consular Affairs that may cause the Bureau's service to be less than optimal, and recommendations for how consular services can be improved. The Committee furthermore expects the report to outline a proposal for a new, systemized way of tracking and addressing future complaints to the Department directed at the Bureau Consular Affairs. The Inspector General's report should be submitted to the Committees on Appropriations no later than March 27, 2003. Once the Department has established a system as described above, complaints received from U.S. citizens directed at any Foreign Service Officer shall, as a matter of policy, be referred to the Bureau of Human Resources for review. If a Foreign Service Officer receives two or more complaints within a 6-month period, the Bureau of Human Resources is directed to conduct an administrative hearing to determine whether further professional development training or disciplinary action is warranted.

Consular workspace improvement initiative.—The Committee believes that the Department's consular mission is critical to U.S. national security. Consular workspace must be adequately sized and outfitted in order to ensure that the processing of visas and visa applicants takes place in an organized and efficient manner. To ensure this, and to improve the overall working environment for Consular Affairs Officers, the Committee directs the Office of Overseas Buildings Operations (OBO) to undertake a 3-year Consular Workspace Improvement Initiative. The Committee is aware that, traditionally, OBO considers posts' facilities requirements in a holistic manner, and does not single out specific bureaus for workspace improvements. However, the Committee is also aware of the direct link between the quality of consular workspace and the efficiency and accuracy of consular work. There is a pressing need for additional consular windows and interview space, enlarged reception and waiting areas, office space, and document storage space. The initiative should identify posts for consular workspace rehabilitation where errors in visa issuance present the greatest threat to U.S. national security interests, as determined by OBO in consultation with the Bureau of Consular Affairs. The Committee expects construction work to begin on priority projects no later than 60 days after the enactment of this Act. The Committee directs that $10,000,000 from MRV fees be used for this initiative.

Language training.—Several reports have identified a serious shortage within the Federal Government of personnel who possess the language skills required for their positions. This shortcoming has been long apparent at the Department of State where reliable aggregate data on the language capabilities of Foreign Service Officers (FSOs) is not generally available or, when available, is seriously flawed. The Department has indicated that the primary factor contributing to its inability to meet its language staffing and proficiency goals is an overall staffing shortfall of more than 1,100 people, as identified in the Department-generated Diplomatic Hiring Report. This report precipitated the Diplomatic Hiring Initiative, a program under which 1,158 new Foreign Service Officers will be hired over a 3-year period. However, the Committee is acutely aware that the Diplomatic Hiring Initiative does little to address the specific problem of language proficiency at the Department of State. Funds available for salaries should be leveraged to provide pay incentives to FSOs who gain expertise in hard-to-learn languages, to provide an attractive career path for linguists, to enhance the retention of FSOs with desired language skills, and to provide ample training opportunities to FSOs willing to learn a difficult language mid-career. Funds provided for workforce retention should also be utilized to recruit native speakers of difficult and hard to fill languages, drawing upon the vast human resources afforded by a demographically diverse United States. Language proficiency must be one of the key criteria in the selection of FSOs. If our diplomats truly are our "first line of defense" against foreign threats to the U.S. homeland, then their ability to converse fluently in the languages of the countries to which they are posted is critical to U.S. National security. The Committee therefore directs that not less than 20 percent of the FSOs hired during fiscal year 2003 possess language skills of at least level 3 (General Professional) or greater on the foreign language proficiency scale. Further, the Committee directs that not less than 2 percent of the foreign service officers hired during fiscal year 2003 possess a proficiency level of 2 (Limited Working) or greater in one or more of the following difficult languages: Mandarin Chinese, Arabic, Japanese, Korean, and Cantonese Chinese. Finally, the Committee directs the Department to develop a proposal, to be submitted to the Committees on Appropriations by September 31, 2002, for approval, for a pay incentive package exclusively for current and future Foreign Service Officers who have achieved level 4 (Advanced Professional) proficiency or greater in at least one of the aforementioned difficult languages.

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

Office of Foreign Missions.—The Committee directs that the Office of Foreign Missions (OFM) be moved out of Bureau of Diplo-

matic Security (DS) and placed under the Deputy Secretary of State for Management and Resources. The Committee expects OFM and DS to continue to coordinate closely after it has been transferred.

International conservation of sea turtles.—The Committee remains concerned with the increasing threat to sea turtles, particularly those listed under the Convention on International Trade on Endangered Species of Wild Fauna and Flora [CITES], from incidental capture by foreign fleets, particularly in the longline fishery. The Committee is equally concerned by the Department's decision to ignore Committee direction for the past 2 years. Specifically, direction stating that the Secretary of State shall, on an expedited basis, negotiate strong, enforceable management, reporting, and data collection measures (including economic measures) focused on reducing incidental capture of sea turtles in commercial fisheries under regional management agreements for living marine resources, including the Inter-American Sea Turtle Conservation Treaty, the Inter-American Tropical Tuna Convention, the International Convention for the Conservation of Atlantic Tunas, and the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Multilateral High Level Conference). The Committee is concerned that no international agreements specifically addressing turtle by-catch from longline fishing have been negotiated, and the Department has negotiated only voluntary initiatives rather than binding agreements to this end.

Therefore, the Committee directs the Secretary of State, in cooperation with the Secretary of Commerce, to use all appropriate means available to broaden the participation of other nations in the Convention on the Conservation and Management of Highly Migratory Species in the Western and Central Pacific Ocean. Of the funding provided for the Bureau of Oceans and International Environmental and Scientific Affairs, $4,000,000 shall be available only for negotiating, in consultation with the Department of Commerce, a binding agreement providing for annual reductions in sea turtle mortality in the longline fisheries of the Western and Central Pacific, that shall, by 2008, result in at least a 30 percent reduction in takes, and thereafter result in such fisheries meeting sea turtle take levels comparable to those achieved by the U.S. longline fleet.

Rule of law.—The Committee recognizes that there is a need for a continuing global dialogue about the rule of law and its importance for the stability and viability of all nations. Within the amounts provided under Diplomatic and Consular Programs, $1,800,000 is for the Rule of Law Forum for foreign government and non-government officials to be hosted by the Dedman School of Law.

International trade.—Every year the State Department attempts to pursue international trade activities that are rightfully within the traditional domain of the Commerce Department's International Trade Administration, particularly within the area of expertise of the United States and Foreign Commercial Service. This continual push by the State Department to expand its jurisdiction in this area runs counter to the wishes of the Committee which notes the expansive and intractable foreign policy issues already

confronting the Department. No funding is provided for this initiative.

Secure Card Technology.—The Committee is aware that the U.S. Embassy in Mexico City began issuing secure laser visa border crossing cards to Mexican visitors in May, 2002. The Committee directs the Department of State, in consultation with the Immigration and Naturalization service, to report no later than February 5, 2003 on the success of this secure visa issuance program in Mexico City, and provide recommendation to the Committee regarding the expansion of this visa issuance process to all visa types and using the same secure card technology in U.S. foreign missions.

Fingerprint services.—In order to implement Section 113 of the Aviation and Transportation Security Act in the most prudent manner, the Committee directs the U.S. embassies and consulates with fingerprinting capabilities to fingerprint aliens seeking first-time flight training in aircraft weighing 12,500 pounds or more and transmit those fingerprints to the Department of Justice and other relevant agencies for the purposes of checking fingerprints against appropriate terrorist watch-lists.

International Child Abductions.—The Committee remains concerned about the adequacy of the Department's efforts to counter the serious problem of international child abductions. Within 90 days of enactment of this Act, the Department is directed to submit a report to the Committees on Appropriations which includes the following information: the country and location and number of all known U.S. citizens under the age of 18 who have been abducted by a parent or relative as the result of a custody dispute and who are being held abroad in contravention of U.S. laws or judicial orders; a summary of actions taken by the Department of State to secure the repatriation of abducted American children; and a list of diplomatic measures, including treaties and agreements, that can be used to facilitate the repatriation of abducted American children.

The Committee strongly encourages the State Department to release the State Department's report on compliance with the Hague Convention on the International Aspects of Child Abduction ("the Hague"). The Hague Convention, which the United States and many of our Allies have signed, is in place to facilitate the return of internationally abducted children to their countries of "habitual residence" for custody determination. The Committee recognizes the importance of compliance with the Hague and requests this report be sent to the Senate Appropriations Committee and the Senate Foreign Relations Committee no later than January 1, 2003.

CAPITAL INVESTMENT FUND

Appropriations, 2002	$203,000,000
Budget estimate, 2003	177,000,000
Committee recommendation	210,000,000

This account provides resources for information and communications systems. The Committee recommends $210,000,000. The recommendation is $33,000,000 above the budget request. The Committee recommendations, by initiative, are displayed in the following table:

Capital investment fund

[In thousands of dollars]

Technology Infrastructure:	
Modernization of world-wide IT infrastructure	164,790
OpenNet Plus	[36,500]
Classified Connectivity Program	[94,235]
Secure Voice Program	[3,960]
Post High Frequency Communications	[5,057]
Public Key Infrastructure	[7,345]
Other IT Infrastructure	[17,693]
Integrated Messaging	10,404
Centrally Managed Infrastructure	35,408
Subtotal, Technology Infrastructure	210,602
Applications and Software Development:	
Ready Access to International Affairs and Information	7,835
Leveraging IT	48,278
Integrated Logistics Management System (ILMS)	[18,878]
Regional Financial Management System (RFMS)	[6,597]
Integrated Personnel Management System (IPMS)	[11,166]
Other Applications and Software Development	[11,637]
Subtotal, Applications and Software Development	56,113
Foreign Affairs Systems Integration (FASI)	21,500
Project Management and Training	7,785
Total, IRM Central Fund	296,000

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

Information Technology.—The Committee commends the Department for its commitment to overhauling its Information Technology (IT) infrastructure. Having received ample funding in fiscal year 2002 for its IT priorities, the Department is meeting the Committee's requirement to execute certain priority programs more quickly than originally planned. Two major initiatives, the deployment of OpenNet Plus and the overhaul of the Department's classified network are on-schedule and on-budget, with OpenNet Plus, scheduled for completion in April, 2003, and the Classified Connectivity Program, scheduled for completion in early fiscal year 2004. Providing the Department with state-of-the-art communications, data, and knowledge management systems is, once again, one of the Committee's top priorities for the Department of State. Full funding is therefore provided for the IRM Central Fund, per the above chart. The Committee expects the Department's next major IT initiative, replacement of the cable system with a modern, integrated messaging system, to proceed as expeditiously as have its other global-scale projects.

Enterprise architecture.—The Committee has invested hundreds of millions of dollars to overhaul the State Department's IT infrastructure, which had been allowed to grow outmoded and obsolete, with a state-of-the-art IT infrastructure. The Committee remains concerned, however, that the next time the Department faces slowed budget growth or even budget cutbacks, it will choose to hire more analysts and open more posts at the expense of the necessary annual investments in infrastructure. The Committee therefore directs that the Chief Information Officer of the Department

develop an annex to the existing IT Strategic Plan which outlines in detail the Department's 5-year strategy for maintaining and upgrading its existing IT infrastructure. This strategy will help ensure that the significant investments the Committee has made in the last 2 years are not lost, and that the Department's current IT infrastructure is leveraged both to capitalize on these prior investments and to meet the needs of the Department. The Department is directed to submit this annex to the Committees on Appropriations no later than February 1, 2003.

IT human capital.—The success of OpenNet Plus and the Classified Connectivity Program is due to the Department's establishment of a permanent, professional IT planning staff within the Bureau of Information Resource Management. This staff has been tasked with developing an enterprise architecture to address all of the Department's current and future technology needs. It is crucial that the Department's IT personnel be drawn from among the best in their fields. The Committee therefore directs the Bureau of Human resources, in consultation with the Chief Information Officer of the Department, to report to the Committees on Appropriations on how the Department plans to meet its short and long-term human capital needs in the area of information technology. The report should address such issues as pay parity, specialized recruitment strategies, and preventing attrition to the private sector.

Centralized management.—The Committee supports the trend at the Department towards the central management of information. The Committee is aware that, at a time of heightened threat to our overseas posts, the ability to store and manage information, particularly classified information, domestically can greatly enhance the security of that information. The Committee accepts that the cost of centrally managing information is higher due to the cost of acquiring bandwidth. However, the benefits of a more robust security construct far outweigh the additional cost. One technology that appears particularly promising is the high-assurance virtual wide area network (WAN). This technology would allow the Department to minimize the information stored at post and permit computer terminals to be "sanitized" of sensitive information when not in use. Of the funds made available under the IRM Central Fund for Centrally Managed Infrastructure, $10,000,000 shall be for a pilot project to develop a high-assurance virtual WAN architecture and prototype in support of Department of State activities.

IT Common Platform.—The events of September 11, 2001, have caused the Federal agencies and departments to reexamine the way in which they communicate, particularly on matters relating to national security. Inadequate communication and coordination among the foreign affairs agencies, including the Department of State, increases our vulnerability to terrorism. Since September 11, agencies have taken steps to close the loopholes that existed with respect to information-sharing. However, the key to better communication and coordination among these agencies does not necessarily lie in their ability to interface, but rather in the individual department cultures that compel them to do so. Foreign affairs agencies have the capability to share unclassified and classified information, but they are not intrinsically inclined to do so. What is required to change these cultures is a dynamic, user-friendly portal

through which these agencies can, as a matter of course, share information and collaborate their efforts. The Committee supports the continued development of the Foreign Affairs System Integration (FASI) project, sometimes referred to as the Collaboration Zone, which is currently in the pilot phase. The Department should henceforth provide a bimonthly status report on the progress of this initiative to the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2002	$29,000,000
Budget estimate, 2003	29,264,000
Committee recommendation	29,693,000

The Committee recommends an appropriation of $29,693,000. The recommendation is $329,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level, and a 4.1 percent pay adjustment for Federal employees.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

Appropriations, 2002	$237,000,000
Budget estimate, 2003	245,306,000
Committee recommendation	237,771,000

The Committee recommends an appropriation of $237,771,000. The recommendation is $7,535,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, and a 4.1 percent pay adjustment for Federal employees.

The Committee recognizes that international education and exchange programs are critical components of U.S. National security and foreign policy. In light of the tragic events of September 11, 2001, this type of engagement with the world is more important than ever. International educational and exchange programs enable the United States to augment the foreign language and foreign area expertise of each successive generation of rising leaders, prepare U.S. students to function effectively in a global environment through study abroad, and promote international understanding through professional, scholarly, and citizen exchanges. The Committee recommendations for the Educational and Cultural Exchanges Account are displayed, by program, in the following table:

Cultural and Educational Exchanges

[In thousands of dollars]

	Committee recommendation
Academic Programs:	
Fulbright Program:	
Students, Scholars, Teachers	116,495
Hubert H. Humphrey Fellowship Program	6,222
Regional Scholars Program	2,049
Subtotal	124,766
Other Academic Programs:	
Educational Advising & Student Services	3,500
English Language Programs	3,000
Edmund S. Muskie Fellowship Program	559
North-South Center	1,200

	Committee recommendation
South Pacific Exchange	500
Subtotal	8,759
Other Special Academic Programs: American Overseas Research Centers	2,415
Subtotal, Academic Programs	135,940
Professional & Cultural Programs:	
International Visitors Program	50,186
Citizen Exchange Program	16,572
Subtotal	66,758
Other Professional & Cultural Programs:	
Mike Mansfield Fellowships Programs	2,200
Irish Institute	500
Atlantic Corridor USA	500
George Mitchell Fellowship Program	500
Institue for Representative Government	540
National Forensics League for High School Debates	1,000
PSC U.S.-Pakistan Educator Development Program	1,000
Subtotal	6,140
Subtotal, Professional & Cultural	72,998
Exchanges Support:	
Employee Compensation & Benefits	25,071
Program Direction & Administration	3,051
Federal Employee Pay Parity	771
Subtotal	28,833
Total, Cultural & Educational Exchanges	237,771

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

Of the funds made available for the Council of American Overseas Research Centers, $33,000 is for a grant for research to develop a diamond fingerprinting technology that will facilitate the monitoring of the international trade in conflict diamonds.

Seed programs.—The Committee has continued a modest program begun in fiscal year 2000 that provides one-time funding to international exchange startups. These new programs are expected, after their first year, to seek funding from outside sources. The Committee will track the survival rate of new starts. The Bureau of Educational and Cultural Exchanges is directed to provide advice and assistance to these new programs and to inform the Committee immediately of any change in their status.

REPRESENTATION ALLOWANCES

Appropriations, 2002	$6,485,000
Budget estimate, 2003	9,000,000
Committee recommendation	6,485,000

Representation allowances provide partial reimbursement to Foreign Service officers for expenditures incurred in their official capacities abroad in establishing and maintaining relations with offi-

cials of foreign governments and appropriate members of local communities.

The Committee recommends an appropriation of $6,485,000. The recommendation is $2,515,000 below the budget request.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

Appropriations, 2002	$9,400,000
Budget estimate, 2003	11,000,000
Committee recommendation	9,400,000

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 an appropriation of $9,400,000. The recommendation is $1,600,000 below the budget request.

The Committee directs that local jurisdictions that 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.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

Appropriations, 2002	$1,273,960,000
Budget estimate, 2003	1,305,000,000
Committee recommendation	1,305,000,000

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 an appropriation of $1,305,000,000. The recommendation is identical to the budget request.

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

Security and maintenance of U.S. missions

[In thousands of dollars]

	Committee recommendation
Worldwide Security Upgrades:	
Capital Projects	492,450
Astana, Kazakstan New Office Building (NOB)	78,400
Athens, Greece New Office Annex Building	37,600
Bamako, Mali NOB	69,900
Beijing, China NOB	178,800
Bridgetown, Barbados Fitout	31,900
Frankfurt, Germany Design and Fitout	42,900
Panama City, Panama Design	22,950
Moscow, Russia Annex Design Construction	4,300
Tirana, Albania Design/Build	21,700
Other Site Acquisitions and Planning	101,100

	Committee recommendation
Compound Security	150,450
Subtotal, Worldwide Security Upgrades	740,000
Security Enhancements for U.S.-Affiliated Locales:	
American Schools	7,000
Post Housing	20,000
Other Security Enhancements	3,000
Subtotal, Enhancements for U.S.-Affiliated Locales	30,000
Operations:	
Planning and Development	6,200
Real Estate and Property Management	6,000
Project Execution	91,000
Construction Management	21,000
Security Management	31,000
Design and Engineering	14,700
Energy Conservation	3,900
Interiors and Furnishings	11,700
Program Management	7,500
Seismic Program	1,200
Operations and Maintenance	371,300
Facility Management	58,000
Facilities Rehabilitation and Support System Replacement	40,000
Moscow, Russia Spoede Fitout	[2,000]
Jakarta, Indonesia Chancery and GSO Rehabilitation	[1,736]
Fire Protection	8,500
Leaseholds	150,000
Buyout of Uneconomic Leases	35,000
Maintenance and Repair of Buildings	68,400
Post Communications	8,000
Safety, Health, and Environmental Management	3,400
Information Management and Support	31,000
Main State/Domestic Renovations	23,000
Subtotal, Operations	528,500
Headquarters:	
Salaries and Training	6,500
Subtotal, Headquarters	6,500
Embassy Security, Construction, and Maintenance Total	1,305,000

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

Vulnerability.—The 1998 embassy bombings in Kenya and Tanzania significantly changed the way we approach the security of our facilities abroad. The June 14, 2002, attack on a church in Islamabad, Pakistan, which U.S. citizens were widely known to attend, brought into focus a new kind of threat against our interests abroad, specifically, threats against so called "soft targets". The Committee urges the State Department to formulate a strategy for addressing, both in the long term and in the short term, threats to locales that are either frequented by Americans or symbolic of the United States. The Committee is particularly concerned about the safety of American schools abroad, and last year provided $6,250,000 for related security enhancements. The recommendation for fiscal year 2003 includes $30,000,000 for the Department to provide both temporary and long term security enhancements for locations that are affiliated with the U.S. by virtue of the activities and

individuals they accommodate. The Committee expects to be consulted by the Department prior to the release of these funds.

Buyout of uneconomic leases.—High lease costs deplete Department resources. The Committee supports efforts by the Department to selectively acquire properties in cities with volatile rental markets, thus generating significant out-year savings. The Committee recommendation provides $35,000,000 for opportunity purchases.

Marine Security Guard housing.—Marine Security Guards are essential to the Department's ability to carry out its mission overseas. In fiscal year 2002, the Department completed the final phase of a multi-year effort, undertaken at the insistence of the Committee, to address the long-neglected capital needs of many Marine Security Guard (MSG) housing facilities worldwide. The Committee supports the Department's new policy of incorporating MSG housing costs into the initial cost estimates, and thus the budget requests, for overseas construction or rehabilitation projects. The Committee notes that MSG housing costs for fiscal year 2003 are embedded within the capital projects account and will therefore not constitute a separate line item in the above chart.

The Department is directed, under the terms and conditions that follow, to submit for the Committee's review and approval within 60 days after enactment of this Act only those projects or subaccounts funded under this account, whether from direct appropriations or proceeds of sales, that deviate from the above chart. Any deviation shall include project-level detail and shall be treated as a reprogramming under section 605 of this Act in the case of an addition greater than $500,000, or as a notification in the case of a deletion, a project cost overrun exceeding 25 percent, or a project schedule delay exceeding 6 months. Notification requirements also extend to the "rebaselining" of a given project's cost estimate, schedule, or scope of work. By focusing the financial plan only on deviations, the Committee expects the Department to move projects toward contract obligation promptly after funds are appropriated. Immediate access to funds for the projects that are unchanged from the above chart allows the Department to negotiate contracts and obligate funds more efficiently over the entire fiscal year.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

Appropriations, 2002	$6,500,000
Budget estimate, 2003	15,000,000
Committee recommendation	6,500,000

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 Americans, U.S. Government employees, and their families from troubled areas to the United States and/or safe-haven posts; (2) allowances granted to State Department employees and their dependents evacuated to the United States for the convenience of the Government; (3) payment of rewards for information concerning terrorists and war criminals; and (4) representation expenses for senior Administration officials.

The Committee recommends an appropriation of $6,500,000. The recommendation is $8,500,000 below the budget request.

REPATRIATION LOANS PROGRAM ACCOUNT

Appropriations, 2002	$1,219,000
Budget estimate, 2003	1,219,000
Committee recommendation	1,219,000

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 an appropriation of $1,219,000. The recommendation is identical to the budget request.

Less than 20 percent of repatriation loans are ever repaid. The Committee strongly endorses efforts by consular services to limit assistance only to victims of unforeseen circumstances or travelers whose mental instability presents a risk to themselves or others.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

Appropriations, 2002	$17,044,000
Budget estimate, 2003	18,817,000
Committee recommendation	17,044,000

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

The Committee recommends an appropriation of $17,044,000. The recommendation is $1,773,000 below the budget request.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

Appropriations, 2002	$135,629,000
Budget estimate, 2003	138,200,000
Committee recommendation	138,200,000

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 an appropriation of $138,200,000. The recommendation is identical to the budget request.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

Appropriations, 2002	$850,000,000
Budget estimate, 2003	891,378,000
Committee recommendation	850,000,000

This account funds payment of the obligations of U.S. membership in international organizations as authorized by treaties or specific acts of Congress.

The Committee recommends an appropriation of $850,000,000. The recommendation is $41,378,000 below the budget request.

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

Contributions to international organizations

[In thousands of dollars]

	Committee recommendation
United Nations and affiliated agencies:	
Food and Agriculture Organization	72,741
International Atomic Energy Agency	47,473
International Civil Aviation Organization	12,011
International Labor Organization	50,333
International Maritime Organization	1,209
International Telecommunications Union	5,800
United Nations—Regular	279,327
United Nations—War Crimes Tribunals	7,629
Universal Postal Union	1,295
World Health Organization	93,616
World Intellectual Property Organization	823
World Meteorological Organization	8,332
Subtotal	580,589
Inter-American organizations:	
Inter-American Institute for Cooperation on Agriculture	16,560
Organization of American States	54,196
Pan American Health Organization	55,340
Pan American Institute of Geography and History	324
Subtotal	126,420
Regional organizations:	
Asia-Pacific Economic Cooperation	601
Colombo Plan Council for Technical Cooperation	15
North Atlantic Assembly	563
North Atlantic Treaty Organization	42,502
Organization for Economic Cooperation and Development	49,176
South Pacific Commission	1,080
Subtotal	93,937
Other international organizations:	
Customs Cooperation Council	2,703
Hague Conference on Private International Law	102
International Agency for Research on Cancer	1,649
International Bureau/Permanent Court of Arbitration	18
International Bureau/Publication of Customs Tariffs	84
International Bureau of Weights and Measures	764
International Copper Study Group	54
International Cotton Advisory Committee	226
International Center for the Study of Preservation & Restoration of Cultural Property	748
International Hydrographic Organization	77
International Institute/Unification of Private Law	95
International Lead & Zinc Study Group	54
International Office of Epizootics	90
International Organization of Legal Metrology	89
International Rubber Study Group	120
International Seed Testing Association	7
International Tropical Timber Organization	159
International Union/Conservation of Nature and Natural Resources	247
International Grains Council	429
International Union/Protection of New Varieties of Plants	161
Organization for the Prevention of Chemical Weapons	13,769

	Committee recommendation
World Trade Organization/General Agreement on Tariffs and Trade	12,826
Subtotal	34,471
Potential Exchange Rate Losses	14,583
Total, international organizations	850,000

The Committee recommendation includes several adjustments to this account based on policy decisions. The Committee also is aware that exchange rate margins are moving in a direction that is disadvantageous to the U.S. dollar. The Committee recommendation includes $14,583,000 to provide for any potential exchange rate losses. Should use of the funds be necessary, the Committee expects to be notified on an agency by agency basis.

Synchronization.—The Committee notes that in the early 1980's, the Office of Management and Budget devised a plan to pay U.S. dues to international organizations in the last quarter of the year in which they were due. This practice allowed the United States to pay its annual dues to the United Nations (U.N.), its affiliate agencies, and other international organizations in each subsequent fiscal year's budget, resulting in significantly reduced outlays for one fiscal year. What was intended as a budget gimmick to realize a one-time savings, however, has become standard practice. The subsequent non-synchronization of budgets has resulted in U.S. dues frequently being paid more than a year late, which has further aggravated U.S. relations with the international community. The United States has demanded that U.N. adopt sound, fiscally responsible budgetary practices. However, the Untied State's own late payment of its U.N. dues forces the United Nations to engage in unsound budgeting practices.

The Committee directs the Secretary of State to develop a plan, to be presented to and approved by the Committees on Appropriations, for the graduated synchronization of the United States' and the United Nations' budget cycles. The Committee further directs that the Secretary of State's plan take a graduated approach to synchronization, allowing the Department to designate budget authority and provide outlays necessary to synchronize the U.S. payment over a maximum of 5 years. The Committee expects this plan to include projected budget requests for the Contributions to International Organizations account for each of the fiscal years in which synchronization shall take place.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

Appropriations, 2002	$844,139,000
Budget estimate, 2003	725,981,000
Committee recommendation	666,772,000

This account funds U.S. payments for contributions for international peacekeeping activities.

The Committee recommends an appropriation of $666,772,000. The recommendation is $59,209,000 below the budget request.

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

Contributions for International Peacekeeping Activities

[In thousands of dollars]

U.N. Disengagement Observer Force—UNDOF	7,683
U.N. Interim Force in Lebanon—UNIFIL	30,786
U.N. Iraq/Kuwait Observer Mission—UNIKOM	4,114
U.N. Mission for the Referendum in Western Sahara—MINURSO	10,830
U.N. Mission in Kosovo—UNMIK	88,661
U.N. Peacekeeping Force in Cyprus—UNFICYP	4,793
U.N. Observer Mission in Georgia—UNOMIG	5,985
War Crimes Tribunal—YUGOSLAVIA	13,461
War Crimes Tribunal—RWANDA	11,113
U.N. Mission in Sierra Leone—UNAMSIL	133,912
U.N. Transitional Administration in East Timor—UNTAET	53,432
U.N. Operation in the Democratic Republic of the Congo—MONUC	250,942
U.N. Mission in Ethiopia and Eritrea—UNMEE	51,060
Subtotal	666,772

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2003.

Democratic Republic of Congo.—The Committee recommendation provides the full authorized amount for the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). Prior to the release of these funds, the Department of State must certify to the Committees on Appropriations that the following conditions have been met. First, firm benchmarks for what constitutes a successful mission must be determined, articulated, and followed. Second, the security of DROC's neighbors must be factored in to all of MONUC's strategic and contingency planning, and must be heavily considered in the negotiation of a final political settlement. Third, the United Nations must construct an arrangement for the withdrawal of foreign forces from the DROC that, to the greatest degree possible, does not destabilize DROC's neighbors. Fourth, contingency plans must be developed and implemented for the safe withdrawal of peacekeepers in the event of a resumption of hostilities.

Sierra Leone.—The Committee is encouraged by the May, 2002 national elections in Sierra Leone, which were conducted in a credible and peaceful manner. The elections underscored that the people of Sierra Leone do not wish the Revolutionary United Front, a rebel group notorious for its use of forced amputations to terrorize local populations, to have a role in the future governance of their country. As previously inaccessible areas of Sierra Leone become accessible due to the completion of disarmament, demobilization, and reintegration (DDR), more evidence of atrocities committed during the conflict will come to light. The Committee strongly supports the work of the Special Court for Sierra Leone, the purpose of which is to prosecute those who bear the greatest responsibility for serious violations of international humanitarian law, crimes against humanity, and some Sierra Leonean criminal laws, perpetrated during the course of the conflict in Sierra Leone since 1996. The Committee notes that the Special Court will face the momentous challenge of prosecuting a disproportionately high number of crimes involving sexual violence and crimes against children. The Committee directs the Department of State to consider ways it can support, and encourage international and private organizations to undertake, new efforts to prevent, respond to, and document sexual violence in African countries, including Sierra Leone,

Guinea, Liberia, Ivory Coast, and the Democratic Republic of Congo.

Three important goals remain for the U.N. Peacekeeping Mission to Sierra Leone (UNAMSIL): the extension of state authority, the reintegration of ex-combatants, and full restoration of the government's control over diamond mining. It is imperative that the international community and the UN safeguard the progress made in Sierra Leone by remaining engaged until all of the objectives are met. The recommendation therefore provides the full authorized amount for UNAMSIL. The Committee supports the adjustments to the current strength, composition, and deployment of UNAMSIL troops based on recent changes and anticipated further changes in the security situation in Sierra Leone.

East Timor.—The Committee is encouraged by reports of improved relations between the newly-independent East Timor and Indonesia. Despite progress towards a peaceful, constructive relationship between the two nations, East Timor is not yet ready to stand entirely on its own. The fledgling nation is still in the beginning stages of establishing a criminal justice system, basic social services, and professional police and defense forces. The Committee therefore supports the continued presence of the U.N. Transitional Administration in East Timor (UNTAET) at the levels deemed prudent by the UN Secretary General.

Twenty-Five Percent Cap.—Funding is provided to meet fully U.S. assessments to UN peacekeeping operations at a level that is consistent with the current legislative cap of 25 percent imposed by section 404 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995. When legislation is enacted to lift or modify this restriction, the Committee will consider through the regular reprogramming process a request by the Department to reallocate funding. This reprogramming would permit the United States to meet its full assessment obligations.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

SALARIES AND EXPENSES

Appropriations, 2002	$24,705,000
Budget estimate, 2003	27,404,000
Committee recommendation	25,155,000

The Committee recommends an appropriation of $25,155,000. The recommendation is $2,249,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level, and a 4.1 percent pay adjustment for Federal employees.

The Committee recommendations are displayed in the following table:

International Boundary & Water Commission Salaries and Expenses

[In thousands of dollars]

Administration	5,375
Engineering	2,131
Operations and maintenance	17,199
Federal employee pay parity	450

CONSTRUCTION

Appropriations, 2002	$5,450,000
Budget estimate, 2003	9,401,000
Committee recommendation	5,488,000

The Committee recommends an appropriation of $5,488,000. The recommendation is $3,913,000 below the budget request.

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

International Boundary & Water Commission Construction

[In thousands of dollars]

	Committee recommendation
Boundary-wide construction:	
Facilities renovation construction	656
Heavy equipment replacement	500
Land mobile radio systems replacement	594
Hydrological data collection system rehabilitation	500
Subtotal, boundary-wide construction	2,250
Rio Grande construction:	
Rio Grande American Canal extension	250
Rio Grande canalization continuation	800
Rio Grande flood control system rehabilitation	1,150
Safety of dams rehabilitation	1,000
Subtotal, Rio Grande construction	3,200
Federal employee pay parity	38
Total	5,488

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2003.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

Appropriations, 2002	$9,911,000
Budget estimate, 2003	10,682,000
Committee recommendation	10,009,000

This account funds the U.S. share of expenses of the International Boundary Commission [IBC], the International Joint Commission [IJC], and the Border Environment Cooperation Commission [BECC].

The Committee recommends an appropriation of $10,009,000. The recommendation is $673,000 below the budget request.

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

American Sections, International Commissions

[In thousands of dollars]

	Committee recommendation
International Boundary Commission:	
Commission operations	514
Maine-Quebec project	118
Washington-British Columbia	234

	Committee recommendation
Montana-Alberta, British Columbia	143
Subtotal, IBC	1,009
International Joint Commission:	
United States Section	6,440
U.S. Geological Survey	534
Subtotal, IJC	6,960
Border Environment Cooperation Commission:	
Studies & investigations/solid waste projects	320
All other operations	1,720
Subtotal, BECC	2,040
Total, American sections	10,009

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2003.

INTERNATIONAL FISHERIES COMMISSIONS

Appropriations, 2002	$20,480,000
Budget estimate, 2003	19,780,000
Committee recommendation	20,480,000

This account funds the U.S. share of the expenses of international fisheries commissions; participation in the International Council for the Exploration of the Sea; participation in the North Pacific Marine Sciences Organization; travel expenses of the U.S. commissioners and their advisors; and salaries of non-Government employees of the Pacific Salmon Commission for days actually worked as commissioners and panel members and alternates.

The Committee recommends an appropriation of $20,480,000. The recommendation is $700,000 above the budget request.

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

International Fisheries Commissions

[In thousands of dollars]

	Committee recommendation
Inter-American Tropical Tuna Commission	1,950
Great Lakes Fishery Commission	13,248
Pacific Salmon Commission	2,193
International Pacific Halibut Commission	2,100
International Whaling Commission	90
North Pacific Anadromous Fish Commission	99
Int'l Commission/Conservation of Atlantic Tunas	121
Northwest Atlantic Fisheries Organization	146
Commission for the Conservation of Antarctic Marine Living Resources	70
North Atlantic Salmon Conservation Organization	27
Int'l Council for the Exploration of the Seas	120
North Pacific Marine Science Organization	66
Inter-American Sea Turtle Convention Commission	150
Expenses of the U.S. Commissioners	100
Total	20,480

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2003.

Of the amount provided for the Great Lakes Fishery Commission [GLFC], not less than $300,000 shall be used to treat Lake Champlain with lampricide and lampricide alternative. The GLFC is directed to give priority to States that have provided matching grants when distributing lampricide funds.

OTHER

PAYMENT TO THE ASIA FOUNDATION

Appropriations, 2002	$9,250,000
Budget estimate, 2003	9,444,000
Committee recommendation	10,250,000

The Committee recommends an appropriation of $10,250,000. The recommendation is $806,000 above the budget request.

The Asia Foundation plays a complimentary role in advancing U.S. foreign policy interests in Asia and the Pacific through grants, services, and exchange programs. The Committee supports the Foundation's efforts to reestablish its program and presence in Afghanistan, which was in existence from 1954 until the Soviet invasion in 1979. The Committee encourages the Foundation to use its expertise in developing programs to encourage women's political participation in the Asia-Pacific region in Afghanistan.

Within the funds provided, $1,000,000 is to support the Asia Foundation's work in Nepal aimed at strengthening the performance of district courts and building dispute resolution mechanisms in the local communities. A comprehensive research study carried out last year confirmed that there are severe weaknesses in the Nepalese court system. The additional funding provided will allow the Asia Foundation to expand its current training to include judges, prosecutors, and court personnel throughout Nepal. Also, additional funding will allow the Asia Foundation to provide the technical support, training, awareness programs, and assistance in building local capacity necessary to building effective dispute resolution mechanisms at the local level.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

Appropriations, 2002	$500,000
Budget estimate, 2003	500,000
Committee recommendation	500,000

The Committee recommends an appropriation of $500,000 for 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 equal to the budget request.

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

ISRAELI-ARAB SCHOLARSHIP PROGRAM

Appropriations, 2002	$375,000
Budget estimate, 2003	375,000
Committee recommendation	375,000

The Committee recommends an appropriation of interest and earnings for the Israeli-Arab Scholarship Endowment Fund estimated to be $375,000. The recommendation is equal to the budget request.

A permanent endowment of $4,978,500 was established in fiscal year 1992 with funds made available 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.

EAST-WEST CENTER

Appropriations, 2002	$14,000,000
Budget estimate, 2003	14,280,000
Committee recommendation	18,000,000

The Committee recommends an appropriation of $18,000,000. The recommendation is $3,620,000 above the request.

Of the funding provided, the Committee recommends $2,500,000 for renovation of existing East West Center facilities which are more than 40 years old. The funding provided will be used to upgrade the facilities to make them compliant with current safety standards and to improve telecommunications services.

NATIONAL ENDOWMENT FOR DEMOCRACY

Appropriations, 2002	$33,500,000
Budget estimate, 2003	36,000,000
Committee recommendation	46,500,000

The Committee recommends an appropriation of $46,500,000. The recommendation is $10,500,000 above the budget request.

The National Endowment for Democracy (NED) is a private nonprofit organization created in 1983 to strengthen democratic institutions around the world. NED's mission is to support peaceful and stable transitions to more open political and economic systems characterized by effective governance and legal systems, engaged and responsible civil societies, and open markets. Although NED was first created to help the United States win the cold war, its mission of promoting democracy is still relevant today particularly in the new war against terrorism.

This Committee recommendation responds to the immediate threat of terrorism by taking steps to provide for the security of the U.S. homeland. However, the threat of terrorism also requires a long term response which addresses the root causes of terrorism. This can be accomplished by helping to establish democracies throughout the Middle East, Africa, South and Central Asia, and other regions where terrorism has flourished over the last decade. Building democracies helps sever the link between terror and tyranny which, unfortunately, have become commonplace in these regions.

NED already has established a network of Muslim organizations and professionals in these regions that work to promote democracy from within the Islamic tradition. The Committee believes that NED's existing networks in these regions can be used to further the larger objectives of the war against terror. The recommendation therefore includes funding above the requested level for NED to expand its work with political leaders, legislators, and political parties in Muslim countries, and to capitalize on new opportunities to expand outreach and develop and promote contacts.

The Committee recommendation includes $7,000,000 above current funding levels for programs that support the development of effective ties with modernist Muslim groups, programs that are developing pro-democracy networks, independent journalists, and women's business organizations.

The Muslim world consists of more than 1 billion people and stretches some 10,000 miles from Morocco to Indonesia. Only by establishing democracies in those countries of the Middle East, Africa, South and Central Asia, and other regions that support terrorists can we permanently stop terrorism. It is in these Muslim countries or regions that terrorist recruits are found among the disadvantaged. Muslim countries face four challenges. The first is to end repression, permit freedom of expression, and introduce genuine political parties. The second is to modernize their economy, with the goal of reducing poverty and inequality so that young people can have hope and opportunity. The third is to control corruption and establish a genuine rule of law. And the fourth is to end the political abuse of religion and reconcile Islam with modern concepts of citizenship and individual rights. The Committee therefore recommends increases for NED programs in Muslim-populated countries, as reflected in the following table:

[In thousands of dollars]

	Committee recommendation
Africa	6,341
Asia	7,182
Middle East	8,605
Central Asia/Afghanistan	2,000
Central and Eastern Europe	2,180
Newly Independent States	5,540
Latin American/Caribbean	5,737
Multiregional	3,280
Democratic Activities	1,272
Administration	4,363
Total	46,500

The Committee expects that the funding for these increased activities be distributed through NED's four core institutes in the same manner as NED's core budget.

Africa.—The Committee recognizes that funding constraints have limited the success of NED in the Democratic Republic of Congo, Sierra Leone, Sudan, and Nigeria. Therefore, $1,000,000 above current funding levels is provided for NED to increase its support for independent women's cultural and human rights organizations in these countries.

Asia.—Of the funding provided for Asia, the Committee recommendation includes $1,500,000 above the request for enhanced

programs in The Peoples Republic of China including Tibet, Burma, and North Korea.

Middle East.—Of the funding provided for NED programs in the Middle East, the Committee recommendation includes an increase of $1,000,000 above current funding levels to expand a women's rights and democracy training program for Lebanon's Shiite female educators, students, and mothers.

Afghanistan.—The Committee recommends $2,000,000 for NED to establish a program for women's rights in Afghanistan.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

Appropriations, 2002	$437,434,000
Budget estimate, 2003	467,898,000
Committee recommendation	441,456,000

This account funds the operating and engineering costs of Voice of America [VOA], Radio Free Europe/Radio Liberty [RFE/RL], Radio Free Asia [RFA], Worldnet Television, and the Broadcasting Board of Governors [BBG].

The Committee recommends an appropriation of $441,456,000. The recommendation is $26,442,000 below the budget request.

The Committee recommendation includes the fiscal year 2002 funding level, and a 4.1 percent pay raise for Federal employees. Of the funds provided, no more than $17,757,000 shall be used for Agency Direction.

The Committee directs the Broadcasting Board of Governors to submit a spending plan for the entire amount of its fiscal year 2003 appropriation within 60 days of the date of enactment of this Act through the normal reprogramming process.

Shifting requirements.—The Committee commends Radio Free Europe/Radio Liberty (RFE/RL) for developing programming in Avar, Chechen, and Circassian and for expanding broadcasting to the Northern Causasus. The Committee recognizes the continuing importance of reaching the isolated minorities of the Northern Caucasus in their native languages. The Chechen crisis is ongoing and there is still a great need in this region for objective, uncensored information. Within the funding provided for RFE/RL, not less than $2,400,000 shall be for the North Caucasus Unit.

The Committee recommendation includes $1,157,000 for Radio Free Asia to continue daily Uyghur broadcasts. Radio Free Asia's Uyghur broadcasts are proving successful in northwest China in spite of top level officials efforts to erect "a steel wall" against "hostile radio stations from abroad."

Africa Broadcasting.—Africa continues to dwarf the rest of the world in how the region has been affected by AIDS. Radio broadcasting is an underutilized tool in the fight against the African AIDS epidemic. Its accessibility to even the most impoverished communities make it an ideal way to transmit information about the disease. Radio broadcasts could be a major component of sustained prevention efforts undertaken by the governments of many African countries, humanitarian organizations, and U.S. assistance

programs. The recommendation includes $11,000,000 for Voice of America's Africa Division for broadcasting to Africa. The Committee directs VOA to incorporate AIDS education into its regular programming. VOA is directed to report to the Committee on its progress no later than 90 days after enactment of this Act.

Of the funds made available for Voice of America, $8,579,000 is for the Middle East Radio Network.

Security of RFE/RL headquarters.—The Committee is aware that RFE/RL and the government of the Czech Republic have jointly developed a preliminary plan to relocate RFE/RL headquarters from St. Wenceslas Square in Prague, the Czech Republic, to a new and safer location. The Committee expects to be consulted on all decisions concerning capital construction, particularly those that are security-driven. RFE/RL is directed to report to the Committee on all aspects of the relocation currently being considered. The Committee expects this report to consider whether it would be desirable, from both a security and an economic perspective, to move RFE/RL headquarters to a location outside of the Czech Republic.

Security of worldwide broadcasting facilities.—In the post-September 11 environment, the broadcasting services no longer have the luxury of ignoring the security of their personnel and facilities. The Broadcasting Board of Governors is therefore directed to develop, in consultation with the Department of State and other relevant U.S. agencies, a 5-year capital worldwide security plan. The plan shall be transmitted to the Committees on Appropriations no later than March 15, 2003.

Within the funding made available for Radio Free Asia, no less than $2,898,000 is for the Korea Service.

BROADCASTING TO CUBA

Appropriations, 2002	$24,872,000
Budget estimate, 2003	25,362,000
Committee recommendation	24,996,000

This account funds the operating and engineering costs of Radio and Television Marti.

The Committee recommends an appropriation of $24,996,000. The recommendation includes the fiscal year 2002 funding level, and a 4.1 percent pay raise for Federal employees.

BROADCASTING CAPITAL IMPROVEMENTS

Appropriations, 2002	$25,900,000
Budget estimate, 2003	13,740,000
Committee recommendation	13,740,000

This account funds necessary maintenance, improvements, replacements, and repairs of broadcasting sites; satellite and terrestrial program feeds; and engineering support activities, broadcast facility leases, and land rentals.

The Committee recommends an appropriation of $13,740,000. The recommendation is identical to the budget request.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

The Committee recommends the following general provisions:

Section 401 permits funds appropriated in this act for the Department of State to be available for allowances and differentials, services, and hire of passenger transportation.

Section 402 permits up to 5 percent of any appropriation made available in the bill for the Department of State and the U.S. Information Agency to be transferred between their respective appropriations. The language also provides that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer. 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 prohibits the use of Department of State funds to support the Palestinian Broadcasting Corp.

Section 404 requires that a consulate or diplomatic facility in Jerusalem be under the supervision of the U.S. Ambassador to Israel.

Section 405 requires government publications to list Jerusalem as the capital of Israel.

Section 406 allows Israel to be recorded as the place of birth on registrations of birth, certifications of nationality, and passport applications for U.S. citizens born in Jerusalem.

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

Appropriations, 2002	$224,732,000
Budget estimate, 2003	207,120,000
Committee recommendation	225,166,000

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 recommends a total appropriation of $225,166,000, which is $18,046,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment for Federal employees. The Committee's recommendations for specific accounts are described below.

MARITIME SECURITY PROGRAM

Appropriations, 2002	$98,700,000
Budget estimate, 2003	98,700,000
Committee recommendation	98,700,000

The Committee recommends an appropriation of $98,700,000. The recommendation is identical to the budget request.

The Maritime Security program maintains a U.S.-flag merchant fleet crewed by U.S. citizens who serve both the commercial and national security needs of the United States. The Committee's recommendation fully funds the 47 ships authorized to participate in this program.

OPERATIONS AND TRAINING

Appropriations, 2002	$89,054,000
Budget estimate, 2003	93,133,000
Committee recommendation	89,488,000

The Committee recommends an appropriation of $89,488,000. The recommendation is $3,645,000 below the budget request.

This account funds operations of the Maritime Administration [MarAd], the U.S. Merchant Marine Academy, and provides grants to State maritime academies.

The recommendation includes $49,713,000 for the U.S. Merchant Marine Academy and $7,563,000 for the State maritime schools. Within the amounts provided for the U.S. Merchant Marine Academy, $13,000,000 is included to reduce the maintenance and repair backlog at the Academy, and to begin to make needed capital improvements. Within the amounts for State maritime schools, $1,200,000 is for student incentive payments, $1,200,000 is for di-

rect scholarship payments, and $5,163,000 is for schoolship maintanence and repair. The Committee notes that MarAd anticipates using $2,000,000 in Ready Reserve funds to support the schoolship maintenance and repair program.

MARITIME GUARANTEED LOAN PROGRAM

Appropriations, 2002	$36,978,000
Budget estimate, 2003	4,126,000
Committee recommendation	36,978,000

The Committee recommends an appropriation of $36,978,000. The recommendation includes $4,126,000 for administrative expenses. The recommendation is $32,852,000 above the budget request.

The Maritime Guaranteed Loan Program (title XI) provides subsidies for guaranteed loans for purchasers of vessels built in U.S. shipyards and includes the guarantee for facilities or equipment pertaining to marine operations related to any of those vessels.

The Committee is concerned that the Administration did not request a title XI subsidy for fiscal year 2002. Projects currently under consideration, and many future maritime projects would be in jeopardy under this proposal. The recommended subsidy amount, when combined with $10,000,000 in anticipated carryover balances, should provide sufficient funding to cover expected outyear requirements.

SHIP DISPOSAL PROGRAM

Appropriations, 2002	.....
Budget estimate, 2003	$11,161,000
Committee recommendation	.....

The Committee does not recommend an appropriation for the Ship Disposal Program. The recommendation is $11,161,000 below the budget request.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

Appropriations, 2002	$489,000
Budget estimate, 2003	499,000
Committee recommendation	499,000

The Committee recommends an appropriation of $499,000. This amount is identical to the budget request and includes a 4.1 pay adjustment. The recommendation will allow the Commission to fund its administrative expenses through appropriated funds while relying on privately donated funds for the actual purchase and restoration of property.

The purpose of the Commission is to encourage the preservation of cemeteries, monuments, and historic buildings associated with the foreign heritage of the American people.

Revolutionary War heroes.—The Committee supports the Commission's preliminary survey (phase I) of sites abroad associated with the lives and deeds of foreign-born heroes of the American Revolution. The Commission has identified at least 31 Revolutionary period heroes that are, or should be, commemorated abroad

that qualify for site assessment (phase II). Phase II will involve: (1) collection of first hand information at foreign commemorative sites, (2) formulation of recommendations regarding necessary repairs to, or expansion of, existing monuments, rewriting of commemorative inscriptions, and placement of new commemorative markers or monuments, and (3) dissemination of information on commemorative sites to American citizens and foreign governments and organizations. The Committee recommendation includes $160,000 to conduct phase II. The Committee looks forward to receiving a report on the completion of phase II at the earliest convenience of the Commission.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

Appropriations, 2002	$9,096,000
Budget estimate, 2003	9,096,000
Committee recommendation	9,096,000

The Committee recommends an appropriation of $9,096,000 for the salaries and expenses of the Commission on Civil Rights. The recommendation is identical to the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment to the degree resources are available.

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; (3) a prohibition against reimbursing the chairperson for more than 125 billable days; and (4) a limitation of four full-time positions under schedule C of the Excepted Service exclusive of one special assistant for each Commissioner.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Appropriations, 2002	$3,000,000
Budget estimate, 2003	3,000,000
Committee recommendation	3,000,000

The Committee recommends an appropriation of $3,000,000. The recommendation is identical to the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment to the degree resources are available.

COMMISSION ON OCEAN POLICY

Appropriations, 2002	$3,000,000
Budget estimate, 2003	.....
Committee recommendation	3,000,000

The Committee recommends an appropriation of $3,000,000 for the Commission on Ocean Policy. The recommendation is $3,000,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment to the degree resources are available. Legislation directing the President to establish a Commission on Ocean Policy, as the successor to the objective, science-based 1966 Stratton Commission passed during the 106th Congress. To date $7,500,000 has been appropriated for the Commission.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

Appropriations, 2002	$1,499,000
Budget estimate, 2003	1,607,000
Committee recommendation	1,550,000

The Committee recommends an appropriation of $1,550,000. The recommendation is $51,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment to the degree resources are available.

The Commission was established in 1976 to ensure compliance with the final act of the Conference on Security and Cooperation in Europe with particular regard to provisions dealing with humanitarian affairs.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

Appropriations, 2002	$1,000,000
Budget estimate, 2003	1,700,000
Committee recommendation	1,000,000

The Committee recommends an appropriation of $1,000,000. The recommendation is $700,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment to the degree resources are available.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

Appropriations, 2002	$310,406,000
Budget estimate, 2003	308,822,000
Committee recommendation	317,206,000

The Committee recommends an appropriation of $317,206,000. The recommendation is $6,800,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment to the degree resources are available.

The Committee recommendation includes $33,000,000 to fund fair employment practices agencies. This should permit the EEOC to increase the contract rate for cases closed to $500. In order to ensure the EEOC understands the importance the Committee places on the work of State and local fair employment practices agencies, bill language is included to direct the agency to increase funding for the charge rate paid to these agencies.

The Committee expects the agency to use its anticipated fiscal year 2002 carryover funds and the remainder not used for the above purposes to modernize its computer systems.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

Appropriations, 2002	$245,071,000
Budget estimate, 2003	268,327,000
Committee recommendation	246,971,000

The Committee recommends a total of $246,971,000 for the salaries and expenses of the Federal Communications Commission [FCC], of which the entire amount is to be derived from collection of existing fees. The recommendation is $21,356,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment to the degree resources are available. The Committee supports an increase for the FCC's Information Technology requirements and initiatives. This funding will provide for continued support and critical improvements for existing systems, and will ensure compliance with government-wide standards pertaining to system security, accessibility and financial management. The funding will impact on all five key FCC activities, which includes licensing, competition, enforcement, consumer information, and spectrum management.

The FCC is an independent agency charged with regulating interstate and foreign communications, including radio, television, wire, wireless, cable, and satellite. The FCC's primary mission is to promote competition, innovation, and deregulation in the communications industry.

Broadcast television standards.—The Committee is concerned about the declining standards of broadcast television and the impact this decline is having on America's children. An analysis of all prime-time programming has found that overall sexual content, foul language and violence have tripled over the past decade. In December 1999, the FCC issued a notice of inquiry regarding the public interest obligations of broadcasters during and after the transition to digital transmission. The Committee directs the FCC to continue to report to Congress on the issues associated with resurrecting a broadcast industry code of conduct for content of programming that, if adhered to by the broadcast industry, would protect against the further erosion of broadcasting standards.

The Committee is aware that excess section 9 regulatory fees exist. The Committee recommends that the FCC have access to any of these fees in fiscal year 2003 to be used for the 4.1 percent pay adjustment for Federal employees, without further action.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

Appropriations, 2002	$16,458,000
Budget estimate, 2003	17,440,000
Committee recommendation	16,484,000

The Committee recommends an appropriation of $16,484,000. The recommendation is $956,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment to the degree resources are available.

The Federal Maritime Commission is an independent regulatory agency charged with administering several laws relating to the waterborne domestic and foreign offshore commerce of the United States.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2002	$155,982,000
Budget estimate, 2003	171,599,000
Committee recommendation	159,148,000

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. The FTC regulates advertising practices, service industry practices, marketing practices, and credit practices as it addresses fraud and other consumer concerns.

The Committee recommends an appropriation of $159,148,000. The recommendation is $12,451,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment. The Committee recommendation for fiscal year 2003 provides funding for a total of 1,074 full time equivalents. The recommendation provides requested increases to pay non-personnel services, and space costs, and does not provide for increased costs of the Consumer Response Center. The recommended program level will be partially offset by fees assessed on Hart-Scott-Rodino Act premerger notification filings as authorized by section 605 of Public Law 101–162.

Child Protection.—The FTC released a report 2 years ago that was very critical of the entertainment industry and their persistent and calculated marketing of violent games, movies, and music to children. In response to this report the entertainment industry has promised to place tougher regulations on itself and voluntarily comply with the report's recommendations. The Committee believes that the FTC should continue and expand its efforts in this area and directs the Commission to continue to engage in consumer research and workshops, underage shopper-retail compliance surveys, and marketing data collection.

Competition.—The FTC's Maintaining Competition Mission is aimed at fostering and preserving our competitive market. The goal of the competition mission is to prevent anticompetitive business practices in the marketplace. The mission works to accomplish this goal by identifying and stopping anticompetitive mergers, and by preventing consumer injury through education. Mergers that are anticompetitive can drive up consumer prices by millions of dollars every year and can significantly diminish output, product quality, innovation, and consumer choice. To identify anticompetitive mergers, the FTC relies primarily on the premerger notification required by the Hart-Scott-Rodino Act. To distinguish between mergers that threaten free markets and those likely to promote them, the FTC uses sophisticated economic analysis and thorough factual investigation.

Consumer Protection.—The FTC is charged with eliminating unfair or deceptive acts or practices affecting commerce. The goal of the consumer protection mission is to prevent fraud, deception, and unfair business practices in the marketplace. The mission works to accomplish this goal by identifying fraud, deception and unfair practices that cause the greatest consumer injury, by stopping these actions through law enforcement, and by preventing consumer injury through education. Staff in the FTC's eight regions support the consumer protection mission by bringing a wide variety of consumer protection cases in various programs and acting as contacts for State Attorneys General and other State and local consumer protection officials.

Internet.—The FTC is charged with monitoring compliance with the Children's Online Privacy Protection Act. The Committee's recommendation ensures the agency is adequately prepared to meet the challenges of increased fraud on the Internet and the agency's recognition that Internet fraud is an international phenomenon since the Internet has no borders.

Fleet Card Programs.—The Committee urges the Federal Trade Commission to conduct a study to determine if uncompetitive or unfair practices or practices which tend to restrain trade are used by companies which provide commercial trucking fleet card programs, and the effects of these practices on the truck stop industry. The Committee expects a report on this study within 180 days of enactment of this Act.

Telephone Consumer Fraud and Abuse Prevention.—The Committee does not recommend use of fees for the Telephone Consumer Fraud initiative. To date, the FTC has not approved use of fees for this program. The Committee encourages the FTC to submit a spend plan on this initiative after such approval has been granted.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

Appropriations, 2002	$329,300,000
Budget estimate, 2003	329,300,000
Committee recommendation	329,397,000

The Committee recommends an appropriation of $329,397,000. The recommendation is $97,000 above the budget request and includes funds for a 4.1 pay adjustment. The Committee recommendation includes $310,000,000 for basic field programs, to be used for competitively awarded grants and contracts, $13,300,000 for management and administration, $3,400,000 is for client self-help and information technology, and $2,600,000 for the Office of the Inspector General.

ADMINISTRATIVE PROVISIONS

The Committee recommendation continues the administrative provisions contained in the fiscal year 1998 appropriations act (Public Law 105–119) regarding operation of this program to provide basic legal services to poor individuals and the restrictions on the use of Legal Services Corporation (LSC) funds.

Grantees must agree not to engage in litigation and related activities with respect to a variety of matters including (1) redis-

tricting; (2) class action suits; (3) representation of illegal aliens; (4) political activities; (5) collection of attorney fees; (6) abortion; (7) prisoner litigation; (8) welfare reform; (9) representation of charged drug dealers during eviction proceedings; and (10) solicitation of clients. The exception to the restrictions in a case where there is imminent threat of physical harm to the client or prospective client remains in place.

The manner in which LSC grantees are audited through contracts with certified public accountants for financial and compliance audits are continued along with the provisions on recompetition and debarment.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

Appropriations, 2002	$1,957,000
Budget estimate, 2003	1,856,000
Committee recommendation	2,050,000

The recommendation provides $2,050,000 for the Marine Mammal Commission in fiscal year 2003. The recommendation is $53,000 above the budget request and includes a 4.1 percent pay adjustment.

The Committee has long been aware that noise pollution in the world's oceans has a deleterious effect on the health and safety of marine mammals. The Committee recommendation includes $4,000,000 to be transferred from the Small Business Administration to the Marine Mammal Commission to conduct original research or to fund grants designed to determine the actual near-, medium-, and long-term effects of low, medium, and high frequency sounds on the health and safety of marine mammals, focusing on the most endangered species first. The amount provided is also intended to fund an international conference, or series of conferences, to share findings, survey acoustic "threats" to marine mammals, and develop means of reducing those threats while maintaining the oceans as the global highway of international commerce.

NATIONAL VETERANS' BUSINESS DEVELOPMENT CORPORATION

Appropriations, 2002	$4,000,000
Budget estimate, 2003	2,000,000
Committee recommendation	2,000,000

The Committee recommends an appropriation of $2,000,000. The recommendation is identical to the budget request. The Committee recommendation includes funds for a 4.1 pay adjustment to the degree resources are available. The National Veterans' Business Development Corporation was authorized by Public Law 106–50.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2002	$458,605,000
Budget estimate, 2003	466,900,000
Committee recommendation	750,504,000

The strength of the American economy is dependent upon investors' confidence in the financial disclosures and statements released

by publicly traded companies. The public must receive full and transparent information regarding the financial status of publicly traded companies so that limited dollars are invested efficiently, for the good of the private investor, as well as the company. Unfortunately, the recent accounting scandals related to Enron and Worldcom have severely shaken the public's faith in this country's financial markets. The Securities and Exchange Commission [SEC], an independent agency, was created to administer many of the Nation's laws regulating the areas of securities and finance, and to act on behalf of the public to prevent fraud and misrepresentation in securities transactions. For whatever reasons, it appears that the SEC has been less than successful at fulfilling parts of its mission.

The Committee recommendation provides total budget (obligational) authority of $750,504,000. The recommended amount of budget authority is $283,604,000 above the initial budget request and is intended to provide pay parity for the SEC's existing staff, add additional staff, and provide the funds necessary to improve the agency's monitoring systems. The Committee expects the SEC to provide quarterly reports to the Committee on the status of the implementation of these funds and the measures it is taking to restore the public's confidence in the financial markets.

The Commission is required, pursuant to the "Investor and Capital Markets Fee Relief Act", to make annual adjustments to the rates for fees paid under Section 6(b) of the Securities Act of 1933 and Sections 13(e), 14(g), and 31 of the Securities Exchange Act of 1934. Effective October 1, 2002, or 5 days after the date on which the Commission receives its fiscal 2003 regular appropriation, whichever date comes later, the Section 6(b) fee rate applicable to the registration of securities, the Section 13(e) fee rate applicable to the repurchase of securities, and the Section 14(g) fee rates applicable to proxy solicitations and statements in corporate control transactions will be reduced to $80.90 per million from the current rate of $92.00 per million. In addition, effective October 1, 2002, or 30 days after the date on which the Commission receives its fiscal 2003 regular appropriation, whichever date comes later, the Section 31 fee rate applicable to securities transactions on the exchanges and Nasdaq will be reduced to $25.20 per million from the current rate of $30.10 per million. These fees are available to offset all funds recommended by the Committee for the SEC.

The Committee recommendation includes $76,000,000 to permit the Commission to continue implementation of the pay parity program authorized in the "Investor and Capital Markets Fee Relief Act", which was enacted in January 2002. In March, the Committee approved the reprogramming of $24,800,000 in available balances to permit the Commission to implement this program to bring the salaries for SEC employees in line with those of other Federal financial regulatory agencies. The Committee believes that the Commission's ability to retain and adequately support staff up to its authorized staffing level is critical to the success of its role in restoring confidence in U.S. financial markets.

The Committee recommends that the Commission continue to emphasize the investigation and prosecution of financial fraud and reporting cases. In the first quarter of calendar year 2002 the SEC

enforcement staff opened 64 cases investigating financial fraud and reporting, compared to 31 cases opened in the same period last year. The Committee also commends the SEC for its recent initiatives to protect investors through strengthened corporate disclosure, accounting, and reporting requirements.

The recommendation provides $6,000,000 to cover the costs of additional immediate security measures now required at the Commission's new headquarters building as a result of the September 11 attack and continuing threats to Federal facilities. 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 governmental and regulatory officials.

Exercise of options.—The Committee is concerned that corporate insiders are enriching themselves at the expense of the corporations for which they work and the stockholders by exercising stock options immediately prior to companies' financial collapse. In fact, exercising stock options may actually contribute to the bankruptcy of teetering corporations. Therefore, the SEC is directed to provide the Committees on Appropriations with a report listing every corporate officer or director whose exercise of options under section 12 of the Securities and Exchange Act exceeds $100,000 during each 30 day reporting period. The report shall be delivered monthly beginning 30 days after date of enactment of this Act.

SMALL BUSINESS ADMINISTRATION

Appropriations, 2002	$888,514,000
Budget estimate, 2003	783,048,000
Committee recommendation	788,537,000

The Committee recommends an appropriation of $788,537,000. The recommendation is $5,489,000 above the budget request. The Committee recommendation includes a 4.1 percent pay increase for Federal employees. The total funding is distributed among the five SBA appropriation accounts as described below.

SALARIES AND EXPENSES

Appropriations, 2002	$308,476,000
Budget estimate, 2003	352,968,000
Committee recommendation	364,357,000

The Committee recommends a direct appropriation of $364,357,000 for the salaries and expenses of the Small Business Administration. The recommendation is $11,389,000 above the budget request. The Committee does not recommend funding for gainsharing, workforce restructuring, program evaluations, and an E-Government initiative.

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.

NON-CREDIT BUSINESS ASSISTANCE PROGRAMS

For SBA's non-credit business assistance programs, the Committee recommends an appropriation of $149,775,000. The Committee recommends the following amounts for these programs:

Small Business Development Centers	$88,000,000
USEAC Program	3,100,000
Drug-free Workplace Grants	3,000,000
Regulatory Fairness Boards	500,000
SCORE	5,000,000
BICs	475,000
Women's Business Centers	12,000,000
Business LINC	2,000,000
Women's Council	750,000
7(j) Technical Assistance	3,600,000
Native American Economic Development Initiative	1,000,000
Advocacy Research/Database	1,100,000
Microloan Technical Assistance	17,500,000
Veteran's Business Development Assistance	750,000
PRO-Net	500,000
SBIR Technical Assistance	500,000
Federal and State Technology Partnership Program	3,000,000
HubZone Progam	2,000,000
PRIME Technical Assistance	5,000,000

The Committee believes the Small Business Development Centers (SBDCs) provide useful services to small businesses nationwide. Federal funding of the SBDC program constitutes the seed funding for the program, which is leveraged one or two times by State, local, and private funds.

The Committee recommendation provides funding of $17,500,000 for the Microloan Technical Assistance Program and $5,000,000 for the PRIME technical assistance program. The Committee believes the PRIME program has great promise for providing assistance to the entrepreneurs who have no access to capital and has a training component for assisting these small businesses which is missing in some of the other SBA assistance programs.

The Committee recommendation includes $3,000,000 for Drug-Free Workplace Grants. The Committee recommends $500,000 for Small Business Innovation Research (SBIR) technical assistance and $3,000,000 for the Federal and State Technology Partnership Program (FAST). The FAST program encourages organizations in States to assist in the development of small high-technology businesses. The Committee believes that increasing the overall participation in the SBIR program by high-technology small businesses will ultimately lead to an overall increase in the quality of SBIR proposals and completed projects.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2002	$11,464,000
Budget estimate, 2003	14,500,000
Committee recommendation	11,600,000

The Committee recommends an appropriation of $11,600,000 for the Office of Inspector General of the Small Business Administration. The recommendation is $2,900,000 below the budget request. The Committee expects the office to report on its progress in reviewing and auditing the agency's financial management systems. The bill contains language making $500,000 available to the In-

spector General's office from funds made available to the disaster loan program for its activities.

BUSINESS LOANS PROGRAM ACCOUNT

Appropriations, 2002	$283,860,000
Budget estimate, 2003	218,086,000
Committee recommendation	218,086,000

The Committee recommends an appropriation of $218,086,000 for the business loans program account. The recommendation is identical to the budget request. Of the amount provided, $129,000,000 is for administrative expenses related to this account. The administrative expenses may be transferred to and merged with SBA salaries and expenses to cover the common overhead expenses associated with the business loan programs.

The Committee recommendation includes an appropriation of $85,360,000 to support a $4,850,000,000 7(a) loan program. This assumes a subsidy rate of 1.76 percent. The small business community is dependent on the SBA 7(a) program to obtain long-term financing at a competitive interest rate. Each year, 40,000 or more small business concerns, who cannot obtain comparable credit elsewhere, turn to the 7(a) program for critical financing. Furthermore, the Committee believes the SBA should achieve a goal of a zero subsidy rate for the 7(a) loan program. However, the same result can be achieved by a comprehensive review of subsidy cost estimates for the 7(a) program. Previous reports from the GAO indicate that subsidy costs have been inflated. OMB estimates of the subsidy cost of the 7(a) program consistently show execution rates are inflated. This could lead to the overcharging of small business owners. The Committee believes that the 7(a) program is already operating near a zero subsidy rate and that the budget request should contain a one-time accurate accounting change to reflect that reality. The Committee recommends that this one-time accounting change be reflected in future budget requests. The recommendation includes $3,726,000 in subsidy budget authority for the Microloan program, which will support a program level of approximately $26,553,000 in fiscal year 2003, assuming a subsidy rate of 13.05 percent.

DISASTER LOANS PROGRAM ACCOUNT

Appropriations, 2002	$284,714,000
Budget estimate, 2003	197,494,000
Committee recommendation	194,494,000

The Committee recommends an appropriation of $194,494,000 for the disaster loan program. The recommendation does not include $3,000,000 for gainsharing. The recommendation is identical to the budget request. Of the amount provided, $76,140,000 is for direct loan subsidies. This amount, combined with carryover and recoveries of $35,000,000 will provide for a program level of $795,000,000. The remaining $118,354,000 is made available for administrative expenses for the program, and can be merged with the agency's salaries and expenses account.

ADMINISTRATIVE PROVISIONS

The Committee wishes to underscore the reprogramming requirements outlined in section 605. This recommendation includes an administrative provision in the bill language, as in last year's bill, providing the authority to transfer funds between the Small Business Administration's appropriations accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures under section 605. In addition, a reprogramming notification is required in any proposed organization, whether or not funding transfers will be associated with the proposed reorganization.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

Appropriations, 2002	$3,000,000
Budget estimate, 2003	13,550,000
Committee recommendation	3,100,000

The Committee recommends an appropriation of $3,100,000. The recommendation is $10,450,000 below the budget request. The Committee recommendation includes the fiscal year 2002 funding level and a 4.1 percent pay adjustment.

The Institute was created in 1984 to further the development and adoption of improved judicial administration in State courts. This goal is reached through grants which (1) create a national program of assistance to assure a fair and effective system of justice, (2) foster coordination with the Federal Judiciary in areas of mutual concern, (3) promote recognition of the separation of powers, or (4) provide education to judges and support personnel through national organizations.

UNITED STATES-CANADA ALASKA RAIL COMMISSION

SALARIES AND EXPENSES

Appropriations, 2002	$2,000,000
Budget estimate, 2003	
Committee recommendation	

The Committee does not recommend funding for the United States-Canada Alaska Rail Commission. The recommendation is identical to the budget request.

TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill.

Section 601 prohibits any appropriation act from being used for publicity or propaganda purposes not authorized by law.

Section 602 prohibits any appropriation contained in the act from remaining available for obligation beyond the current year unless expressly so provided.

Section 603 provides that the expenditure for any appropriation contained in the act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law.

Section 604 limits the availability of funds for a memorandum of agreement.

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 ties grant eligibility to retired law enforcement disability benefits.

Section 608 limits the availability of funds for tobacco promotion.

Section 609 prohibits funds from being used to issue a visa to any alien involved in extrajudicial and political killings in Haiti.

Section 610 prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993 and prohibits implementation of a background check system that does not require and result in the immediate destruction of certain information.

Section 611 delays obligation of some receipts deposited into the Crime Victim Fund.

Section 612 ties visa issuance to cooperation on so-called "non-returnables".

Section 613 limits the placement of maximum or high security prisoners to appropriately secure facilities.

Section 614 restricts Federal prisoner access to certain amenities.

Section 615 makes appropriations for the Small Business Administration.

Section 616 clarifies section 626 of Public Law 107–77 that the Algiers Accord is abrogated for the purposes of providing a cause of action for the Iranian hostages.

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, salaries and expenses; National Childhood Vaccine Injury Act; 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; Weed and Seed Program; Missing Children's Program; and Victims of Child Abuse Act 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 V—Related agencies: Department of Transportation; Maritime Administration, operations and training; Commission on Civil Rights; Federal Communications Commission (except offsetting fee collections); Legal Services Corporation; and Securities and Exchange Commission.

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on July 18, 2002, the Committee ordered reported en bloc H.R. 5010, the Department of

Defense Appropriations bill, 2003, S. 2778, an original Commerce, Justice, State, and the Judiciary Appropriations bill, 2003, and S. 2779, an original Foreign Operations, Export Financing, and Related Programs Appropriations bill, 2003, each subject to amendment and each subject to the budget allocations, by a recorded vote of 29–0, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Byrd	
Mr. Inouye	
Mr. Hollings	
Mr. Leahy	
Mr. Harkin	
Ms. Mikulski	
Mr. Reid	
Mr. Kohl	
Mrs. Murray	
Mr. Dorgan	
Mrs. Feinstein	
Mr. Durbin	
Mr. Johnson	
Mrs. Landrieu	
Mr. Reed	
Mr. Stevens	
Mr. Cochran	
Mr. Specter	
Mr. Domenici	
Mr. Bond	
Mr. McConnell	
Mr. Burns	
Mr. Shelby	
Mr. Gregg	
Mr. Bennett	
Mr. Campbell	
Mr. Craig	
Mrs. Hutchison	
Mr. DeWine	

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE STANDING RULES OF THE SENATE

Paragraph 12 of the rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include "(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee."

In compliance with this rule, the following changes in existing law proposed to be made by this bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is

printed in italic; and existing law in which no change is proposed is shown in roman.

With respect to this bill, it is the opinion of the Committee that it is necessary to dispense with these requirements in order to expedite the business of the Senate.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
TITLE I—DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	91,668	114,579	99,696	+8,028	−14,883
Identification systems integration		24,478			−24,478
Joint automated booking system	1,000		15,973	+14,973	+15,973
Automated Biometric Identification System-Integrated Identification system integration			9,000	+9,000	+9,000
Chimera			83,400	+83,400	+83,400
Legal activities office automation	15,765	15,942	77,127	+61,362	+61,185
Narrowband communications	94,615	149,254	229,400	+134,785	+80,146
Deputy Attorney General for Combatting Terrorism	1,000			−1,000	
Counterterrorism fund	4,989	35,000		−4,989	−35,000
Administrative review and appeals:					
Direct appropriation	173,647	193,535	180,466	+6,819	−13,069
Emergency appropriations (Public Law 107–117)	3,500			−3,500	
Subtotal	177,147	193,535	180,466	+3,319	−13,069
Detention trustee	1,000	1,388,566	1,385,966	+1,384,966	−2,600
Office of Inspector General	50,735	63,937	54,825	+4,090	−9,112
USA Patriot Act activities (emergency appropriations)	5,000			−5,000	
Total, General administration	442,919	1,985,291	2,135,853	+1,692,934	+150,562
United States Parole Commission					
Salaries and expenses	9,876	10,862	10,114	+238	−748

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003—Continued

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
Legal Activities					
General legal activities:					
Direct appropriation	549,176	645,299	579,495	+30,319	−65,804
Emergency appropriations (Public Law 107–117)	12,500	.....	.....	−12,500	.....
Subtotal	561,676	645,299	579,495	+17,819	−65,804
Vaccine injury compensation trust fund (permanent)	4,028	4,028	4,028	.....	.....
Antitrust Division	130,791	137,799	133,133	+2,342	−4,666
Offsetting fee collections—carryover	.....	.....	.....	.....	.....
Offsetting fee collections—current year	−130,791	−137,799	−133,133	−2,342	+4,666
Direct appropriation	.....	.....	.....	.....	.....
United States Attorneys:					
Direct appropriation	1,353,968	1,506,373	1,474,779	+120,811	−31,594
Emergency appropriations (Public Law 107–117)	56,370	.....	.....	−56,370	.....
Subtotal	1,410,338	1,506,373	1,474,779	+64,441	−31,594
United States Trustee System Fund	147,000	167,510	150,381	+3,381	−17,129
Offsetting fee collections	−140,000	−161,510	−144,381	−4,381	+17,129
Interest on U.S. securities	−7,000	−6,000	−6,000	+1,000	.....
Direct appropriation	.....	.....	.....	.....	.....
Foreign Claims Settlement Commission	1,136	1,136	1,136	.....	.....
United States Marshals Service:					
Salaries and expenses (non-CSE)	619,429	700,343	661,085	+41,656	−39,258
Emergency appropriations (Public Law 107–117)	10,200	.....	.....	−10,200	.....
Courthouse security equipment	14,267	.....	12,061	−2,206	+12,061

Construction	15,000	15,126	15,126	+126	.....
Emergency appropriations (Public Law 107–117)	9,125	.....	.....	−9,125	.....
Justice Prisoner & Alien Transportation system	.....	.....	56,000	+56,000	+56,000
Total, United States Marshals Service	668,021	715,469	744,272	+76,251	+28,803
Federal prisoner detention	706,182	.....	.....	−706,182	.....
Fees and expenses of witnesses	156,145	156,145	156,145	.....	.....
Community Relations Service	9,269	9,364	9,474	+205	+110
Assets forfeiture fund	22,949	22,949	22,949	.....	.....
Total, Legal activities	3,539,744	3,060,763	2,992,278	−547,466	−68,485
Radiation Exposure Compensation					
Administrative expenses	1,996	1,996	.....	−1,996	−1,996
Interagency Law Enforcement					
Interagency crime and drug enforcement	338,577	362,131	347,102	+8,525	−15,029
Federal Bureau of Investigation					
Salaries and expenses	3,031,830	3,729,838	3,727,287	+695,457	−2,551
Emergency appropriations (Public Law 107–117)	745,000	.....	.....	−745,000	.....
Counterintelligence and national security	459,243	472,749	475,300	+16,057	+2,551
Direct appropriation	4,236,073	4,202,587	4,202,587	−33,486	.....
Construction	33,791	1,250	1,250	−32,541	.....
Total, Federal Bureau of Investigation	4,269,864	4,203,837	4,203,837	−66,027	.....
Drug Enforcement Administration					
Salaries and expenses	1,567,804	1,659,564	1,619,491	+51,687	−40,073
Diversion control fund	−86,021	−113,645	−89,021	−3,000	+24,624
Total, Drug Enforcement Administration	1,481,783	1,545,919	1,530,470	+48,687	−15,449
Immigration and Naturalization Service					
Salaries and expenses	3,371,440	3,246,787	3,765,247	+393,807	+518,460

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003—Continued

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
Emergency appropriations (Public Law 107–117)	449,800	.....	.....	−449,800	.....
Enforcement and border affairs	(3,189,495)	(3,158,183)	.....	(−3,189,495)	(−3,158,183)
Citizenship and benefits, immigration support and program direction	(631,745)	(88,604)	.....	(−631,745)	(−88,604)
Fee accounts:					
Immigration user fee	(591,866)	(658,295)	(658,295)	(+66,429)	.....
Land border inspection fund	(4,490)	(2,700)	(2,700)	(−1,790)	.....
Immigration examinations fund	(1,376,871)	(1,462,803)	(1,462,803)	(+85,932)	.....
Breached bond fund	(120,763)	(171,275)	(171,275)	(+50,512)	.....
Immigration enforcement fines	(22,664)	(6,000)	(6,000)	(−16,664)	.....
H–1b Visa fees	(26,272)	(10,000)	(10,000)	(−16,272)	.....
Subtotal, Fee accounts	2,142,926	2,311,073	2,311,073	+168,147	.....
Construction	128,454	.....	265,443	+136,989	+265,443
Emergency appropriations (Public Law 107–117)	99,600	.....	.....	−99,600	.....
Support and administration	.....	785,598	.....	.....	−785,598
Total, Immigration and Naturalization Service	(6,192,220)	(6,343,458)	(6,341,763)	(+149,543)	(−1,695)
Appropriations	(3,499,894)	(4,032,385)	(4,030,690)	(+530,796)	(−1,695)
Emergency appropriations	(549,400)	.....	.....	(−549,400)	.....
(Fee accounts)	(2,142,926)	(2,311,073)	(2,311,073)	(+168,147)	.....
Federal Prison System					
Salaries and expenses	3,808,600	4,081,765	4,083,237	+274,637	+1,472
Prior year carryover	.....	.....	.....	.....	.....
Direct appropriation	3,808,600	4,081,765	4,083,237	+274,637	+1,472
Buildings and facilities	813,552	395,243	500,221	−313,331	+104,978

Federal Prison Industries, Incorporated (limitation on administrative expenses)	3,429	3,429	3,429	.....	.....
Total, Federal Prison System	4,625,581	4,480,437	4,586,887	−38,694	+106,450
Office of Justice Programs					
Justice assistance	437,008	214,024	2,242,057	+1,805,049	+2,028,033
(By transfer)	(6,632)	(6,632)	(6,632)	.....	.....
Emergency appropriations (Public Law 107–117)	400,000	.....	.....	−400,000	.....
Total, Office of Justice Programs	837,008	214,024	2,242,057	+1,405,049	+2,028,033
State and local law enforcement assistance:					
Local law enforcement block grant	400,000	.....	400,000	.....	+400,000
Boys and Girls clubs (earmark)	(70,000)	.....	(80,000)	(+10,000)	(+80,000)
Police athletic league (earmark)	.....	.....	.....	.....	.....
Grants, contracts, and other assistance (earmark)	(19,956)	.....	(20,000)	(+44)	(+20,000)
State prison grants	.....	.....	.....	.....	.....
Indian assistance	48,162	12,971	48,000	−162	+35,029
Tribal prison construction	(35,191)	.....	(35,000)	(−191)	(+35,000)
Indian tribal courts program	(7,982)	.....	(8,000)	(+18)	(+8,000)
Indian grants	(4,989)	.....	(5,000)	(+11)	(+5,000)
State criminal alien assistance program	565,000	.....	.....	−565,000	.....
Cooperative agreement program	20,000	.....	20,000	.....	+20,000
Byrne grants (formula)	500,000	.....	500,000	.....	+500,000
Byrne grants (discretionary)	94,489	.....	94,000	−489	+94,000
Juvenile crime block grant	249,450	215,000	249,450	.....	+34,450
Drug courts	50,000	52,000	50,000	.....	−2,000
Violence Against Women grants	390,565	184,537	390,565	.....	+206,028
State prison drug treatment	70,000	77,000	70,000	.....	−7,000
Other crime control programs	5,688	210,370	5,700	+12	−204,670
Assistance for victims of trafficking	10,000	.....	.....	−10,000	.....
Emergency appropriations (Public Law 107–117)	251,100	.....	.....	−251,100	.....
Associated outlays	.....	.....	.....	.....	.....
Total, State and local law enforcement	2,654,454	751,878	1,827,715	−826,739	+1,075,837
Weed and seed program fund	58,925	58,925	58,925	.....	.....
Community oriented policing services:					
Public safety and community policing grants	496,014	126,106	487,000	−9,014	+360,894
Methamphetamine	(70,473)	(20,000)	(45,000)	(−25,473)	(+25,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003—Continued

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
Management administration	32,812	25,685	35,000	+2,188	+9,315
Crime fighting technologies	351,632	282,500	373,615	+21,983	+91,115
Safe schools initiative	(17,000)	(17,000)	(17,000)	.....	.....
Upgrade criminal history records	(35,000)	(60,000)	(35,000)	.....	(−25,000)
DNA identification/crime lab	(75,000)	(75,000)	(75,000)	.....	.....
COPS technology	(154,345)	(50,000)	(118,615)	(−35,730)	(+68,615)
COPS Interoperability	.....	.....	(100,000)	(+100,000)	(+100,000)
Community prosecutors	99,780	99,780	100,000	+220	+220
Crime prevention	70,202	46,963	67,013	−3,189	+20,050
Justice assistance grants program	.....	800,000	.....	.....	−800,000
Associated outlays	.....	.....	.....	.....	.....
Total, Community oriented policing services	1,050,440	1,381,034	1,062,628	+12,188	−318,406
Juvenile justice programs	305,860	257,801	298,425	−7,435	+40,624
(Transfer out)	(−6,632)	(−6,632)	(−6,632)	.....	.....
Election reform grants	.....	400,000	400,000	+400,000	.....
Public safety officers benefits program:					
Death benefits	33,224	49,054	49,054	+15,830	.....
Disability benefits	4,500	4,000	4,000	−500	.....
Total, Public safety officers benefits program	37,724	53,054	53,054	+15,330	.....
Total, Office of Justice Programs	4,944,411	3,116,716	5,942,804	+998,393	+2,826,088
Total, title I, Department of Justice	23,704,045	22,800,337	25,780,035	+2,075,990	+2,979,698
(Transfer out)	(−6,632)	(−6,632)	(−6,632)	.....	.....
(By transfer)	(6,632)	(6,632)	(6,632)	.....	.....

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	30,097	32,299	30,832	+735	−1,467
International Trade Commission					
Salaries and expenses	51,440	54,000	54,600	+3,160	+600
Total, Related agencies	81,537	86,299	85,432	+3,895	−867
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	347,547	376,678	353,242	+5,695	−23,436
Emergency appropriations (Public Law 107–117)	1,000	.....	.....	−1,000	.....
Offsetting fee collections	−3,000	−13,000	−3,000	.....	+10,000
Direct appropriation	345,547	363,678	350,242	+4,695	−13,436
Export Administration					
Operations and administration	61,643	100,198	98,540	+36,897	−1,658
Emergency appropriations (Public Law 107–117)	1,756	.....	.....	−1,756	.....
CWC enforcement	7,250	.....	.....	−7,250	.....
Total, Export Administration	70,649	100,198	98,540	+27,891	−1,658
Economic Development Administration					
Economic development assistance programs	335,000	317,235	335,000	.....	+17,765
Salaries and expenses	30,557	30,765	31,211	+654	+446
Total, Economic Development Administration	365,557	348,000	366,211	+654	+18,211
Minority Business Development Agency					
Minority business development	28,381	28,906	28,636	+255	−270
Total, Trade and Infrastructure Development	891,671	927,081	929,061	+37,390	+1,980

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003—Continued

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	62,515	73,220	63,758	+1,243	−9,462
Bureau of the Census					
Salaries and expenses	169,424	204,996	173,223	+3,799	−31,773
Periodic censuses and programs	321,376	500,320	323,623	+2,247	−176,697
Total, Bureau of the Census	490,800	705,316	496,846	+6,046	−208,470
National Telecommunications and Information Administration					
Salaries and expenses	14,054	16,581	14,352	+298	−2,229
Public telecommunications facilities: planning and construction	43,466	43,556	51,776	+8,310	+8,220
Emergency appropriations (Public Law 107–117)	8,250	.....	.....	−8,250	.....
Information infrastructure grants	15,503	212	15,560	+57	+15,348
Total, National Telecommunications and Information Administration	81,273	60,349	81,688	+415	+21,339
United States Patent and Trademark Office					
Current year fee funding	843,701	1,204,357	863,271	+19,570	−341,086
Emergency appropriations (Public Law 107–117)	1,500	.....	.....	−1,500	.....
Prior year carryover	282,300	100,000	282,300	.....	+182,300
Total, Patent and Trademark Office	1,127,501	1,304,357	1,145,571	+18,070	−158,786
Offsetting fee collections	−843,701	−1,204,357	−863,271	−19,570	+341,086
Total, Economic and Information Infrastructure	918,388	938,885	924,592	+6,204	−14,293

SCIENCE AND TECHNOLOGY					
Technology Administration					
Under Secretary for Technology/Office of Technology Policy					
Salaries and expenses	8,238	7,886	7,932	−306	+46
National Institute of Standards and Technology					
Scientific and technical research and services	321,111	384,809	336,443	+15,332	−48,366
Emergency appropriations (Public Law 107–117)	5,000	.....	.....	−5,000	.....
Industrial technology services	291,022	119,607	291,976	+954	+172,369
Construction of research facilities	62,393	54,212	63,750	+1,357	+9,538
Emergency appropriations (Public Law 107–117)	1,225	.....	.....	−1,225	.....
Working capital fund	.....	4,482	281	+281	−4,201
Total, National Institute of Standards and Technology	680,751	563,110	692,450	+11,699	+129,340
National Oceanic and Atmospheric Administration					
Operations, research, and facilities	2,027,424	1,991,722	2,064,898	+37,474	+73,176
Emergency appropriations (Public Law 107–117)	2,750	.....	.....	−2,750	.....
Conservation	223,273	219,360	264,488	+41,215	+45,128
(By transfer from Promote and Develop Fund)	(68,000)	(75,000)	(55,000)	(−13,000)	(−20,000)
(By transfer from Coastal zone management)	3,000	3,000	3,000	.....	.....
Total, Operations, research, and facilities	2,256,447	2,214,082	2,332,386	+75,939	+118,304
Procurement, acquisition and construction	778,065	791,375	802,898	+24,833	+11,523
Conservation	58,487	20,012	100,512	+42,025	+80,500
Total, Procurement, acquisition and construction	836,552	811,387	903,410	+66,858	+92,023
Pacific coastal salmon recovery (conservation)	157,419	110,000	115,000	−42,419	+5,000
Coastal zone management fund	−3,000	−3,000	−3,000	.....	.....
Fishermen's contingency fund	952	954	954	+2	.....
Foreign fishing observer fund	191	191	191	.....	.....
Fisheries finance program account	287	−3,000	−3,000	−3,287	.....
Environmental improvement and restoration fund	10,000	.....	.....	−10,000	.....
Total, National Oceanic and Atmospheric Administration	3,258,848	3,130,614	3,345,941	+87,093	+215,327
Total, Science and Technology	3,947,837	3,701,610	4,046,323	+98,486	+344,713
Appropriations	(3,499,683)	(3,352,238)	(3,566,323)	(+66,640)	(+214,085)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003—Continued

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
Conservation	(439,179)	(349,372)	(480,000)	(+40,821)	(+130,628)
Emergency appropriations	(8,975)	.....	.....	(−8,975)	.....
Departmental Management					
Salaries and expenses	37,652	48,254	41,494	+3,842	−6,760
Emergency appropriations (Public Law 107–117)	4,776	.....	.....	−4,776	.....
Office of Inspector General	20,176	22,670	20,635	+459	−2,035
Total, Departmental management	62,604	70,924	62,129	−475	−8,795
Total, Department of Commerce	5,738,963	5,552,201	5,876,673	+137,710	+324,472
Total, title II, Department of Commerce and related agencies	5,820,500	5,638,500	5,962,105	+141,605	+323,605
Appropriations	(5,355,064)	(5,289,128)	(5,482,105)	(+127,041)	(+192,977)
Conservation	(439,179)	(349,372)	(480,000)	(+40,821)	(+130,628)
Emergency appropriations	(26,257)	.....	.....	(−26,257)	.....
(By transfer)	(68,000)	(75,000)	(55,000)	(−13,000)	(−20,000)
TITLE III—THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,808	1,872	1,872	+64	.....
Other salaries and expenses	38,180	44,452	42,527	+4,347	−1,925
Total, Salaries and expenses	39,988	46,324	44,399	+4,411	−1,925
Care of the building and grounds	37,530	53,626	53,304	+15,774	−322
Emergency appropriations (Public Law 107–117)	30,000	.....	.....	−30,000	.....
Total, Supreme Court of the United States	107,518	99,950	97,703	−9,815	−2,247

United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	2,079	2,225	2,225	+146	.....
Other salaries and expenses	17,208	19,668	17,911	+703	−1,757
Total, Salaries and expenses	19,287	21,893	20,136	+849	−1,757
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,633	1,678	1,678	+45	.....
Other salaries and expenses	11,431	12,099	11,851	+420	−248
Total, Salaries and expenses	13,064	13,777	13,529	+465	−248
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	250,434	263,854	263,854	+13,420	.....
Other salaries and expenses	3,340,682	3,750,253	3,550,357	+209,675	−199,896
Emergency appropriations (Public Law 107–117)	5,000	.....	.....	−5,000	.....
Direct appropriation	3,596,116	4,014,107	3,814,211	+218,095	−199,896
Vaccine Injury Compensation Trust Fund	2,692	2,784	2,784	+92	.....
Defender services	500,671	588,741	531,792	+31,121	−56,949
Fees of jurors and commissioners	48,131	57,826	54,636	+6,505	−3,190
Court security	220,677	298,235	290,442	+69,765	−7,793
Emergency appropriations (Public Law 107–117)	57,521	.....	.....	−57,521	.....
Total, Courts of Appeals, District Courts, and Other Judicial Services	4,425,808	4,961,693	4,693,865	+268,057	−267,828
Administrative Office of the United States Courts					
Salaries and expenses	61,664	66,912	64,655	+2,991	−2,257
Emergency appropriations (Public Law 107–117)	2,879	.....	.....	−2,879	.....
Federal Judicial Center					
Salaries and expenses	19,735	21,885	20,156	+421	−1,729
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	37,000	35,300	35,300	−1,700	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003—Continued

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
United States Sentencing Commission					
Salaries and expenses	11,575	13,200	11,835	+260	−1,365
General Provisions					
Judges pay raise (sec. 304)	8,625	7,000	7,972	−653	+972
Total, title III, the Judiciary	4,707,155	5,241,610	4,965,151	+257,996	−276,459
TITLE IV—DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	3,142,277	3,383,844	3,223,896	+81,619	−159,948
(Transfer out)	(−4,000)	(−4,000)	(−4,000)		
Worldwide security upgrade	487,735	553,000	579,086	+91,351	+26,086
Total, Diplomatic and consular programs	3,630,012	3,936,844	3,802,982	+172,970	−133,862
Capital investment fund	203,000	177,000	210,000	+7,000	+33,000
Office of Inspector General	29,000	29,264	29,693	+693	+429
Educational and cultural exchange programs	237,000	245,306	237,771	+771	−7,535
Representation allowances	6,485	9,000	6,485		−2,515
Protection of foreign missions and officials	9,400	11,000	9,400		−1,600
Embassy security, construction and maintenance	458,000	550,000	535,000	+77,000	−15,000
Worldwide security upgrade	815,960	755,000	770,000	−45,960	+15,000
Emergencies in the diplomatic and consular service	6,500	15,000	6,500		−8,500
(By transfer)	(4,000)	(4,000)	(4,000)		
(Transfer out)	(−1,000)	(−1,000)	(−1,000)		
Repatriation Loans Program Account:					
Direct loans subsidy	612	612	612		
Administrative expenses	607	607	607		

(By transfer)	(1,000)	(1,000)	(1,000)	.....	.....
Total, Repatriation loans program account	1,219	1,219	1,219	.....	.....
Payment to the American Institute in Taiwan	17,044	18,817	17,044	.....	−1,773
Payment to the Foreign Service Retirement and Disability Fund	135,629	138,200	138,200	+2,571	.....
Total, Administration of Foreign Affairs	5,549,249	5,886,650	5,764,294	+215,045	−122,356
International Organizations and Conferences					
Contributions to international organizations, current year assessment	850,000	891,378	850,000	.....	−41,378
Contributions for international peacekeeping activities, current year	844,139	725,981	666,772	−177,367	−59,209
Total, International Organizations and Conferences	1,694,139	1,617,359	1,516,772	−177,367	−100,587
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	24,705	27,404	25,155	+450	−2,249
Construction	5,450	9,401	5,488	+38	−3,913
American sections, international commissions	9,911	10,682	10,009	+98	−673
International fisheries commissions	20,480	19,780	20,480	.....	+700
Total, International commissions	60,546	67,267	61,132	+586	−6,135
Other					
Payment to the Asia Foundation	9,250	9,444	10,250	+1,000	+806
Eisenhower Exchange Fellowship program trust fund	500	500	500	.....	.....
Israeli Arab scholarship program	375	375	375	.....	.....
East-West Center	14,000	14,280	18,000	+4,000	+3,720
National Endowment for Democracy	33,500	36,000	46,500	+13,000	+10,500
Total, Department of State	7,361,559	7,631,875	7,417,823	+56,264	−214,052
RELATED AGENCY					
Broadcasting Board of Governors					
International Broadcasting Operations	428,234	467,898	441,456	+13,222	−26,442
Emergency appropriations (Public Law 107–117)	9,200	.....	.....	−9,200	.....
Broadcasting to Cuba	24,872	25,362	24,996	+124	−366
Broadcasting capital improvements	25,900	13,740	13,740	−12,160	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003—Continued

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
Emergency appropriations (Public Law 107–117)	10,000	.....	.....	−10,000	.....
Total, Broadcasting Board of Governors	498,206	507,000	480,192	−18,014	−26,808
Total, title IV, Department of State	7,859,765	8,138,875	7,898,015	+38,250	−240,860
(Transfer out)	(−5,000)	(−5,000)	(−5,000)	.....	.....
(By transfer)	(5,000)	(5,000)	(5,000)	.....	.....
TITLE V—RELATED AGENCIES & MISCELLANEOUS ACCOUNT					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Maritime security program	98,700	98,700	98,700	.....	.....
Operations and training	89,054	93,133	89,488	+434	−3,645
Ship disposal	.....	11,161	.....	.....	−11,161
Vessel operations revolving fund	.....	.....	.....	.....	.....
Maritime Guaranteed Loan (Title XI) Program Account:					
Guaranteed loans subsidy	33,000	.....	32,852	−148	+32,852
Administrative expenses	3,978	4,126	4,126	+148	.....
Total, Maritime guaranteed loan program account	36,978	4,126	36,978	.....	+32,852
Total, Maritime Administration	224,732	207,120	225,166	+434	+18,046
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	489	499	499	+10	.....
Commission on Civil Rights					
Salaries and expenses	9,096	9,096	9,096	.....	.....

Commission on International Religious Freedom					
Salaries and expenses	3,000	3,000	3,000	.....	.....
Commission on Ocean Policy					
Salaries and expenses	3,000	.....	3,000	.....	+3,000
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,499	1,607	1,550	+51	−57
Congressional-Executive Commission on the People's Republic of China					
Salaries and expenses	1,000	1,700	1,000	.....	−700
Equal Employment Opportunity Commission					
Salaries and expenses	310,406	308,822	317,206	+6,800	+8,384
Emergency appropriations (Public Law 107–117)	1,301	.....	.....	−1,301	.....
Federal Communications Commission					
Salaries and expenses	245,071	268,327	246,971	+1,900	−21,356
Offsetting fee collections—current year	−218,757	−248,194	−246,971	−28,214	+1,223
Direct appropriation	26,314	20,133	.....	−26,314	−20,133
Federal Maritime Commission					
Salaries and expenses	16,458	17,440	16,484	+26	−956
Federal Trade Commission					
Salaries and expenses	155,982	171,599	159,148	+3,166	−12,451
Offsetting fee collections—carryover	.....	.....	.....	.....	.....
Offsetting fee collections—current year	−155,982	−150,000	−150,000	+5,982	.....
Offsetting fee collections, telephone database	.....	−3,000	.....	.....	+3,000
Direct appropriation	.....	18,599	9,148	+9,148	−9,451
Legal Services Corporation					
Payment to the Legal Services Corporation	329,300	329,300	329,397	+97	+97
Marine Mammal Commission					
Salaries and expenses	1,957	1,856	2,050	+93	+194

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003—Continued

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
National Veterans Business Development Corporation					
Salaries and expenses	4,000	2,000	2,000	−2,000	.....
Pacific Charter Commission					
Salaries and expenses	1,500	.....	.....	−1,500	.....
Securities and Exchange Commission					
Current year fees	109,500	179,900	750,504	+641,004	+570,604
Emergency appropriations (Public Law 107–117)	20,705	.....	.....	−20,705	.....
2000 fees	328,400	287,000	.....	−328,400	−287,000
Direct appropriation	458,605	466,900	750,504	+291,899	+283,604
Small Business Administration					
Salaries and expenses	308,476	352,968	364,357	+55,881	+11,389
Office of Inspector General	11,464	14,500	11,600	+136	−2,900
Business Loans Program Account:					
Direct loans subsidy	1,860	3,726	3,726	+1,866	.....
Guaranteed loans subsidy	78,000	85,360	85,360	+7,360	.....
Administrative expenses	129,000	129,000	129,000	.....	.....
Emergency appropriations (Public Law 107–117)	75,000	.....	.....	−75,000	.....
Total, Business loans program account	283,860	218,086	218,086	−65,774	.....
Disaster Loans Program Account:					
Direct loans subsidy	87,360	76,140	76,140	−11,220	.....
Administrative expenses	122,354	118,354	118,354	−4,000	.....
Gainsharing	.....	3,000	.....	.....	−3,000
Emergency appropriations (Public Law 107–117)	75,000	.....	.....	−75,000	.....

Total, Disaster loans program account	284,714	197,494	194,494	−90,220	−3,000
Total, Small Business Administration	888,514	783,048	788,537	−99,977	+5,489
State Justice Institute					
Salaries and expenses [1]	3,000	13,550	3,100	+100	−10,450
United States-Canada Alaska Rail Commission					
Salaries and expenses	2,000	.....	.....	−2,000	.....
Total, title V, Related agencies	2,286,171	2,184,670	2,461,737	+175,566	+277,067
TITLE VII—RESCISSIONS					
DEPARTMENT OF JUSTICE					
Legal Activities					
Assets forfeiture fund (rescission)	−40,000	.....	.....	+40,000	.....
DEPARTMENT OF COMMERCE					
Departmental Management					
Emergency oil and gas guaranteed loan program account (rescission)	−5,200	−920	.....	+5,200	+920
Emergency steel guaranteed loan program account (rescission)	.....	−96,000	.....	.....	+96,000
RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Ship construction (rescission)	−4,400	.....	.....	+4,400	.....
Securities and Exchange Commission					
Salaries and expenses (rescission)	−50,000	.....	.....	+50,000	.....
Small Business Administration					
Business Loans Program Account:					
Guaranteed loans subsidy (rescission)	−5,500	.....	.....	+5,500	.....
Total, title VII, Rescissions	−105,100	−96,920	.....	+105,100	+96,920

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2002 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2003—Continued

[In thousands of dollars]

Item	2002 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2002 appropriation	Budget estimate
Grand total:					
New budget (obligational) authority	44,272,536	43,907,072	47,067,043	+2,794,507	+3,159,971
Appropriations	(41,583,399)	(43,654,620)	(46,587,043)	(+5,003,644)	(+2,932,423)
Conservation	(439,179)	(349,372)	(480,000)	(+40,821)	(+130,628)
Emergency appropriations	(2,355,058)	.....	.....	(−2,355,058)	.....
Rescissions	(−105,100)	(−96,920)	.....	(+105,100)	(+96,920)
(Transfer out)	(−11,632)	(−11,632)	(−11,632)	.....	.....
(By transfer)	(79,632)	(86,632)	(66,632)	(−13,000)	(−20,000)

[1] The President's budget proposed nothing for State Justice Institute.

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