108TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 108–221

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FISCAL YEAR 2004

JULY 21, 2003.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 2799]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004.

INDEX TO BILL AND REPORT

	Page Number Bill	Page Number Report
Title I—Department of Justice	2	7
Title II—Department of Commerce and Related Agencies	40	63
Office of the United States Trade Representative	40	63
International Trade Commission	40	66
Department of Commerce	41	66
Title III—The Judiciary	59	113
Title IV—Department of State and Related Agency	66	120
Department of State	66	120
Broadcasting Board of Governors	76	141
Title V—Related Agencies	79	145
Antitrust Modernization Commission	79	145
Commission for the Preservation of America's Heritage Abroad	79	145
Commission on Civil Rights	79	145
Commission on International Religious Freedom	80	146
Commission on Security and Cooperation in Europe	80	146

88–409

	Page Number Bill	Report
Congressional-Executive Commission on the People's Republic of China	80	146
Equal Employment Opportunity Commission	81	147
Federal Communications Commission	81	147
Federal Trade Commission	83	148
Legal Services Corporation	85	150
Marine Mammal Commission	86	150
National Veterans Business Development Corporation	86	150
Securities and Exchange Commission	86	150
Small Business Administration	88	152
State Justice Institute	92	156
Title VI—General Provisions	92	156
Title VII—Rescissions	103	159

Summary of Estimates and Recommendations

The Committee recommends a total of $37,914,000,000 in discretionary budget authority for the departments and agencies funded in this bill. The recommendation is $237,344,000 above the request and $700,252,000 above the amounts enacted for the current fiscal year. The Committee also recommends $648,536,000 for mandatory programs funded within this bill.

The following table provides a comparison of the new budget authority and outlays recommended in the accompanying bill with the amounts appropriated for fiscal year 2003, and the budget request for fiscal year 2004:

[In millions of dollars]

	FY 2003 enacted	FY 2004 request	FY 2004 recommended	FY 2004 recommendation compared with	
				FY 2003 enacted	FY 2004 request
Discretionary	37,214	37,677	37,914	+700	+237
Mandatory	669	649	649	−20	
Total	37,883	38,326	38,563	+680	+237

Highlights of the Bill

Major initiatives and highlights contained in the recommendation follow:

TITLE I.—DEPARTMENT OF JUSTICE

[In millions of dollars]

	FY 2003 enacted	FY 2004 request	FY 2004 recommended	FY 2004 recommendation compared with	
				FY 2003 enacted	FY 2004 request
Discretionary [1]	19,429	18,807	19,957	+528	+1,149

[1] FY 2003 Enacted amounts includes $479,442,000 in supplemental appropriations.

—$20 billion in discretionary funding for the Department of Justice, $528 million above the fiscal year 2003 level and $1.2 billion above the President's request;

—$424 million increase for the Federal Bureau of Investigation to fight terrorism, cybercrime, counterintelligence, and upgrade information technology systems;

—$81 million increase for the Drug Enforcement Administration to maintain and enhance Federal law enforcement's ability to fight the war on drugs;

—$3.5 billion to assist State and local law enforcement to fight crime, $1.16 billion above the request including: the Edward Byrne Memorial Formula program ($500 million), the Local Law Enforcement Block Grant program ($400 million), the State Criminal Alien Assistance Program ($400 million), juvenile justice and accountability programs ($462 million), law enforcement technologies ($100 million), the DNA backlog elimination program ($174 million), and violence against women prevention and prosecution programs ($387 million).

TITLE II.—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

[In millions of dollars]

	FY 2003 enacted	FY 2004 request	FY 2004 recommended	FY 2004 recommendation compared with	
				FY 2003 enacted	FY 2004 request
Discretionary [1]	5,799	5,817	5,259	−540	−558

[1] FY 2003 Enacted amount includes $68,300,000 in supplemental appropriations.

—$319 million for the Economic Development Assistance programs;

—$1.24 billion for the Patent and Trademark Office;

—$494.17 million for the international trade agencies;

—$3.055 billion for the National Oceanic and Atmospheric Administration;

—$786 million for the National Weather Service.

TITLE III.—THE JUDICIARY

[In millions of dollars]

	FY 2003 enacted	FY 2004 request	FY 2004 recommended	FY 2004 recommendation compared with	
				FY 2003 enacted	FY 2004 request
Discretionary [1]	4,585	5,121	4,885	+300	−236

[1] FY 2003 Enacted amount includes $2,558,000 in supplemental appropriations.

—$4 billion for the on-going activities of the Federal courts and probation and pretrial services offices, an increase of $227 million above the fiscal year 2003 level and $184 million below the request;

—an increase of $80 million for Defender Services for workload increases;

—an increase of $22 million for Court Security requirements;

—$10.6 million for the continuation of the Supreme Court building renovation.

TITLE IV.—DEPARTMENT OF STATE AND RELATED AGENCY

[In millions of dollars]

	FY 2003 enacted	FY 2004 request	FY 2004 recommended	FY 2004 recommendation compared with	
				FY 2003 enacted	FY 2004 request
Discretionary [1]	8,040	8,509	8,286	+246	−223

[1] FY 2003 Enacted amount includes $328,420,000 in supplemental appropriations.

—Provides an 8.7 percent increase over fiscal year 2003 for the basic operations of the Department;

—provides the third consecutive year of significant staffing increases, including funding to support the creation of 601 new positions Department-wide to improve diplomatic security, border security, and diplomatic readiness;

—provides over $1.5 billion for embassy security programs, an increase of $209 million over fiscal year 2003. This increase includes 85 new diplomatic security personnel and $120 million for the first year costs of a capital security cost share program which will result in acceleration of the program to construct secure replacement facilities for American personnel serving overseas;

—includes $1.01 billion to fully cover anticipated assessments for U.S. membership in the United Nations and other international organizations, including an increase of $71 million for costs associated with United States accession to the United Nations Educational, Scientific and Cultural Organization;

—includes $550 million for contributions for international peacekeeping activities, the full amount requested; and

—includes $563.5 million for international broadcasting, including increases for radio and television broadcasting to the Middle East, the full amount requested.

TITLE V.—RELATED AGENCIES

[In millions of dollars]

	FY 2003 enacted	FY 2004 request	FY 2004 recommended	FY 2004 recommendation compared with	
				FY 2003 enacted	FY 2004 request
Discretionary [1]	2,153	2,416	2,237	+83	−180

[1] FY 2003 Enacted amount includes $26,000,000 in supplemental appropriations.

—$183 million for the Federal Trade Commission including full funding for the National Do-Not-Call program;

—$842 million in total budget authority for the Securities and Exchange Commission to protect investors and combat corporate fraud.

RIGHT-SIZING

The Committee strongly supports interagency efforts to right-size the overseas presence of the United States Government. The Committee understands the definition of right-sizing to be the systematic and thorough review of all overseas missions and staffing levels and the reallocation of resources to achieve a leaner, streamlined, more agile, and more secure U.S. Government presence abroad. The Committee expects agencies funded in this bill to cooperate fully with all interagency efforts to achieve effective right-sizing.

The 1998 terrorist attacks on two U.S. Embassies in Africa highlighted security deficiencies in diplomatic facilities. The recent bombings in Saudi Arabia, the assassination of a U.S. AID employee in Jordan, and the recent closure of the U.S. Embassy in Kenya underscore continued threats against U.S. personnel overseas. The attacks on the American Embassies in Africa prompted the creation of the Overseas Presence Advisory Panel, which pro-

posed significant recommendations regarding right-sizing that have subsequently been embraced by this Committee, and included in the President's Management Agenda. In addition, the General Accounting Office (GAO) has studied right-sizing the Nation's overseas presence. The GAO reports found that U.S. agencies' staffing projections for new embassy compounds are developed without a systematic approach or comprehensive right-sizing analysis. In response, the GAO developed a framework of questions designed to link staffing levels to three critical elements of overseas diplomatic operations (1) physical/technical security of facilities and employees; (2) mission priorities and requirements; and (3) cost of operations. In light of continuing security vulnerability, the Committee intends to ensure that such a framework is established and followed.

The Committee expects that the fiscal year 2005 budget request will reflect the application of a right-sizing methodology. Increases or expansions should be justified in terms of mission priorities both within the agency, and within the specific diplomatic mission, and should be, to the maximum extent possible, accompanied by offsetting decreases to maximize the allocation of scarce resources to emerging priorities. A proper plan should include a systematic analysis to bring about a reconfiguration of overseas staffing to the minimum level necessary to meet critical U.S. foreign policy goals. The Committee expects to receive this additional analysis prior to the establishment or expansion of any activities beyond those currently approved.

REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

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

The Committee expects each department and agency to follow closely the reprogramming procedures listed below, which are identical to provisions that applied in statute during fiscal year 2003. These procedures apply to funds provided under this Act, or provided under previous Appropriations Acts that remain available for obligation or expenditure in fiscal year 2004, or provided from any accounts in the Treasury available to the agencies funded by this Act.

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

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

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

(3) Creating new programs, offices, agencies or commissions or substantially augmenting existing programs, offices, agencies or commissions.

(4) Relocating offices or employees.

(5) Reorganizing offices, programs, or activities.

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

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

The Committee is concerned that, in some instances, the departments or agencies funded within this Appropriations Act are not adhering to the Committee's reprogramming policy and procedures that are set forth in this report and in section 605 of the accompanying bill. The Committee expects that each department and agency funded in the bill will follow these notification policies precisely and will not reallocate resources or reorganize activities prior to submitting the required notifications to the Committee. The Committee has provided each of the departments, the Judiciary, and the Small Business Administration with transfer authority, which is the same as the transfer authority provided in the fiscal year 2003 Appropriations Act. The Committee believes such authority, together with the traditional reprogramming policy, gives each department, the Judiciary, and the Small Business Administration the needed flexibility to respond to unanticipated circumstances and requirements, which may arise throughout the fiscal year.

RELATIONSHIP WITH BUDGET AND COMPTROLLER'S OFFICES

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

The workload generated in the budget process is large and growing, and, therefore, a positive, responsive relationship between the Committee and the budget and/or comptroller offices is absolutely essential to the appropriations process to ensure that the information needs of the Committee are met in order to fulfill the Constitutional responsibilities of the Congress.

FULL COMPLIANCE WITH TELEWORK DIRECTIVE

Advances in information and computer technology, the development of the Internet, and the growth of wireless and digital products have given some Federal employees the ability to telework—or work anytime from almost any place. Management considerations, such as productive and satisfied workers; environmental considerations, such as reduced traffic congestion and improved air quality; and quality of life considerations, such as accommodating the short- or long-term health needs of employees, require the establishment of telework programs.

Policies on telework continue to evolve. Among the factors that contribute to successful programs are top management support and a clear telework agreement that includes expectations with measurable goals, accountability, and performance results. The Committee is committed to telework programs in the Federal government and is impressed by the efforts of some of the agencies under its jurisdiction. For example, nearly 2,000 employees at the U.S. Patent and Trademark Office now experience the benefits of telecommuting, representing about twenty-five percent of the total employees. However, full implementation of telecommuting policies remains to be achieved.

The fiscal year 2004 Appropriations Act for the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies includes a provision requiring that the Departments of Commerce, Justice, and State, the Judiciary, and the Small Business Administration establish policies under which eligible employees can telecommute to the maximum extent possible without diminished performance. Within six months of enactment, these entities should ensure that telework policies are in place for 100 percent of the workforce. The Committee expects the departments, the Judiciary, and the Small Business Administration to be in full compliance with this timetable. In addition, an amount is designated for the departments, the Judiciary, and the Small Business Administration to implement telework policies, and these agencies should report to the Committee on the activities undertaken with these funds. Language is repeated from fiscal year 2003 requiring agencies to designate a Telework Coordinator, as some agencies have yet to comply with this requirement.

TITLE I—DEPARTMENT OF JUSTICE

In response to the September 11th terrorist attacks, the Congress has provided the Department of Justice with supplemental appropriations in fiscal years 2001, 2002, and 2003 totaling $2,780,287,000. Despite severe funding limitations faced by the Committee in fiscal year 2004, the recommendation for the Justice Department reflects the overriding priority of the Committee to ensure that law enforcement at all levels has the latest technology, training, and equipment needed to fight traditional crimes and address the continuing threat of terrorism. The recommendation reflects the Committee's strong commitment to combating terrorism, espionage, cybercrime, violent crime, illegal drugs, and corporate fraud.

The recommendation reflects the creation of the Department of Homeland Security and the corresponding reorganization of the

Committee to create a new Homeland Security Subcommittee. Therefore, the Department of Justice recommendation no longer includes funding for the Immigration and Naturalization Service, the National Infrastructure Protection Center, or first responder equipment, training and exercise grants. The recommendation provides funding for the Bureau of Alcohol, Tobacco, Firearms and Explosives, which was formerly part of the Department of Treasury.

The Committee recommends $20,153,758,000 in new budget authority in the accompanying bill for the Department of Justice for fiscal year 2004. This amount is $1,149,149,000 above the budget request and is $506,207,000 above the FY 2003 enacted level, excluding supplemental amounts.

Of the total amount provided, $19,956,559,000 is derived from general purpose discretionary funds and $197,199,000 is scored as mandatory spending.

For fiscal year 2004, increases of $423,596,000 above the fiscal year 2003 level, excluding supplemental amounts, are recommended to ensure that the Federal Bureau of Investigation (FBI) has the necessary resources to address national security threats, fight violent crime and white collar crime, and maintain progress on investments in information technology infrastructure.

During fiscal year 2002, the Committee approved the FBI's restructuring plan which shifted the FBI's primary focus from crime investigations to preventing acts of terrorism. As part of this reorganization, the FBI reallocated some 567 FBI agents away from drug investigations, enabling them to focus on counterterrorism activities. To ensure that the Federal government can continue to fight drug-related crime, the Committee recommends increases totaling $50,554,000 for the Drug Enforcement Administration (DEA), and recommends merging the Organized Crime and Drug Enforcement Task Force program with the DEA and increasing program funding $14,621,000 above the request. The Committee believes that this consolidation of drug enforcement resources will enable the DEA to more effectively coordinate and target investigations and operations.

In addition to providing increases for Federal law enforcement, the recommendation includes $3.5 billion to assist State and local law enforcement in fighting crime. This level is $1.2 billion above the request and includes funding for the Edward Byrne Memorial Formula program ($500 million), the Local Law Enforcement Block Grant program ($400 million), the State Criminal Alien Assistance Program ($400 million), juvenile justice and accountability programs ($462 million), law enforcement technologies ($100 million), the DNA backlog elimination program ($174 million), and violence against women prevention and prosecution programs ($387 million).

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends a total of $106,664,000 for General Administration for fiscal year 2004. This amount is $16,187,000 above the level provided in fiscal year 2003, excluding supplemental amounts, and $27,108,000 below the request.

This account supports the development of policy objectives and the overall management of the Department of Justice. The recommendation provides inflationary adjustments to maintain the current operating level in fiscal year 2004, and includes an increase of $7,000,000 for the Office of the Chief Information Officer (CIO) to implement information security upgrades. The Committee remains concerned that several information technology programs are occurring throughout the Justice Department with little or no coordination, including LEO, RISS and the FBI's Operation Gateway. Toward that end, the Committee directs the Justice Management Division (JMD) to provide a report to the Committee by January 2, 2004, that catalogs all existing and planned information sharing projects. The Committee reminds the Justice Department that all information technology reprogrammings must be certified by the Department's CIO to ensure coordination of resources.

The recommendation also includes an increase of $6,517,000 for ongoing improvements to physical security at the RFK Justice Building. This funding is in addition to fiscal year 2003 funding of $7,917,611 provided for contract guard costs, backup power supplies, and other building safety needs. The Committee has yet to receive the Justice Department's comprehensive security assessment.

The Committee provided funding above the request to the Justice Department and other agencies within this bill in fiscal year 2003 to aggressively investigate and prosecute corporate fraud. The Justice Department is directed to submit a report by December 15, 2003, in consultation with the Securities and Exchange Commission, providing a status of joint efforts to combat corporate corruption.

The Committee remains concerned with possible illegal activity associated with gambling casinos on Native American reservations, and directs the Justice Department to submit a report to the Committee by October 12, 2003 describing all ongoing Justice Department efforts with regard to this issue.

The Committee continues to strongly support the counterterrorism efforts of the Department. In the aftermath of September 11th, the Congress has provided significant additional resources and broad new legal authorities to the Justice Department. However, the Committee is sensitive to concerns that this enhanced capability may potentially impinge on individual civil liberties. To ensure the continued effectiveness and efficiency of the Department's counterterrorism and law enforcement efforts, the Committee directs the Justice Department to designate a senior policy official to assume responsibility for developing appropriate civil rights safeguards specifically related to the war on terrorism and for coordinating the work of the Office of Inspector General, the Civil Rights Division, the U.S. Attorneys, and the various other Justice Department entities to ensure effective oversight of Departmental activities in this area. The Department is directed to consult with the Committee prior to beginning this effort.

The Committee urges the Attorney General to posthumously award the Public Safety Officers Medal of Valor to the 414 public safety officers who perished on September 11, 2001, as described in House Concurrent Resolution 243.

The Committee directs JMD to conduct a comprehensive review of all training programs provided to State and local law enforcement. This review, to be submitted by February 4, 2004, shall include brief descriptions of the training offered, number of participants, costs to provide this training, and the benefits of such activities.

The Committee expects the Department to use up to $15,000,000, to be derived from a transfer of retained earnings from the Working Capital Fund, to continue planning and implementing the Department's core financial management system. The Committee is concerned with the significant costs of this system, and directs the Justice Department to submit a report on the Financial Management System by December 8, 2003, to include milestones for migrating existing systems, component migration costs, and expected ongoing operations and maintenance costs. The Committee expects the Justice Department to comply with Section 605 requirements regarding this initiative.

Consistent with direction included in the fiscal year 2003 Appropriations Act, the recommendation includes necessary sums to continue efforts to replace locks used to store classified information.

The Committee again reminds the Department and its components that the use of recoveries is subject to the requirements included in section 605 of this Act.

The recommendation retains bill language proposed for deletion regarding the position and workyear limits for the Offices of Public Affairs and Legislative Affairs. The recommendation retains bill language, carried in previous years, which (1) makes up to $3,317,000 of this appropriation available until expended for Departmental building, renovation, maintenance, and security needs; (2) specifies the amount of funding provided for the Department Leadership Program; and (3) authorizes the Attorney General to transfer property to State or local government agencies to support community-based health and safety programs.

IDENTIFICATION SYSTEMS INTEGRATION

The Committee recommends a total of $20,677,000 for fiscal year 2004 to provide for the continued deployment of a Joint Automated Booking System (JABS) and for the planning, development, and deployment of an integrated fingerprint identification system. This amount is $20,677,000 above the fiscal year 2003 level and $13,400,000 below the request. In fiscal year 2003, these programs were funded under separate headings.

This funding level includes $15,577,000 for the continued operation of JABS, which enables Department of Justice law enforcement components to electronically share criminal arrest data, improves criminal identification response times and avoids duplication of booking data entry.

The recommendation also includes $5,100,000 for continued integration of the FBI Automated Biometric Identification System (IAFIS) with other fingerprint identification systems now resident at the Department of Homeland Security.

The Committee directs the Justice Department to develop and implement a memorandum of understanding, including cost-sharing agreements, with the Department of Homeland Security to ensure continued collaboration on these initiatives.

The Committee includes requested bill language establishing this new account, modifies language from the request regarding availability of funds, and does not include requested bill language regarding funding for planning and management activities.

LEGAL ACTIVITIES OFFICE AUTOMATION

The Committee recommends $30,136,000 in direct appropriations for Legal Activities Office Automation (LAOA) for fiscal year 2004, which is $3,104,000 below the request and $14,298,000 above the amount provided in fiscal year 2003. In addition, the Committee recommendation includes $33,000,000 to be derived from a transfer from the Working Capital Fund, for a total of $63,136,000 to be available for these activities. The recommendation places this funding under the "General Administration" sub-heading instead of under "Legal Activities" as requested.

Last year the Committee directed that the Bureau of Prisons and the Office Of Justice Programs begin efforts to migrate onto this network. The Committee expects the Justice Department to include with the submission of the fiscal year 2005 budget request complete details regarding costs and implementation milestones to complete convergence of these two components into the LAOA system. This report should also include an expected final implementation date, and estimates for ongoing operations and maintenance costs for all components on the system.

NARROWBAND COMMUNICATIONS

The Committee recommends $103,171,000 for Narrowband Communications for fiscal year 2004, which is $39,235,000 above the fiscal year 2003 level and $36,912,000 below the request. The Committee notes that $88,446,000 remains unobligated in this account from prior year appropriations and that funds for new and replacement radios and related costs are also provided in the modular costs allotted to each of the law enforcement components. Language carried in previous Appropriations Acts is continued directing the Attorney General to transfer this component funding to the narrowband account. The Justice Department shall notify the Committee upon transfer of this funding.

In a June 10, 2003, report to the Committee, the Justice Department reported high cost estimates to implement conversion. The Committee does not anticipate that such amounts will be available to the Justice Department and directs that program requirements be reestimated. This report also briefly described the Seattle/Blaine, Utah/Idaho and San Diego pilots, which have successfully proven the advantages of narrowbanding and employing a common infrastructure. The Committee expects to continue to receive regular updates on these pilots and on efforts to ensure collaboration with other Federal law enforcement components which also employ wireless communications. The Committee expects the Department to ensure that Justice law enforcement components will be compatible with other non-Justice law enforcement components and with other non-Federal law enforcement partners. The Committee is aware that Project Safecom is now managed by the Department of Homeland Security (DHS), and expects the Justice Department to consult with DHS on this effort.

The Committee is concerned that the Justice Wireless Management Office has shifted its focus from deploying interoperable radios for Justice and other Federal law enforcement officers to developing other forms of interoperable communication systems. The Committee reminds the Justice Department that its goal is to ensure that Federal law enforcement officers can effectively communicate via radio, and that the Justice Department meets National Telecommunications and Information Act conversion requirements.

The Committee expects the Department to continue implementation of a consolidated, interagency Justice Wireless Network (JWN) to meet component needs and improve wireless capabilities, as such an approach will enhance interoperability and reduce costs associated with narrowband conversion. Amounts provided will be used to continue implementation of the JWN, operate and maintain legacy systems, expand the use of commercial services, and support the Wireless Management Office. The Committee continues to expect the Department to accommodate narrowband requirements without significant additional new resources. The Committee directs the Wireless Management Office to continue to submit status reports to the Committee as directed in Public Law 106–553, to include an operational plan for expenditure of funds.

The Committee recommends bill language, as carried in previous years, regarding the costs of conversion to narrowband communications, the costs of operating and maintaining land mobile radio legacy systems, and directing transfer of component radio funding to this account.

COUNTERTERRORISM FUND

The Committee recommends $1,000,000 for the Counterterrorism Fund to cover the extraordinary costs associated with a terrorist threat or incident. This amount is $7,000 above the level provided in fiscal year 2003, excluding supplemental amounts, and is $1,000,000 above the request. The recommendation, when combined with current unobligated balances and recoveries of $50,274,000 and $20,000,000 provided in Public Law 108–11, will result in a total of up to $71,274,000 available in the Fund for fiscal year 2004.

The Counterterrorism Fund was established in the 1995 Supplemental Appropriations Act after the bombing of the Alfred P. Murrah Federal Building in Oklahoma City and is under the control and direction of the Attorney General. These funds may be used to reimburse any Department of Justice organization for costs incurred from the reestablishment of an office or facility damaged or destroyed as a result of a domestic or international terrorist incident, and to cover extraordinary expenses necessary to counter, investigate, or prosecute domestic or international terrorism activities. The Attorney General is required to notify the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act prior to obligation of any funds from this account.

The Committee recommends bill language, carried in previous Appropriations Acts, which makes funds available: (1) for costs incurred in reestablishing the operational capacity of an office or facility damaged or destroyed by a terrorist incident; and (2) for support to counter, investigate, or prosecute terrorism, including pay-

ments of rewards and detention costs in connection with these activities.

ADMINISTRATIVE REVIEW AND APPEALS

The Committee recommends $193,530,000 for Administrative Review and Appeals for fiscal year 2004, which is an increase of $3,240,000 above fiscal year 2003 and $3,890,000 below the request. Of the total amount provided, $191,493,000 is for the Executive Office of Immigration Review (EOIR) and $2,037,000 is for the Office of the Pardon Attorney. The recommendation fully funds base adjustments and includes requested reductions for efficiencies realized as a result of changes to the Board of Immigration Appeals process.

This appropriation supports the EOIR, which includes the Board of Immigration Appeals, Immigration Judges, and Administrative Law Judges who decide through administrative hearings on the admission or exclusion of aliens seeking to enter the country, and the transportation and adjustment of status of aliens whose status has been challenged; and the Office of the Pardon Attorney, which receives, investigates and considers petitions for all forms of Executive clemency.

DETENTION TRUSTEE

The Committee recommends $810,125,000 for the Federal Detention Trustee for fiscal year 2004, which is $41,547,000 above the amount provided in fiscal year 2003, excluding supplemental amounts, and is the same as the request. The recommendation includes an increase of $39,734,000 for prisoners in the custody of the U.S. Marshals Service.

The Committee provided $40,000,000 in fiscal year 2003 supplemental appropriations to the Detention Trustee for additional requirements and approved several reprogrammings during fiscal year 2003. Recently, the Committee was advised by the Justice Department that the fiscal year 2004 funding request for this account is not sufficient to cover estimated expenses, but understands that no budget amendment will be submitted. Therefore, the Committee expects that at least $8,613,000 in recoveries in the Federal Prisoner Detention account will be transferred to the Detention Trustee account to address this anticipated shortfall.

The Committee created the Detention Trustee to improve the management of prisoners in the custody of the Justice Department. However, the Committee is concerned that the Detention Trustee does not have a sound methodology to anticipate detention needs and costs. Therefore, the Committee directs the Detention Trustee to establish a task force, to meet quarterly, to share arrest, prosecution and sentencing information to better forecast needs. This task force should, at a minimum, include a representative from the Justice Management Division, the U.S. Marshals, the Executive Office of the U.S. Attorneys, the Administrative Office of the U.S. Courts, and the Department of Homeland Security. This task force should also include a representative from the Bureau of Prisons who has expertise in developing bed space needs. The Detention Trustee is directed to report to the Committee no later than 30 days after enactment of this Act regarding establishment of this task force. As part of this effort, the Detention Trustee is directed

to develop a memorandum of understanding with the Department of Homeland Security to contract on a reimbursable basis for the detention needs of their law enforcement components.

The Committee is further dismayed that the Detention Trustee is attempting to address detention needs by contracting to construct a facility. The Committee never intended for the Detention Trustee to build a facility or to contract with another entity to construct a facility. The fiscal year 2003 Appropriations Act language under this heading does not include construction as an allowable use of funds. Rather, the Detention Trustee was and is directed to utilize existing State, local, and private detention space to meet detention needs. This language is continued in the fiscal year 2004 recommendation. If additional prisons are required to be constructed, then the Bureau of Prisons should request additional funding.

The Committee (1) modifies language carried in previous Appropriations Acts regarding participating components; (2) retains language carried in previous years regarding the authorities of the Detention Trustee; and (3) provides that unobligated balances available in prior years from funds appropriated to the Federal Prisoner Detention account be transferred to the Detention Trustee account.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $56,245,000 for the Office of Inspector General, which is $4,646,000 above the fiscal year 2003 level, excluding supplemental amounts, and $5,784,000 below the request. This amount fully funds base requirements. The Committee provided $2,500,000 in fiscal year 2003 supplemental appropriations to allow the Inspector General to provide appropriate oversight of ongoing law enforcement efforts against terrorism. The Committee directs the Office of Inspector General to report to the Committee by January 2, 2004, regarding efforts of the Justice Department to implement recommendations from the report on September 11th detainees.

The Office of Inspector General conducts and supervises audits and investigations relating to the programs and operations of the Department of Justice. The Inspector General keeps the Attorney General and the Congress informed about problems and deficiencies relating to the administration of such programs and activities.

The recommendation includes bill language to provide up to $10,000 to meet unforeseen emergencies, and deletes language as requested regarding the acquisition and operation of motor vehicles. These authorities are now provided in Public Law 107–273.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The Committee recommends $10,609,000 for the United States Parole Commission for fiscal year 2004, which is $189,000 above the amount provided in fiscal year 2003 and $442,000 below the request.

The Commission is an independent body within the Department of Justice that makes decisions regarding requests for parole and supervision of Federal and District of Columbia (D.C.) Code pris-

oners. As a result of legislation that established sentencing guidelines, the Parole Commission is phasing down its Federal operations. In August 1998, the Commission assumed jurisdiction over D.C. felony prisoners and D.C. Code parolees. When the D.C. Board of Parole ceased to exist, the Commission inherited a parole revocation caseload with a significant backlog of warrant requests and revocation hearings. Public Law 107–273 directed the Attorney General to submit a study presenting options for transferring the Commission to another entity outside the Justice Department. The Commission is directed to submit this report to the Committee as expeditiously as possible.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The Committee recommends a total of $620,533,000 for General Legal Activities for fiscal year 2004, which is $13,182,000 above the amount provided in fiscal year 2003 and $44,813,000 below the request.

This appropriation supports the Attorney General through the establishment of litigation policy, conduct of litigation, and various other legal responsibilities. The recommendation provides for inflationary and other adjustments to base totaling $13,573,000. The distribution of funding provided is as follows:

GENERAL LEGAL ACTIVITIES

[In thousands of dollars]

	2004 recommendation
Solicitor General	7,973
Tax Division	77,141
Criminal Division	133,636
Civil Division	199,665
Environment and Natural Resources Division	76,556
Office of Legal Counsel	5,679
Civil Rights Division	110,000
Interpol-USNCB	9,524
Office of Dispute Resolution	359
Total	620,533

Criminal Division.—The recommendation provides a total of $133,636,000, 801 positions and 813 workyears for the Criminal Division, including requested adjustments to base of $5,951,000, to address cyber-terrorism, foreign legal assistance, foreign counterintelligence, and white collar crime. The Committee expects the Criminal Division to continue to aggressively prosecute cases of corporate corruption, and as noted elsewhere in this report, Justice is directed to submit a report to the Committee by December 15, 2003, regarding efforts to combat corporate fraud.

Civil Division.—The recommendation provides a total of $199,665,000, 1,072 positions and 1,085 workyears for the Civil Division. This amount includes an increase of $2,671,000 for needs associated with increased immigration-related litigation.

The Committee requests that the Office of the Special Master and the Civil Division submit a report to the Committee by October 6, 2003, regarding the status of awards provided from the Sep-

tember 11th Victims Compensation Fund, and estimates on when all of the claims will be settled.

Radiation Exposure Compensation Fund Administration.—The recommended level for the Civil Division also includes an increase of $1,000,000, as requested, in addition to base funds of $1,996,000, to administer awards under the Radiation Exposure Compensation Act of 1990 to address a nearly five-fold increase in claims as a result of amendments enacted in 2000. 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. The Committee expects the Civil Division to absorb any additional requirements for processing RECA claims from other resources available to the Civil Division.

The Committee recommends bill language carried in previous Appropriations Acts allowing the Attorney General to provide additional resources to the Civil Division, if emergent circumstances warrant, through transfers of funds from other Department of Justice sources, subject to the requirements of section 605 of this Act. The Committee expects the Justice Department to submit a reprogramming for costs associated with continuing tobacco and other litigation activities, should funding be warranted.

Civil Rights Division.—The recommendation includes a total of $110,000,000, 753 positions and 755 workyears for fiscal year 2004. This amount is $5,584,000 above the amount provided in fiscal year 2003 and $310,000 above the request for the Civil Rights Division to enforce voting rights, disability rights, and other civil rights policies.

Trafficking.—An estimated 1 to 2 million people are trafficked worldwide each year, with women and children making up at least 700,000 of this total. It is estimated that 50,000 of these women and children are trafficked into the United States annually by crime rings and loosely connected criminal networks. The Committee expects the Justice Department to continue coordination efforts with the State Department to investigate and prosecute these crimes. The Committee is concerned that State and local law enforcement are not aware of the Federal resources available to them with regard to working with victims of trafficking, and expects the Civil Rights Division to coordinate activities with the Violence Against Women Office and the Office of Victims of Crime. The Committee expects the Justice Department to continue submitting yearly updates regarding efforts to investigate and prosecute trafficking.

Interpol.—The recommendation provides $9,524,000 for Interpol-U.S. National Central Bureau (USNCB), which includes $922,000 for increased Interpol dues. The USNCB is directed to submit a report to the Committee by September 8, 2003, fully describing its activities over the last three years and its coordination efforts with the FBI Legal Attachés and other Federal, State, and local law enforcement entities.

The Committee recommends bill language, similar to that included in previous fiscal years, which: (1) allows up to $20,000 for expenses of collecting evidence; (2) makes up to $10,000,000 for litigation support contracts available until expended; (3) makes up to $1,000 available to Interpol-USNCB for reception and representation expenses; and (4) allows the Attorney General to transfer

funds to address emergent circumstances in the Civil Division. The recommendation does not include requested bill language making a portion of funds for certain activities available until expended.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The Committee recommends a reimbursement of $4,028,000 for fiscal year 2004 from the Vaccine Injury Compensation Trust Fund to cover the Department of Justice's expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986. This represents the full amount requested and is $26,000 above the amount provided in fiscal year 2003.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The Committee recommendation includes $128,133,000 in budget authority for the Antitrust Division, which is $13,765,000 below the request and $5,000,000 below the fiscal year 2003 appropriation. This appropriation is offset by $112,000,000 in pre-merger filing fee collections, resulting in a direct appropriation of $16,133,000.

This Division acts on antitrust cases before the Supreme Court, represents the interests of the United States in cases brought under Federal antitrust laws, reviews decisions of regulatory commissions, and prepares and files amicus briefs. Appropriations for both the Division and the Federal Trade Commission are offset by Hart-Scott-Rodino Act pre-merger filing fee collections.

The Committee understands that due to changes in the Hart-Scott-Rodino fee structure and a reduction in merger activity, the number of pre-merger filings requiring review has declined by 76 percent between fiscal year 2000 and fiscal year 2002. The Committee further understands that as a result of this decline in workload, the Antitrust Division has not filled all of its authorized positions. The Committee commends the Antitrust Division for adjusting its staffing to reflect the level of merger activity.

While the recommendation is $5,000,000 below the fiscal year 2003 level, it will allow the Antitrust Division to increase on-board staff by approximately 45 positions, funded for half of the fiscal year, should merger activity increase during fiscal year 2004.

The recommendation includes bill language that prohibits Antitrust Division staff from accepting payment from certain non-Federal sources to attend conventions, conferences, and meetings. The Committee recommends a funding level that is sufficient to complete mission-critical travel.

The recommendation includes bill language for the Division, carried in previous years, that allows fees to be credited to this account and reduces appropriated funds as fees are collected. The recommendation also includes new bill language making funds available until expended.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommends a total of $1,526,253,000, 10,113 positions and 10,298 work years for the U.S. Attorneys, which is $32,260,000 above the fiscal year 2003 level and $30,531,000 below the request. The recommendation includes a total of $48,732,000 for pay and inflationary adjustments as requested. This appropriation supports the Executive Office of U.S. Attorneys and the 94

U.S. Attorney Offices, which serve as the principal litigators for the U.S. Government for criminal, civil, and debt collection matters.

U.S. Attorneys Anti-Terrorism Task Forces.—The Committee continues to support efforts to combat domestic terrorism. Last year, the Committee directed that the FBI's Joint Terrorism Task Forces (JTTFs) play the lead role in coordinating multi-agency counterterrorism efforts, and that the U.S. Attorneys should continue to participate in the JTTFs. JTTFs were established in 1980 and have since grown to be active in each of the 56 FBI field offices and include representatives of local, State, and Federal law enforcement, including U.S. Attorneys, as well as other relevant participants from each community. The Committee continues to believe that the U.S. Attorneys should continue to participate in these Task Forces rather than maintain a separate set of U.S. Attorney task forces. The Committee expects the Justice Department to ensure collaboration via the existing 66 JTTFs and the National Joint Terrorism Task Force.

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 suffered from similarly high rates of counterfeiting, including pharmaceuticals, videos, and music. The estimate of lost revenue to these industries exceeds $300 billion annually. The Committee recommendation includes $10,000,000 for the continued vigorous pursuit of Federal copyright law violations and software counterfeiting crimes. The U.S. Attorneys shall report to the Committee by April 1, 2004, on the number, type and location of copyright prosecutions undertaken in the preceding year, including those under Public Law 105–147.

The Committee also recommends bill language, similar to that included in previous fiscal years, which: (1) makes up to $2,500,000 for debt collection purposes available through fiscal year 2005; (2) makes available up to $8,000 for official reception and representation expenses; (3) makes up to $10,000,000 for automated litigation support contracts available until expended; and (4) specifies the number of positions and workyears provided for the United States Attorneys.

UNITED STATES TRUSTEE SYSTEM FUND

The Committee recommendation provides a total of $166,157,000 for the U.S. Trustees for fiscal year 2004, to be entirely funded from offsetting collections. The amount recommended is $10,421,000 above the fiscal year 2003 level and $9,015,000 below the request.

The U.S. Trustee System provides administrative support to expeditiously move bankruptcy cases through the bankruptcy process and ensure accountability of private trustees appointed to administer bankruptcy estates. Public Law 99–554, the Bankruptcy Judges, U.S. Trustees, and Family Farmer Bankruptcy Act of 1986, established a U.S. Trustee System Fund in the U.S. Treasury and provided for the collection of fees into the Fund to finance program operations.

The recommendation provides additional funds for pay and inflationary adjustments, including a $5,399,000 increase to restore carryover balances utilized in fiscal year 2003. The recommendation

does not include the requested information technology program increase. The Committee recommends that the Department of Justice use the Working Capital Fund to address this requirement.

The recommendation also includes bill language which: (1) allows deposits to the U.S. Trustee System Fund to be used to pay refunds due depositors; (2) allows $166,157,000 in offsetting collections to be retained and used for necessary expenses in this appropriation; and (3) reduces appropriated funds as such offsetting collections are collected.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The Committee recommends $1,205,000 for the Foreign Claims Settlement Commission for fiscal year 2004. This amount is $76,000 above the amount provided in fiscal year 2003 and $7,000 below the request.

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

The Committee directs the Commission to submit a report by January 15, 2004, regarding the number of claims adjudicated on behalf of U.S. nationals against foreign governments since 2000, the amount of awards, by year and country, and the number and type of pending claims.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The Committee recommends $678,672,000 for the United States Marshals Service (USMS) Salaries and Expenses account for fiscal year 2004. In addition, the Committee provides $41,105,000 under the Community Oriented Policing Services account for USMS activities associated with State and local law enforcement, bringing the total level of funding provided for the USMS to $719,777,000. This level is $1,029,000 below the request and $28,698,000 above the level provided under this heading in fiscal year 2003.

The recommendation includes funding for the Witness Security program that was funded in the Fees and Expenses of Witnesses account in fiscal year 2003. The recommendation also includes funding for 106 supervisory deputy marshals for courthouse security. These costs were requested in the Federal Judiciary's fiscal year 2004 budget but are funded in this account, as they were in fiscal year 2003.

The recommendation assumes $11,459,000 in requested base reductions and $13,667,000 in requested reductions for crosscutting efficiencies. The recommendation also provides the fiscal year 2002 current services level for vehicles and hand/leg cuffs.

The recommendation includes an increase of $18,039,000 for 168 new positions to address shortfalls in the protection of the judicial process. These positions are to be allocated to those districts with the highest priority needs. The Committee understands that these resources are urgently needed to address the growing number of prisoners in the custody of the USMS, especially along the Southwest Border, and the growing number of high threat trials. The Committee also notes that fiscal year 2003 supplemental appropriations provided for 32 additional deputy marshal positions for the protection of the judicial process.

The recommendation includes $1,371,000 for construction as requested and $2,000,000 for courthouse security equipment. Courthouse security equipment funds are provided as direct appropriations instead of through the Working Capital Fund as requested.

The recommendation includes an increase of $5,000,000 for Special Assignments to address extraordinary operational missions such as high threat or multi-defendant trials, judicial protection details, and participation in investigations.

Finally, the recommendation includes an increase of $5,000,000 for information technology requirements. The Committee understands that the USMS information technology infrastructure is inadequate to address modern law enforcement requirements. Funds provided for information technology shall be used, with the assistance and concurrence of the Department of Justice Chief Information Officer, to provide immediate enhancements to the USMS information technology infrastructure and its booking, warrant and prisoner tracking applications.

The recommendation includes bill language (1) making funding available for supervisory deputy marshals for courthouse security, (2) making funding available for official reception and representation, (3) making funding available for an automated prisoner information system, (4) making funding available for courthouse security equipment, (5) making funding available for construction of prisoner-holding space, and (6) designating the number of positions and full-time-equivalents provided in this Act.

FEES AND EXPENSES OF WITNESSES

The Committee recommends $156,145,000 for Fees and Expenses of Witnesses for fiscal year 2004, which is $19,500,000 below the amount provided in fiscal year 2003 and the same as the request. This appropriation, which is considered mandatory for scorekeeping purposes, provides for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party, including fact and expert witnesses, mental competency examinations, and witness/informant protection. Funds are also used to pay certain legal expenses of Federal employees.

The Committee recommends bill language, included in previous Appropriations Acts, which allows: (1) up to $1,000,000 for the purchase and maintenance of armored vehicles for prisoner transportation; and (2) up to $5,000,000 for installation and operation of a secure automated network. The recommendation also includes $8,000,000 for protected witness safesites.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The Committee recommends $9,526,000 for the Community Relations Service for fiscal year 2004, which is $114,000 above the fiscal year 2003 appropriation and the same as the request. This amount will support requested pay and inflationary base adjustments. In addition, the recommendation continues a provision that allows the Attorney General to transfer up to $1,000,000 from funds made available to the Department of Justice to this account, thereby providing for a total funding level of $10,526,000.

The Community Relations Service was established by Title X of the Civil Rights Act of 1964 to provide assistance to communities in resolving disagreements arising from discriminatory practices.

The Committee recommends bill language, identical to that included in previous years, which allows the Attorney General to provide additional resources for the Community Relations Service, if emergent circumstances exist, through the transfer of funds from other Department of Justice programs, subject to the requirements of section 605 of this Act.

ASSETS FORFEITURE FUND

The Committee recommends $21,759,000 for the Assets Forfeiture Fund for fiscal year 2004, which is the same level provided in fiscal year 2003 and $1,190,000 below the request.

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

The Committee includes requested changes in bill language regarding authorization citations.

FEDERAL BUREAU OF INVESTIGATION

The Committee recommends a total of $4,639,569,000 for the Federal Bureau of Investigation (FBI), which is the same as the request and $423,596,000 above the level provided last year, excluding supplemental appropriations. The Committee recommends funding in three separate accounts rather than one as requested by the Administration.

SALARIES AND EXPENSES

The Committee recommends total budget authority of $4,576,730,000 for the Federal Bureau of Investigation salaries and expenses account for fiscal year 2004. This amount is $423,596,000 above the amount provided for fiscal year 2003, excluding supplemental appropriations, and $62,839,000 below the request.

The recommendation includes increases of $162,181,000 for pay and inflationary adjustments to support staffing and operating levels, offset by a reduction of $189,536,000 for one-time fiscal year 2003 funding requirements. The recommendation identifies the funded position and FTE levels provided in the bill. These staffing levels are adjusted to be consistent with full base funding requested and program increases provided.

The Committee is supportive of efforts to focus resources on national security issues but remains concerned that resource reallocations may have a negative impact on other FBI activities, including drug, violent crime, and public corruption investigations. Budget shortfalls and increased homeland security responsibilities at the State and local levels decrease the likelihood that those entities can fill a breach resulting from a Federal withdrawal from traditional crime fighting. To ensure that appropriate resources continue to be allocated to critical areas, the FBI is directed to submit its Time Utilization and Record Keeping report on a bi-annual basis.

The following distribution represents the Committee funding recommendation. The Committee reminds the FBI that changes in this distribution are subject to the reprogramming requirements in section 605 of this Act.

FBI SALARIES AND EXPENSES

[Dollars in thousands]

Activity	POS	FTE	Amount
Criminal, Security and Other Investigations:			
Organized Crime Enterprises	3,189	3,020	446,750
White Collar Crime	4,248	4,088	551,495
Other Field Programs	13,451	12,462	1,916,533
Subtotal, Criminal, Security and Other investigations	20,888	19,570	2,914,778
Law Enforcement Support:			
Training and Recruitment	942	917	163,724
Forensic Services	749	725	180,623
Information Technology	396	383	252,398
Technical Field Support and Services	772	727	461,628
Criminal Justice Services	1,871	1,882	209,924
Subtotal, Law Enforcement Support	4,730	4,634	1,268,297
Program Direction and Administration	2,760	2,601	393,655
Total, Direct Appropriations	28,378	26,805	4,576,730

The recommendation includes programmatic increases totaling $450,951,000 to protect the U.S. from terrorist attacks; from foreign intelligence operations and espionage; and from cyber attacks and high tech crimes. The recommendation also includes increases for fighting violent and white collar crime, and for continued investments in information technology. Specific funding increases are provided as follows:

Counterterrorism.—The recommendation includes increases of $74,040,000 for counterterrorism operations, including $31,391,000 to enhance capabilities to investigate domestic security threats; $14,603,000 to hire additional analysts; and $28,046,000 for field investigation support. The Committee expects these enhancements will enable the FBI to develop a cadre of expert staff to collect, analyze, and prevent acts of domestic terror. The recommendation also includes funds for a mobile command center for the Los Angeles Field Office. The Committee provided $50,000,000 to the FBI in Public Law 107–117 to address just such types of critical needs. To ensure that Field Office equipment needs are being adequately addressed, the FBI shall submit, concurrent with the fiscal year 2005 budget request, an assessment of its mobile command centers nationwide. The Committee expects that any new vehicles required will be procured within existing funding levels. The Committee does not recommend funding for the VITAL program as few details were available regarding coordination with the Departments of Homeland Security and State.

Terrorist Threat Integration Center.—The Committee supports efforts to integrate intelligence analysis capabilities at the Terrorist Threat Integration Center (TTIC). However, the Committee is concerned that the physical relocation of the Counterterrorism Division to the new site may have a negative impact on information sharing with other components within the FBI. Therefore, the Committee expects the FBI to remain in close contact with the

Committee as this effort proceeds, and directs the FBI to submit a detailed proposal, no later than 60 days following enactment of this Act, regarding the specifics of the relocation of the FBI's Counterterrorism Division to the joint facility. The Committee also supports the need to authorize the TTIC in order to ensure adequate Congressional oversight and provide a framework for domestic surveillance activities.

Joint Terrorism Task Forces.—The recommendation includes an increase of $6,548,000 to support the successful Joint Terrorism Task Force concept. The FBI shall submit a report on Operation Gateway to the Committee by October 31, 2003, prior to obligating this funding or expanding the program to other Field Offices.

Counterintelligence.—The Committee recommends an increase of $60,338,000 to hire additional agents and analysts to improve the Bureau's counterintelligence functions. These additional resources will assist the Bureau in ensuring that its counterintelligence program is of the highest integrity. The Committee expects the newly established Executive Assistant Director for Intelligence (EADI) to provide regular updates to the Committee on efforts to maintain an aggressive intelligence program, with the first such briefing to occur within 30 days of enactment of this Act. The Committee expects that efforts of the EADI will be fully coordinated with all information technology initiatives and the Security Division.

Criminal Investigations.—The Committee recommendation includes funding above the request to ensure that the FBI has adequate agent and analytical staff to remain solidly in the forefront of addressing drug-related crimes, violent crime, including gang-related crime, organized crime, child exploitation, public corruption and identity theft. The recommendation includes $16,000,000 above the request for an additional 118 positions, including 56 agents, and $14,603,000 to hire 214 criminal analysts to maintain the FBI's ability to address traditional crimes as the Bureau also appropriately focuses increased resources on preventing acts of terrorism. The Committee expects the FBI to continue to bring a national focus to cases that cross jurisdictions, particularly the activities of violent criminal gangs across the United States.

White Collar Crime.—The recommendation includes $16,000,000, and 118 positions, including 56 agents, for FBI efforts to investigate corporate corruption. The Committee believes that the FBI has the expertise and the national focus to investigate corporate corruption, and recommends this increase to strengthen the Federal government's ability to protect investors, employees and consumers. The Committee expects the FBI to contribute to the white collar corruption report requested under General Administration.

FBI Reorganization.—On June 18, 2003, the Committee held a second hearing to review progress of the continuing reorganization of the FBI, at which the FBI Director, the National Academy of Public Administration, the General Accounting Office, and the FBI Agents Association discussed the Bureau's new focus on preventing acts of terrorism while maintaining a strong presence in investigating and prosecuting traditional crime and improving information technology. The Committee appreciates the efforts of these organizations in assisting Congressional oversight of the FBI reorganization. Reforming the FBI will remain a top priority of this Committee, as will the continued investment in information technology

and security, and the correct mix of agents, analysts and support staff to ensure that the FBI can maintain its preeminence as the world's premier law enforcement agency. As part of this restructuring effort, the Committee encourages the FBI to review support programs in light of the new shift in focus of the FBI. Specifically, the Committee directs the FBI to develop a plan during fiscal year 2004 to shift all training programs to the Training Division to ensure that training is standardized and reflects the current mission of the FBI. The Committee also directs that the FBI conduct a thorough review of response capabilities to ensure that they are commensurate with existing and future threats. The Committee believes that these support programs need to be reevaluated and consolidated in light of the changing focus of the FBI. The Committee expects these reviews to be completed and presented to the Committee by February 1, 2004.

Hazardous Devices School.—In keeping with efforts to focus FBI resources and expertise on high priorities, the recommendation transfers the Hazardous Devices School funding to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The Committee recommends that all explosives training for State and local law enforcement be consolidated under the ATF, and expects the ATF to continue all current operations and activities at the HDS. The Committee is aware that the Justice Department is undergoing a review to reduce possible areas of duplication among the various law enforcement components at Justice, and expects the Department to ensure that any such efficiencies are included in the fiscal year 2005 budget submission.

Information and Lead Management.—The Committee recommends an increase of $4,977,000 for the hiring of 100 additional support personnel, to be distributed to the highest priority locations. The Committee is aware that the FBI currently has some 151 vacant support personnel positions and expects the FBI to fill these vacant positions expeditiously to allow agents and analysts to focus on investigative and analytical activities. The Committee anticipates that Trilogy will also streamline activities, reducing the FBI's clerical support personnel requirements.

Language Translation Program.—The Committee remains concerned about the FBI language translation program. The recommendation includes an increase of $5,000,000 above the request to enable the FBI to aggressively reduce the backlog of documents that need to be translated and ensure the highest integrity in the program. The Committee believes that agents and analysts should receive intensive language training to reduce dependency on contract linguists who are in short supply. The Committee urges the FBI to develop a Memorandum of Understanding with the Foreign Service Institute in order to build this in-house capacity. The FBI should report to the Committee no later than 30 days following enactment of this Act regarding these efforts.

Legal Attaché Program.—The Committee recommendation includes an increase of $43,587,000 to support the important function of the Legal Attachés (Legats). This amount includes $10,500,000 for information infrastructure enhancements. The Committee expects that future information technology funding requirements for Legats will henceforth be included in any information technology refreshment programs requested by the FBI. The increase of

$200,000 for representation funds is to support Legats in their official capacities abroad in establishing and maintaining relations with officials of foreign governments and appropriate members of local communities. The Committee expects the Justice Department to undertake a comprehensive right sizing review prior to expanding any overseas Department presence, including Legats.

Training Programs.—The ongoing FBI restructuring plan revolves around a dramatic change in emphasis, shifting the FBI's focus from investigating crimes to preventing acts of terrorism. This change, coupled with a dramatic increase in resources in recent years, has resulted in significant additional training requirements. The Committee recommendation therefore includes an additional $24,027,000, which is $6,468,000 above the request, for cybercrime, counterterrorism, and intelligence analysis training requirements. This funding should support efforts of the College of Analytic Studies at Quantico, as well as the continuing education program established in fiscal year 2003 to provide senior FBI agents and support staff with the ability to earn advanced degrees in specialized areas that will broaden and enhance their on-the-job effectiveness. The FBI should consult with the Navy regarding efforts in this area. The Committee continues to support the efforts of the FBI to provide counterterrorism training overseas, as appropriate, to foreign law enforcement partners.

Advisory Board.—The Committee provided the FBI with $5,000,000 in fiscal year 2003 to establish an Advisory Board of outside experts to advise the FBI Director on matters relating to science, technology, research, engineering, information management, and other matters of special interest to the FBI. The Committee continues to believe that such a panel will enhance FBI reform by independently and regularly advising the Director on how to effectively exploit and apply science and technology to improve FBI operations, particularly with respect to information sharing, data mining and the analysis of information and evidence collected during investigations. The Committee is disappointed that this Board has not yet been established and urges the FBI to expeditiously act to appoint members, convene its first meeting, and decide on an agenda. The FBI shall report to the Committee when these tasks have been completed, which is expected to be no later than 30 days following enactment of this Act.

Cyber Capabilities.—The Committee is aware of the critical need to safeguard the nation's cyber infrastructure, and is therefore providing $41,113,000 to enhance the FBI's ability to detect and disrupt cyber terrorists and cyber criminals. To ensure that these resources are completely integrated with other information technology improvement programs underway at the FBI, the Executive Assistant Director for Administration is directed to review all ongoing information technology products and activities of the cyber division, including the Special Technologies and Applications Section, to ensure that activities underway are consistent with the mission of the FBI and that the products and techniques being developed elsewhere in the FBI are shared with other law enforcement agencies, as appropriate. The FBI CIO shall prepare this review in consultation with the Justice CIO.

Trilogy.—To date, the Committee has provided the FBI with $457,800,000 for Trilogy, $78,000,000 more than the original

spending plan. The FBI has also recently submitted a proposal to reprogram $137,900,000 for additional Trilogy requirements. This will bring the total cost to design and deploy Trilogy to $595,700,000. The Committee expects the Trilogy Program Manager to continue to keep the Committee informed of the status of deployment given the importance of, and significant investment in, this program. The recommendation for fiscal year 2004 includes an increase of $80,247,000 for refreshment needs, operations and maintenance. According to information provided in the June 2003 quarterly report, the Transportation Network Component/Information Presentation Component (TNC/IPC) has been successfully deployed, providing all field offices, Legal Attachés, resident agencies, and other off-site work locations with new workstations, desktop software, printers, scanners, Local Area Networks and Wide Area Networks. The User Application Component, or Virtual Case File (VCF), will transform the FBI's five most important investigative applications into a single web-based interface application, allowing users to gain access to information contained in these databases using modern techniques such as point and click technology. The VCF initial deployment will occur in December 2003, with the second release to occur in June 2004. The Bureau shall continue to provide quarterly status reports to the Committee regarding Trilogy implementation. In addition, the FBI is directed to present the Committee with a plan by November 15, 2003, which includes a review of the FBI's 40-plus databases, with the goal of removing applications that have outlived their usefulness in order for the FBI to concentrate resources on the highest priority information technology needs.

Information Technology Report.—To ensure that funding increases for information technology are being centrally coordinated to provide the greatest return on investment, the Committee expects the FBI to provide an updated information technology report. This report shall include a complete listing of all information technology projects; the stage of each project's development and deployment; base funding for each project, to include all sources of funding; and the outyear cost projections for each project, including recurring requirements for operations and maintenance of these systems. This report should also include a plan for ensuring regular technology refreshment replacement cycles, as well as estimated costs for these needs. This report is to be submitted no later than December 15, 2003.

Trafficking.—The Committee supports the FBI's continued involvement in the Southeast European Cooperative Initiative. The recommendation fully funds FBI staffing needs associated with this program at fiscal year 2003 levels. The Justice Department is directed to continue submitting reports to the Committee on efforts to combat human trafficking.

Quantico DNA Analysis.—The Committee is troubled by reports of lapses in the FBI Laboratory DNA Analysis program and therefore recommends an increase of $1,000,000 above the request for additional training and safeguards to ensure that analysis performed at the new lab is above reproach.

FBI Tour.—The Committee is aware that the FBI tour remains closed to the public. Not later than 60 days after the enactment of this Act, the FBI shall submit a report to the Committee detailing

the actions and resources required to revitalize and re-open the FBI tour. The Committee expects that these costs will be available within existing resources.

The Committee includes bill language, similar to that included in previous Appropriations Acts, which provides: (1) for purchase of new and replacement vehicles, without regard to general purchase price limitations, and the acquisition and operation of aircraft; (2) up to $70,000 for unforeseen emergencies; (3) up to $65,000,000 for automated data processing, telecommunications and technical equipment, and up to $1,000,000 for undercover operations to remain available until September 30, 2005; (4) not less than $490,104,000 for counterterrorism investigations, foreign counterintelligence, and national security activities; (5) not less than $153,812,000 for Joint Terrorism Task Force activities; (6) up to $10,000,000 to reimburse State and local police for assistance related to violent crime, terrorism and drug investigations; (7) up to $250,000 for official reception and representation expenses; and (8) a specific number of positions and workyears for the FBI. The recommendation does not include requested language to fund construction activities under this account.

FOREIGN TERRORIST TRACKING TASK FORCE

The Committee recommendation includes $61,597,000 for the Foreign Terrorist Tracking Task Force (FTTTF) to ensure that foreign terrorists cannot enter the United States. The recommendation provides these funds in a separate account, rather than under the salaries and expenses account as requested.

The Committee is concerned that information technology activities of the FTTTF are not coordinated with similar activities elsewhere in Justice. The FBI shall submit quarterly updates to the Committee regarding FTTTF technology initiatives and other activities, with the first such report due no later than 60 days following enactment of this Act.

CONSTRUCTION

The Committee recommendation includes $1,242,000 for FBI construction, which is the same level provided in fiscal year 2003 and $1,242,000 above the request. The recommendation does not merge construction funding under the salaries and expenses account as proposed in the request.

DRUG ENFORCEMENT ADMINISTRATION

To ensure that limited Federal drug law enforcement resources are applied consistently and efficiently, the Committee recommendation provides funds to reimburse non-Justice entities for their participation in the Interagency Drug Enforcement program, and also assumes that funding and management for these interagency task forces shall be managed within the Drug Enforcement Administration (DEA). Total funding provided in this bill for drug law enforcement efforts is $2,157,792,000, which is $607,019,000 above the fiscal year 2003 level and $599,049,000 above the request.

The Committee directs the Department to submit a reorganization proposal to conform to this new funding arrangement no later

than 60 days following enactment of this Act. The Committee expects that the IDE executive assistant director will report to the DEA Deputy Administrator, and will be at the same level in the organizational structure as the executive assistant directors for the Intelligence and Operations Divisions.

SALARIES AND EXPENSES

The Committee recommends total budget authority of $1,719,888,000 for the Drug Enforcement Administration (DEA) salaries and expenses account for fiscal year 2004, of which $118,561,000 is derived from fees deposited in the Diversion Control Fund, resulting in a direct appropriation of $1,601,327,000. The recommendation is $50,554,000 above the fiscal year 2003 level and is $42,584,000 above the request.

The recommended level provides for a net increase of $22,629,000, as requested, for pay and inflationary costs to maintain the current operating level, and $27,925,000 for program enhancements. The Committee is also aware that prior year recoveries are available and expects the DEA to submit a reprogramming proposal to cover one-time funding needs. The following distribution represents the Committee recommendation. The DEA is reminded that any changes to this distribution are subject to the reprogramming requirements in section 605 of this Act.

DEA SALARIES AND EXPENSES

[Dollars In thousands]

Activity	POS	FTE	Amount
Enforcement:			
Domestic Enforcement	2,728	2,561	546,165
Foreign Cooperative Investigations	653	621	208,199
Drug and Chemical Conversions	190	177	23,507
State and Local Task Forces	1,619	1,527	240,808
Subtotal, Enforcement	5,190	4,886	1,018,679
Investigative Support:			
Intelligence	976	983	129,294
Laboratory Services	466	456	72,856
Training	99	98	24,903
Research, Engineering, and Technical Operations	596	591	122,266
Information Technology	126	122	138,976
Subtotal, Investigative Support	2,263	2,250	488,295
Management and Administration	905	882	94,353
Total, Direct Appropriations	8,358	8,018	1,601,327
Division Control Fee Account	793	789	118,561
Total, Budget Authority	9,151	8,807	1,719,888

Additional Drug Enforcement Agents.—The Committee recommendation restores requested cuts to the DEA's base and provides program increases. The Committee believes that such cuts are ill-advised given the continuing influx of illegal drugs and drug-related crime in the United States. The recommendation includes a total increase of $46,274,000 to support 255 additional agents, 167 above the request, and support staff. The Committee commends the DEA for refocusing on higher priority targets, but

expects the DEA to maintain cooperative agreements with State and local law enforcement. Toward that end, the Committee restores funding proposed for elimination for the Mobile Enforcement Teams. The Committee agrees with the request to eliminate the Regional Enforcement Teams and refocus these resources on the highest priority targets.

Drug Intelligence Fusion Center.—According to State Department reports, 14 of 36 foreign terrorist organizations use illegal drug money to support terrorism. The Committee supports the efforts of the DEA to create a Drug Intelligence Fusion Center so law enforcement can share drug investigative information that may have a nexus with terrorism cases. The Committee directs the DEA to use $25,000,000 in available fiscal year 2003 balances for this effort. Prior to obligating any of this funding, the DEA is expected to provide a comprehensive report to the Committee no later than 45 days following enactment of this Act. This report shall include copies of MOUs with participating agencies, protocols for sharing information, and expected ongoing operations and maintenance funding costs. This report should also include a rejustification of all information technology programs taking place at the Special Operations Division (SOD) as well as recommendations for utilizing information platforms, such as Operation Gateway, developed by the FBI. The Committee also directs the DEA to rationalize the various drug intelligence collection and analysis entities, including the National Drug Intelligence Center, EPIC, and SOD, with the goal of blending these various entities within the Drug Enforcement Administrator to avoid duplicative effort. The Committee expects this analysis to be provided to the Committee no later than December 15, 2003. The Committee expects that this report will be reviewed by the Department of Justice CIO prior to submission to the Committee. The Committee also expects that the FBI EADI shall concur with plans for the fusion center, in recognition of similar activities ongoing at the FBI.

Demand Reduction.—The Federal government spends more than $1 billion a year on demand reduction activities. The Committee commends the DEA for its historical role in demand reduction activities, but does not believe that the DEA, in a climate with limited law enforcement resources, should maintain its own in-house demand reduction program. The Committee believes that it is more logical to consolidate demand reduction programs under other agencies that specialize in these programs, and focus the attention of the DEA on law enforcement. The Committee recommendation redirects the resources previously devoted to demand reduction, which includes 40 special agents, to State and local law enforcement task force activities.

Source and Transit Countries.—The Committee expects the DEA to continue to provide quarterly reports on the investigative workhours and funding, by type, within major source and transit countries, including the Caribbean, delineated by country and function. The DEA shall provide to the Committee by November 17, 2003, a trend analysis gleaned from information provided in these reports to ensure that resources are deployed appropriately.

OxyContin.—The Committee continues to be concerned with the continuing availability of legal drugs that are diverted for illegal use, particularly the prescription drug OxyContin. This epidemic,

originally impacting small, rural communities in Virginia, Kentucky, and West Virginia, has now gained a foothold in other areas of the country. The Committee has been extremely disappointed with the lack of action on the part of the Food and Drug Administration (FDA) to address this problem, but expects that recent agreements between the DEA and FDA with regard to the marketing of OxyContin and other similar drugs will alleviate problems with continued diversion.

Prescription Drug Monitoring Program.—To maintain progress toward establishing a nationwide prescription drug monitoring program, the Committee recommendation includes $10,000,000 under the Office of Justice Programs (OJP) to continue implementation of the Harold Rogers Prescription Drug Monitoring Program. The Committee expects the DEA to continue to work with OJP on the implementation of this program, and to continue to provide the Committee with regular updates regarding efforts to thwart the illegal diversion of OxyContin and other legal drugs.

Methamphetamines.—The Committee is also concerned with the continuing problem of methamphetamine use across the United States, particularly since meth traffickers are sometimes also involved in the distribution of marijuana, cocaine and heroin. The Committee expects the DEA to continue working with OJP on implementation of methamphetamine programs, and with State, local, and other Federal law enforcement entities to combat this problem. The Committee expects the DEA to continue its participation in the High Intensity Drug Trafficking Areas, particularly those operating in the Midwest, to combat the influx of methamphetamines. To ensure the DEA has the ability to effectively monitor clean-up of methamphetamine labs, the Committee includes an increase of $700,000 for contract oversight and management.

Ecstasy.—The Committee is aware of efforts by the DEA to eradicate the illegal importation of ecstasy and other "club drugs," and directs the DEA, in consultation with the State Department, to develop a comprehensive plan to work with Dutch and Belgian authorities, and those of other countries as appropriate, to coordinate interdiction efforts. The DEA is directed to submit this plan, with specific and achievable milestones, to the Committee no later than 60 days following enactment of this legislation.

DEA Training.—The Committee expects the DEA to coordinate analytical training needs with the FBI and other appropriate Federal agencies instead of creating stand alone training programs that may be duplicative. Toward that end, the Committee expects that the DEA will utilize and provide input to the training programs being developed by the FBI at its College of Analytical Studies.

Operation Containment.—The Committee expects to receive quarterly updates on Operation Containment activities in Afghanistan, with the first such report to be provided by December 1, 2003. The Committee expects the Department to ensure full interagency participation in this effort to stem the flow of illegal drugs from Afghanistan.

Drug Diversion Control Fee Account.—The recommendation includes $118,561,000 for the DEA's Drug Diversion Control Program for fiscal year 2004, which is the full amount requested and $30,111,000 above the fiscal year 2003 amount. The recommenda-

tion assumes that balances in the Fee Account are sufficient to fully support diversion control programs in fiscal year 2004. The Committee expects that this funding level will enable the DEA to hire additional investigators to address the illegal diversion of OxyContin and other medications. To control the diversion, distribution, manufacture and abuse of legitimate pharmaceuticals, the DEA annually registers in excess of 900,000 drug handlers, of which over 1,670 are manufacturers, distributors, importers, exporters, and others handling large volumes of controlled substances. These registrants pay fees, which fully support the cost of this program.

Illegal Diversion of OxyContin and other Pharmaceuticals.—The Committee recommends an increase of $6,882,000, 63 positions and 31 FTE to enhance the Internet Online Investigations Project, an effort aimed at shutting down the use of the Internet to sell diverted pharmaceuticals and controlled substances without a prescription. Funding is also recommended to develop and begin deployment of a system that will enable the on-line transfer of a prescription from a doctor to the pharmacy. These initiatives, along with the development of an electronic version of the DEA's order form used for the purchase of all Schedule II drugs, will complement the Committee's efforts to establish an on-line prescription drug monitoring program nationwide.

Additional Drug Investigative Positions.—The Committee is aware that controlled pharmaceuticals account for 30 percent of all reported deaths and injuries associated with drug abuse. Expected fee increases of $24,616,000 will support an additional 133 positions and 66 FTE to strengthen the DEA's efforts with regard to the diversion of controlled substances, particularly OxyContin. The DEA is directed to review existing and planned enhancement positions to ensure that resources are deployed to the highest priority locations. The DEA is directed to submit this review and justification to the Committee by January 2, 2004.

The Committee recommends bill language, similar to that included in previous Appropriations Acts, which provides: (1) up to $70,000 for unforeseen emergencies; (2) a change in authorization citations; (3) for purchase of passenger vehicles without regard to general purchase price limitations, and acquisition and operation of aircraft; (4) up to $33,000 for permanent change of status costs; (5) up to $1,800,000 for research to remain available until expended; (6) up to $4,000,000 for evidence and information, up to $10,000,000 for automated data processing and telecommunications, up to $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement parts to remain available until September 30, 2005; and (7) up to $50,000 for official reception and representation expenses. In addition, language is continued which specifies the number of positions and workyears provided to the DEA. Language proposed for retention is deleted regarding drug education and training programs.

INTERAGENCY DRUG ENFORCEMENT

The Committee is determined to provide sufficient resources to Federal law enforcement to ensure a sustained level of effort to combat illegal drugs. Toward that end, the Committee recommends that funding for joint drug enforcement activities previously in-

cluded under the Interagency Crime and Drug Enforcement account now be funded under the DEA. The Committee believes that this consolidation will enable the DEA to direct resources to the highest priority matters. Further, the Committee includes funding for continued participation of the Departments of Homeland Security and Treasury.

The Committee recommends a total of $556,465,000 for fiscal year 2004, which is an increase of $186,753,000 above the comparable fiscal year 2003 appropriation and is $14,621,000 above the request. The recommendation includes $24,153,000 for inflationary increases.

The ICDE program was created in 1982 to ensure a coordinated, multi-agency approach to attacking and dismantling high-level drug enterprises. Through its nine regional task forces, this program utilizes the combined resources and expertise of its Federal agency members, in cooperation with State and local investigators and prosecutors, to target and destroy major narcotics trafficking and money laundering organizations. Amounts provided reimburse Federal agencies for their costs to participate in these task forces. The Committee reminds the DEA that changes to these levels are subject to section 605 of this Act.

REIMBURSEMENT BY AGENCY

[Dollars in thousands]

	POS	FTE	Amount
Law Enforcement:			
DEA	1,304	1,228	168,539
FBI	806	780	114,700
INS	117	117	16,674
USMS	13	13	2,148
ATFE	54	54	11,483
IRS	494	476	73,301
Customs	270	270	31,154
Coast Guard			625
Drug Intelligence:			
DEA	50	38	6,392
FBI	184	159	21,521
Prosecution:			
U.S. Attorneys	965	886	100,699
Criminal Division	18	18	2,717
Tax Division	10	8	995
Administrative Office	14	14	5,517
Total	4,299	4,061	556,465

As the Committee has directed the DEA to use existing balances under salaries and expenses to develop the Drug Intelligence Fusion Center, the recommendation does not include funding requested under this account for this activity.

Targeting Command and Control.—The Committee commends efforts to refocus this program on the highest level national and international drug trafficking organizations. The recommendation includes an increase of $23,127,000, 151 positions and 76 FTE to expand investigations of these major command and control targets. In addition, $3,461,000 is provided to the U.S. Attorneys to ensure successful prosecution of targets.

Continued FBI Involvement.—The FBI restructuring plan approved by the Committee directed 567 FBI agents away from drug investigations. However, the Committee strongly believes that FBI

expertise represents a critical contribution to interagency drug investigations. The Committee therefore recommends an increase of $8,000,000, 53 positions and 27 workyears above the request to maintain the FBI's participation. The Committee expects that these additional resources will enable the Federal government to aggressively pursue links between terrorists and drug organizations.

Financial Investigations.—The recommendation includes an increase of $5,631,000, 37 positions and 19 FTE for money laundering activities, particularly offshore accounts that can be difficult to track. In addition, the recommendation includes $2,805,000 for U.S. Attorneys' participation.

Drug Intelligence.—The Committee strongly believes that additional analytical support is needed to ensure that information collected as part of multi-agency drug investigations is thoroughly referenced against other criminal databases and other ongoing investigations, particularly with regard to terrorist organizations. Therefore, the Committee recommends increases of $3,764,000 for the DEA and $7,528,000 for the FBI to increase analytical capacity. The Committee directs the DEA to consult with the Committee prior to distributing these resources, and expects that these resources will support efforts of the Special Operations Division and the Drug Intelligence Fusion Center.

The Committee recommends bill language, similar to that included in previous Appropriations Acts under a separate heading, which: (1) allows for inter-governmental agreements with State and local law enforcement agencies; (2) makes $50,000,000 available until expended; and (3) allows funds to be used under existing authorities available to participating organizations.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The Committee recommendation includes $831,199,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which is $30,011,000 above the current year level and $20,788,000 below the request.

The Homeland Security Act of 2002 established the Bureau of Alcohol, Tobacco, Firearms and Explosives under the Department of Justice. As a result of the passage of the Homeland Security Act, regulatory and revenue collection functions relating to alcohol and tobacco were realigned to the newly created Alcohol and Tobacco Tax and Trade Bureau (TTB) within the Department of Treasury; and the responsibilities for enforcement of Federal laws relating to alcohol, tobacco products, firearms, explosives, and arson were transferred to the Department of Justice.

In keeping with efforts to streamline functions under the Department of Justice and ensure that Federal law enforcement resources are focused on core regulatory and criminal investigations, the Committee recommendation proposes changes to the ATF budget request. First, the recommendation includes consolidation of funding for Department of Justice explosives training functions under the ATF, and provides $6,100,000 for the operation of the Hazardous Devices School in Huntsville, Alabama. It is the Committee's expectation the ATF will continue all existing operations and programs. Second, the recommendation does not include funding

for the Gang Resistance Education And Training program under this heading, and instead provides funding under the "Juvenile Justice Programs" heading. Historically, the Committee has funded State and local law enforcement grant programs under the Office of Justice Programs and Community Oriented Policing Services to ensure that grant programs are fully coordinated.

Youth Crime Gun Interdiction Initiative(YCGII).—The Committee commends the efforts of the ATF to interdict the flow of illegal firearms to youths, as part of the YCGII. The Committee understands that the YCGII is currently operating in 60 cities throughout the country. The Committee does not include proposed additional funding to expand this effort. In addition to amounts provided under this heading, the Committee includes resources for youth gun violence prevention programs under the Project Sentry initiative under the "Juvenile Justice Programs" heading.

Administrative Expenses.—The Committee is aware that the ATF continues to provide administrative assistance to the TTB and is unable to accurately determine the actual costs for the operation of two distinct bureaus. Therefore, the Committee expects the Department to provide to the Committee a spending plan separately identifying such administrative costs sixty days from the enactment of this Act.

Safe Explosives Act.—The Committee directs the Department to ensure adequate resources are available to fulfill the requirements of the Safe Explosives Act.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The Committee recommends a fiscal year 2004 appropriation of $4,461,257,000 for the salaries and expenses of the Federal Prison System, which is $215,957,000 below the request and $416,469,000 above the fiscal year 2003 level. The recommendation does not include funding for construction under this account as requested, but instead maintains a separate Buildings and Facilities account as in previous fiscal years. The recommendation provides $182,153,000 for adjustments to base, including annualization costs associated with the activation of new prisons. The Committee recommendation recognizes the critical importance of providing adequate space for the incarceration of sentenced and unsentenced Federal prisoners, and the need to activate newly constructed prison facilities.

The Committee urges the Federal Bureau of Prisons to remain vigilant to prevent the exploitation of religious programming by groups seeking to espouse and promote violence and terrorism.

Activation of New Prisons.—The Committee includes a total of $240,515,000, to be distributed as requested, for the activation costs of Victorville, CA FCI; Hazelton, WV USP; Forrest City, AR FCI; Herlong/Sierra, CA FCI; Williamsburg, SC FCI; Canaan, PA USP; and Terre Haute, IN USP. This amount will provide for the activation of 7,872 new beds. The recommendation also includes funding from FPI product sales to activate factories in these facilities.

Contract Confinement.—The recommendation also includes an increase of $12,900,000 for contracts to accommodate the increasing prison population. The Bureau of Prisons is directed to meet

bedspace needs using excess State, local, and private prison capacity, if these facilities meet Bureau of Prison standards.

Transitional Drug Treatment Programs.—The Committee is aware that more than 50 percent of the Federal prison population is incarcerated because of illegal drug activity. The recommendation therefore includes an increase of $3,000,000 above the request to support BOP's transitional drug treatment program. The BOP shall submit a report to the Committee by December 15, 2003, describing this program and efforts to ensure that as many inmates as possible can participate in this worthwhile endeavor.

The Committee is aware that the Bureau of Prisons uses visible eye-safe lasers for marksmanship training systems, and encourages BOP to continue these efforts.

The Committee recommends bill language, similar to that included in previous Appropriations Acts, which provides: (1) for the purchase of motor vehicles for police-type use; (2) for the provision of technical advice to foreign governments; (3) for transfer of funds to the Health Resources and Services Administration; (4) for the Director to enter into contracts to furnish health care; (5) up to $6,000 for reception and representation expenses; (6) up to $20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants; and (7) for the Federal Prison System to enter into contracts and other agreements with private entities for multi-year periods for the confinement of Federal prisoners. The recommendation also includes a requested change in the number of new and replacement automobile purchases, and includes language, as requested, designating an amount to remain available for two fiscal years.

BUILDINGS AND FACILITIES

The Committee recommends $202,840,000 for fiscal year 2004 for the construction, modernization, maintenance and repair of prison and detention facilities housing Federal prisoners. The Committee recommends maintaining a separate account for construction activities instead of combining accounts as requested. This amount is $202,840,000 above the request and $193,792,000 below the fiscal year 2003 appropriation. In addition, the Committee recommendation does not include a requested rescission. The Committee continues to expect that all current construction projects will proceed as planned.

The Committee recommends bill language, similar to that included in previous Appropriations Acts, which allows: (1) for planning, acquisition of sites, and construction of facilities; (2) for acquisition, remodeling, and equipping facilities by contract or force account; (3) up to $14,000,000 to construct inmate work areas; (4) for use of prisoner labor; and (5) up to 10 percent of this appropriation to be transferred to the salaries and expenses account upon notification under section 605 of this act.

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

The Committee recommends a limitation on administrative expenses of $3,429,000 for Federal Prison Industries, Incorporated, for fiscal year 2004, which is $22,000 above the amount designated

for fiscal year 2003 and equal to the request. The Committee is dismayed that the Justice Department and the Administration have repeatedly failed to take an active stance to ensure that Federal Prison Industries, Inc. can continue to provide meaningful work opportunities for inmates. The Committee implores the Administration to continue to offer such opportunities to inmates while respecting the interests of small and medium-sized businesses. It is incumbent on our society to show compassion to those who are repaying their debts to society by providing them with opportunities to prepare themselves to re-enter society as functioning citizens. Termination of the FPI program would in fact result in the end of Federal prison work opportunities for those who participate, because recreating a similar program could not be achieved within the prevailing budget constraints.

OFFICE OF JUSTICE PROGRAMS

According to the FBI's most recent Uniform Crime Report, in fiscal year 2002 murder increased by 0.8 percent and forcible rape increased by 4.0 percent. At the same time, the FBI is diverting resources away from traditional crime fighting to strengthen its counterterrorism capabilities, leaving a void that only State and local law enforcement are positioned to fill. In this context, the Committee finds the Administration's budget request, which proposes a $1.3 billion, or 35 percent, reduction in funding for State and local law enforcement assistance to be ill-conceived and profoundly inadequate.

In order to address State and local law enforcement requirements, the Committee recommends a total of $3,491,261,000 in new budget authority for crime fighting grant programs for fiscal year 2004, $1,160,029,000 above the Administration's request. In previous years, the Department of Justice provided domestic preparedness training, equipment, and exercise grants for first responders. In fiscal year 2004, these programs are no longer administered by the Department of Justice.

The fiscal year 2004 budget request proposed merging all programs administered by the Office of Justice Programs (OJP) under the Justice Assistance heading. The Committee recommendation retains the account structure used in previous years and funds State and local law enforcement programs under seven appropriation accounts.

The Committee expects the Department of Justice to coordinate its programs and grant application processes with other Federal agencies to ensure that grantees have knowledge of, and access to, the resources provided to State and local agencies throughout the Federal government. For example, OJP is expected to work with the Department of Homeland Security (DHS) to ensure that OJP grants are complimentary but not duplicative of DHS programs. OJP is also expected to coordinate programs such as Drug Courts, Offender Re-entry, Project Safe Neighborhoods and Juvenile Justice, with the Department of Education's Safe and Drug Free Schools Program, the Office of National Drug Control Policy's Drug Free Communities and Drug Courts programs, and the Department of Health and Human Services Substance Abuse Prevention and Treatment Block Grant program. The Committee expects the Department to work in consultation with these other Federal agencies

to develop comprehensive community strategies to deal with problems such as drug abuse, gangs and violence. The Committee directs the Department to submit a report to the Committee by June 1, 2004, describing its efforts to coordinate its programs with other Federal agencies.

The Committee understands that many local law enforcement officials are not aware of the penalties prescribed in the Federal law for trafficking in persons, nor are they aware that special visa categories may be available for certain victims. The Committee directs the Violence Against Women Office (VAWO) and the Office of Victims of Crimes (OVC) to work with the Criminal Section of the Civil Rights Division to expand their education program for State and local law enforcement personnel on the Victims of Trafficking and Violence Protection Act of 2000. This training program should focus on improving local law enforcement's ability to identify victims of trafficking and persons engaged in trafficking, and on making referrals to Federal officers. The Committee believes that the Community Oriented Policing Services (COPS) Regional Community Policing Institutes could be used to help disseminate this information. The Committee directs the Department to submit a spending plan for an expanded training effort within 90 days of the enactment of this Act. The plan shall describe the resources being utilized from all Department entities, including, but not limited to, the Civil Rights Division, the VAWO, the OVC, and the COPS Office.

JUSTICE ASSISTANCE

The Committee recommends $209,131,000 for the Justice Assistance account for fiscal year 2004. The Justice Assistance program includes assistance to States and localities in the form of research, evaluation, statistics, information sharing, missing children assistance, and management and administration of grants provided through OJP. The budget proposed merging all OJP programs under this heading. The recommendation provides funding under this heading only for those programs previously funded in this account. The table below compares the fiscal year 2004 recommendation to funding provided in fiscal year 2003 and the fiscal year 2004 request for those programs recommended under this account heading.

(In thousands of dollars)

Program	FY 2003 enacted	FY 2004 request	FY 2004 recommendation
National Institute of Justice	59,490	73,301	59,000
Bureau of Justice Statistics	32,125	35,085	33,731
National White Collar Crime Center	9,170	.....	4,500
Regional Information Sharing System	28,812	36,448	35,000
Management and Administration	37,753	119,638	40,000
Missing Children Program	32,633	30,669	36,900
Total	199,983	.....	209,131

National Institute of Justice.—The Committee recommendation provides $59,000,000 for the National Institute of Justice (NIJ) for fiscal year 2004. In addition, as in previous fiscal years, NIJ will receive funding under the Local Law Enforcement Block Grant program, the Violence Against Women Prevention and Prosecution

program, and the DNA Initiative for efforts associated with those programs.

NIJ is the nation's primary source of research and development in the field of criminal justice. NIJ fosters innovation in law enforcement technologies and practices and in investigative causes and patterns of crime, and informs the public of research and development findings. The Committee encourages NIJ to work with Federal law enforcement agencies in the development of law enforcement technologies to ensure coordination of research and development efforts.

The Committee continues to support the National Law Enforcement and Corrections Technology Centers, a network of facilities and capabilities that converts non-lethal defense technology to law enforcement use. The Centers provide actual casework assistance when highly specialized technologies are required, and help in identifying and locating high quality technologies and equipment for law enforcement use. The recommendation continues the current year level of funding for the Office of Law Enforcement Technology Commercialization, Inc., and for the Center for Rural Law Enforcement Technology and Training. The Committee understands that NIJ is currently conducting a review of the Center system. NIJ shall report the results of this study to the Committee, including its plans to expand or reduce the number of facilities in the Center system. The Committee also supports NIJ's efforts to develop through-wall motion mapping.

Bureau of Justice Statistics.—The Committee recommendation provides $33,731,000 for the Bureau of Justice Statistics, which is $1,606,000 above the current year appropriation and $1,354,000 below the request. The Bureau of Justice Statistics 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 system.

Missing Children.—The Committee recommendation provides $36,900,000 for the Missing Children Program for fiscal year 2004, which is $6,231,000 above the request and $4,267,000 above fiscal year 2003. This program provides funds to combat crimes against children, particularly kidnapping and sexual exploitation. The following table displays the Committee's funding recommendation:

MISSING CHILDREN PROGRAM

[In thousands of dollars]

Program	FY 2003 enacted	FY 2004 request	FY 2004 recommendation
National Center for Missing and Exploited Children	12,419	12,419	14,000
Jimmy Ryce Law Enforcement Training Center	2,980	981	3,000
Internet Crimes Against Children Task Force	12,419	12,500	12,500
Missing and Exploited Children Office	2,331	2,269	2,400
AMBER Alert Program	2,484	2,500	5,000
Total	32,633	30,669	36,900

OJP shall utilize AMBER program funds in accordance with the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003.

Regional Information Sharing System.—The Committee recommendation provides $35,000,000 for fiscal year 2004 for the Re-

gional Information Sharing System (RISS), which is $6,188,000 above the fiscal year 2003 level and $1,448,000 below the request.

The RISS program maintains six regionally-based information sharing centers throughout the United States, which are connected electronically to form a nationwide network for the automated exchange of crime and terrorism information between Federal, State, and local agencies. The Committee is pleased with the Administration's efforts to integrate RISS with the Law Enforcement On-Line (LEO) program and with the proposed expansion of the RISS Anti-terrorism Information Exchange (ATIX) program and the Multi-State Anti-Terrorism Information Exchange (MATRIX) program. The Committee expects OJP to coordinate their efforts with other components of the Department of Justice and with the Department of Homeland Security to ensure that State and local agencies have electronic access to crime and terrorism information. The Committee remains concerned at the continuing proliferation of local, State, regional, and Federal information sharing initiatives that are being developed independently, with no apparent plan to integrate them with other systems operated by Federal law enforcement agencies and with RISS and LEO. The Committee directs the Department to ensure that inter-state information sharing systems funded by OJP and COPS utilize the existing communications infrastructure and are compatible with RISS and LEO.

White Collar Crime Center.—The Committee recommends a total of $4,500,000 for the National White Collar Crime Center for fiscal year 2004, which is $4,670,000 below the fiscal year 2003 appropriation and $4,500,000 above the request. This program provides training, technical assistance, and investigative support to State and local law enforcement to combat white-collar and economic crimes such as fraud and identify theft.

Management and Administration.—The Committee recommendation provides $40,000,000 in direct appropriations for the management and administration of OJP programs, which is $2,347,000 above the fiscal year 2003 level. In addition, consistent with prior practice, reimbursable funding for management and administration costs will be made available from programs administered by OJP from the "Community Oriented Policing Services" account and the new "Violence Against Women Prevention and Prosecution" account. Furthermore, the Committee recommends that remaining management and administration funding be made available from the "Juvenile Justice Programs" and the "State and Local Law Enforcement Assistance" accounts and that these funds will be transferred to and merged with the "Justice Assistance" account. The recommendation assumes a total management and administration budget of $110,042,000. This is equal to the request, less management and administration funds requested for the Violence Against Women Office, which is funded under a separate heading. The budget request proposed funding management and administration as a separate line item without using reimbursable funding from the other OJP programs. The recommendation provides $40,000,000 in direct appropriations and directs OJP to submit a financial plan, within 60 days of the enactment of this Act, outlining the level of funding individual programs will contribute to management and administration requirements. The recommendation assumes that, at a minimum, the amounts appropriated for

the following programs will not be reduced to fund management and administration: Bulletproof Vest Partnership, Police Corps, Offender Re-Entry, Project Sentry, Weed and Seed, DNA Initiative, Criminal Records Upgrade, and Public Safety Officer Benefits, as well as the Victims of Child Abuse programs funded under the Juvenile Justice account.

As discussed in the Statement of Managers accompanying the fiscal year 2003 Act, the Department shall provide the Committee with detailed plans of competitive outsourcing efforts before proceeding with changes.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The Committee recommends a total of $1,640,861,000 for fiscal year 2004 for State and Local Law Enforcement Assistance programs. This amount is $1,640,861,000 above the request and $390,129,000 below fiscal year 2003. The Committee does not adopt the Administration's proposal to consolidate this appropriation under the Justice Assistance heading.

The table below displays funding for programs recommended under this heading compared to the level of funds requested under the Justice Assistance account for the same activities. In previous years, violence against women prevention and prosecution programs were funded in this account. For fiscal year 2004, the Committee recommendation establishes a separate appropriation heading for these programs.

[In thousands of dollars]

	2003 enacted	2004 request	2004 recommendation
Local Law Enforcement Block Grant	397,400		400,000
(Boys and Girls Clubs)	(79,480)		(80,000)
(USA Freedom Corps)	(2,981)		(5,000)
(National Institute of Justice)	(19,870)		(20,000)
State Criminal Alien Assistance	248,375		400,000
Cooperative Agreement Program	4,968		2,500
Indian Assistance	17,883	$4,436	13,000
(Tribal Prison Construction Program)	(4,968)		
(Indian Trial Courts Program)	(7,948)		(8,000)
(Alcohol and Substance Abuse)	(4,967)	(4,436)	(5,000)
Edward Byrne Memorial Law Enf. Assistance	646,683		615,000
(Formula Grants)	(496,750)		(500,000)
(Discretionary Grants)	(149,933)		(115,000)
USA Freedom Corps		14,669	
Justice Assistance Grants		585,990	
(Boys and Girls Clubs)		(60,000)	
(Indian Tribal Courts Program		(5,921)	
(National Institute of Justice)		(19,956)	
Violence Against Women Grants [1]	387,629		
Victims of Trafficking Grants	9,935		10,000
State Prison Drug Treatment	64,577	74,233	70,000
Drug Courts	44,708	64,360	55,000
Juvenile Crime Block Grant [2]	188,765		
(Project ChildSafe)	(24,838)		
Prescription Drug Monitoring	7,451		10,000
Prison Rape Prevention and Prosecution	12,915		60,000
Terrorism Prevention and Response Training	14,902		
Other Crime Control Programs:.			
State and Local Training		3,907	1,000
Missing Alzheimer's Patients	892		892
Law Enforcement Family Support	1,487		1,487
Motor Vehicle Theft Prevention	1,292		
Senior Citizens vs. Marketing Scams	1,982		1,982

[In thousands of dollars]

	2003 enacted	2004 request	2004 recommendation
Rescission	(20,854)	(11,622)	
Total, State and Local Assistance	2,030,990		1,640,861

[1] In FY 2004, the recommendation includes a separate account for Violence Against Women Prevention and Prosecution programs.
[2] The FY 2004 recommendation funds the Juvenile Accountability Block Grant program under the Juvenile Justice heading.

Local Law Enforcement Block Grant.—The Committee recommendation includes $400,000,000 for the Local Law Enforcement Block Grant program, which is $2,600,000 above the fiscal year 2003 appropriation and $400,000,000 above the request. This program provides grants to local law enforcement agencies to reduce and prevent crime. These funds are available to local law enforcement to meet their highest priority needs, such as overtime, equipment, information technology and additional officers. Of the amount provided, $80,000,000 is for Boys and Girls Clubs, $20,000,000 is for NIJ to assist local units of government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement, and $5,000,000 is for the USA Freedom Corps initiative for the expansion of Neighborhood Watch programs and the Volunteers in Policing program.

State Criminal Alien Assistance Program.—The recommendation provides $400,000,000 for the State Criminal Alien Assistance Program (SCAAP) for reimbursement to States for the costs of incarceration of criminal aliens. The budget request proposed the elimination of this program. The recommendation is $151,625,000 above the fiscal year 2003 level.

Cooperative Agreement Program.—The recommendation provides $2,500,000 for the improvement of State and local correctional facilities holding prisoners in custody of the U.S. Marshals Service. This amount is $2,500,000 above the request and $2,468,000 below the fiscal year 2003 appropriation.

Indian Assistance.—The Committee recommends $13,000,000 in Indian assistance grants, of which $8,000,000 is for Indian tribal courts, and $5,000,000 is for alcohol and substance abuse grants.

Edward Byrne Grants to States.—The Committee recommendation provides $615,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $115,000,000 is for discretionary grants and $500,000,000 is for formula grants under this program. These grants help to improve the functioning of the criminal justice system with an emphasis on drugs, violent crime and serious offenders.

Within the amounts appropriated for discretionary grants, the Committee expects OJP to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

- Cook County Cold Case Homicide Unit;
- National Crime Prevention Council;
- Drug Abuse Resistance Education (DARE) program;
- City of Massillon, OH, Police Department for law enforcement technologies and to combat gang and drug-related activities;
- Operation UNITE for a drug enforcement, treatment and education program;

• Rural Law Enforcement Technology and Training Center;
• The Phoenix House for drug treatment alternatives for offenders;
• Excelsior College for law enforcement training programs;
• Transylvania County, NC, Sheriff's Citizens Observer Patrol and Education Team;
• Search Group, Inc. and the National Technical Assistance Program;
• New Orleans, LA, Police Department for crime fighting initiatives;
• Orleans Parish, LA, District Attorney's Office for crime fighting initiatives;
• Louisiana State Police for equipment to assist in investigating crimes;
• Iberia Parish Sheriff's Department for equipment to assist in investigating crimes;
• Calcasieu Parish Sheriff's Department for equipment to assist in investigating crimes;
• Caddo Parish District Attorney's Office for equipment to assist in investigating crimes;
• Jefferson Parish District Attorney's Office for equipment to assist in investigating crimes;
• Washington Metropolitan Area Drug Enforcement Task Force (MATF);
• Northern Virginia multi-jurisdictional anti-gang task force;
• Virginia Attorney General's Office for a Computer Crime Unit, a gang task force, and the Triad program;
• Mothers Against Drunk Driving for education and victims assistance programs;
• Northern Virginia Criminal Justice Academy;
• Gospel Rescue Ministries;
• Fuller Theological Seminary for a conflict resolution program;
• Virginia Commonwealth Attorneys Service Council for the TOP GUN program to partner law enforcement and prosecutors to combat violent crime throughout Virginia;
• Pre-release and post incarceration services programs for the Commonwealth of Virginia;
• The Doe Fund's Ready, Willing & Able program;
• Tarrent County, TX, District Attorney's Office for an Automated Fingerprint Identification System;
• Court programs in the Commonwealth of Virginia to combat drug use and drug related crimes;
• Virginia Community Policing Institute;
• Center for Court Innovation;
• Virtual Simulation Project for Clark State Community College's Police Academy in Springfield, OH;
• Oakland County, MI, Sheriff's Department for an Identification Based Information System (IBIS) including portable hand-held digital fingerprint and photo devices for patrol cars;
• Iowa State University for specialized criminal justice research;
• Redlands, CA, Police Department for a crime mapping project;

• Chattanooga and Nashville, TN, for programs to combat drug offenses;
• National Center for Justice and the Rule of Law at the University of Mississippi School of Law to sponsor research and produce educational seminars and training programs for judges, court personnel, prosecutors, police agents, and attorneys;
• National Clearinghouse for Science, Technology, and the Law at Stetson University College of Law;
• Pinellas County, FL, Sexual Predator Unit;
• Kristen's Act;
• University of Houston to study in-car law enforcement technologies;
• DuPage County State's Attorney's Office for the Child Victim Witness Project for criminal investigators;
• Kane County, IL, for a drug rehabilitation court;
• Columbus, OH, Police Department for an automated fingerprint identification system;
• The Women's Center in Vienna, VA;
• Ascension Parish Sheriff's Office for a regional training center for cybercrime monitoring and enforcement activities and for law enforcement administration training;
• National Institute of Justice's Cyber Science Laboratory in Rome, NY;
• National Association of Town Watch's National Night Out crime prevention program;
• Savannah Impact Program for an offender re-entry program;
• Orange County, CA, for a mobile regional gang enforcement team;
• Mercyhurst College in Erie, PA, for law enforcement training;
• Gun Crimes Reduction Task Force in Ventura County, CA;
• Rural Justice Institute at Alfred University;
• Belmont Harrison Juvenile District for female inmate programs;
• San Joaquin Valley Rural Crime Prevention Program;
• Eddy County, NM, Detention Center for inmate programs to reduce recidivism;
• Regional Counter Drug Training Academy for law enforcement training;
• York County, PA, for a court records improvement program;
• Stanislaus County, CA, Meth Gang Enforcement Project;
• Police Athletic League;
• Men Ending Domestic Violence program in Swansea, IL;
• Altoona, PA, for an offender re-integration program;
• Norwich, CT, Police Department for a program to investigate sexual predators on the Internet;
• Polaris Project;
• Kern County, CA, District Attorney for equipment to assist in criminal gang investigations;
• Second Judicial District of New Mexico for a gun violence reduction program;

• St. Louis County, MO, to enhance local law enforcement efforts;
• California Department of Justice for the San Francisco Bay area sexual assault screening program;
• Law enforcement information sharing center in CA;
• Puerto Rican Legal Defense and Education Fund to conduct a study of the participation of Latinos in the Federal criminal justice system;
• "Sanctuary for Families" for programs in support of at-risk women and children;
• Urban Justice Center;
• Brown University for law enforcement research;
• National Corrections and Law Enforcement Training and Technology Center in Moundsville, WV;
• National White Collar Crime Center;
• Law enforcement agencies in the City of Alexandria, VA, for increased operational costs;
• American Cities Foundation for a drug and alcohol demand reduction program;
• Philadelphia District Attorney's Office for criminal justice enhancements;
• New York Prosecutors Training Institute for enhancement of the Spectrum Justice and Prosecutors Case Management software systems;
• "Urban Dreams" in Des Moines, IA, for programs in support of at-risk youths;
• Midamerica Nazarene University's (MNU) Criminal Justice Program;
• Turtle Mountain Community College for Project Peacemaker;
• National Children's Alliance Child Abuse Case Tracking, Reporting and Management System;
• National Center for Rural Law Enforcement's Internet Project;
• College of Mount Saint Vincent for criminal justice research and development;
• Municipality of Barceloneta, PR, to expand law enforcement efforts;
• Criminal justice research initiative in Central Islip, NY;
• Milwaukee County, WI, Community Justice Day Reporting Center to expand program activities;
• YouthServe, a project of the "Builder for the Family and Youth," to develop programs in support of at-risk youths;
• Drug abuse prevention program in New York, NY;
• The Fortune Society for the Community Re-entry program;
• Bexar County, TX, for the Jail Diversion Program Model;
• Greater Woodhaven Development Corporation to address quality of life crimes;
• North Las Vegas Police Department to enhance law enforcement efforts;
• City of Baltimore, MD, to establish a Drug Enforcement and Eradication Program;
• "Home Again" Offender Re-Entry Project in Indianapolis, IN;

- Provident Counseling's Domestic Violence Prevention Program;
- City of North Miami Beach, FL, for a law enforcement initiative;
- The African Community Resource Center for a domestic violence prevention program;
- County of Santa Clara, CA, for the Financial Abuse Specialist Team;
- PAX New York for the SPEAK UP Hotline;
- City of Pittsburgh, PA, Police Bureau to enhance the Witness Protection Program;
- San Jose, CA, Police Department for law enforcement enhancements;
- National Institute on State Policy on Trafficking of Women and Girls at the Center for Women Policy Studies;
- City of Seattle, WA, Precinct Liaison Program;
- White Earth Nation in White Earth, MN, for criminal justice enhancements;
- Maine Rural Substance Abuse Partnership;
- Warren Urban Minority Alcohol and Drug Abuse Program in Trumbull County, OH; and
- Programs as authorized under the Law Enforcement Memorial Act.

Victims of Trafficking.—The Committee recommendation includes $10,000,000 for victim services programs to provide assistance to victims of trafficking, as authorized by the Victims of Trafficking and Violence Protection Act of 2000. This amount is $10,000,000 above the request and $65,000 above the current year appropriation.

State Prison Drug Treatment.—The Committee recommends $70,000,000 for grants to States and units of local government for development and implementation of residential substance abuse treatment programs within State correctional facilities and certain local correctional and detention facilities. This amount is $4,233,000 below the request and $5,423,000 above the fiscal year 2003 appropriation.

Drug Courts.—The recommendation includes $55,000,000 for the Drug Courts grant program, which is $10,292,000 above the fiscal year 2003 level and $9,360,000 below the request. This program provides grants, technical assistance and training to State, local, and Indian tribal governments to develop dedicated drug courts that subject non-violent offenders to an integrated mix of treatment, drug testing, incentives, and sanctions.

Harold Rogers Prescription Drug Monitoring Program.—The Committee's fiscal year 2004 recommendation includes $10,000,000 for the Harold Rogers Prescription Drug Monitoring Program to assist States in building or enhancing prescription drug monitoring systems, facilitating the exchange of information between States, and providing technical assistance and training on establishing and operating effective prescription drug monitoring programs.

The Committee continues to be concerned with the abuse of prescription drugs, such as OxyContin, and the devastating impact they have on families and communities throughout the country. In order to address this problem, the Committee provided $2,000,000 in fiscal year 2002 and $7,451,000 in fiscal year 2003 for OJP to

provide grants to States creating new prescription drug monitoring programs and to enhance current prescription drug monitoring programs.

Prescription monitoring programs help prevent and detect the diversion and abuse of pharmaceutical controlled substances. States that have implemented prescription monitoring programs have the capability to collect and analyze prescription data much more efficiently than States without such programs, where the collection of prescription information requires the time consuming manual review of pharmacy files.

Prison Rape Prevention and Prosecution.—The Committee understands that experts have conservatively estimated that at least 13 percent of inmates in the United States have been sexually assaulted in prison and that many inmates have suffered repeated assaults. Under this estimate, nearly 200,000 inmates now incarcerated have been, or will be, the victims of prison rape. The total number of inmates who have been sexually assaulted in the past twenty years likely exceeds 1,000,000. The Committee understands that prison rape contributes to the spread of sexually-transmitted diseases, such as HIV and AIDS. The Committee also recognizes that inmates with mental illness and juvenile inmates are particularly vulnerable to sexual victimization. The Committee further understands that most prison staff are not adequately trained or prepared to prevent, report, or treat inmate sexual assaults and that prison rape often goes unreported.

In order to begin addressing this problem, the Committee provided $12,915,000 in fiscal year 2003 for a new prison rape prevention and prosecution program. This funding will be used to begin statistical data collection and analysis, and research and development of innovative prison rape prevention and prosecution programs. For fiscal year 2004, the Committee recommends $60,000,000 for continuation of this program. This funding shall be used to continue statistical data collection, analysis, and research. This funding will also be available to establish a national clearinghouse of information, through the National Institute of Corrections, provide training and technical assistance to Federal, State and local corrections and law enforcement agencies, and provide grants to States, local authorities, prisons, and prison systems to undertake prison rape prevention and prosecution projects.

Safe Return Program.—The Committee recommendation includes $892,000 to continue the national program to locate missing Alzheimer's disease patients, the same level as in fiscal year 2003 and $892,000 above the request.

Law Enforcement Family Support programs.—The recommendation includes $1,487,000 for programs that provide support services to law enforcement officers and their families, the same level in the current year appropriation and $1,487,000 above the request.

Senior Citizens Against Marketing Scams.—The recommendation includes $1,982,000, which is $1,982,000 above the amount requested and equal to the current year, for programs to assist law enforcement in preventing and stopping marketing scams against the elderly.

Hate Crimes Training and Technical Assistance Program for State and Local Law Enforcement.—The recommendation includes $1,000,000 for a hate crimes technical assistance and training pro-

gram. This level is $1,000,000 above the current year and $2,907,000 below the request. The Committee does not provide funding for training and technical assistance programs previously funded by the Office for Domestic Preparedness. The Office for Domestic Preparedness was transferred to the Department of Homeland Security.

WEED AND SEED PROGRAM FUND

The recommendation provides $51,811,000 for the Weed and Seed program for fiscal year 2004, which is equal to the request and $6,731,000 below the fiscal year 2003 level. The budget proposed merging the Weed and Seed program under the Justice Assistance account. The recommendation maintains this program as a separate appropriation. The Committee expects the Weed and Seed Program to coordinate with the Department's Project Safe Neighborhoods (PSN). Within 6 months of enactment of this Act, OJP is directed to submit a report to the Committee on the coordination of the Weed and Seed program with PSN, the Bureau of Alcohol, Tobacco, Firearms, and Explosives Youth Crime Gun Interdiction Initiative and other Department of Justice and Federal programs. The management and administration costs of the program are funded within the Justice Assistance appropriation.

COMMUNITY ORIENTED POLICING SERVICES

The Committee recommendation includes $682,993,000 for the Community Oriented Policing Services (COPS) program for fiscal year 2004. The table below displays funding for programs recommended under this heading compared to the level of funds requested for the same activities under this heading and under the Justice Assistance account.

[In thousands of dollars]

Program	FY 2003 enacted	FY 2004 request	FY 2004 recommendation
Hiring	198,700	.....	.....
Training and Technical Assistance	20,528	20,662	20,662
Tribal Law Enforcement	34,773	30,000	30,000
Meth Hot Spots	56,761	20,000	60,000
COPS Technologies	188,719	50,000	100,000
Interoperable Communications (w/sup.)	74,620	.....	.....
Safe Schools Program	15,111	.....	.....
Police Integrity Grants	16,853	16,963	17,000
Management and Administration	32,782	26,130	26,130
Prior Year Balances (Rescission)	.....	(6,378)	.....
Sub-Total, COPS	638,847	157,377	253,792
Programs Not Requested Under COPS			
Bulletproof Vests	25,279	24,143	25,000
Police Corps	14,903	28,315	28,315
Criminal Records Upgrade	39,740	56,924	56,924
DNA/Crime Lab Initiative	81,009	174,353	174,353
Paul Coverdell Forensic Science	(4,968)	.....	5,000
DC Superior Court and Fugitive Task Forces	.....	.....	41,105
Crime Identification Technology Act	68,626	.....	.....
SW Border Prosecutor Program	39,740	48,063	40,000
Gun Violence Reduction Assistance	44,708	47,683	45,000
Offender Re-Entry	14,837	13,504	13,504
Project Sentry [1]	9,935	.....	.....

[In thousands of dollars]

Program	FY 2003 enacted	FY 2004 request	FY 2004 recommendation
Total	977,624		682,993

[1] Funding is provided under the Juvenile Justice heading.

Training and Technical Assistance.—The Committee recommends $20,662,000 to provide training and technical assistance for the advancement of community policing through the regional community policing institutes. This is the same level as the request and $134,000 above the current year.

Events of national or regional importance attended by large numbers of people—such as sporting events, concerts, and cultural exhibitions—present unique security concerns for local law enforcement officials. The Committee expects the COPS Office to develop a program to train law enforcement on how to effectively secure facilities where events of national or regional importance are taking place. Furthermore, the COPS Office is directed to report to the Committee no later than 180 days from enactment of this Act on "best practices" developed by various law enforcement agencies to secure these types of events.

Bulletproof Vests.—The Committee recommendation includes $25,000,000 for continuation of the Bulletproof Vest program to assist State and local law enforcement purchase bullet- and stab-resistant vests. This level is $857,000 above the request and $279,000 below the current year.

Tribal Law Enforcement.—The Committee recommendation includes $30,000,000 for the Indian Country grant programs to fund officer hiring and technology programs. This level is the same as the request and $4,773,000 below the current year.

Methamphetamine Enforcement and Clean-Up.—The Committee recommends $60,000,000 to combat methamphetamine production and distribution, to target drug "hot spots," and to remove and dispose of hazardous materials at clandestine methamphetamine labs. This amount is $3,239,000 above the fiscal year 2003 appropriation and $40,000,000 above the request. The Committee is aware that the production, trafficking, and usage of methamphetamine, an extremely destructive and addictive synthetic drug, continues to be a national problem.

Within the amount provided, the Committee has included $20,000,000 to reimburse the Drug Enforcement Administration for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs.

Within the amount provided, the COPS Office is directed to develop a training and technical assistance program to assist communities to identify and shut down meth labs, arrest and prosecute meth distributors, safely eliminate environmental hazards, and other related activities that communities and families impacted by meth abuse must address. The remaining available funding shall be awarded on a competitive basis to those State and local communities with the largest meth problems and with effective strategies to reduce meth production and abuse. The Committee expects this program to be coordinated with the Department of Health and Human Services Prevention of Meth and Inhalant Abuse program,

the Environmental Protection Agency, and other appropriate Federal agencies.

In addition, within the amount provided, the Committee expects the COPS Program Office, in consultation with DEA, to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

- Virginia State Police to assist their efforts in combating methamphetamine;
- DeKalb, Cherokee, and Marion Counties, AL, for initiatives to combat methamphetamine;
- California Department of Justice, Bureau of Narcotic Enforcement, for the California Methamphetamine Strategy (CALMS);
- Washington State law enforcement methamphetamine initiative;
- Southeast Missouri Drug Task Force;
- Regional Methamphetamine Training Center in Sioux City, IA;
- Methamphetamine enforcement and clean-up initiatives in Kansas for the Cowley County, Montgomery County, and Butler County Sheriffs' Departments;
- Methamphetamine Task Force in East Tennessee, to fight the spread of meth labs in this region, including a video conferencing program at the Hamilton County District Attorney's Office;
- Chilton County, AL, Sheriff's Department to combat production and distribution of methamphetamine;
- Henderson County, TN, Sheriff's Department to combat production and distribution of methamphetamine;
- Arkansas Methamphetamine Law Enforcement Initiative;
- Riverside County, CA, Sheriff's Department to combat production and distribution of methamphetamine;
- Franklin County, MO, Sheriff's Department for Operation CHEM;
- Daviess County, KY, Sheriff's Department to combat production and distribution of methamphetamine;
- Oklahoma Bureau of Narcotics and Dangerous Drug Control, Clandestine Laboratory Enforcement Program;
- Louisiana Local Law Enforcement Task Force to combat the production and distribution of methamphetamine;
- Kansas Bureau of Investigation to combat the production and distribution of methamphetamine;
- Nebraska State Patrol to combat the production and distribution of methamphetamine;
- Henderson, NV, Police Department for equipment and technologies to combat the production and distribution of methamphetamine;
- Indiana State Police to combat the production and distribution of methamphetamine;
- Pennyrile Narcotics Task Force in KY;
- Philadelphia, PA, Operation Safe Streets Initiative;
- Lawrence County, AL, Sheriff's Office to assist their efforts against methamphetamine and narcotics production and distribution;

- Phoenix House for methamphetamine programs in Los Angeles, CA;
- Marion County, OR, to combat the production and distribution of methamphetamine;
- Lincoln County, OR, to combat the production and distribution of methamphetamine;
- City of Columbia, SC, to combat the production and distribution of methamphetamine;
- Buffalo Trace/Gateway Narcotics Task Force, to support a multi-jurisdictional task force methamphetamine training program;
- FIVCO Area Drug Enforcement Task Force, to support a multi-jurisdictional task force methamphetamine training program;
- Choctaw Nation in Oklahoma for efforts to combat methamphetamine;
- Minot State University Rural Methamphetamine Education Demonstration Project; and
- State of Hawaii, including Oahu, Maui County, and Kaua'i County, to combat the production and distribution of methamphetamine.

Police Corps.—The Committee recommends $28,315,000 for the Police Corps program. This is a $13,412,000 increase over the fiscal year 2003 appropriation and equal to the request. The Committee has provided funding for Police Corps program management and administration costs under the Justice Assistance heading. The Committee recognizes that every State will not implement a Police Corps program and that the vast majority of law enforcement training will not be performed in Police Corps programs. The Committee directs OJP to work with State and local law enforcement departments to incorporate successful Police Corps training techniques into State and local law enforcement academy training programs in order to maximize the number of recruits that receive this advanced training. OJP shall submit a financial plan to the Committee no later than 45 days after enactment of this Act outlining how the program will be implemented within the limited level of funding provided.

Law Enforcement Technology Program.—The Committee recommendation provides $100,000,000 for continued development of technologies and automated systems to assist State and local law enforcement agencies in investigating, responding to and preventing crimes, and gathering and analyzing information. In particular, the Committee recognizes the importance that sharing information among State and local law enforcement agencies can have in preventing crimes and in identifying and apprehending criminals.

This funding is provided to address the specific crime fighting needs of law enforcement. Funding to address the communications and interoperability needs of first responders, including fire, hazmat, emergency medical services, and law enforcement is not provided under this Act.

In examining all grant applications under this program, the COPS Office is directed to ensure that proposals meet equipment standards adopted by the National Institute of Justice and the Bureau of Justice Assistance within the Office of Justice Programs,

and the Office of Law Enforcement Standards within the National Institute of Standards and Technology.

Within the amount provided, the Committee expects the COPS Office to examine each of the following proposals, to provide grants if warranted, if each application complies with the direction provided above, and to submit a report to the Committee on its intentions for each proposal.

- Regional Law Enforcement Technologies Program in Kentucky;
- Simulated Prison Environment Crisis Aversion Tools for programs in Alabama, North Carolina and Pennsylvania;
- New Orleans Metropolitan Crime Commission;
- North Shenandoah Valley Regional law enforcement agencies for law enforcement technologies;
- Criminal Information Sharing Alliance Network;
- Florida Department of Corrections for a system to electronically monitor criminal probationers and link their location to crime events;
- I–SAFE America;
- Southside Virginia law enforcement agencies for law enforcement technologies;
- Great Cities University Coalition to improve criminal justice data systems;
- East Valley Community Justice Center in CA;
- Idaho State Police for mobile data computers;
- National Training and Information Center (NTIC);
- Law Enforcement On-Line;
- Center for Criminal Justice Technology;
- Maryland State Police Department for an integrated police vehicle technology system;
- Saginaw Chippewa Tribal Police Force;
- State of Delaware for the Courts Organized to Serve project;
- Pennsylvania Commission on Crime and Delinquency for integrated justice data hubs;
- California University of Pennsylvania for support of the Crime Mapping Center;
- Arkansas State Police for law enforcement technologies;
- Georgia State University to implement an Improved Crime Data system;
- "A Child Is Missing" for telephony research to locate missing persons;
- California Highway Patrol for in-car law enforcement technologies;
- University of Southern California Advanced Simulation Training for law enforcement research;
- Minnesota Association of County Probation Officers for law enforcement technologies;
- West Virginia High Technology Consortium Foundation for the AMBER VIEW project;
- Worcester Polytechnic Institute for the development of law enforcement technologies;
- Missouri Police Chief's Association for law enforcement technology upgrades; and

• Grants for technology improvements to police and sheriff's departments in communities that are in need of modernizing their equipment to improve their crime prevention and investigative capabilities and for which alternative sources of funding are not available, including: Tucson and Cochise County, AZ; Stark County, OH; Loudoun County, VA; Herndon, VA; Key West, FL; Fairfax County, VA; Fauquier County, VA; Carlsbad, CA; Morris County, NJ; Placer County, CA; Pickaway County, OH; Scott County and Winchester, IL; San Bernardino, CA; Anchorage, KY; Audubon Park, KY; Jeffersontown, KY; Onondaga County, NY; Syracuse, NY; Clearwater, FL; Largo, FL; Pinellas County, FL; Los Angeles County, CA; Wyoming County and Livingston County, NY; Greene County, MO; Greater Harris County, TX; St. Charles, IL; St. Clair County, AL; Jefferson County, AL; Frederick County, MD; Hanover County, VA; Culpeper, VA; Louisa County, VA; Page County, VA; Prince William County, VA; York and Stafford Counties, VA; Murrieta, CA; Charles Town, WV; Cincinnati, OH; Lubbock, TX; Loudon County, TN; Hillsborough, NJ; Clark County, KY; Chesterfield County, VA; Suffolk, VA; Chesapeake, VA; Cobb County, GA; Rockingham County and Harrisonburg, VA; Lumber River, NC; Cape Fear, NC; Greenville, NC; Madison Township, OH; Sacramento County, CA; Lancaster, PA; County of Contra Costa, CA; Navajo Nation in Arizona; San Carlos Apache Nation in Arizona; Bayamon and Guaynabo, PR; Stamford, CT; Gainesville and Alachua, FL; Northampton County, VA; Accomack County, VA; Virginia Beach, VA; Kalamazoo County, MI; Kankakee County, IL; Harrison County, WV; Sandy City, UT; Calvert County, MD; San Francisco, CA; Bastrop, LA; Suffolk County, NY; Des Moines, IA; Whitpain Township, PA; Philadelphia, PA; Clackamas County, OR; Luzerne County, PA; Sumas, Lynden, and Blaine, WA; Snohomish County, WA; Macon, GA; Abilene, TX; Newport, RI; Cumberland, RI; North Providence, RI; Minneapolis, MN; Hennepin County, MN; Kitsap County, WA; Erie County, OH; Lucas County, OH; Greenburgh, NY; Haverstraw, NY; Rye Brook, NY; Tuckahoe, NY; Westchester County, NY; Somerset, Fayette, Greene and Washington Counties, PA; West Springfield, MA; Worcester County, MA; Pittsfield, MA; Gary, IN; Lake County, IN; Porter County, IN; Bamberg County, SC; Marion County, SC; Shelton, CT; Woodbridge, CT; Dallas, TX; Tompkins County, NY; Phoenix, AZ; Cary, NC; Madison, WI; Milwaukee County, WI; Pomona, CA; El Paso, TX; Lakewood, CA; City of Fullerton, CA; Rosemead, CA; West Covina, CA; Henderson, NC; Portland, OR; San Luis Obispo County, CA; Virgin Islands; Detroit, MI; Austin, TX; Borough of Spotswood, NJ; West Windsor Township, NJ; Grand Coteau, LA; Lafayette, LA; Sunset, LA; Jefferson County, TX; Jackson County, MO; St. Paul, MN; Baltimore, MD; Jackson, TN; Jackson County, MS; City of Jackson, MS; Essex County, MA; Rockville, MD; Tacoma, WA; Hudson County, NJ; Haverhill, MA; Evanston, IL; Milburn, NJ; Sumner, Macon, Bedford, Robertson, Wilson, and Putnam Counties, TN.

Criminal Records Upgrade.—The Committee recommendation includes $56,924,000 for the Criminal Records Upgrade program.

This is an increase of $17,184,000 above the fiscal year 2003 level and equal to the request. The goal of this program is to ensure that accurate records are available for use in law enforcement, including sex offender registry requirements, and to permit States to identify ineligible firearm purchasers, persons ineligible to hold positions involving children, the elderly, or the disabled, and persons subject to protective orders or wanted, arrested, or convicted of stalking and/or domestic violence. This program helps States build their infrastructure to connect to national record check systems both to supply information and to conduct the requisite checks.

DNA Initiative.—The Committee recommendation is $174,353,000 for the Administration's DNA Initiative, which is $93,344,000 above the current year level and equal to the request. The Committee has provided funding for the management and administration of this program under the Justice Assistance heading.

The recommendation fully funds the first year of the Administration's initiative to eliminate the DNA backlog in five years. The Committee recognizes that DNA technology will allow law enforcement to identify certain criminals quickly and accurately, solve more crimes, especially violent crimes such as murder and rape, and identify persons mistakenly accused or convicted of crimes. Further, the Committee understands that NIJ estimates a nationwide DNA backlog of 350,000 rape and homicide samples that have yet to be tested.

In order to address this backlog and enhance law enforcement's ability to uphold justice, the recommendation includes funding to (1) reduce the backlog of DNA casework and "no suspect" DNA evidentiary samples; (2) reduce the backlog of convicted offender DNA samples, (3) increase the capacity of our nation's crime labs; and (4) support enhanced DNA-related research, program evaluation, and training.

Within the level of funding provided, not less than $35,000,000 is provided for automation and equipment upgrades to enhance crime lab capacities, and $10,000,000 is provided for DNA-related training, technical assistance, research, statistical collection and analysis, and program evaluation and demonstrations.

Funding under this program shall be distributed on a formula basis to most effectively address the DNA backlog. The Committee expects each State to receive funding under this program and that units of local government will be eligible to receive funding. The Committee directs OJP to provide a financial plan to the Committee no later than 45 days after enactment of this Act, describing how this funding is proposed to be allocated to State and local agencies.

The Committee expects NIJ to support DNA external audit programs to ensure continuing quality of analytical services. The Committee expects NIJ to evaluate the necessity and feasibility of establishing regional forensics science training centers.

Paul Coverdell Forensics Science Improvements Grants.—In addition to the $174,353,000 provided specifically to address the DNA backlog, the recommendation includes $5,000,000 for Paul Coverdell Forensics Science Improvement Grants, which is $5,000,000 above the request and $32,000 above the current year. These funds are provided for crime labs and medical examiners to improve the quality and timeliness of forensic science or medical examiner serv-

ices and are available for expenses related to personnel, computerization, equipment, supplies, accreditation, certification, education, and training.

Southwest Border Prosecutions.—The Committee recommends $40,000,000 to assist State and local law enforcement agencies, including prosecutors, probation officers, courts, and detention facilities along the southwest border with the handling and processing of drug and alien cases referred from Federal arrests. The Committee directs the Department of Justice to study whether a similar number of cases are being referred to local prosecutors from Federal arrests along the Northern border. The Department shall report its findings to the Committee within 90 days of enactment of this Act.

Project Safe Neighborhoods.—The Committee recommends $45,000,000 for Project Safe Neighborhoods. This program provides grants to address gun violence and gang and drug-related crime by working in partnership with communities and law enforcement agencies. In addition, $20,000,000 is provided for Project Sentry under the Juvenile Justice heading for a companion program to combat youth gun violence and gang and drug-related crimes. The Committee expects these programs to be closely coordinated with the Weed and Seed program, the Offices of the United States Attorneys, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives Youth Crime Gun Interdiction Initiative.

Police Integrity Grants.—The Committee recommends $17,000,000 for the Police Integrity Grants program. This level is $147,000 above the current year and $37,000 above the request. The 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 innovative grants that will help agencies create or strengthen local programs that build trust between police and their communities.

D.C. Superior Court and Fugitive Apprehension.—The recommendation includes $28,519,000 for the U.S. Marshals Service to provide services to the D.C. Superior Court. In addition, the recommendation includes $12,586,000 for U.S. Marshals Service Fugitive Apprehension Task Forces with State and local law enforcement. These task forces team up Federal, State, and local law enforcement to concentrate apprehension efforts on violent fugitive felons and drug offenders. The recommendation provides funding for the four existing task forces and provides funds to establish two additional task forces in the areas of the country with the greatest fugitive apprehension needs. The Committee expects to be consulted on the establishment of these additional task forces.

Offender Reentry.—The Committee recommends $13,504,000 for the law enforcement costs related to establishing offender reentry programs. Offender reentry programs establish partnerships among institutional corrections, community corrections, social services programs, community policing, and community leaders to prepare for the successful return of inmates to their home neighborhoods. The amount recommended is provided to fund law enforcement participation and coordination of offender reentry programs. The Committee is pleased that the OJP is working in collaboration with the Departments of Labor, Health and Human Services, Housing and

Urban Development, and Education in the execution of this program.

Management and Administration.—The Committee recommends $26,130,000 for management and administration. This level is equal to the request.

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

The Committee recommends $387,629,000 to support grants under the Violence Against Women Act, which is the same level as fiscal year 2003 and $14,142,000 above the request. These programs were previously funded under the State and Local Law Enforcement Assistance account.

Grants provided under this recommendation are for the following programs:

[In thousands of dollars]

	FY 2003 enacted	FY 2004 request	2004 recommendation
STOP Grants	183,334	179,599	183,334
(National Institute of Justice—R&D)	(5,166)	(5,200)	(5,200)
(Safe Start Program)	(9,935)	(10,000)	(10,000)
(Bureau of Justice Statistics)	(994)		
(Transitional Housing Assistance)			(15,000)
CASA (Special Advocates)	11,897	11,334	11,897
Training for Judicial Personnel	2,281	1,940	2,281
Grants for Televised Testimony	994	659	994
Grants to Encourage Arrest Policies	64,503	62,637	64,503
Rural Domestic Violence Assistance Grants	39,685	37,971	39,685
Training Programs	4,957	4,109	4,957
Stalking Database	2,981	2,635	2,981
Violence on College Campuses	9,935	8,894	9,935
Civil Legal Assistance	39,740	38,026	39,740
Elder Abuse Grant Program	4,968	4,447	4,968
Safe Haven Project	14,903	14,321	14,903
Education and Training for Disabled Female Victims	7,451	6,915	7,451
Total	387,629	373,487	387,629

Funding included for Violence Against Women Act programs will continue to provide resources to expand units of law enforcement officers and prosecutors specifically targeted at crimes against women; to develop and implement effective arrest and prosecution policies to prevent, identify and respond to violent crimes against women; and to provide much needed victims services including specialized domestic violence court advocates to obtain protection orders.

Language is included to allow management and administration funding to be transferred to the appropriate accounts.

JUVENILE JUSTICE PROGRAMS

The Committee recommendation provides a total of $462,282,000 for Juvenile Justice Programs for fiscal year 2004. The budget request proposes to fund juvenile justice programs under the Justice Assistance heading. The Committee recommendation is $195,098,000 above the request for similar juvenile justice programs.

The table below displays the Committee's recommendation compared to the levels requested under the Justice Assistance heading for the same programs.

[In thousands of dollars]

Program	FY 2004 request	FY 2004 recommendation
Juvenile Justice and Delinquency Prevention Act:		
Part A—Concentration of Federal Efforts	200	7,000
Part B—Formula Grant Program	88,804	90,000
Part C—Juvenile Delinquency Block Grants	37,917	40,000
Part D—Research, Eval., Tech. Assist. & Training	7,000	7,000
Part E—Developing New Initiatives	3,000	50,000
Title V—Incentive Grants	77,291	92,282
Tribal Youth	(12,500)	(12,500)
Gang Prevention		(20,000)
Alcohol Prevention		(25,000)
Project Sentry	19,484	20,000
Secure Our Schools Act		20,000
Project Childsafe	25,007	25,000
Victims of Child Abuse Programs	8,481	11,000
Juvenile Accountability Block Grant		100,000
Total	267,184	462,282

The recommendation funds juvenile delinquency prevention and accountability programs in accordance with Public Law 107–273, which reauthorizes Juvenile Justice and Delinquency Prevention Act and the Juvenile Accountability Block Grant programs.

The Committee is concerned about recent reports concerning incidents of violent "hazing" activities in schools. The Office of Justice Programs is directed within 180 days to report on the prevalence of such incidents and on strategies that can be used by school and law enforcement officials to address these problems.

Within the overall amounts recommended under Part E, OJP is directed to review the following proposals, provide a grant if warranted, and submit a report to the Committee on its intentions regarding:

- Northwestern University's Juvenile Project;
- World Vision for at-risk youth programs;
- Parents Anonymous;
- National Council of Juvenile and Family Courts, which provides continuing legal education and family and juvenile law;
- Teens, Crime and Community program;
- Family, Career, and Community Leaders of America "Stop the Violence" program;
- Prevent Child Abuse America for the programs of the National Family Support Roundtable;
- Partnership for Prevention for juvenile delinquency prevention programs;
- National coordinated law related education program;
- Learning for Life;
- Virginia Attorney General's Office for Class Action and other educational programs in Virginia schools;
- Hamilton Fish National Institute on School and Community Violence;
- Farmington Children's Home for delinquency prevention programs;

• Comin' Up youth gang prevention program;
• Detroit Rescue Mission Ministries for a youth corrections program;
• Gambling Addiction Prevention Program for at-risk youth in Peoria, IL;
• IMPACT/Night Light Program in San Bernardino County, CA, to team police officers with probation officers to reduce juvenile crime;
• Child Endangerment Response Coalition in Spokane, WA;
• Center for Women and Children, Inc. for a child abuse prevention program;
• Healing Tree Program for collaborative efforts with law enforcement to prevent child abuse;
• Best Friends Foundation for delinquency prevention programs;
• Community Prosecuting Attorney Service System—Safe School Initiative;
• St. Petersburg, FL, for a delinquency prevention program;
• YMCA of Suncoast in Dunedin, FL, for an at-risk youth program;
• Eisenhower Foundation for the Youth Safe Havens program;
• Pinellas County, FL, Police Athletic League;
• First Tee;
• Florida Gulf Coast University Interagency Family Assessment Team program for at-risk youth;
• Project Challenge for a program to reduce youth recidivism in North Carolina;
• Will County, IL, Children's Advocacy Center;
• Gracious Promise Foundation for Project Incarceration Cycle Escape for Kids;
• Girls and Boys Town USA;
• University of South Alabama for youth violence prevention research;
• ARISE Foundation;
• At-risk youth program in Allegheny County, PA;
• University of Connecticut for a juvenile delinquency prevention program;
• Juvenile re-entry program in Michigan;
• Residential Care Consortium for delinquency prevention programs;
• Yellowstone Boys and Girls Ranch for delinquency prevention programs;
• Monroe County, NY, for a juvenile justice integration initiative;
• Family & Children Services of Tulsa, OK, to expand programs to assist at-risk youth;
• Casita Maria After-School Program and Day Camp for at-risk youth;
• Mary Mitchell Family and Youth Center to fund programs for at-risk youth;
• Suffolk County, NY, for the District Attorney's anti-gang initiative;
• City of Florence, KY, for the SAFE Schools Model City program;

• Granite, UT, COALITIONS Project for at-risk youth;
• Pine Tree Legal Center's Children's Law Project (CLP) for the State of Maine;
• Girls Incorporated of Huntsville, AL, to work with at-risk youth;
• National Children's Advocacy Center;
• Northwest Alabama Children's Advocacy Center in Florence, AL;
• "The Teen Shelter" in Huntsville, AL, to work with at-risk youth;
• "Philadelphia Safe & Sound" to expand its Youth Violence Reduction Partnership in Philadelphia, PA;
• Father's Day Rally Committee of Philadelphia, PA, to support youth violence interdiction programs;
• Lucas County, OH, for the Community Mentoring Partnership for Juveniles;
• Appalachia Juvenile and Family Rural and Mining Crisis Program;
• Fitchburg, MA, for the Montachusett Opportunity Council Program for At-Risk Youth;
• Orange, MA, for the Quabbin Mediation Youth Violence Prevention Project;
• State of Indiana for the "No Workshops, No Jumpshots" Program for at-risk youth;
• Big Brothers and Big Sisters of South Georgia; Albany, GA, for "Buddies in School";
• Americus/Sumter County, GA, for the "Visions for Sumter" program;
• Urban League of Greater Columbus, GA, for the Chattahoochee Court Appointed Special Advocate Program;
• Youth Crime Watch of America;
• City of Macon, GA, for services for first-time juvenile offenders and to address crime, gang, and drug problems;
• Valdosta Technical College for programs to support at-risk youth;
• Overtown Youth Center in Miami, FL, for programs to support at-risk youth;
• Chicago, IL, "After-School Counts" and "After-School Matters" programs to assist at-risk youth;
• The Erikson Institute Fund for delinquency prevention programs in Chicago, IL;
• Village of Riverdale, IL, for the Youth Intervention Program;
• "Operation Quality Time" program for at-risk youth in Phoenix, AZ;
• Little Ferry, NJ, for a school safety program;
• Secaucus, NJ, for a school safety program;
• City of Downey, CA, for an anti-gang program;
• Demonstration project to examine racial disparities in local juvenile justice systems under Part D and Part E of the JJDPA;
• Huntington Park, CA, for juvenile assistance activities at the Police Department Regional Youth Center;
• Los Angeles, CA, BEST for delinquency prevention programs;

• Long Island University for programs to assist at-risk children;
• City of Rialto, CA, for the Police Activities League program;
• Studio LAB in Los Angeles, CA, for programs for at-risk youth;
• Cypress Park Youth and Family Center in Los Angeles, CA, for programs for at-risk youths;
• Echo Park, CA, for El Centro Del Pueblo youth programs;
• A Place Called Home in Los Angeles, CA, for a delinquency prevention program;
• Soundview Community in Action to expand and develop additional outreach programs for at-risk youth in the South Bronx;
• Long Island City/Vanderbilt delinquency prevention programs for at-risk youth;
• Queens, NY, for a youth development program to help at-risk youth;
• "Dispelling Problem Behaviors in Adjudicated Teens and At-Risk Youth" initiative in the Barrio of Corpus Christi, TX;
• Brooklyn Academy of Music for programs in support of at-risk youth;
• Brooklyn Public Library for "Library Cadet Program" in support of at-risk youth;
• Hacienda-La Puente, CA, Unified School District for the Seniors With Interests in New Generations Delinquency Prevention Program;
• City of Detroit, MI, for the Mayor's Time Public Safety and Public Service Academies in support of at-risk youth;
• University of North Carolina at Chapel Hill to implement a juvenile delinquency prevention program for middle school aged children;
• Caribbean American Steel Pan Education Center in New York for COMMUNITYSAFE;
• Boricua College to implement "Project Success";
• State of Hawaii for the Juvenile Justice Information System;
• Santa Barbara, CA, Police Department for the Police Activities League;
• Urban League of Eastern Massachusetts for programs in support of at-risk youth;
• Baltimore, MD, to develop alternative education centers for at-risk youth;
• Lane County, OR, for the "Breaking the Cycle" program for juveniles;
• The Gateway Foundation for programs in support of at-risk youth;
• Rock Island County, IL, Youth Mentoring Program.
• National Institute for Law and Equity for a research project on at-risk juveniles;
• Institute for International Sport for projects to prevent youth crime;
• Southern Christian Leadership Conference for juvenile delinquency and mentoring programs;

- Suffolk University Law School for the Juvenile Justice Center;
- Union County College for the "College for Teens" program for at-risk youth.
- Martin Luther King, Jr. Community Center in Houston, TX, for juvenile crime prevention programs;
- Northwest Regional Educational Laboratory for an after-school program for at-risk youth;
- Birmingham, AL, Educational Technology Center for programs to support at-risk youth and prevent delinquency;
- Richmond, VA, "No Workshops, No Jumpshots" for at-risk youth;
- Martin Luther King, Jr. Freedom Center in Oakland, CA, to promote conflict resolution and decrease youth violence; and
- FUSE in Texarkana, AR, for programs in support of at-risk youth.

Gang Prevention.—The recommendation includes $20,000,000, within Title V grants, for OJP to administer a gang resistance and education program in conjunction with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). In prior years, ATF administered a gang resistance program through local school systems to teach middle school age children to resist gangs, peer pressure, and youth violence by teaching skills to make responsible decisions, set goals for themselves, and resolve conflicts without resorting to violence. The Committee directs OJP, using its expertise in gang prevention programs, to work with ATF and build upon their program to enhance the Department's gang resistance efforts. These funds shall be available to continue the anti-gang education programs in schools and to work with communities, including U.S. Attorney's Offices, to develop comprehensive anti-gang strategies. The Committee directs OJP to submit a financial plan for this program within 45 days of enactment of this Act.

Secure Our Schools Act.—The recommendation includes $20,000,000 for expenses authorized by the Secure Our Schools Act (Public Law 106–386), such as metal detectors, locks, lighting and other deterrent measures; security assessments; security training of personnel and students; and coordination with local law enforcement. This amount is $20,000,000 above the request and $15,033,000 above the current level.

Project Childsafe.—The recommendation provides $25,000,000 for the continuation of Project Childsafe to purchase and deliver child safety locks for handguns across America. The Committee directs that none of funds provided by this Act for Project Childsafe be obligated until a final lock standard is adopted.

Juvenile Accountability Block Grants.—The recommendation provides $100,000,000 for the Juvenile Accountability Block Grants program as authorized by Public Law 107–273. The Administration proposed the elimination of this program. The Committee has partially restored funding for this program to be administered under the new authorization. These funds shall be available for the following purposes:

(1) developing, implementing, and administering graduated sanctions for juvenile offenders;

(2) building, expanding, renovating, or operating temporary or permanent juvenile correction, detention, or community corrections facilities;

(3) hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and funding pretrial services (including mental health screening and assessment) for juvenile offenders, to promote the effective and expeditious administration of the juvenile justice system;

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

(5) providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively and for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

(6) establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime;

(7) establishing juvenile gun courts for the prosecution and adjudication of juvenile firearms offenders;

(8) establishing drug court programs for juvenile offenders that provide continuing judicial supervision over juvenile offenders with substance abuse problems and the integrated administration of other sanctions and services for such offenders;

(9) establishing and maintaining a system of juvenile records designed to promote public safety;

(10) establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice systems, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts;

(11) establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies;

(12) establishing and maintaining programs to conduct risk and need assessments of juvenile offenders that facilitate the effective early intervention and the provision of comprehensive services, including mental health screening and treatment and substance abuse testing and treatment to such offenders;

(13) establishing and maintaining accountability-based programs that are designed to enhance school safety;

(14) establishing and maintaining restorative justice programs;

(15) establishing and maintaining programs to enable juvenile courts and juvenile probation officers to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism; or

(16) hiring detention and corrections personnel, and establishing and maintaining training programs for such personnel to improve facility practices and programming.

Enforcing Underage Drinking Laws.—In order to address the Committee's concerns with the use of alcohol by minors and the accessibility of alcohol to minors, the Committee recommends

$25,000,000 to assist States to develop comprehensive and coordinated initiatives to enforce State laws that prohibit alcoholic beverage sales to, or consumption by, minors.

Victims of Child Abuse Act.—The Committee recommends a total of $11,000,000 for the various programs authorized under the Victims of Child Abuse Act (VOCA).

- $2,000,000 to Regional Children's Advocacy Centers, as authorized by section 213 of VOCA;
- $6,603,000 to establish local Children's Advocacy Centers, as authorized by section 214 of VOCA;
- $1,497,000 for a continuation grant to the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 214a of VOCA; and
- $900,000 for a continuation grant to the National Children's Alliance for technical assistance and training, as authorized by section 214a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

The Committee recommendation provides a total of $56,554,000, the amount requested for these programs. The budget proposed to consolidate these programs under the Justice Assistance heading. The recommendation includes $49,054,000 for death benefits to eligible survivors of Federal, State, and local public safety officers whose death was the direct and proximate result of traumatic injury sustained in the line of duty. This program is considered mandatory for scorekeeping purposes.

The recommendation also includes $3,500,000 for the Public Safety Officers Educational Assistance Program and $4,000,000 for disability benefits for fiscal year 2004.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

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

Section 102 provides language, included in Appropriations Acts for the last seven years and prior to 1994, which prohibits the use of funds to perform abortions in the Federal Prison System.

Section 103 provides language, included in previous Appropriations Acts, which prohibits use of the funds in this bill to require any person to perform, or facilitate the performance of, an abortion.

Section 104 provides language, included in previous Appropriations Acts, which states that nothing in the previous section removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility.

Section 105 provides language, included in previous Appropriations Acts, which allows the Department of Justice to spend up to $10,000,000 for rewards for information regarding criminal acts and acts of terrorism against a United States person or property at levels not to exceed $2,000,000 per award.

Section 106 provides language similar to language included in previous Appropriations Acts, which allows the Department of Justice, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between any appropriation, but limits to 10 percent the amount that can be transferred into any one appropriation.

Section 107 provides language to continue section 114 of Public Law 107–77 during fiscal year 2004.

Section 108 provides language to continue authorities contained in P.L. 107–273 until a subsequent Justice Department authorization act is enacted.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommendation includes a total of $5,258,561,000 in general purpose discretionary funds for the programs of the United States Trade Representative, the International Trade Commission and the Department of Commerce for fiscal year 2004, $471,903,000 below the current year level, excluding supplemental amounts, and $558,283,000 below the request.

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The Committee recommends $41,994,000 for the Office of the United States Trade Representative (USTR) for fiscal year 2004, which is $7,222,000 above the current year, and $5,000,000 above the request.

The Committee is deeply concerned that the United States trade deficit with other nations has reached an historic high. In 2002, the United States imported $103 billion more in goods and services from the People's Republic of China (PRC) than the PRC imported goods and services from the United States. At the same time, the Committee has received serious complaints from small and medium-sized American businesses perceiving that Chinese companies and their representatives have had undue influence on the decisions of the United States Government with regard to trade. As a result of this information, the Committee held a public hearing to oversee the efforts of the Office of the United States Trade Representative, the Bureau of Customs, and the International Trade Administration to enforce current trade laws with respect to the experiences of many U.S. businesses.

One company official asserted that the Office of the United States Trade Representative refused to meet with the American company's representative but met with PRC representatives on more than one occasion. After the hearing, the USTR submitted information detailing one meeting with the petitioner and five telephone calls, and four meetings with PRC officials and one telephone conversation with the Vice Minister of the Ministry of Foreign Trade and Economic Cooperation.

The Committee remains deeply concerned that American businesses and their representatives may be marginalized in trade negotiations, and directs the USTR to improve responsiveness to American small- and medium-sized businesses.

The Committee directs the USTR to provide a report detailing steps taken by the PRC Government toward meeting its WTO obligations, no later than six months after the enactment of this Act.

The Committee strongly urges the USTR to make use of all available mechanisms, including the safeguards delineated under the Trade Act of 1974, including Sections 301 and 421, to address the disruptions resulting from trade with the PRC.

The recommendation includes language designating funding for negotiations regarding the PRC. The Committee recommendation includes an additional $2,000,000 to provide three negotiator positions in the Office of North Asian Affairs, three attorney positions in the Office of Monitoring and Enforcement, one position for the Office of Services, Investment, and Intellectual Property to be solely dedicated to PRC's intellectual property rights practices, one position for the Office of Industry, Market Access and Telecommunications to address market access issues, and one position to address China-related matters at the WTO in Geneva, Switzerland. The Committee directs the USTR to increase the number of positions dedicated to enforcing the commitments made by the PRC Government upon accession to the WTO.

Inadequate Budget Requests.—The Committee remains concerned that, as in the current year, the Administration's request for fiscal year 2004 is insufficient to meet the operational requirements of the Office. In the current year, the Committee provided an additional $2,000,000 above the request for the operations of the Office. Given the expansive trade agenda recently announced by the Administration, the Committee recommendation provides additional resources to maintain the operations of the Office and to pay for the increased costs of ongoing and future trade negotiations. The Committee expects the USTR to ensure resources requested in the fiscal year 2005 request are sufficient to cover the operations of the USTR.

Free Trade Agreements and WTO Negotiations.—Given the Administration's commitment to additional trade agreements, including the Middle East Initiative, the Committee recommendation includes funding for new positions, including one negotiator for the Middle East/North Africa within the Office of Europe and the Mediterranean; one negotiator within the Office of Services, Investment & Intellectual Property; one new market access negotiator, and a new Assistant Director for steel policy; an international customs negotiator and a negotiator for industry subsidies within the World Trade Organization (WTO) and Multilateral Affairs Office; and one additional attorney position for the Office if Monitoring and Enforcement.

The Committee understands that increased Free Trade Agreement negotiations, and intensified negotiations under the Free Trade Area of the Americas (FTAA) and the World Trade Organization global negotiations are scheduled to conclude by January 2005. To meet this requirement, the Committee includes an additional $800,000 for increased travel to negotiating venues, and $600,000 for interpretation, translation, videoconferencing, and related

logistical expenses in support of the increased trade negotiating agenda.

In addition, the Committee recommendation includes $700,000 for the increased costs of office support in the Geneva, Switzerland, office, and for additional office equipment, telephones, and space costs for additional personnel; and $600,000 to cover anticipated costs of printing completed trade agreements in the Federal Register.

Reporting Requirements.—The Committee directs the USTR to provide a spending plan for all funding provided under this heading. This report should include personnel costs, travel expenses, overhead costs for the Washington, D.C. facility, overhead costs associated with USTR presence in Geneva, Switzerland, and the costs associated with ensuring greater transparency of the process including the timely publication of reports and trade agreements. Further, this report should identify costs associated with each programmatic office as outlined in the 2003 organizational chart, including the Office of North Asian Affairs. This spending plan should be provided to the Committee on Appropriations no later than 90 days after the enactment of this Act. Further, the Committee expects this plan to be updated to reflect the obligation of funds on a monthly basis, beginning with the second quarter of fiscal year 2004.

FTAA Permanent Secretariat.—The Committee supports the efforts of the USTR to bring the Permanent Secretariat of the Free Trade Area of the Americas to the United States. The Committee applauds the actions taken by the business community of Miami, Florida, to support this effort.

WTO Fund.—The Trade Act of 2002 established a fund for the payment of total or partial settlement of any dispute before the World Trade Organization. No funds have been provided in this or any other Act to capitalize the fund. Public Law 108–11 included a lump-sum payment to the European Communities to cover a three-year period in a music-licensing dispute. However, this was intended as a one-time only appropriation. There is a long-established practice of using suspension of tariff concessions to resolve trade disputes and the Committee does not intend to appropriate funds to settle these matters. The Committee cautions U.S. negotiators that there should be no commitments made within trade agreements to use funds from the U.S. Treasury that have neither been requested nor appropriated to resolve trade disputes.

WTO Negotiations.—Over the last three years, the United States has lost approximately 85 percent of all cases involving U.S. antidumping, countervailing duty and safeguard measures brought against it in the World Trade Organization (WTO). If this record continues, our workers, farmers and companies may have no effective remedy against unfair and injurious foreign trade practices. Although the responsibility of U.S. representation at the WTO statutorily resides with the USTR, the Committee directs the USTR to leverage the expertise of the ITA in support of trade negotiations to improve our success in WTO litigation and negotiations and to better protect American interests.

The Committee recommendation provides an increase in official reception and representation funds to enable USTR to perform official liaison duties with an increasing number of trading partners.

This increase represents the first such increase in more than 12 years.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends $57,000,000 for the International Trade Commission (ITC) for fiscal year 2004, which is $3,351,000 above the amount provided in the current year, and $1,295,000 below the request. Of the amounts provided, $1,050,000 is for costs associated with two trade data automation systems funded in previous years, and $2,301,000 is for personnel costs due to increasing workload estimates.

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

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The Committee recommendation includes $395,123,000 in total resources for the programs of the International Trade Administration (ITA) for fiscal year 2004, which is $27,285,000 above the current year level, and the same as the request. Of the amounts provided, $13,000,000 is to be derived from fee collections.

The mission of the ITA is to create economic opportunity for U.S. workers and firms by promoting international trade, opening foreign markets, ensuring compliance with trade laws and agreements, and supporting U.S. commercial interests at home and abroad. Recently, the Committee has heard complaints from small- and medium-sized businesses concerned that the ITA is failing to ensure that foreign countries are in compliance with trade laws and agreements. Manufacturers and growers have alleged that ITA actions, particularly with regard to the People's Republic of China (PRC), have been detrimental to American business interests.

The Committee held a public hearing on May 22, 2003, to assess the efforts of the International Trade Administration, the Bureau of Customs, and the Office of the United States Trade Representative to support U.S. businesses. Based on the testimony at this hearing, the Committee directs the trade agencies to focus greater resources on the efforts of American small- and medium-sized businesses to adapt to a rapidly changing global economy.

The Committee understands the difficulties of attempting to balance both the positive and the negative effects of a free trade agen-

da. The Committee is steadfast in its support of America's trade policy to create growth and raise living standards around the globe, and in return to increase the benefits to U.S. workers, farmers, consumers, and businesses. Yet, the U.S. Government must uphold its responsibility to enforce trade laws, particularly with China. If trading partners do not abide by the rules that are set in the global trading system, then U.S. firms are not competing on a level playing field.

The United States government has an obligation to ensure American companies are not forced to compete with foreign companies that are engaged in unfair trading practices.

Trade Policy Body Review.—In light of the concerns outlined by the Committee, the Committee is requesting that the General Accounting Office (GAO) monitor the efforts of the U.S. Government agencies responsible for ensuring a free and fair trade process and provide the Committee with an alternative assessment of performance. The Committee expects the GAO to consult with the U.S.-China Economic and Security Review Commission in this review. The GAO review should also address efforts of the U.S. Government agencies to allow for public discourse regarding the effects of U.S trade policy on the U.S. economy and security for the next decade.

Reports.—The Committee directs the Secretary of Commerce, in consultation with the U.S.-China Economic and Security Review Commission, as appropriate, to research and report back to the Committee regarding the following:

- China's industrial policies, including "pillar" sectors, technology acquisitions through joint ventures, various forms of subsidization, and the short and long-term implications of the modernization of those industries for the U.S. economy, industry, and employees;
- Exports from China's state enterprises, the types and amounts of subsidies provided, and the longer-term effects of such exports/subsidies on specific U.S. industries;
- Various means to compensate losses of U.S. intellectual property holders created by China's inability to meet its WTO intellectual property commitments;
- Shifts of research and development from the United States to China, the nature of the 134 major foreign research and development corporate complexes now identified by the People's Republic of China, the prospects for future European Union, Japanese, and United States research and development shifts to China, and the resulting implications to U.S. capacities;
- Items on the U.S.-China Advanced Technology Trade list cross-referenced to the items on the Department of Defense's Critical Technology List, and what part of total U.S. purchases of these items are imported from China;
- An analysis of the extent of professional service outsourcing that now exists and is projected from the United States, the ultimate location of that outsourcing, and quantifications of the longer-term consequences to affected U.S. professions, such as software engineering;
- A survey of business groups on the extent to which U.S. manufacturers and their supply chains are relocating to China.

The Committee expects this report to be provided to the Committee no later than March 17, 2004.

The Committee directs the National Academy of Sciences to conduct a study regarding foreign content in U.S. exports and U.S. content in foreign imports. Within the amounts provided, the National Academy of Sciences is expected to make its best assessment of the readily available information and, if necessary, to identify proxy measures. Of the amounts provided, $300,000 is for this purpose.

Reorganization.—After review of information provided to the Committee, the Committee has determined that the ITA organizational structure does not support the requirements of the ITA mission. It has been nearly two decades since the organizational structure has been adapted to reflect the changing economic climate. In 1980, the U.S. had a trade deficit of $19.4 billion. In 2002, the U.S. had a trade deficit of $418.4 billion.

The Committee recommendation includes a proposal to realign resources to reflect the changing trading landscape. The Committee has realigned resources of the agency to better enable the agency to perform. Overall, the reorganization clarifies the mission of each Assistant Secretary and realigns resources to strengthen new priorities in manufacturing and services to improve customer service, to create a better analytic basis for U.S. trade policies and negotiations, and to address the root causes of unfair trade practices.

The proposed structure would enable ITA to consolidate all trade promotion efforts under the Assistant Secretary for Trade Promotion to focus efforts on adapting the domestic industry to the global market; to consolidate analytical resources under an Assistant Secretary for Manufacturing and Services, to dedicate more resources to China, the largest subject of trade complaints; and to strengthen the tools necessary to stamp out the root causes of unfair trade through an enhanced policy and negotiations unit.

Trade Promotion.—The Committee understands that as part of the President's Management Agenda, the Secretary of Commerce has tasked key export promotion agencies—through the Trade Promotion Coordinating Committee—to respond more directly to their clients by developing programs that represent global best practices in terms of efficient delivery and quality of service. The Committee understands the Export-Import Bank and the Overseas Private Investment Corporation have responded to that challenge, streamlining their operations and procedures to improve customer service. The Committee's proposal will streamline the ITA's operations and procedures to enable the promotion of U.S. goods and services. Specifically, the proposal would allow for the following:

- The combination of all market research, counseling, and matchmaking services under the Assistant Secretary for Trade Promotion, thereby providing clients with a "one-stop shop";
- The integration of all call centers with the domestic field personnel staff to improve client referral and management;
- The provision of trade finance advice to small businesses and better leveraging the services of other finance agencies in the domestic field offices; and
- The integration of the Advocacy Center under this heading to establish closer links to the overseas posts to facilitate early

project identification, to increase project competition support, and to improve post-transaction assistance.

The Committee recommendation includes $217,040,000 for the Trade Promotion unit, including a transfer of $1,500,000 for the Advocacy Center and $2,100,000 for the Trade Information Center from the Trade Development unit. Of the amounts provided, $2,100,000 is to establish a Middle East Business Information Center and a China Business Information Center. The Committee commends the exemplary work of the employees at the Trade Information Center.

American Trading Centers.—Manufacturing and service industries need assistance to export their goods and services to China. The Committee has determined that additional resources are required in China to aggressively promote U.S. exports to China and enforce the commitments made as part of the China's WTO accession agreement. The Committee, after consultation with industry and the ITA, has determined that a rapid increase in export promotion to China is necessary. The creation of American Trading Centers in major Chinese commercial centers is one way to improve export promotion. These centers will enable U.S. exporters to receive assistance while in the country and provide for on the ground expertise, including market research capabilities.

Of the amounts provided, the Committee expects that no less than six positions in China will support the American Trading Centers initiative. Positions should be filled with personnel with market access compliance experience, as well as export promotion experience. The Committee directs the ITA to submit a plan to establish export centers in China, consistent with interagency review processes, by no later than 90 days after the enactment of this Act.

The Committee directs the ITA to continue its efforts regarding El Salvador, the Caribbean Basin and the Global Diversity initiatives, and the rural export program, as in fiscal year 2003.

Manufacturing and Services.—The U.S. manufacturing sector continues to face daunting challenges. This sector has lost more than 2.6 million jobs since July 2000, and the trend is expected to continue. Increasing imports from foreign countries, including China, are contributing to this trend. The Committee commends the Under Secretary for ITA's involvement in a series of manufacturing roundtables to listen to small- and medium-sized manufacturers. The ITA must be an advocate for the interests of this sector and must develop policies—both domestic and international—to promote the expansion of this sector. In an effort to address the range of factors, both domestic and international, that have direct bearing on the competitiveness of the U.S. manufacturing and services sectors, the Committee recommendation assumes the creation of an Assistant Secretary for Manufacturing and Services. In addition, the recommendation assumes the creation of one Deputy Assistant Secretary for manufacturing, one Deputy Assistant Secretary for Services, and one Deputy Assistant Secretary for Industry Analysis.

Specifically, the Committee expects the Assistant Secretary for Manufacturing and Services to do the following:

- Develop analytical tools and expertise to assess industry structure, trends in employment and productivity, and the im-

pact of trade agreements on the manufacturing and services sectors;

• Develop strategies that help the American manufacturing sector expand and face challenges to its competitiveness;

• Work with an interdepartmental advisory committee on manufacturing to identify challenges facing American manufacturers and coordinate initiatives that take advantage of the full array of policy tools available;

• Advocate more strongly for the interests of the manufacturing sector to maintain an adequate manufacturing base in the U.S; and

• Redirect industry experts from headquarters to the field where resources may be more effectively focused on the specific needs of local industries.

The Committee recommendation includes $46,669,000 for the Manufacturing and Services unit. Funding for the Advocacy Center, the Trade Information Center, Office for Export Assistance, and the Office of Planning, Coordination, and Management are transferred from this heading to the Trade Promotion heading.

The overall reorganization refocuses resources on analyzing trend data to determine the ability to provide greater clarity as to the impact of a declining manufacturing base.

Of the amounts provided, the Committee expects the National Textile Centers, Textile/Technology Center (TC2); and the international competitiveness program to be funded at the fiscal year 2003 level.

The Committee expects the Office of Textiles to remain at the fiscal year 2003 level.

Import Administration.—Since 1997, the Committee has increased funding for the Import Administration (IA) by 70 percent to enforce anti-dumping (AD) and countervailing (CV) duty laws. Yet, the number of AD/CV investigations conducted by the Import Administration has decreased significantly. For example, in 2001 the IA conducted 95 AD/CV investigations and in 2002 it conducted 22 investigations. Of the investigations conducted in 2001, a total of 30 investigations were related to steel imports, 32 percent of the total investigations conducted in 2001.

Upon consideration of the complaints to the Committee, and workload statistics prepared by the IA, the Committee remains skeptical of the level of effort the IA has devoted to investigating AD/CV cases. The Committee expects the IA to strengthen such efforts in response to the changing global marketplace. With the entry of China into the global marketplace, U.S. industries have been exposed to trade flows that are often the result of over-production and market distortions, but in some cases are the result of fraudulent activity.

The Committee has determined that the IA would benefit from the consolidation of all AD case processing under one Deputy Assistant Secretary (DAS) position, the creation of one DAS for CV case processing, and the creation of one DAS for Policy and Negotiations.

Investigations/Operations.—The recommendation includes a total of 260 full-time equivalents for AD/CV case processing. In light of the increasing complexities of the cases and the increasing use of fraudulent documentation and misleading information, the role of

the investigator has never been more vital to the process. For the global trading mechanism to continue to function effectively, exporters and importers need to have confidence in the integrity of the process. The IA investigators play a critical role in this process.

The Committee remains concerned that findings in AD/CV cases of very low or zero dumping margins may have resulted from a flawed process. During the public hearing held by the Committee, witnesses spoke of cases in which a foreign company submitted fraudulent documentation to the Department, and of cases in which incomplete information was provided to the Department. Therefore, the Department used the "best information" available. The Committee strongly urges the Department to take action to deter such practices.

Further, the Committee is aware of concerns regarding the conduct of proceedings involving foreign companies located in non-market economies. Special attention must be given to ensure the selection of appropriate surrogate producers, including the calculation of selling, general, and administrative expenses. For example, the costs of water and electricity should be consistent across all proceedings involving the same surrogate country.

The Committee directs the ITA to establish a team to re-examine all cases closed within the past three fiscal years. The Committee expects a status report on the progress of such review no later than September 5, 2003, and the final review is to be completed and provided to the Committee no later than December 15, 2003.

Office of China Compliance.—The Committee recommendation includes $3,000,000 to establish an Office of China Compliance to specifically focus on issues affecting small- and medium-sized businesses. Bill language is included designating funding for this purpose. This Office should be designed to specialize in AD cases involving China, with special attention on small- and medium-sized domestic businesses. This Office should consist of experienced investigators, accountants, trade analysts, and technical experts to aggressively investigate AD cases.

Policy and Negotiations.—The Committee expects the IA to preemptively analyze market trends to anticipate unfair trade practices and consult with foreign governments to pre-empt the requirement for an unfair trade case, whenever practicable. This would enable the ITA to self-initiate investigations. Further, the reorganization would include the creation of a DAS position for Policy and Negotiations. The Committee directs that not more than 118 full-time equivalents are available for this function.

New Shipper Review Process.—The Committee has heard many complaints that the new shipper review process has resulted in irreparable harm to domestic companies. The Committee directs the IA to review the process to determine if it results in quantifiable benefits for the U.S. economy. In addition, this review should address the economic effects the process has on the domestic industry, and the effects projected for five years.

The Committee recommendation includes $68,160,000 for the Import Administration unit.

Market Access and Compliance.—The Committee recommendation includes $38,204,000 for this purpose. From the existing complement of positions, the Committee directs the ITA to establish an office of enforcement within the Market Access Compliance unit, to

be staffed with attorneys, paralegals, and experienced investigators to aggressively enforce trade agreements.

Executive Direction/Administration.—The Committee recommendation includes $25,050,000 for the administrative and policy functions of ITA.

Human Rights Training.—The advancement of human rights and the development of economies are not mutually exclusive goals. The Committee applauds efforts made by the ITA to promote human rights, including launching a new human rights training program in May of this year. The Committee understands another program is planned in Johannesburg, South Africa, in August and in Beijing, China, in September. In addition, the Commercial Service is developing an on-line human rights training program to be available for access by all ITA employees by September 2003. The Committee continues funding of $500,000 to ensure that, when counseling U.S. businesses on market conditions within a particular country, employees must include information on human rights, in addition to information on rule of law issues and corporate responsibility. Further, the Committee continues to direct ITA to provide to the Committee quarterly reports on the progress of the human rights training program.

In addition, language is included in the bill designating the amounts available for each unit within ITA. The Committee reminds ITA that any deviation from the funding distribution provided in the bill and report, including carryover balances, is subject to reprogramming procedures set forth in section 605 of this Act. In addition, ITA is directed to submit to the Committee, not later than 60 days after the enactment of this Act, a spending plan for all ITA units that incorporates any carryover balances from prior fiscal years.

Trade Missions.—The Committee directs that all trade missions involving Department of Commerce agencies must be initiated, coordinated and administered through ITA.

Foreign Currency Valuation.—The Committee directs the Secretary of Commerce to report back to the Committee on Appropriations, no later than October 6, 2003, on the trade and U.S. employment impact of the currency valuation of our trading partners including, China, Japan, Vietnam, South Korea, Taiwan, the Ukraine, and Indonesia.

International Standards.—The Committee supports the Department's plan to focus efforts to ensure that U.S. business interests are represented in international standards negotiations. The Committee agrees with the Department that foreign standards and testing requirements are keeping American products out of foreign markets, thereby reducing efficiencies, limiting competition, and increasing prices for consumer goods. Divergent standards, redundant testing and compliance procedures, as well as unilateral and nontransparent standard setting may be impediments to free trade. The Committee endorses the specifics of the plan, including the creation of an international standards position to liaison with U.S. industry. The Committee recommendation includes up to $1,000,000 to be available to implement the Department's plan to ensure U.S. businesses are competitive in overseas markets. The Committee continues to direct ITA to collaborate with NIST, the USTR, and the State Department to reduce trade barriers to U.S. business ex-

ports. The Committee expects the Secretary of Commerce to report to the Committee no later than February 4, 2004, on the steps taken to implement the international standards plan.

Travel Expenditures.—The Department has strongly refuted claims that it is not aggressively pursuing investigations of unfair trade practices by foreign countries, in particular by China. The Committee has heard concerns that the Department is not sending a sufficient number of teams to China, the source of most trade complaints, to verify documentation of information provided by foreign companies. The Committee has reviewed ITA travel expenditures for the first two quarters of fiscal year 2003. These expenditures totaled $4,870,000 for business-related travel expenses, a total of 4,592 trips. Of these, 182 trips were made to China, approximately four percent of the total. Of the 182 trips taken to China, only 57 were related to verification of ongoing investigations. Of all the travel taken by ITA personnel, only 1.2 percent was for actual investigative work in China. The Committee expects ITA to increase resources to aggressively pursue complaints by American companies regarding unfair trading practices. The Committee directs the Secretary of Commerce to provide to the Committee a quarterly report of all travel expenditures by the ITA, beginning with the fourth quarter of the current year.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

The Committee recommendation includes a total operating level of $70,150,000 for the operations and administration of the Bureau of Industry and Security (BIS), which includes $61,000,000 on operations and administration, $7,203,000 for the Convention for Chemical Weapons enforcement, and $1,947,000 is from prior year unobligated balances. Within the total amount available, the recommendation includes the following:

Export Administration.—$33,399,000 is for export administration activities, of which $250,000 is from prior year unobligated balances. The recommendation continues funding for additional export licensing personnel provided in fiscal year 2003. The recommendation does not include a new office of evaluation as proposed.

Export Enforcement.—$30,372,000 is for export enforcement activities. The Committee supports BIS's export control efforts overseas to conduct end-use checks. In fiscal year 2002, the Committee provided funding for new attaché positions in Abu Dhabi, United Arab Emirates, and Cairo, Egypt, as requested. The Committee understands that the attaché position in Cairo, Egypt, has not been filled, and the BIS and the State Department have determined the assignment of personnel in Cairo, Egypt, is unnecessary at this time.

The Committee directs the BIS to provide a detailed report to the Committee detailing the location and responsibilities of each attaché. Additionally, the report should detail current and planned facilities requirements of overseas staff and the right-sizing methodology followed to determine the appropriate size and location of the Bureau's overseas presence.

The Committee recommendation does not include funding for new computer evidence staff and urges BIS to seek assistance from

the Department of Justice, including the Federal Bureau of Investigation, for computer evidence support, as necessary.

Management and Policy Coordination.—$6,379,000 is for Management and Policy Coordination, of which $1,697,000 is from prior year unobligated balances. The recommendation continues fiscal year 2003 funding for the information technology initiative. The recommendation does not continue funding for a one-time-only project.

In addition, the Committee reminds BIS of the requirements of section 605 of this Act.

ECONOMIC DEVELOPMENT ADMINISTRATION

The Committee includes of $318,680,000 for the programs and administrative expenses of the Economic Development Administration (EDA) for fiscal year 2004, as described below:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

A total of $288,115,000 is included for fiscal year 2004 for Economic Development Assistance Programs. The Committee continues the traditional programs of the EDA to provide needed assistance to communities struggling with long-term economic dislocation, as well as sudden and severe economic dislocation. Of the amounts provided, $203,115,000 is for Public Works and Economic Development, $40,900,000 is for Economic Adjustment Assistance, $24,000,000 is for planning, $9,100,000 is for technical assistance, including university centers, $10,500,000 is for trade adjustment assistance, and $500,000 is for research.

The Committee expects EDA to continue to assist communities impacted by economic dislocations related to coal and timber industry downturns due to environmental concerns at no less than the fiscal year 2003 level.

The Committee continues to direct EDA to ensure that funds provided under this account are targeted to the most severely distressed areas, which, absent the assistance provided by the EDA, would have little or no access to resources for infrastructure development and capacity building. This puts the program on firm ground to carry out its purpose to provide the "seed capital" to distressed areas to allow local communities to increase their ability to create new economic opportunities and jobs in accordance with local priorities.

SALARIES AND EXPENSES

The Committee recommendation includes $30,565,000 for the salaries and expenses of the EDA. The Committee continues to direct the EDA to aggressively pursue all opportunities for reimbursement, deobligations and use of non-appropriated resources, including the care and protection of collateral accounts, to maximize the operating level.

The Committee continues to direct that no funding be provided for a special headquarters reserve fund.

The Committee lauds the EDA for its continued efforts to strengthen private sector business activity and development on Indian lands.

The Committee reminds the EDA of the agency's commitment regarding the involuntary termination of employees or increasing the current number of political appointees as a result of reorganization efforts.

In addition, the Committee reminds EDA of the requirements under section 605 of this Act regarding reorganization proposals.

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

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The Committee recommendation includes $29,000,000 for the Minority Business Development Agency (MBDA) for fiscal year 2004. The recommendation is $282,000 above fiscal year 2003 and $487,000 below the request. The Committee recommendation assumes that the Entrepreneurial Technology Apprenticeship Program (ETAP) will continue to be supported at the fiscal year 2003 level.

ECONOMIC AND INFORMATION INFRASTRUCTURE

The Committee recommendation includes under this section the Department of Commerce agencies responsible for the nation's basic economic and technical information infrastructure, as well as the administrative functions to oversee the development of telecommunications policy.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The Committee recommendation includes $75,000,000, which is $3,311,000 above the current year and $9,756,000 below the request, for the economic and statistical analysis programs of the Department of Commerce, including the Bureau of Economic Analysis (BEA), for fiscal year 2004. The Committee has provided programmatic increases over the past three years to ensure that policy makers have access to more accurate and timely economic data.

The Economic and Statistics Administration (ESA) is responsible for the collection, tabulation and publication of a wide variety of economic, demographic and social statistics and provides support to the Secretary of Commerce and other Government officials in interpreting the state of the economy and in developing economic policy.

BUREAU OF THE CENSUS

The Committee recommendation includes a total operating level of $661,961,000 for the Bureau of the Census, which is the same as the request and $111,083,000 above the amount provided in fiscal year 2003.

SALARIES AND EXPENSES

The Committee recommendation includes $220,908,000 for the salaries and expenses of the Bureau of the Census for fiscal year 2004, which includes $156,282,000 for current economic statistics, $60,083,000 for current demographic statistics, and $4,543,000 for survey development and data services. The Committee directs the Bureau to continue to streamline and prioritize programs to ensure the highest priority core activities are supported. The Committee expects the Bureau to be fully reimbursed for any non-core survey by any other Federal agency or private organization.

North American Industry Classification System (NAICS).—Of the amounts provided, up to $90,000 is available for the Census Bureau to produce the monthly Export-Import and Trade Balance statistics on a NAICS basis. The Committee understands that this information will not be seasonally adjusted.

Advanced Technology.—Of the amounts provided, up to $90,000 is available to the Census Bureau to produce the Advanced Technology Trade Imports, Exports, and Net balance by country in its monthly reports. In addition, the Committee expects this information to be provided by item on an annual basis. The Committee understands that this information will not be seasonally adjusted.

In addition, the Committee expects that key reports on manufacturing, general economic and foreign trade statistics will be maintained and issued on a timely basis.

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

PERIODIC CENSUSES AND PROGRAMS

The Committee recommendation includes a total of $441,053,000 for all periodic censuses and related programs in fiscal year 2004, which is $71,986,000 above the fiscal year 2003 level and the same as the request.

2010 Short-Form Census Program.—Of the amounts provided, the recommendation includes $112,090,000 for the short-form only Census in 2010. The Committee supports the Administration's efforts to establish an early design and planning process to allow sufficient time to test the major elements of a simplified, streamlined short-form census. This new approach should allow the Census Bureau to fulfill important constitutional and legal mandates more accurately. The recommendation includes the following:

[In thousands of dollars]

Decennial Census 2010:	
Operational Design Strategy	8,605
Data Collection Design	18,559
Questionnaire & Content Design	16,969
System Design & Software	22,287
Address List Updates	3,900
Test/Evaluation	41,770
Re-engineered Design Process	112,090

American Community Survey (ACS).—The Committee supports the Administration's efforts to collect long-form data on an on-going basis rather than waiting for once-a-decade decennial long-form data. The recommendation of $64,800,00 provides the full request for this program and is $7,669,000 above the fiscal year 2003 level. The recommendation includes the following:

[In thousands of dollars]

Initial Mail Collection	14,875
Telephone Non-Response Follow-up	7,165
Personal Visit Non-Response Follow-up	22,394
IT Infrastructure	2,700
Data Processing, Weighting & Review	10,968
Data Dissemination	3,931
Project Management	2,767
American Community Survey	64,800

Master Address File (MAF)/Topologically Integrated Geographic Encoding and Referencing (TIGER).—The Committee supports efforts to enhance the MAF/TIGER to include street and address information from States, localities, and tribal governments. It is in the best interest of the Federal, State, local, and tribal communities to make available all existing information to the Census Bureau to result in the most accurate database. The Committee directs the Secretary of Commerce to take all necessary measures to reduce the payment for information currently available from certain governments. Further, the Committee directs the Secretary of Commerce to utilize global positioning system technology and aerial photography to update existing information only if these measures are shown to be cost effective. The recommendation includes the following:

[In thousands of dollars]

Modern Processing Environment	13,489
Geographic Partnership Programs	5,447
Evaluations	7,629
Street Address Location Corrections & GPS	49,245
Address Updating System	7,500
MAF/TIGER Re-Engineering	83,310

The Committee recommendation includes $180,853,000 for the non-decennial census periodic programs.

[In thousands of dollars]

Periodic Censuses:	
Other Periodic Programs:	
Economic Censuses	73,749
Census of Governments	6,333
Subtotal, Economic Programs	80,082
Demographic Statistics Programs:	
Intercensal Demographic Estimates	9,455
Demographic Survey Sample Design	13,113
Electronic Information Collection	6,541
Geographic Support	40,563
Data Processing Systems	31,099
Subtotal, Demographic Programs	100,771

Subgroup Enumeration.—The Committee commends the efforts of the Census Bureau to work with interested parties to ensure

that necessary measures will be taken to ensure accuracy in enumerating Hispanic subgroups.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The Committee recommendation includes a total of $32,544,000 for the National Telecommunications and Information Administration (NTIA) for fiscal year 2004, which is $11,137,000 above the request, and $40,735,000 below the fiscal year 2003 appropriation.

NTIA is responsible for developing domestic and international telecommunications and information policy for the Executive Branch, ensuring the efficient and effective use of the Federal radio spectrum, and administering Federal programs that support telecommunications facilities for public broadcasting.

SALARIES AND EXPENSES

The Committee recommendation includes $14,604,000 for the Salaries and Expenses appropriation of the National Telecommunications and Information Administration (NTIA), which is $4,265,000 below the request and the same as the fiscal year 2003 level.

The Committee strongly supports the President's new Spectrum Policy for the 21st Century Initiative to address the challenges and opportunities facing the nation with regard to radio frequency spectrum. This vital and limited national resource contributes to significant technological innovation, job creation and economic growth.

The Committee notes the efforts of the NTIA to encourage more efficient use of electromagnetic spectrum. The Committee directs NTIA to issue a report by March 17, 2004, on further actions needed in the allocation of spectrum to the civilian sector for the effective deployment of third generation wireless devices in the United States.

The Committee continues to direct the Administration to aggressively pursue all opportunities for reimbursement, deobligations, and use of non-appropriated resources, to maximize the operating level for this purpose.

The Committee recommendation assumes an additional $25,712,000 will be available to the NTIA in fiscal year 2004 through reimbursements from other agencies for the costs of providing spectrum management, analysis and research services.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The Committee recommendation includes $2,538,000, which is the same as the request, and $40,735,000 below the current year, to provide program management of existing planning and construction grants for public television, radio, and non-broadcast facilities.

The Federal Communications Commission's adoption of the Fifth Report and Order in April 1997 required that all public television stations begin the broadcast of a digital signal by May 1, 2003. The Administration's budget proposed to suspend this program due to the current level of funding available for digital conversion grant funding from the Corporation for Public Broadcasting (CPB). The Committee understands that as of June 2003, 172 of the 355 public

television stations were transmitting a digital signal. Based on the coverage areas of these stations, over half the U.S. population lives in a television market with a digital public television signal. Further, the Committee understands that an additional 100 stations are now in various phases of construction and installation. Further, funding appropriated in the current year for CPB would support the digital transition of another 60 public television stations. Therefore, by May 2004, 332 of the 335 public television stations, or ninety-three percent of all stations, should be transmitting a digital signal.

The Committee understands that although a station is able to transmit a digital signal, it may not be able to broadcast in digital. The Committee remains concerned that the challenges are particularly great for those broadcasters located in, or serving, largely rural areas.

INFORMATION INFRASTRUCTURE GRANTS

The Committee recommendation includes $15,402,000 for the Information Infrastructure Grant program account, the same as the current year, and $15,402,000 above the request. The Administration's budget request proposed to eliminate this program.

The Committee expects NTIA to give preference to applications relating to the expansion of commercial entities to enable local communities to attract commercial investment to spur growth of American jobs. The Committee expects NTIA to work with the Economic Development Administration to ensure resources are leveraged to result in the largest benefit to local communities suffering from economic downturns.

The Committee retains language making the funds provided under this heading available for program administration and related program support activities at the fiscal year 2003 level. The bill also includes language carried in previous Appropriations Acts, to allow up to five- percent of this appropriation to be available for telecommunications research activities directly related to the development of a national information infrastructure.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The Committee recommendation includes $1,238,700,000 for the United States Patent and Trademark Office (USPTO) for fiscal year 2004, which is $56,700,000 above the current year level, and $156,355,000 below the request. Of this amount, $1,138,700,000 is to be derived from offsetting fees collected in fiscal year 2004, and $100,000,000 is to be derived from prior year collections.

The Committee remains concerned that the Congressionally-directed five-year Strategic Plan for the PTO has not been implemented. This plan calls for some of the most sweeping changes to the patent review process in 200 years, and the Committee supports these recommendations. The three core objectives of the plan are: (1) to prepare the agency to handle the workload associated with the 21st century economy, (2) to improve patent quality, and (3) to reduce patent and trademark pendency. However, the Committee is concerned that a number of improvements proposed in the Strategic Plan will not be implemented. The Committee is not con-

vinced of the prudence of appropriating additional resources for a process that is in need of and is undergoing a systematic overhaul.

The Committee understands that there is broad agreement that the patent process is in dire need of reform. Yet, the Committee notes that the Administration's legislative fee proposal, which includes many changes based on the reform plan, has not been enacted.

Within the amounts available, the Committee expects that the PTO will continue its relationships with the National Inventor's Hall of Fame and Inventure Place, and the International Intellectual Property Institute at least at the same levels as in fiscal year 2003.

The Committee reminds the PTO that any changes from the funding distribution provided in the bill and report, including carryover balances, are subject to the reprogramming procedures set forth in section 605 of this Act.

In addition, PTO is directed to submit to the Committee, not later than three months after the enactment of this Act, a spending plan, which incorporates any carryover balances from previous fiscal years and any changes to the patent or trademark fee structure.

The Committee supports the efforts of the PTO to aggressively pursue stringent intellectual property protections for American businesses in international negotiations.

Telework.—The Committee commends PTO for its successful telework program. The Committee understands that 110 trademark examining attorneys, or 44 percent of the examining corps, are working from home. Further, the Committee lauds the cooperative efforts to establish the Patents Telework Program on April 7, 2003. The Committee understands that approximately 700 patent professionals are participating in the program. The Committee commends the PTO and its nearly 2,000 employees, or twenty-five percent of the total workforce, who now experience the benefits of telecommuting.

The 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. The PTO also examines trademark applications and provides Federal registration to owners of qualified trademarks. The PTO advises the Office of the United States Trade Representative on enforcement issues in connection with free trade agreements and participates in consultations with numerous foreign governments on a broad range of issues related to the enforcement of intellectual property rights.

SCIENCE AND TECHNOLOGY

The Committee recommendation includes $3,522,394,000 in direct appropriations for the Science and Technology programs of the Department of Commerce, including the National Institute of Standards and Technology and the National Oceanic and Atmospheric Administration, which is $365,667,000 below the current year, excluding supplemental amounts, $301,285,000 below the request.

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

The recommendation includes $7,822,000 for necessary expenses of the Under Secretary for Technology Policy and the Office of Technology Policy.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The Committee includes $460,059,000 for the National Institute of Standards and Technology (NIST) for fiscal year 2004, which is $247,446,000 below the current year and $6,759,000 below the request.

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The Committee recommendation includes $357,862,000 for the Scientific and Technical Research and Services (core programs) of the National Institute of Standards and Technology, which is $787,000 above the current year, and $21,987,000 below the request. The following is a breakdown of the amounts provided under this account by activity.

[In thousands of dollars]

	Fiscal year 2004 recommendation
Electronics & Electrical	45,731
Manufacturing Engineering	21,811
Chemical	42,324
Physics	42,950
Building and Fire Research	18,142
Materials Science & Engineering	56,532
Computer & Applied Mathematics	53,247
Technology Assistance	17,679
Baldridge & Other Awards	5,205
Research Support	54,241
Total, STRS	357,862

Under the Building and Fire Research heading, the recommendation includes $2,000,000 for research efforts related to homeland security standards.

Under the Computer and Applied Mathematics heading, the recommendation includes $1,000,000 to provide standard methods for measurement of the accuracy of biometric identification systems in compliance with the USA PATRIOT Act of 2001, as proposed.

Under the Chemical Program heading, the recommendation includes $1,000,000 to provide the advanced measurements, standards, and data that health care providers and researchers need to improve health care quality, as proposed.

Under the Physics heading, $750,000 is for the necessary critical back-up elements for NIST time scale and time dissemination services; $1,450,000 is for research to develop measurements and standards for nanotechnology-based products, including semiconductors; $2,000,000 is for research to strengthen radiation measurements for nuclear and radiological detection capabilities; and $1,500,000 is for research to improve measurements in the development of quantum information technology with applications to homeland security.

In addition, under the Research Support heading, the recommendation continues funding of $2,400,000 for a telework project, and $6,500,000 is for a certain critical infrastructure program.

The recommendation does not include a requested increase to the amount to be transferred to the working capital fund.

INDUSTRIAL TECHNOLOGY SERVICES

The Committee recommendation includes $39,607,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology, which is the same as the request and $245,153,000 below the current year.

Manufacturing Extension Partnership (MEP) Program.—Recent economic downturns have had a devastating effect on the manufacturing sector. In an effort to ameliorate some of these negative effects, the Committee recommendation includes $39,607,000 for this program in fiscal year 2004, which is $27,007,000 above the request and $66,393,000 below the amount in the current year. Federal support for the MEP program, combined with State and private sector funding, have translated into more jobs, more tax revenue, more exports, and a more secure supply source of consumer and defense goods in this country. The Committee understands that NIST has requested the National Association of Public Administration (NAPA) to conduct a study on the continued requirements of the MEP program.

Advanced Technology Program.—The Committee does not include funding for this program.

CONSTRUCTION OF RESEARCH FACILITIES

The Committee recommendation includes $62,590,000 for the construction and major renovations of the NIST campuses at Boulder, Colorado, and Gaithersburg, Maryland.

The Committee directs NIST to report to the Committees on Appropriations on the progress of these construction projects on a quarterly basis beginning with the second quarter of fiscal year 2004.

This account supports all NIST activities by providing state of the art facilities necessary to carry out the NIST mission.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommendation includes $3,054,513,000 for the operations of the National Oceanic and Atmospheric Administration (NOAA), which is $116,221,000 below the current year, excluding supplemental amounts, and $264,333,000 below the request.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

The Committee recommendation includes $2,180,454,000 for the coastal, fisheries, marine, weather, satellite, and other NOAA programs funded in this account. In addition, the agreement includes a transfer of $79,251,000 from balances in the account entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries". The recommendation assumes

deobligations of $17,000,000, as proposed. The Administration's request includes a proposal to transfer $3,000,000 from prior year receipts relating to the coastal zone management program. The recommendation does not include this proposal.

The recommendation does not continue current year language regarding the conservation funding category. However, the Committee intends to meet the conservation funding level for fiscal year 2004, as established in Title VII of the Interior and Related Agencies Appropriation Act of 2001.

The bill continues language to allow NOAA to retain gifts and contributions made under the Marine Sanctuary Program. The Committee continues to direct NOAA to fully utilize the authorities provided for this program, and include with the 2005 budget request a report summarizing all gifts and contributions made under this program.

Language is also included in the bill specifying the total amount of direct obligations available for each of the NOAA line offices and other related activities funded through this account. The Committee continues to take this action to provide greater clarity and accountability in budgeting and management for the diverse activities funded in this account. In addition, the bill also retains language regarding the practice of assessing NOAA line organizations, programs, projects, and activities, to support NOAA and line office overhead and programs over and above the amounts specifically provided, and regarding the funding and personnel in Executive Direction and Administration. The Committee reminds NOAA that administrative charges levied against certain activities assigned in the bill are limited to no more than five percent. The Committee recommendation continues to limit the administrative expenses of NOAA to $243,000,000. NOAA is directed to submit a spending plan to the Committee for these expenses at a level of detail comparable to that of the tables included in this report. The plan shall be delivered not later than 60 days after the enactment of the Act.

In addition, language is also included regarding use of deobligations in excess of amounts estimated in the budget.

The Committee directs NOAA to comply with reprogramming and transfer requirements under sections 204 and 605 of this Act.

The following identifies the activities, sub-activities, and projects funded in this appropriation:

NATIONAL OCEAN SERVICE

The Committee recommendation includes a total of $363,239,000 for activities of the National Ocean Service (NOS) for fiscal year 2004, which is $27,793,000 below the request and $66,504,00 below the current year.

Mapping and Charting.—The recommendation includes $62,393,000 for mapping and charting activities. The Committee provides $20,450,000 to address the hydrographic survey backlog detailed in the National Survey Plan. The recommendation is consistent with the long-standing decision that at least 50 percent of hydrographic surveying should be contracted out to private companies. The Committee directs NOAA to report to the Committee within six months after the enactment of this Act on the progress being made to reduce the backlog.

Long-Term Vessel Charter.—In the current year, the Committee directed NOAA to lease or charter a purpose-built U.S. flag hydrographic survey vessel capable of performing the full scope of necessary hydrographic services, by no later than April 11, 2003. To date, no contract has been awarded. The Committee is aware that a total of $14,000,000 is available from prior year funding for this purpose, of which the first year operational estimates are $5,500,000, including administrative costs. The Committee would entertain a reprogramming of funds for this purpose, should requirements change from current estimates.

Tide and Current Data.—The Committee recommendation includes $20,302,000 for this activity. The recommendation will enable NOS to implement and maintain the necessary quality controls for real-time tide and current data systems. Funding is included to continue implementation of the Physical Oceanographic Real-Time System (PORTS) program and to continue the National Water Level Operation Network (NWLON) and expands efforts in the Great Lakes.

Ocean and Coastal Assessment.—Of the amounts provided under this heading, $1,250,000 is for coastal ocean monitoring and prediction efforts for West Florida.

Coral Reefs.—The Committee recognizes and supports the work of NOAA and the U.S. Coral Reef Task Force (CRTF) to protect and preserve coral reefs. Coral reefs are the most complex, species-rich and productive marine ecosystems. Reefs cover two-percent of the ocean's floor, yet they support one-third of all marine fish species and tens of thousands of other marine species, providing essential fish habitat for endangered and threatened species, and harboring protected marine mammals and turtles. Coral reef fisheries yield 6 million metric tons of fish catch annually, with one-quarter of total worldwide fish production occurring in developing countries with coral reefs. NOAA and the CRTF are developing and implementing coordinated efforts to map and monitor U.S. coral reefs, research coral reef degradation, reduce and mitigate coral reef degredation from pollution and other causes, and carry out strategies to promote conservation and sustainable use of coral reefs internationally. The Committee recommendation continues funding at the fiscal year 2003 level.

Aquatic Resources Initiative.—Of the amounts available under this heading, up to $750,000 is for Bluegrass Pride, Inc.

Coastal Zone Management.—A total of $70,518,000 is provided to assist coastal states in implementing this program. The Committee continues language in the current year regarding performance measures.

Marine Sanctuary Program.—A total of $33,537,000 is provided for this program, which is $5,000 below the current year and $2,300,000 below the request. Under this heading, the recommendation includes $750,000 for the activities of the Northwest Straits Citizens Advisory Commission. This Commission was established to provide an ecosystem focus on the marine resources in the area, mobilize science and support marine resource committees, and establish a forum for coordination and consensus-building, in lieu of Federal designation of the area as a Marine Sanctuary. The Committee continues to believe that such a consensus-based ap-

proach is an innovative and novel way to promote marine conservation, the goal of the Marine Sanctuary Program.

NATIONAL OCEAN SERVICE Operations, Research and Facilities (Dollars in thousands)	House Rec. Amount
Navigation Services	
Mapping & Charting:	
Mapping & Charting Base	37,943
Electronic Navigation Charts	2,000
Shoreline Mapping (aerial)	2,000
Address Survey Backlog/Contracts	20,450
Subtotal, Mapping and Charting	62,393
Geodesy Base	18,791
National Spatial Reference System	249
Height Modernization Study - NGS Implementation	248
Height Modernization Study - NC	1,000
Height Modernization Study - CA	1,000
Geodetic Survey- AL	1,000
Geodetic Survey- WI	3,000
S. Carolina Geodetic Survey	497
Subtotal, Geodesy	25,785
Tide & Current Data	14,077
PORTS	2,981
Great Lakes NWLON	1,500
Coastal Storms	994
NWLON	750
Subtotal, Tide & Current Data	20,302
Total, Navigation Services	108,480
Ocean Resources Conservation and Assessment	
Ocean Assessment Program Base	10,608
Coastal Monitoring and Prediction	1,250
Sarasota Bay	250
Beaufort, NC	1,490
Oxford, MD	1,391
Pfiesteria Research and HAB Rapid Response	3,974
Coastal Services Center	18,201
Coastal Change Analysis	500
Harmful Algal Blooms	4,967
Lake Pontchartrain	2,000
Hawaii Coral Reef Initiative	1,000
Nat'l Coral Reef Institute - Florida	500
Coral Reef - Puerto Rico DNER	500
Coral Reef Program	13,427
National Fish and Wildlife Foundation - NFWF	1,500
JASON Education and Outreach	2,500
Monterey Bay Watershed	500
South Florida Ecosystem	900
Coastal and ocean observing technologies	16,028
Subtotal, Ocean Assessment Program (OAP)	81,486
Response and Restoration	
Response and Restoration Base	5,000
Estuarine and Coastal Assessment	2,653
Estuary Restoration Act	1,192
Damage Assessment Program	5,166
Oil Pollution Act of 1990	994
Coastal Protection and Restoration Project	994

NATIONAL OCEAN SERVICE Operations, Research and Facilities (Dollars in thousands)	House Rec. Amount
Spill Response and Restoration Program	1,987
Aquatic Resources Environmental Initiative	4,968
Subtotal, Response and Restoration	22,954
Subtotal, Estuarine and Coastal Assessment	104,440
Coastal Ocean Science	
Coastal Ocean Program Base	10,591
ECOHAB	4,344
Hypoxia	1,085
South Florida Ecosystem	1,334
Subtotal, Coastal Ocean Science	17,354
Total, Ocean Resources Conserv. & Assess.	121,794
Coastal Management	
CZM Grants	68,518
CZMA Program Administration	2,000
National Estuarine Research Reserve System	15,000
Nonpoint Pollution Implementation Grants	9,936
Marine Protected Areas	3,974
Subtotal, Coastal Management	99,428
Marine Sanctuary Program Base	32,787
Northwest Straits Citizens Advisory Commission	750
Subtotal, Ocean Management	33,537
Total, Ocean and Coastal Management	132,965
Total, National Ocean Service - ORF	363,239

NATIONAL MARINE FISHERIES SERVICE

The Committee recommendation includes $545,072,000 for the operations of the National Marine Fisheries Service (NMFS), which is $131,250,000 below the current year and $75,885,000 below the request.

Expand Stock Assessments.—The Committee recommendation includes $16,890,000 for stock assessments, which is $1,984,000 above the amount in the request and the same level as in the current year. Of the amounts provided, $1,000,000 is for implementation of a West Coast in-season harvest data collection system, as in the current year.

The Pacific Fishery Management Council recently voted to change the Pacific Sardine Allocation Framework within the Coastal Pelagic Species Fishery Management Plan. In considering revisions to the Pacific Sardine Allocation Framework, the Secretary should take steps to prevent over-capitalization of the fleet and over-exploitation of sardine stocks.

Regulatory Streamlining.—The Committee is concerned about the lack of uniform standards for aquaculture facilities in the coastal and marine environments. The Committee understands that the Department of Commerce, in conjunction with its Federal partners, has developed a Code of Conduct for Aquaculture Development in the Exclusive Economic Zone. The Committee encourages the agency to work with the states and the aquaculture industry to implement the standards prescribed. The Committee expects NOAA to report on its efforts to implement national guidelines for aquaculture practices by December 31, 2003.

Fisheries Observers.—The Committee is concerned that NMFS has not provided adequate observer coverage for the New England groundfish fishery and recommends $17,028,000, which is $3,262,000 above the current year, for fishery observers. The Committee expects NMFS to allocate sufficient funds to achieve 10 percent observer coverage in the directed fishery, and in the non-directed fishery to the extent practicable, by no later than May 1, 2004.

Northern Right Whale Protection.—The Committee includes a total of $12,621,000, which is $2,685,000 above the fiscal year 2003 level and $5,771,00 above the request, for North Atlantic right whale research, management activities, and Atlantic coastal States' implementation of cooperative Federal-State right whale recovery plans. Funding is included to assist NMFS and its partners to expedite right whale recovery in consultation with the Implementation Team and the Take Reduction Team. Priority should be given for efforts to reduce ship strikes, the leading cause of death of these whales. Of the amounts provided, $685,000 is for lobster-gear replacement efforts by the NFWF. Of the amounts provided, $800,000 is for the Center for Coastal Studies. Of the funding provided for the Center, the Committee expects the final funding allocation to be based on recommendations of the right whale program coordinator.

The Committee directs NMFS to continue efforts with regard to California Cooperative Fisheries Investigation cruises.

Chesapeake Bay.—The Committee expects NOAA to report to the Committee by no later than September 15, 2003, on the establish-

ment of an office in Virginia to better focus NOAA resources on Virginia issues in the Chesapeake Bay region, which was funded in fiscal year 2003.

Of the funding for Chesapeake Bay oyster research, $1,000,000 is for oyster reef restoration efforts in Virginia.

Habitat Conservation and Management.—The Committee is deeply concerned that a significant percentage of habitat conservation grants made by NOAA are for restoration of Pacific coastal salmon habitat. The Committee reminds NOAA that it has included $90,000,000 for this purpose under the "Pacific Coastal Salmon Recovery" heading. Therefore, the Committee directs NOAA to emphasize other habitat restoration efforts under this heading, including Chesapeake Bay and Great Lakes habitat restoration efforts.

Enforcement and Surveillance.—The Committee recommendation includes $34,343,000 for enforcement and surveillance services, which is $11,827,000 above the current year level and $16,358,000 below the request.

NMFS Facilities Maintenance.—Of the amounts provided, $325,000 is for additional costs related to the Santa Cruz laboratory.

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. The Committee continues to allow up to one percent of these amounts to be made available to NOAA to improve the measurement of program performance.

Saltonstall-Kennedy (S–K).—The Committee understands that NOAA has refocused the S–K program to address the needs of fishing communities as defined by the Magnuson-Stevens Act. The Committee directs NOAA to eliminate the duplication between this program and the program priorities funded in the accompanying NMFS table. Given the austere budget constraints that the Committee is operating within, the Committee expects NMFS to award S–K grants based on priorities and geographic areas that are not receiving funding from other NOAA programs.

The Committee directs NOAA to assign high priority to proposals for research and education efforts directed at the protection of high-risk consumers from naturally occurring bacteria associated with raw molluscan shellfish. Of the amounts available, no less than $250,000 should be provided to the Gulf and Atlantic Foundation for their education efforts regarding *Vibrio vulnificus*.

NATIONAL MARINE FISHERIES SERVICE Operations, Research and Facilities (Dollars in thousands)	House Rec.
Fisheries Research and Management Services	
Science and Technology - Base	73,729
AKFIN	3,179
Alaska Groundfish Monitoring - Base	2,087
Alaska Groundfish Monitoring - Bering Sea Fishermen's Association CDQ	150
Alaska Groundfish Monitoring - Crab Research	850
Alaska Groundfish Monitoring - Gulf of Alaska Coastal Communities	175
Alaska Groundfish Monitoring - NMFS Field Fishery Monitoring	300
Alaska Groundfish Monitoring - NMFS Rockfish Research	350
Alaska Groundfish Monitoring - Rockfish Research/Crab	238
Alaska Groundfish Monitoring - AK Crab, Scallop License Limitation	1,000
Alaska Groundfish Monitoring - Winter Pollock Survey	1,000
Alaskan Groundfish Surveys - Base	661
Alaskan Groundfish Surveys - Calibration Studies	240
American Fisheries Act - Base	3,525
Atlantic Herring and Mackerel	200
Bering Sea Pollock Research	945
Bluefin Tuna Tagging	550
Bluefish/Striped Bass - Base	700
Bluefish/Striped Bass - Rutgers	827
Chinook Salmon Research at Auke Bay	300
Climate Regimes and Ecosystems Productivity	2,000
Computer Hardware and Software	3,492
Cooperative Research - National Cooperative Research	2,750
Cooperative Research - NE Cooperative Research	3,750
Cooperative Research - NEC Cooperative Marine Education & Research	200
Cooperative Research - SE Cooperative Research	3,000
Driftnet Act Implementation/Base	1,800
Driftnet Act Implementation/Pacific Rim Fisheries	150
Driftnet Act Implementation/Science Observer Russian EEZ	250
Driftnet Act Implementation/State Participation - AK/WA	200

NATIONAL MARINE FISHERIES SERVICE Operations, Research and Facilities (Dollars in thousands)	House Rec.
Expand Stock Assessments - Improve Data Collection	16,890
Fish Statistics - Atlantic States Marine Fisheries Commission	2,000
Fish Statistics - Economics & Social Sciences Research	3,220
Fish Statistics - National Fisheries Information System	4,000
Fish Statistics - National Standard 8	1,000
Fish Statistics Base	14,000
Fisheries Oceanography	1,000
GULF FIN Data Collection Effort	3,500
Gulf of Maine Groundfish Survey	567
Gulf of Mexico Consortium	2,732
Halibut Data Collection	447
Hawaii Stock Management Plan	500
Highly Migratory Shark Fishery Research Program	2,000
Horseshoe Crab Research	646
Information Analysis and Dissemination	21,351
Lobster Sampling	149
Magnuson Stevens Implementation off Alaska	2,000
MARFIN - Base	2,500
MARFIN - NE Activities	250
MARFIN Red Snapper	750
MarMap	850
Marine Environmental Research Institute	300
NAPA/NAS Management Review	300
New England Stock Depletion	994
NMFS Facililties Maintenance	4,000
Observers - Fishery Observers	3,944
Observers/Training - Atlantic Coast Observers	3,328
Observers/Training - East Coast Observers	400

NATIONAL MARINE FISHERIES SERVICE Operations, Research and Facilities (Dollars in thousands)	House Rec.
Observers/Training - Hawaii Longline Observer Program	2,981
Observers/Training - N. Pacific Marine Resources Observers	1,875
Observers/Training - N. Pacific Observer Program	650
Observers/Training - West Coast Observers	3,850
PACFIN Catch Effort Data	2,981
Pacific Highly Migratory Species Research	750
Recreational Fishery Harvest Monitoring RECFIN	3,450
Red Snapper Monitoring and Research	4,968
Reducing Bycatch	2,800
SEAMAP	1,400
VA Trawl Study	375
West Coast Groundfish	5,440
Subtotal, Science and Technology	233,736
Conservation and Management - Base	8,527
Alaska Near Shore Fisheries	994
American Fisheries Act - Base	2,174
American Fisheries Act - N. Pacific Council	499
American Fisheries Act - State of Alaska	499
Anadromous Grants	2,086
Columbia River Hatcheries - Monitor, Evaluation and Reform	1,700
Columbia River Hatcheries and Facilities	12,000
Driftnet Act Implemenation/State Participation - AK/WA	199
Fisheries Management Programs	27,657
Halibut/Sablefish	1,200
Interjurisdictional Fisheries Grants	2,590
Interstate Fish Commissions - 3 Commissions	750
Interstate Fish Commissions - Atlantic Cooperative Management	7,300
Management of George's Bank	478
NEPA - NMFS -Document Streamlining	5,500

NATIONAL MARINE FISHERIES SERVICE Operations, Research and Facilities (Dollars in thousands)	House Rec.
Pacific Salmon Treaty - Base	5,576
Pacific Salmon Treaty - Chinook Salmon Agreement	1,832
Refine EFH Designations	497
Regional Councils	15,000
Regulatory Streamlining and Modernization	1,000
Yukon River Chinook Salmon - Base	994
Yukon River Chinook Salmon - Yukon River Drainage Fisheries Assoc	499
Subtotal, Conservation and Management	99,551
Total, Fisheries Research and Management Services	333,287
Protected Resources Research and Management Services	
Science and Technology - Base	8,986
Antarctic Research	1,540
Atlantic Salmon Research	705
Columbia River Endangered Species Studies	299
Conservation and Recovery with States	994
Dolphin Encirclement	3,000
Dolphin/Yellowfin Tuna Research	248
Endangered Species Act - Atlantic Salmon	1,706
Endangered Species Act - Marine Mammals, Sea Turtles & Other Species	3,477
Endangered Species Act - Other Species	2,682
Endangered Species Act - Pacific Salmon Recovery	15,450
Endangered Species Act - Right Whale Activities	4,968
Endangered Species Act - Right Whale Activities NE Consortium	500
Endangered Species Act - Sea Turtles	5,216
Hawaiian Monk Seals	820
Hawaiian Sea Turtles	290
Marine Mammal Protection - Base	7,120

NATIONAL MARINE FISHERIES SERVICE Operations, Research and Facilities (Dollars in thousands)	House Rec.
Marine Mammal Protection - Ice Seals	248
Marine Mammal Protection - Alaska Harbor Seal Research	826
Marine Mammal Protection - Manatee-New College	250
Marine Mammal Strandings	4,000
NEPA - Hawaii Sea Turtle Research	3,000
Protected Species Management - Base	1,340
Protected Species Management - Bottlenose Dolphin Research	750
Protected Species Management - N Pacific Southern Resident Orca Population	746
Rancho Nuevo Sea Turtles	350
Recovery of Endangered Large Whales	994
Steller Sea Lion Recovery Plan - Alaska Sea Life Center	2,700
Steller Sea Lion Recovery Plan - Base	4,968
Steller Sea Lion Recovery Plan - N. Pacific Universities MM Consortium	800
Steller Sea Lion Recovery Plan - Univ of AK Gulf Apex Predator	500
Steller Sea Lions - Endangered Species Act	850
Subtotal, Science and Technology	80,323
Conservation and Management Services - Base	8,820
Atlantic Salmon Recovery Plan	397
Chinook Salmon Management	149
Cook Inlet Beluga	149
Endangered Species Act - Atlantic Salmon	497
Endangered Species Act - Pacific Salmon Recovery	20,368
Endangered Species Act - Right Whale Activities	5,653
Endangered Species Act - Right Whale Cooperative State Plans	1,500
Native Marine Mammals - Alaska Eskimo Whaling Commission	497
Native Marine Mammals - Alaska Harbor Seals	149
Native Marine Mammals - Aleut Pacific Marine Resources Observers	124
Native Marine Mammals - Beluga Whale Committee	224
Native Marine Mammals - Bristol Bay Native Association	50

NATIONAL MARINE FISHERIES SERVICE Operations, Research and Facilities (Dollars in thousands)	House Rec.
Protected Species Management - Base	7,063
Protected Species Management - California Sea Lions	745
Protected Species Management - NFWF Species Management	1,500
Protected Species Management - State of Maine Salmon Recovery	1,200
Southeastern Sea Turtles	298
State of Maine Recovery Plan	149
Subtotal, Conservation and Management Services	49,532
Total, Protected Resources Research and Management Services	129,855
Sustainable Habitat Management - Base	5,820
Bay Watersheds Education and Training Program	2,484
Oxford	994
Blue Crab Research Consortium	900
Chesapeake Bay Multi-Species Management	500
Chesapeake Bay Oyster Research	2,500
Chesapeake Bay Studies	3,500
Connecticut River Partnership	298
Coral Reef	11,000
Habitat Conservation	9,218
Subtotal, Sustainable Habitat Management	37,214
Fisheries Habitat Restoration - Base	7,876
Fisheries Habitat Restoration - Bronx River Restoration	1,000
Pinellas County Environmental- Fisheries Habitat Restoration	1,500
Subtotal, Fisheries Habitat Restoration	10,376
Total, Habitat Conservation Research Management Services	47,590
Driftnet Act Implementation/Base	1,375
Enforcement and Surveillance - Base	17,081
Enforcement and Surveillance - Cooperative Agreements w/States	2,484
Enforcement and Surveillance - Vessel Monitoring System	7,400
Enforcement and Surveillance - Cooperative Agreements w/States	6,000
Total, National Marine Fisheries Service - ORF	545,072

NATIONAL MARINE FISHERIES SERVICE Operations, Research and Facilities	House Rec.
Enforcement and Surveillance - Base	17,081
Enforcement and Surveillance - Cooperative Agreements w/States	2,484
Enforcement and Surveillance - Vessel Monitoring System	7,400
Subtotal, Enforcement	28,340
Enforcement and Surveillance - Cooperative Agreements w/States	6,000
Subtotal, Partnerships in Enforcement	6,000
Total, Enforcement and Surveillance Services	34,340
Total, National Marine Fisheries Service - ORF	545,072

OCEANIC AND ATMOSPHERIC RESEARCH

The Committee recommendation includes $306,443,000 for the Oceanic and Atmospheric Research line office, which is $65,878,000 below the current year level and $60,058,000 below the amount in the request.

The Committee supports NOAA's efforts to provide national and international leadership on critical environmental issues, and to address the environmental research and development needs of internal NOAA customers, States, industry, and other Federal agencies. The Committee strongly urges NOAA to prioritize research efforts that have truly operational benefits.

In recognition of current resource limitations the Committee is forced to operate within, the Committee directs NOAA to review the continued requirements for twelve separate research laboratories, six of which are located in Boulder, Colorado. The Committee directs NOAA to submit a laboratory consolidation plan to the Committee by March 15, 2004.

Climate Research.—The Committee recommendation includes $158,460,000 for climate research efforts, which is $6,782,000 below the current year and $26,322,000 below the request.

The Committee recommendation includes funding for the Climate Change Research Initiative, including funding for the Atmospheric Brown Cloud initiative.

Of the amounts provided under the climate research heading, $2,900,000 is for the Analytical Center for Climate and Environmental Change to enhance existing capabilities.

The Committee recommendation includes $500,000 to expand efforts of the Cooperative Sensor Development Laboratory in cooperation with the Atlantic Oceanographic and Meteorological Laboratory and the Pacific Marine Environmental Laboratory.

The Committee expects funding for the International Research Institute Climate Prediction program to be continued at no less than the current year level.

National Sea Grant Program.—The Committee recommendation includes $61,961,000 for the National Sea Grant program, which is $1,941,000 above the current year and $4,561,000 above the request.

Within the amounts provided, $2,981,000 is for zebra mussel research in accordance with the Non-Indigenous Aquatic Nuisance Prevention and Control Act; $1,941,000 is for fisheries extension programs; and $2,980,000 is for oyster disease research, including $993,000 to continue the Gulf of Mexico initiative on oyster-related human health risks.

Great Lakes Research.—The Committee recommendation includes $500,000 to expand the efforts of the Great Lakes Environmental Research Laboratory and the University of Notre Dame to conduct pro-active environmental assessments of new ionic liquids.

Ballast Water Demonstrations.—The Committee recommendation includes $1,825,0000 for this program. The Committee expects special attention to be given to the concerns of the Chesapeake Bay and the Great Lakes.

Ocean and Coastal Observing Systems.—The Committee continues to support the establishment of an integrated interagency ocean and coastal observing system that will provide critical infor-

mation to a wide variety of users of ocean and coastal information and services. Adequate predictive capability is a prerequisite for the development of sound policies at the national and regional levels, policies ranging from maritime commerce to public health, from fisheries to safety of life and property, and from climate change to national security. In the current year, NOAA was directed to work with the Office of Science and Technology Policy to develop an interagency plan for research, technology demonstration, and, ultimately, implementation of an integrated ocean observing network, and to provide a report to the Committee. The Committee understands that this report may not be completed until July 30, 2003, one month after the Committee's deadline.

To ensure that regional coordination and technical support are available for the development of integrated regional systems with a national observing focus, the Committee recommends that funding be coordinated within one Federal agency. Therefore, the Committee has provided a total of $16,028,000 for the ocean and coastal observing program. The Committee allows up to three percent of the funding to be used by NOAA for data management functions. The Committee expects NOAA to limit participation in the program to entities of the National Federation of Regional Associations. The Committee expects NOAA to review applications for the following programs, and provide grants if warranted: Center for Integrated Marine Technologies, Alliance for Coastal Technologies, Center for Coastal Ocean Observation and Analysis, Coastal Marine Research and Monitoring Program, Carolina Coastal Ocean Observing and Prediction, Long Island Sound Integrated Coastal Observing System, Coastal Restoration and Enhancement through Science and Technology, Center for Integrative Coastal Observation, Research and Education, Gulf of Maine Ocean Observing System, and Southeastern Coastal Ocean Observing Program.

Bill language is included requiring an equal match of Federal funding from non-Federal sources, including State and local government agencies, the private sector, academia, non-governmental organizations, and the public.

OFFICE OF ATMOSPHERIC RESEARCH Operations, Research and Facilities (Dollars in thousands)	House Rec. Amount
Laboratories & Joint Institutes - Climate Research	
Aeronomy Laboratory (Colorado)	8,100
Atlantic Oceanographic and Meterological Laboratory (Florida)	5,954
Air Resources Laboratory (CO,ID,NC,NV,TN)	3,498
Climate Diagnostic Center (Colorado)	2,589
Climate Monitoring and Diagnostic Laboratory (Colorado)	5,978
Environmental Technology Laboratory (Colorado)	241
Forecast Systems Laboratory (Colorado)	155
Geophysical Fluid Dynamics Laboratory (New Jersey)	14,137
Pacific Marine Environmental Laboratory (Washington)	8,668
Subtotal, Laboratories & Joint Institutions	49,320
Climate & Global Change Program	
Climate and Global Change - Base	45,951
Aerosols - Climate Interaction	2,000
Variability Beyond ENSO	1,000
Climate Forcing Agents	1,000
Accelerating Climate Models - IRI	2,086
Subtotal, Climate & Global Change Program	52,037
Climate Observations & Services	
Climate Reference Network	3,038
Climate Data & Info and CLASS in PAC	1,000
Baseline Operations	2,686
Regional Assessments, Education and Outreach	3,732
Climate Change Assessments	646
Weather-Climate Connection	938
Carbon Cycle, including ABC	9,300
Ocean Observations/Ocean Systems	10,857
ARGO -Related Costs	11,077
Climate Modeling Center (GFDL)	4,968
Global Climate Atmospheric Observing System	3,974

OFFICE OF ATMOSPHERIC RESEARCH Operations, Research and Facilities (Dollars in thousands)	House Rec. Amount
Climate and Environmental Change	2,900
Arctic Research Initiative (SEARCH)	1,987
Total, Climate Research	158,460
Weather & Air Quality Research	
Laboratories & Joint Institutes	
Aeronomy Laboratory (Colorado)	2,130
Atlantic Oceanographic and Meterological Laboratory (Florida)	4,188
Air Resources Laboratory (CO,ID,NC,NV,TN)	2,194
Climate Monitoring and Diagnostic Laboratory (Colorado)	175
Environmental Technology Laboratory (Colorado)	6,858
Forecast Systems Laboratory (Colorado)	7,269
Geophysical Fluid Dynamics Laboratory (New Jersey)	3,157
National Severe Storms Labroratory (Oklahoma)	7,558
Pacific Marine Environmental Laboratory (Washington)	270
Space Environmental Center (Colorado)	5,298
Subtotal, Laboratories & Joint Institutes	39,097
U.S. Weather Research Program	3,781
Tornado Severe Storm Research	1,001
Total, Weather & Air Quality Research	43,879
Ocean, Coastal, and Great Lakes Research	
Laboratories & Joint Institutes	
Atlantic Oceanographic and Meterological Laboratory (Florida)	3,475
Environmental Technology Laboratory (Colorado)	452
Great Lakes Environmental Research Laboratory (Michigan)	5,450
Great Lakes Environmental Research Laboratory (Michigan)	2,549
Great Lakes Environmental Research Laboratory (Michigan)	820
Pacific Marine Environmental Laboratory (Washington)	7,652
Subtotal, Laboratories & Joint Institutes	20,398

OFFICE OF ATMOSPHERIC RESEARCH Operations, Research and Facilities (Dollars in thousands)	House Rec. Amount
National Sea Grant College Program	
National Sea Grant College Program Base	56,000
Aquatic Nuisance Species/Zebra Mussel Research	2,981
Gulf of Mexico Oyster Initiative	993
Oyster Disease Research	1,987
Subtotal, National Sea Grant College Program	61,961
Aquatic Ecosystems - Canaan Valley Institute	4,272
Arctic Research	1,703
Great Lakes Toxicity	500
Cooperative Sensor Development Lab for Oceans, and Climate	500
NISA/Ballast Water Demonstrations	1,825
Total, Ocean, Coastal, and Great Lakes Research	91,159
High Performance	12,945
Total, NOAA Research - ORF	306,443

NATIONAL WEATHER SERVICE

The Committee recommendation includes $713,791,000 for the operations of the National Weather Service (NWS) for fiscal year 2004, which is $19,516,000 above the current year and $24,240,000 below the request.

Local Warnings and Forecasts.—The Committee recommendation includes $578,571,000 for local warnings and forecasts, which is $14,141,000 above the current year and $6,077,000 below the request. Of this amount, $4,272,000 is a transfer from the "Oceanic and Atmospheric Research" heading for tsunami mitigation efforts.

Within the amounts provided, $2,500,000 is to fund the second year of a seven-year initiative to improve the accuracy and timeliness of aviation warnings and forecasts.

Pacific Island Nations Weather Offices.—The Committee recommendation includes $3,550,000 for the costs of the operations of five Micronesian weather service offices located at Pohnpei, Yap, Chuuk, Koror, and Majuro, as proposed. The Committee understands that the Department of the Interior will no longer reimburse NOAA for the costs of services provided under the Compact of Free Association (COFA) as the COFA agreement expires in 2003.

Hurricane Research.—The Committee recommendation includes $2,000,000 for the development and implementation of a strong, coherent and united research agenda focusing on hurricane loss reduction with the International Hurricane Research Center. The Committee directs NOAA to work with the Center to forge an integrated multi-year, multi-disciplinary cooperative research effort.

The Committee recommendation includes sufficient funding to continue operations of the Huntsville, Alabama center.

NATIONAL WEATHER SERVICE Operations, Research and Facilities (Dollars in thousands)	House Rec.
Operations and Research	
Local Warnings and Forecasts	
Local Warnings and Forecasts Base	508,578
Tsunami Mitigation (moved from OAR)	4,272
Alaska Data Buoys	1,689
Southern California Data Buoys	596
Sustain Coop. Observer Network (11,000 stations)	1,890
Hurricane Research Program	2,000
Susquehanna River Basin Flood System	1,300
Aviation Forecast	37,850
Pacific Island Compact	3,550
Facilities Physical Security	1,000
Subtotal, Local Warnings and Forecasts	562,725
Advanced Hydrological Prediction Services	6,058
Aviation Weather	2,500
WFO Maintenance	4,968
Weather Radio Transmitters Base	2,220
Transmitters - Kemmerer and Dubois, WY	100
Subtotal, Weather Radio Transmitters	2,320
Total, Local Warnings and Forecasts	578,571
Central Forecast Guidance	44,102
Total, Operations and Research	622,673
Systems Operation & Maintenance (O&M)	
NEXRAD	40,340
Huntsville Center	2,000
ASOS	8,148
AWIPS	37,570
NWSTG Backup - CIP	3,042
Total, Systems Operation & Maintenance	91,100
Total, National Weather Service - ORF	713,773

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

The Committee recommends $146,334,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service (NESDIS), which is $3,310,000 below the current year and $3,983,000 below the request.

Commercial Remote Sensing Licensing & Enforcement.—The Committee recommendation includes $1,224,000 for this program, as proposed. The Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), is responsible for licensing and regulating the U.S. commercial remote sensing space industry, pursuant to the Land Remote Sensing Policy Act of 1992, as amended, and other applicable legal authorities. The Secretary of Defense and the Secretary of State are responsible for determining the conditions necessary to protect national security and foreign policy concerns, respectively. NOAA, in coordination with other affected agencies and in consultation with industry, as appropriate, is responsible for developing, publishing, and periodically reviewing the licensing regulations and associated timelines governing U.S. commercial remote sensing space systems.

NESDIS Operations, Research and Facilities (Dollars in thousands)	House Rec.
Environmental Satellite Observing Systems	
Satellite Command and Control	35,218
Product Processing and Distribution	23,618
Subtotal,	58,836
Product Development, Readiness & Application	
Product Development, Readiness & Application	19,374
Coral Reef Monitoring	750
Joint Center/Accelerate Use of Satellites	1,491
Subtotal, Product Development, Readiness & Application	21,615
Commercial Remote Sensing Licensing & Enforcement	1,224
Total, Environmental Satellite Observing Systems	81,675
Archive, Access & Assessment	27,577
Archive, Access & Assessment/Climate Database	16,748
GOES Data Archive Project	500
Subtotal, Archive, Access & Assessment	44,825
Coastal Data Development	4,598
Regional Climate Centers	2,981
Environmental Data Systems Modernization	12,255
Total, NOAA's Data Centers & Information Services	64,659
Total, Nat'l Environmental Satellite, Data and Information Service -	146,334

PROGRAM SUPPORT

The Committee recommendation includes $201,844,000 for the Program Support line office, which is $29,564,000 above the current year and $30,698,00 below the request.

Corporate Services.—The Committee recommendation includes $87,263,000 for Corporate Services of NOAA, which is $17,832,000 above the current year level and $6,693,000 below the request. Of the amounts provided, the Committee includes $2,000,000 for the Program Planning and Integration Office, as requested.

Due to funding constraints, the Committee recommendation does not include funding for E-government and IT security program increases.

The Committee recommendation includes $15,229,000 for the Commerce Administrative Management System, as proposed.

Facilities.—The Committee recommendation includes $3,204,000 for Maintenance, Repairs, and Safety, the same as in the current year and $11,746,000 below the request.

Project Planning and Execution.—The Committee recommendation includes $9,936,000 for this account, the same as the current year and $4,614,000 below the request.

Grant Making Process.—The Committee appreciates the efforts NOAA has taken to improve the grant making and notification processes.

Marine Operations & Maintenance.—The Committee recommendation includes $83,174,000 for the operations and maintenance of NOAA's fleet, which is $8,113,000 above the current year and $6,500,000 below the request.

The recommendation includes $2,500,000 for additional days at sea for the West Coast and $600,000 for the vessel AGATE PASS.

Aviation Operations.—The Committee recommendation includes $18,267,000 for the aviation operations of NOAA, which is $2,569,000 above the current year and the same as the request.

Office Relocations.—The Committee directs the Department to submit quarterly reports providing details of all office moves, openings, reductions and closings. The Committee expects to be notified of office relocations 30 days prior to such relocations.

Pribilof Island Cleanup.—The Committee recommendation includes $7,949,000 for Pribilof Island cleanup, which is the same as the current year and $2,051,000 below the request. In 2000, Congress passed the Pribilof Islands Transition Act, which created the framework under which NOAA was to complete the environmental cleanup of the property that is currently or was formerly owned on the islands, and to complete the transfer of that property to the designated local entities.

Minority Serving Institutions.—The Committee continues to support NOAA's efforts with minority serving institutions.

PROGRAM SUPPORT Operations, Research and Facilities (Dollars in thousands)	House Recom.
Corporate Services	
Under Secretary and Associate Offices	
Under Secretary and Associate Offices Base	25,219
Program Planning and Integration	2,000
Subtotal, Under Secretary and Associate Offices	27,219
Policy Formulation and Direction	
Policy Formulation and Direction Base	29,815
CAMS	15,229
Minority Serving Institutions	15,000
Subtotal, Policy Formulation and Direction	60,044
Total, Corporate Services	87,263
NOAA Maintenance, Repairs and Safety	3,204
Total, NOAA Maintenance, Repairs and Safety	3,204
Environmental Compliance	1,987
Pribilof Islands Cleanup	7,949
Total, Project Planning and Execution	9,936
Total, Facilities	13,140
Marine Operations & Maintenance	
Marine Services Base (Data Acquisition)	68,797
AGATE PASS (Coastal YTT) Operations	350
UNOLS (Days at Sea - West Coast)	2,500
Subtotal, Marine Services (including base)	71,647
Fleet Planning and Maintenance	
Fleet Planning and Maintenance	11,277
AGATE PASS (Coastal YTT) Maintenance	250
Subtotal, Fleet Planning and Maintenance	11,527
Total, Marine Operations and Maintenance	83,174
Aircraft Services	17,273
Aircraft Services	994
Total, Aircraft Services	18,267
Total, Marine Operations & Maint.and Aviation Oper.	101,441
Total, Program Support - ORF	201,844

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The recommendation includes a programmatic level of $794,059,000 for fiscal year 2004, which is $48,340,000 below the request and $39,963,000 below the current year, excluding supplemental appropriations. The Committee recommendation assumes $7,000,000 from prior year deobligations. This account funds capital assets acquisition activities, including system and land acquisition, marine sanctuary and estuarine reserve construction, aircraft and vessel systems, and equipment.

The recommendation does not continue current year language regarding the conservation funding category; however, the Committee intends to meet the conservation funding level for fiscal year 2004, as indicated in Title VII of the Interior and Related Agencies Appropriation Act of 2001.

The following distribution reflects the activities funded within this account:

Coastal and Estuarine Land Conservation Program (CELP).—The Committee recommendation includes $7,000,000 for the land acquisition program, which is $30,422,000 below the current year and $7,000,000 above the request. Bill language is continued to require an equal match for all Federal funds provided for this program. The Committee supports the efforts of NOAA to ensure the viability of this program. This program is intended to protect those coastal and estuarine areas with significant conservation, recreation, ecological, historical, or aesthetic value.

Marine Sanctuaries Construction.—The Committee recommendation does not provide for any new construction or acquisition of property. The funding provided is for necessary exhibits as defined in the request. The Committee urges NOAA to continue to work with non-governmental organizations, the public, and other governmental agencies on certain exhibits.

National Marine Fisheries Service.—The Committee recommendation includes $5,000,000 for the aquatic resource program.

The Committee expects that NMFS, within existing resources, will build the sea water system in the Santa Cruz NMFS facility.

Construction.—The Committee notes that the final five-year facilities plan requested by the Committee has not yet been provided. The Committee remains concerned that NOAA has not taken necessary efforts to propose consolidation of existing facilities or disposal of certain facilities, and expects that the plan will address these concerns.

Geostationary Systems.—The Committee recommendation includes $277,554,000 to continue post-launch requirements for GOES I-M; and to continue procurement of GOES -N series satellites, instruments, ground systems, and necessary systems support to maintain continuity, as proposed.

Polar Orbiting Systems.—The Committee recommendation includes $391,083,000, as proposed. The recommendation includes language to continue the cost-sharing arrangement with the Department of Defense for the National Polar Orbiting Operational Environmental Satellite System (NPOESS).

The Committee directs the Department of Commerce to submit a spending plan for all NOAA satellite programs prior to obligation

of funds provided for fiscal year 2004. The Committee continues to expect the Department to inform the Committee regarding any deviation from the spending plan, in accordance with the guidelines contained in Section 605 of this Act.

Gulfstream IV.—The Committee provides $4,600,000 for the Gulfstream IV aircraft to support remote-sensing equipment including installation, testing, and certification. When combined with $8,400,000 provided in fiscal year 2003, a total of $13,000,000 is available for a complete upgrade of the instrumentation aboard the aircraft. This instrumentation upgrade will enable NOAA to improve storm-tracking forecasts, as proposed.

WP–3D Navigation Upgrade.—The Committee recommendation includes the full amount requested, $1,645,000, for the engineering, design and installation of updated systems on one of the two WP–3D aircraft.

Turbo Commander Replacement.—The Committee recommendation includes the full amount requested, $1,550,000, to extend the platform required for the NWS Airborne Snow Survey program.

Aircraft Regulatory and Safety Upgrades.—The Committee recommendation includes $1,000,000 to satisfy Federal Aviation Administration and International Civil Aviation Organization safety regulations.

Procurement, Acquisition and Construction (Dollars in thousands)	House Rec.
Systems Acquisition / Construction	
Camp Salmen	500
Goleta	250
Sand Hill Bluff	200
Elkhorn Slough	400
San Pablo Bay	250
Royal River	250
Glatfelter	500
Monomoy River	300
Gunning Island	350
North Hempstead	200
East Hampton	300
Kelly's Island	400
Whiskey Island	300
Aquidneck	375
Third Beach	375
Starvation Cove	300
Buffalo Bend	300
Bainbridge Island	300
Maury Island	300
Lake Superior	600
Crow's Nest	250
Subtotal, Coastal and Estuarine Land Conservation Program	7,000
Conservation Institute	1,000
National Estuarine Research Reserve	3,377
Subtotal, NERRS Acquisition/Construction	4,377
Marine Sanctuaries Construction Base	4,967
Total NOS - PAC	16,344
NMFS	
Systems Acquisition / Construction	
Aquatic Resources	5,000
Southeastern Regional Office	1,100
Phase III - Galveston Laboratory Renovation - NMFS	2,000
Total, NMFS - PAC	8,100

Procurement, Acquisition and Construction (Dollars in thousands)	House Rec.
OAR	
Systems Acquisition	
Comprehensive Large Array Data Stewardship System	2,881
Research Supercomputing	10,484
Subtotal, OAR Systems Acquisition	13,365
NWS	
Systems Acquisition	
ASOS	5,092
AWIPS	14,134
NEXRAD	12,000
NWS WFO	2,870
Radiosonde Network Replacement	6,989
Weather and Climate Supercomputing	18,285
Weather and Climate Supercomuting Back-up	7,148
All Hazard National Warning Radio	5,500
Subtotal, NWS Systems Acquisition	72,018
WFO Construction	10,000
Geostationary Systems	277,554
Polar Orbiting Systems	391,083
CIP - single point of failure	2,800
AMNH	1,000
G-IV Instrumentation Upgrades	4,600
Required Regulatory Upgrades to Aircraft	1,000
Turbo Commander Replacement	1,550
WP-3D Navigation Upgrade	1,645
Subtotal, OMAO Fleet Replacement	4,195
Total, PS - PAC	9,795
Subtotal Line & Staff Office Direct Obligations, PAC	801,059

PACIFIC COASTAL SALMON RECOVERY

The Committee recommendation includes $90,000,000, which is the same as the current year and the request, for salmon restoration grants. Of the amounts provided to the State of Washington, $4,000,000 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, and $1,600,000 is for the purchase of mass marking equipment used at federal hatcheries in Washington State to promote selected fisheries and protect threatened and endangered species.

The Committee notes that the authorization for this program has expired. The Committee recommendation provides funds according to the most recent authorization. The Committee would entertain a reprogramming of funds under this heading, should new authorization language be enacted, to include the State of Idaho.

FISHERIES FINANCE PROGRAM ACCOUNT

The Committee notes that an appropriation is not necessary to support loan programs under the fisheries finance program account. The Committee recommendation will support up to $59,000,000 to finance fishing capacity reduction loan programs, including individual fishing quotas, reconditioning of fishing vessels for the purpose of reducing by-catch or reducing capacity in an overfished or over-capitalized fishery, and the purchase of assets sold at foreclosure instituted by the Secretary.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The Committee recommendation includes $44,662,000 for costs of managing the Department of Commerce, the same amount as in the current year and $12,529,000 below the request. The recommendation includes language designating $1,621,000 and 11 full-time equivalents for the legislative affairs function of the Department.

The recommendation does not include the transfer of $1,668,000 for the costs associated with the White House Liaison and External Affairs Offices nor $485,000 for the Government Performance and Results Act from the Advances and Reimbursement (A&R) fund to this heading, as proposed. The recommendation also does not include $993,000 to establish a Renovations Project Management Office, nor does it include $4,157,000 for E-Government Initiatives, as proposed.

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

Office Relocations.—The Committee continues to direct the Department to submit quarterly reports providing details of all office moves, openings, reductions and closings, and the costs associated with all moves. The Committee reminds the Department of the requirements to submit reprogramming notifications under section 605 of the Act.

Seafood Inspection Program.—The Department is considering an appeal of NOAA's May 20, 2003, decision to designate the work of

the Seafood Inspection Program as "commercial". The Committee is concerned that outsourcing may undermine the credibility of the program without producing intended savings or achieving the goals of the Federal Activities Inventory Reform Act.

OFFICE OF INSPECTOR GENERAL

The Committee includes $22,000,000 for the Inspector General for fiscal year 2004, which is $1,499,000 above the current year level and $1,378,000 below the request.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The Committee recommends the following general provisions for the Department of Commerce, similar to provisions that were included in the fiscal year 2003 Appropriations Act:

Section 201 of the bill making Department of Commerce 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 making appropriations for the Department in the bill for Salaries and Expenses available for hire of passenger motor vehicles, and for services, uniforms and allowances as authorized by law;

Section 203 modified from the current year to make it permanent, prohibiting any of the funds for NOAA to be used to support hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve;

Section 204 providing the authority to transfer funds between Department of Commerce appropriation accounts and requiring notification to the Committee of certain actions;

Section 205 providing that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall not be subject to the reprogramming limitations set forth in this Act; and

Section 206 allowing the Department of Commerce franchise fund to retain earnings from services.

TITLE III—THE JUDICIARY

The funds recommended by the Committee in Title III of the accompanying bill are for the operation and maintenance of United States Courts and include the salaries of judges, magistrates, probation and pretrial services officers, and supporting personnel and other expenses of the Federal Judiciary.

The appropriations request submitted by the Administration for fiscal year 2004 for the Judiciary totals $5,430,009,000. However, the Administration's budget request applies a $288,000,000 negative allowance to certain pass-through agencies to reflect Presidential priorities. The fiscal year 2004 budget request was submitted prior to the President signing the fiscal year 2003 appropriations bill into law. The Judiciary attempted to submit several technical changes to its fiscal year 2004 request after the fiscal year 2003 appropriations bill was enacted. However, the Com-

mittee understands the Administration declined to transmit these changes to the Congress.

The Committee expects the Administration to avoid actions, including the application of negative allowances to certain pass-through agencies, and failure to transmit budget amendments, that do not accurately reflect the Federal Judiciary's funding requirements in the budget the Administration requests from the Congress.

The Committee's recommendation provides $5,194,377,000, which is an increase of $306,964,000 above the fiscal year 2003 level, excluding supplemental amounts, and $235,632,000 below the request. Of the total provided, $4,885,019,000 is derived from general purpose discretionary funds and $309,358,000 is scored as mandatory spending. The recommendation includes increases for inflationary pay and benefit adjustments for court support staff; continuation of increased security measures implemented after September 11th; additional positions to handle workload increases primarily in the areas of probation and bankruptcy; and additional funding for the restoration of the Supreme Court building.

In addition to direct appropriations, the Judiciary collects fees and has various carryover authorities. The Judiciary uses these non-appropriated funds to offset its direct appropriation requirements. The Judiciary's fiscal year 2004 budget identified a total of $348,917,000 in fees, reimbursables, and carryover to be available to reduce appropriation requirements. Consistent with prior year practices, the Committee expects the Judiciary to submit a financial plan, allocating all sources of available funds including appropriations, fee collections, and carryover balances. The Judiciary should consider this financial plan to be the baseline for reprogramming and the Committee expects the plan to be submitted within 45 days after enactment of this Act.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The Committee recommends an appropriation of $55,360,000 for fiscal year 2004 for the salaries and expenses of the Justices and their supporting personnel, and the cost of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is $9,902,000 above the fiscal year 2003 appropriation, excluding supplemental amounts, and is $2,117,000 below the Administration's request for this account. However, the Committee understands that the Administration declined to transmit a budget amendment for the Court reducing its request to $56,585,000.

The recommendation fully funds the Court's request less the security enhancements that were provided in the fiscal year 2003 supplemental and an inflationary pay adjustment for Justices which is deferred at this time.

The Committee is aware of continued concerns about minority hiring and diversity among law clerks at the Supreme Court. The Committee encourages the Court and the Judicial Conference of the United States to continue to make progress in this matter.

Section 304 provides the Court with authority to repay Supreme Court law clerk student loans up to $6,000. The recommendation includes $210,000 to fund this initiative.

CARE OF THE BUILDING AND GROUNDS

The Committee recommends an appropriation of $10,591,000 for fiscal year 2004 for personnel and other services relating to the Supreme Court building and grounds, which is supervised by the Architect of the Capitol (AoC). The recommendation is $5,933,000 above the request and $30,764,000 below fiscal year 2003. However, the Committee understands that the Administration declined to transmit a budget amendment necessary to adequately address the Supreme Court's building renovation project. The recommendation fully funds the Court's estimated fiscal year 2004 requirements for the building renovation project.

The Committee directs the Supreme Court and the AoC to study the feasibility of establishing a visitor screening site outside of the Supreme Court building and report to Committee within 90 days of enactment of this Act.

Language in the bill allows the full amount of the appropriation to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The Committee recommends an appropriation of $20,665,000 for fiscal year 2004 for the salaries and expenses of the United States Court of Appeals for the Federal Circuit. The Committee recommendation is $470,000 above the fiscal year 2003 appropriation, excluding supplemental amounts, and $1,757,000 below the request.

The Committee directs the U.S. Marshals Service to ensure that the Court Security Inspector for the District of Columbia works with the Court to address concerns regarding the coordination and oversight of facility security and the need for a supervisory level security position. The Committee notes the fiscal year 2003 supplemental appropriation provided the Court with 13 additional court security officers to address the Court's immediate security deficiencies. No funding is provided to establish a deputy circuit executive position.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $14,068,000 for fiscal year 2004 for the salaries and expenses of the United States Court of International Trade. The Committee recommendation is $138,000 below the request and $459,000 above the fiscal year 2003 appropriation, excluding supplemental amounts.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The Committee recommends an appropriation of $4,004,176,000 for the operations of the regional courts of appeals, district courts, bankruptcy courts, the Court of Federal Claims, and probation and pretrial services offices. The recommendation is $184,176,000 below

the request, and $227,161,000 above the fiscal year 2003 appropriation.

The recommendation includes an increase of $13,208,000 for 200 additional court support staff to address workload increases, including all-time high levels in bankruptcy filings and offenders under the supervision of probation officers. The Committee understands that the Judiciary's staffing, operations and maintenance, and information technology resources are allocated to the courts according to formulas used to equitably distribute resources based on the actual workload of each district. The Committee believes this is the optimal method of making such allocations and expects the Judiciary to continue to allocate its resources using the formulas approved by the Judicial Conference. The Committee also expects the Administrative Office to periodically update the formulas to ensure their accuracy.

The Committee's recommendation includes an increase of $4,199,000 for 10 additional magistrate judges and related support staff and expenses as requested by the Judicial Conference.

The recommendation also includes an increase of $7,369,000 for probation and pretrial services offices to fund additional costs associated with drug testing and treatment, alternatives to pretrial detention, mental health treatment, electronic monitoring, and other related contract costs. The Committee recognizes that the number of offenders living in our communities under supervision of probation officers continues to increase. The Committee also recognizes that the number of high-risk offenders under supervision after serving prison terms has also increased. The Committee's recommendation provides these funds along with funding for additional positions to enhance the Judiciary's ability to supervise offenders living in our nation's communities.

The Committee expects the fee for the Electronic Public Access program to provide for Case Management/Electronic Case Files system enhancements and operational costs.

Bill language is included permitting $27,817,000 to remain available until expended for space alteration projects and for furniture costs related to new space alteration or construction projects.

VACCINE INJURY COMPENSATION TRUST FUND

The Committee recommends a reimbursement of $3,293,000 for fiscal year 2004 from the Special Fund to cover expenses of the Claims Court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. This amount is $527,000 above the amount available in fiscal year 2003 and equal to the request. The recommendation provides for two additional special masters to address an increase in case filings.

DEFENDER SERVICES

The Committee recommends an appropriation of $613,948,000 for fiscal year 2004. The recommendation is $78,987,000 above the fiscal year 2003 level and $21,533,000 below the request.

This account provides funding for the operation of the Federal Public Defender and Community Defender organizations and for compensation and reimbursement of expenses of panel attorneys appointed pursuant to the Criminal Justice Act (CJA) for representation in criminal cases.

The recommendation includes an increase of $13,422,000 for inflationary and other adjustments, including $989,000 to increase the non-capital panel attorney rate from $90 to $92 per hour effective April 1, 2004, and $258,000 to increase the capital panel attorney rated from $125 to $128 per hour effective April 1, 2004. These rate increases shall only be implemented if the Judiciary is able to fully fund the panel attorney program in the fiscal year 2004 financial plan. The recommendation also includes an increase of $41,748,000 above the fiscal year 2003 appropriation for additional representations. Finally, the recommendation provides an increase of $23,817,000 to account for carryover balances used to fund the fiscal year 2003 program.

While the recommendation provides panel attorneys with an inflationary rate increase, the recommendation rejects the Judiciary's request to increase non-capital panel attorney rates to $113 per hour. As described in the Statement of Managers accompanying the fiscal year 2003 Act, the Committee expects the Judiciary to document the impact that the $45,000,000 increase provided in fiscal years 2002 and 2003 has had on the Judiciary's ability to attract and retaining adequate counsel for CJA representations. Further, the Committee understands that there continue to be disparities throughout the country in the costs to attract and retain counsel. However, the Judiciary continues to propose a single hourly rate to be implemented nationally. The Committee expects that any future request for panel attorney rate increases above inflation shall fully address these matters.

FEES OF JURORS AND COMMISSIONERS

The Committee recommends an appropriation of $53,181,000. This amount is $1,100,000 below the fiscal year 2003 level and equal to the request.

COURT SECURITY

The Committee recommends an appropriation of $288,941,000 for Court Security for fiscal year 2004 to provide for necessary expenses of security and protective services for the United States Courts in courtrooms and adjacent areas. This is an increase of $22,286,000 above the fiscal year 2003 appropriation, and is $22,230,000 below the request.

The recommendation provides for inflationary increases, for additional equipment and security systems, and for new contract court security officers. The recommendation, under the United States Marshals Service, Salaries and Expenses account, provides funding for the 106 supervisory deputy marshals for courthouse security initially requested in this account. The recommendation also does not fund the program increase for four additional administrative FTE that the Committee funded in fiscal year 2003.

The Committee remains concerned about the administration of this program by the United States Marshals Service (USMS) and the Administrative Office of the U.S. Courts (AO). The Statement of Managers accompanying the fiscal year 2003 Act directed that future budget requests clearly display the level and types of court security equipment and systems requested compared to the current year. This information was not provided in the fiscal year 2004 budget justifications nor was it provided in a timely manner after

the submission of the budget request. The Committee is baffled that the USMS, the AO and the Judicial Conference of the United States can submit a budget request to the Congress without having documentation to support the request for such a critical security program. The USMS and the AO are directed to submit monthly reports to the Committee on courthouse security equipment and systems spending throughout fiscal year 2004.

The Committee eagerly awaits the submission of the management study required in the Statement of Managers accompanying the fiscal year 2003 Act and hopes that this study will include recommendations to improve the administration of this program and the timeliness of information provided to the Committee.

As in previous years, bill language is included allowing up to $10,000,000 to remain available until expended.

ADMINSTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The Committee recommends an appropriation of $66,968,000 for the salaries and expenses of the Administrative Office of the United States Courts (AO), which is $3,881,000 above the fiscal year 2003 appropriation and $4,940,000 below the request.

The AO provides administrative and management support to the United States Courts, including the probation and bankruptcy systems. It also supports the Judicial Conference of the United States in determining Judiciary policies, developing methods to allow the courts to conduct business efficiently and economically, and enhancing the use of information technology in the courts.

FEDERAL JUDICAL CENTER

SALARIES AND EXPENSES

The Committee recommends an appropriation of $21,440,000 for the salaries and expenses of the Federal Judicial Center for fiscal year 2004, which is $720,000 above fiscal year 2003 and $220,000 below the request.

The 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

The Committee provides $29,000,000 for payments to the Judicial Officers' Retirement Fund, the Judicial Survivors' Annuities Fund, and the Claims Court Judges Retirement Fund for fiscal year 2004. This amount is equal to the budget request and $6,300,000 below the fiscal year 2003 level. These payments are considered mandatory for budget scorekeeping purposes.

These Funds cover the estimated annuity payments to be made to retired bankruptcy judges, magistrate judges, Claims Court judges, and spouses and dependent children of deceased judicial officers.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The Committee recommends $12,746,000 for the salaries and expenses of the United States Sentencing Commission for fiscal year 2004, which is $735,000 above the fiscal year 2003 appropriation and $454,000 below the request.

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

Currently, the Commission is undertaking a review of 15 years of the Sentencing Guidelines. One part of this review was to survey Article III judges regarding the guidelines. The Committee understands that the survey found that both district and circuit judges believed that the guidelines have been relatively effective in (1) providing punishment levels that reflect the seriousness of the offense; (2) providing adequate deterrence to criminal conduct; (3) protecting the public from further crimes of the defendant; and (4) avoiding unwarranted sentencing disparities among defendants with similar records who have been found guilty of similar conduct. The survey also found that a majority of both district and circuit judges indicated two areas in which the guidelines could be improved including (1) providing defendants with training, medical care, or treatment in the most effective manner, where rehabilitation was appropriate; and (2) maintaining sufficient flexibility to permit individualized sentences when warranted by mitigating or aggravating factors.

The Committee understands that the Commission is currently conducting the following studies: (1) "How Well is the Federal Criminal Justice System Achieving the Goals of Sentencing Reform?"; (2) "Mandatory Minimum Penalties in the Federal Criminal Justice System"; and (3) "Departures from the Federal Sentencing Guidelines". The Committee is pleased that the Commission is studying these issues and expects to be kept informed of progress on these studies. The Commission plays an important role in keeping the Congress, the Administration, and the public informed on the effectiveness of sentencing guidelines.

The Committee's recommendation provides for certain inflationary adjustments and one additional position.

GENERAL PROVISIONS—THE JUDICIARY

The Committee has included the following general provisions in the bill for the Judiciary:

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

Section 302 includes language, included in previous Appropriations Acts, which permits up to 5 percent of any appropriation made available for fiscal year 2004 to be transferred between Judiciary appropriations accounts provided that no appropriation shall be decreased by more than 5 percent or in-

creased by more than 10 percent by any such transfer except in certain circumstances. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 303 includes language authorizing not to exceed $11,000 to be used for official reception and representation expenses incurred by the Judicial Conference of the United States.

Section 304 provides the Supreme Court with authority to repay Supreme Court law clerk student loans up to $6,000.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

The recommendation in this Title for the Department of State and the Broadcasting Board of Governors totals $8,420,914,000, which is $223,328,000 below the budget request and $570,708,000 above the amount provided in fiscal year 2003, excluding supplemental amounts. Of the total amount provided, $8,285,935,000 is derived from general purpose discretionary funds and $134,979,000 is scored as mandatory spending. The recommended funding levels include significant program increases to improve security and diplomatic readiness. The recommendation includes the full amount requested, $1,508,101,000, to continue worldwide security activities, including the design and construction of replacement facilities for the most vulnerable overseas posts.

DEPARTMENT OF STATE

The Committee's fiscal year 2004 recommendation for the Department of State strongly supports ongoing efforts to achieve diplomatic readiness; strengthen diplomatic, embassy and border security; and institutionalize management reforms. The recommendation continues for a fourth consecutive year a historic expansion of the Department's overall operations and staffing. Since fiscal year 2001, the Committee has provided an average annual increase of over 11 percent for Department operations, exclusive of specific initiatives on worldwide security upgrades and technology. Over this same period, the Committee has funded over 2,500 new American positions. The fiscal year 2004 recommendation provides an 8.7 percent increase for basic operations, and funds 601 new American positions Department-wide. The Committee expects that this funding level will allow the Department to meet critical staffing requirements, provide additional opportunities for training, and continue vigorous management reform initiatives to right-size America's overseas presence.

The Committee recommends a total of $7,857,414,000 for fiscal year 2004 for the Department of State. This amount is $223,328,000 below the budget request and $510,549,000 above the amount appropriated for fiscal year 2003, excluding supplemental appropriations. Of the total amount provided, $7,722,435,000 is derived from general purpose discretionary funds and $134,979,000 is scored as mandatory spending.

The Committee recommendation includes a total of $6,051,420,000 for the discretionary appropriation accounts under

Administration of Foreign Affairs; $1,560,663,000 for the accounts under International Organizations and Conferences; $57,101,000 for International Commissions; and $53,251,000 for Other activities. The Committee's recommended priorities for the Department of State are detailed in the following paragraphs.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The Committee recommends $4,099,961,000 for the Diplomatic and Consular Programs account, including $646,701,000 to continue funding for worldwide security upgrades and $301,563,000 for public diplomacy international information programs.

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

The recommendation represents a reduction of $63,583,000 from the budget request and an increase of $302,548,000 above the fiscal year 2003 appropriation, excluding supplemental amounts. Within this total, the recommendation of $646,701,000 for worldwide security upgrades is $97,296,000 above the fiscal year 2003 level and the same amount as requested. Exclusive of security programs, the recommendation represents an increase of $205,252,000 above fiscal year 2003, which includes $125,130,000 for pay and inflationary adjustments to base and $80,122,000 for program increases described below. Security funding increases are described under the "Worldwide Security Upgrades" section below:

Staffing increases.—The Committee recommendation includes a program increase of $72,572,000 for non-security staffing to improve diplomatic readiness and strengthen visa adjudication. This increase will allow the Department to establish and fill approximately 378 new positions, including 68 new foreign service positions dedicated to visa adjudication. The Committee expects the Department to meet emerging worldwide staffing requirements, including new requirements related to operations in Afghanistan and Iraq, within these funding levels. The recommendation also supports the establishment of 223 additional positions associated with specific program increases for diplomatic security, border security, trafficking in persons, and international religious freedom, which are described more fully under those sections. With regard to funding provided for staffing increases in fiscal years 2003 and 2004, if such funding is used to establish a new office or organizational entity, the Committee directs the Department to submit a notification as required under section 605 of this Act.

In addition to these new staffing resources, the Committee expects the Department to thoroughly review current resource allocations to ensure that staffing plans match program priorities and add value. The Committee notes that the Department currently has 216 domestic positions under the Undersecretary for Economic, Business and Agricultural Affairs, including 34 positions in the offices of the Undersecretary and Assistant Secretary. In business,

agriculture and trade affairs, other U.S. Government agencies frequently take the lead role. The Committee also notes that the Department now has 81 Deputy Assistant Secretary positions Department-wide, an increase of 15 such positions since the statutory cap was lifted in 1998. The Committee expects the Department to enhance the diplomatic readiness initiative in a climate of resource scarcity by re-evaluating and reallocating resources to meet emerging requirements.

Trafficking in Persons.—The Committee continues to be concerned about the serious problem of international trafficking in persons. The recommendation includes $4,581,000 for the Office to Monitor and Combat Trafficking in Persons (TIP Office), which is $800,000 above the requested amount. The increase shall provide nine additional positions for the TIP Office, including six country analyst positions to further strengthen the annual reporting process and three positions to support the Department-led Senior Policy Operating Group to coordinate interagency activities to implement the Trafficking Victims Prevention Act of 2000. In the event that hiring lapses result in the inability of the TIP Office to fully obligate the American Salaries portion of the recommended funding level, the same amount shall be available for alternate temporary or part-time staffing arrangements during fiscal year 2004 to ensure that reporting and coordination activities are accomplished.

The Committee congratulates the Department on the recently released 2003 annual report on trafficking, in which 30 new countries were added as a result of increased diplomatic dialogue and public attention. According to the 2003 report, many countries are improving anti-trafficking efforts. This report gives the Congress a comprehensive and objective assessment of compliance with minimum standards for the elimination of trafficking in persons as defined in section 108 of the Victims of Trafficking and Violence Protection Act. The content of this report should present information and assessments solely on the basis of facts and the requirements established in the law. The Committee expects the Department to report fully, and consistent with the intent of the Act, on this critical problem. Faithful reporting of the facts is vital to shared efforts to eliminate trafficking, punish traffickers, and protect their victims.

International Summits.—The recommendation includes a program increase of $3,000,000 to support one-time costs associated with the United States hosting the 2004 Summit of the Industrialized Nations.

United Nations Education, Science and Culture Organization (UNESCO).—The recommendation includes a program increase of $3,250,000 to re-establish and operate a United States Mission to UNESCO in Paris, France, and to re-establish a UNESCO National Commission in Washington, DC. Assessed costs associated with rejoining UNESCO are provided under the "Contributions to International Organizations" account.

International Religious Freedom.—The recommendation includes $1,946,000 for the Office of International Religious Freedom in the Bureau of Democracy, Human Rights and Labor, an increase of $500,000 above the requested amount. The increase will provide at least six additional staff positions to support the integration of religious freedom into United States foreign policy. Additional resources will allow the Office to develop and implement comprehen-

sive strategies to promote religious liberty, and to assist in the preparation of the Human Rights Reports and the annual Report on International Religious Freedom. The Committee also expects the Office, in consultation with the Commission on International Religious Freedom, to work to further incorporate religious freedom themes in the Department's public diplomacy programs. In addition, the Committee expects the Department to integrate the internationally recognized right to freedom of religion into foreign service officer training at all levels.

Public Diplomacy Programs.—The recommendation includes language specifying that $301,563,000 is available only for Public Diplomacy programs. The Committee believes that separately identifying these resources will facilitate the Committee's ability to monitor funding levels and trends for these activities. The amount identified for public diplomacy programs includes the costs of personnel and programs throughout the Department. The Committee expects the Department to identify any impediments to optimal performance of public diplomacy programs and propose any necessary changes through the reprogramming process. The recommendation for public diplomacy will support the continuation of programs in the Arab and Muslim world, which were expanded in fiscal years 2002 and 2003.

The Committee directs the Department to support and facilitate the work of the Advisory Panel on Public Diplomacy, which was created under the fiscal year 2003 Supplemental Appropriations Act. The Committee further directs the Department to submit a performance and spending plan, no later than thirty days after the submission of the Panel's final report, that describes the strategic allocation of public diplomacy resources and the actions to be taken pursuant to the Panel's recommendations.

Changes from the Budget Request.—The Committee recommendation does not include other requested increases for program enhancements in this account. As in previous years, the Committee expects that there will be additional savings available to the Department, including exchange rate gains and vacancies in funded positions. The Department will have the ability, through the normal reprogramming process, to propose that savings be used for needs not funded by the recommendation.

Worldwide Security Upgrades.—The Committee recommendation includes $646,701,000, the full amount requested under Diplomatic and Consular Programs, for the costs of worldwide security upgrades. This funding includes $547,998,000 to provide full year costs of maintaining base security activities at current levels. These activities include guard services, physical security equipment, armored vehicles, personnel, training, and wireless communications. Program increases of $98,703,000 are described below.

The recommendation includes $68,400,000 to continue the perimeter/compound security initiative. This amount, an increase of $25,300,000, will support the completion in fiscal year 2004 of the initial multi-year plan to enhance perimeter security at 243 posts, and technical upgrades at annexes and other buildings not included in the original program. This increase also includes $5,000,000 to allow the Department to provide technical assistance to protect soft targets overseas.

The recommendation includes increases of: $7,952,000 to support the addition of 85 security professional staff positions, including 70 special agents and 15 professional and administrative support positions; $12,400,000 to maintain a five-year replacement cycle for armored vehicles; $3,000,000 to reduce the risk that information systems will be compromised; $36,680,000 to provide necessary protections for U.S. facilities and personnel in Kabul, Afghanistan and Dushanbe, Tajikistan; $7,923,000 to improve electronic access to, and exchange of, security and law enforcement information; $2,763,000 to meet security requirements associated with the 2004 Summer Olympics; and $2,685,000 to increase the security of key domestic facilities.s

Right-Sizing the U.S. Government Presence Overseas.—The Committee continues to define right-sizing as the reconfiguration of overseas U.S. Government staff to the number necessary to achieve U.S. foreign policy goals. The Committee is convinced, and agrees with the recommendation of the Overseas Presence Advisory Panel, that rationalizing staffing and operations abroad has the potential for significant budgetary savings. It costs two to three times as much to maintain an employee outside of the United States as it does within the United States. The notion of right-sizing as a desirable means to improve security and gain efficiencies implies that the current number of overseas staff in some locations is greater than the minimum number necessary, and that the presence of a number greater than the minimum number presents an unnecessary and unacceptable financial and security burden. The Committee is not aware of any right-sizing analysis in the past three years that has resulted in a proposed reduction to a country-wide staffing presence.

The recommendation identifies $3,000,000 from within base resources to establish and operate an Office on Right-Sizing the United States Government Overseas Presence. The Committee expects this new Office, reporting directly to the Undersecretary for Management, to lead the effort to develop internal and interagency mechanisms to better coordinate, rationalize and manage the overall deployment of U.S. Government personnel overseas. The Committee believes that the creation of this Office will facilitate the Department's ability to establish and enforce a uniform right-sizing methodology to link overseas staffing levels to physical security considerations, mission priorities, and costs. The Committee also expects that this Office will hold the responsibility and accountability for ensuring that right-sizing standards are applied systematically to final planning estimates for staffing of new mission facilities.

The Committee understands that the Department has changed its annual Mission Performance Plan and Bureau Performance Plan process to require that staffing be related to performance goals and that the chief of mission must confirm that each mission is right-sized. The Department shall report to the Committee by November 1, 2003, as to what actual impact those new requirements have had on the operations, size and performance of the missions and bureaus. In addition, the Department is directed to undertake a review of the size of the 20 largest overseas missions including all staff, contractors, foreign service nationals, temporary duty officers, and other temporary staff, using the mission plan and

the right-sizing criteria developed by the General Accounting Office, and report to the Committee by February 1, 2004, as to whether those missions are right-sized.

The Committee strongly supports the Department's effort to initiate a consolidation, streamlining and regionalization of country and multi-regional staffing in Frankfurt, Germany. The success of this initiative will be measured largely by the streamlining reductions made possible at less secure locations throughout Germany, Europe, Eurasia, Africa and the Near East.

Further guidance regarding right-sizing is included under the "Highlights of the Bill" section at the front of this report, and under the "Embassy Security, Construction and Maintenance" account below.

Border Security Program.—The recommendation includes $736,013,000 for the Department's Border Security program, to be entirely funded through collection of Machine Readable Visa (MRV) fees. This amount is an increase of $119,192,000 above the fiscal year 2003 program level. This funding level includes a program increase of 125 new consular positions, reflecting projected workload increases and requirements to implement collection of biometric identifiers in visas at 40 posts. The Committee remains concerned about the availability of fee collections to support border security funding requirements. The Committee directs the Department to continue its bimonthly reporting on MRV fee revenue as specified in the conference report accompanying the fiscal year 2003 Supplemental Appropriations Act (Public Law 108–11).

The Committee urges the Department to continue to work on an interagency basis to strengthen the visa process to make it an effective anti-terrorism tool, while avoiding the creation of unnecessary barriers or delays to legitimate travel to the United States. In addition, the Committee continues to support Bureau of Consular Affairs efforts to implement the diversity visa program.

Africa Policy Advisory Panel.—The recommendation includes base funding to continue support to the Africa Policy Advisory Panel, which will issue a final report during fiscal year 2004, making recommendations to the Secretary for specific action.

NATO Interparliamentary Assembly.—The recommendation continues base funding, as necessary, for costs associated with fulfilling United States responsibilities with regard to hosting the NATO Interparliamentary Assembly.

Interagency Task Force.—The recommendation continues base funding for costs associated with the operation of a U.S. Government interagency task force to monitor the United Nations headquarters renovation project.

Minority Recruitment and Hiring.—The Department is directed to continue base funding for the educational partnership with Hostos Community College and Columbia University. This program supports the Department's ongoing efforts to increase minority hiring and diversity by facilitating the preparation of non-traditional and minority students for careers in the Foreign Service and the State Department. The Committee also expects the Department to continue base funding for an ongoing partnership with Howard University in support of the Department's efforts to enhance the diversity of the U.S. diplomatic corps by increasing the number of underrepresented minorities in foreign relations and international

affairs careers. These resources are to continue and expand the successful collaborative partnership between the Department and Howard University to recruit and prepare students from various institutions with large minority populations for positions in the U.S. Foreign Service.

Overseas Schools.—The Committee commends the Consolidated Overseas Schools Assistance Program for its continuing effectiveness in improving the quality of education for American children residing abroad. This program fulfills the two-fold purpose of providing a high quality, American-style education for children of Americans assigned overseas and demonstrating American educational philosophy and practice to children of other countries and local educators. The Committee also commends the continuing contribution of the Overseas Schools Advisory Council and its Program of Educational Assistance that helps provide educational excellence to American overseas schools. In addition, the Council successfully promotes financial and in-kind support to these schools from American businesses and foundations, as well as volunteer participation in activities of the schools by American firms' employees and their spouses stationed overseas.

Extradition.—The Committee expects the Department to work with the Department of Justice to bolster efforts to negotiate effective extradition treaties.

Security of Classified Material.—Consistent with the report submitted to the Committee in 2002 and language included in fiscal year 2003, the recommendation includes necessary sums to continue efforts to replace locks used to secure classified information.

Sea Turtles.—Section 609 of Public Law 100–162 requires the Secretary to certify that shrimp harvesting nations are in compliance with certain conditions with respect to possible adverse effects on certain species of sea turtles in order to be exempted from a ban on the importation of shrimp or shrimp products. The Committee is aware of concerns that this law is being inadequately enforced. Therefore, the Department shall submit an enforcement plan to the Committee by October 1, 2003, including a report describing all tracking, training and inspection efforts of the U.S. Government, and a list of all shrimp harvesting nations that are not in compliance with the law.

Tibet.—A number of provisions in the Tibetan Policy Act fall under the jurisdiction of the Department of State including provisions concerning establishment of a U.S. presence in Lhasa; Tibetan language training and requirements for Foreign Service officers; promotion of advocacy on religious freedom in Tibet; necessary support for the Office of the Special Coordinator for Tibetan Issues; and the need to raise inter-departmental awareness of the provisions of this legislation. The Committee urges the relevant bureaus and offices within the Department to ensure the full implementation of the Tibetan Policy Act.

Legislative Affairs.—The recommendation includes language, similar to language carried for the other Departments funded under this Act, establishing a budget and position ceiling for the Bureau of Legislative Affairs.

Middle East Partnership Initiative/Islamic Outreach.—The Committee notes that supplemental funding was provided in fiscal year 2003 for Middle East Partnership Initiative/Islamic Outreach pro-

grams. The Committee notes that the Department has not created an office or other organizational entity to carry out these programs, nor has the Department identified any operational or administrative funding requirements associated with these programs. In that regard, no funds are provided under this heading for such costs. Should the Department decide to create an office to carry out these programs, the Committee directs the Department to immediately submit the notification that is required under section 605 of this Act.

Bureau of International Organization Affairs.—The recommendation includes language designating a ceiling on the funding allocation for the Bureau of International Organization Affairs. The costs described above for re-establishing a U.S. mission to UNESCO shall be included within this ceiling. The Committee is disappointed with the Department's efforts to pursue a forceful human rights agenda in the UN. Within the recommended funding level, the Committee expects the Bureau to place top priority on international human rights protection and advocacy, and submit a report to the Committee by November 1, 2003, presenting an international organizations human rights agenda and work plan for fiscal year 2004.

Presence in China.—The United States currently maintains six diplomatic facilities in the People's Republic of China. Given the size of China's population and its rapid economic growth, the Committee believes that our relations with China are growing in importance and likely to represent an increasing part of the Department's workload. In light of these factors, the Committee directs the Department to prepare a report by February 15, 2004, on the ideal size and geographical deployment of the U.S. diplomatic presence in China by 2010, for long-term planning purposes. The Committee emphasizes the key human rights, religious freedom, economic and military issues the Department will have to monitor in the coming years. The Committee expects that the future U.S. presence in China will ensure that the Executive Branch and Congress are not surprised by any major developments in China that could affect the foreign policy of the United States.

The Committee has included language in the bill, similar to language in prior years, which: (1) permits not to exceed $4,000,000 to be transferred to the Emergencies in the Diplomatic and Consular Service account for emergency evacuations and terrorism rewards; (2) provides $1,343,000 in fees collected from other Executive Branch agencies and $490,000 from reserves for lease or use of facilities at the International Center Complex, as authorized by law; (3) provides not to exceed $15,000 from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with the State Department Basic Authorities Act of 1956; (4) requires notification of Congress before processing licenses for the export of satellites to China; and (5) makes not to exceed $6,000,000 in fee collections available until expended for various activities.

CAPITAL INVESTMENT FUND

The Committee recommends $142,000,000 for the Capital Investment Fund, which is $40,119,000 below the fiscal year 2003 level and $15,000,000 below the request. In addition, the budget request estimates that $114,000,000 in expedited passport fees will be used

to support the information technology modernization effort, for a total fiscal year 2004 spending availability of $256,000,000.

The entire amount available under this heading, including fees, will support investments in new information technologies and infrastructure to improve the efficiency of Department operations. The total amount available, $256,000,000, is for new technology investments. Costs associated with information technology operations and maintenance are included under the Diplomatic and Consular Programs account, as in fiscal year 2003. Costs requested under this account for fiscal year 2004 for the OpenNet Plus and Classified Connectivity projects, both of which were completed with fiscal year 2003 appropriations, appear to be for ongoing maintenance, repair and replacement. The recommendation therefore includes language that delays obligation of $84,000,000 under this account until September 15, 2004. The Committee directs the Department to provide a spending plan for this amount, subject to the reprogramming requirements under section 605 of this Act, by November 1, 2003.

The Committee recommendation provides the full requested amount of $15,000,000 for the State Messaging and Archive Retrieval Toolset (SMART) initiative. This project will integrate all Department systems through which people exchange information, including the outmoded telegram system. This single web-based system will also advance the goals of the Foreign Affairs Systems Integration project which received funding in previous years, namely, enhancing the ability of employees to communicate across agency and geographic boundaries. In addition, the recommendation includes $7,345,000 for public key infrastructure requirements, as requested, to help establish secure interagency communications.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $29,777,000 for the Office of Inspector General (OIG), which is $703,000 above the fiscal year 2003 level and $1,926,000 below the request. The Inspector General conducts oversight at the State Department and the Broadcasting Board of Governors. The Committee recommendation includes funding for OIG oversight of the Department's efforts to implement worldwide security upgrades.

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

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The bill includes a total of $345,346,000 for the Educational and Cultural Exchange Programs of the Department of State. This amount is $101,634,000 above the fiscal year 2003 level, and the same as the budget request. The recommendation consolidates funding for educational and cultural exchange programs under this heading. Some such programs for nations of East and Central Europe and the former Soviet Union were previously funded under the Foreign Operations, Export Financing and Related Programs Appropriations Act and transferred to this account.

Funding provided under this heading supports international educational and cultural exchange programs, including the Fulbright

student and scholar exchanges and the International Visitors Program, as well as related staff and administrative costs. To the maximum extent possible, the Committee urges that the following exchange programs be supported: the Congress-Bundestag youth exchange program; the disability exchange clearinghouse; foreign study grants for U.S. undergraduates; educational advising and counseling; citizen exchange programs; interparliamentary exchanges; youth science leadership exchanges; American overseas research centers; Mitchell Scholarships; and exchanges with Tibet, the South Pacific, and Timor Leste. Regarding the Congress-Bundestag Program, the Committee intends that the amount provided will support 380 exchanges in fiscal year 2004, the same level as in fiscal year 2003.

Regarding Fulbright exchanges with Tibet, the Committee expects that sufficient resources will be allocated to maintain the full complement of Tibetan scholars. Regarding the International Visitors Program, the Committee expects the Department to allocate additional funding as necessary to include primary and secondary educators in the Program under the Leaders in Education initiative. Regarding Citizen Exchanges, the Committee expects that increased resources will be allocated to the Traditional Public-Private Partnership grants in a sufficient amount to allow for the expansion of operations, programs, and alumni outreach. The Committee continues to support artistic and cultural exchange of persons programs as an important component of foreign policy. Within the levels provided, sufficient funds should be made available to continue such exchanges. Further, the Bureau of Educational and Cultural Affairs is expected to work with the Bureau of Consular Affairs to minimize unnecessary barriers or delays to legitimate travel to the United States for the purpose of such exchanges. In addition, the Committee supports the continuation of funding, to the maximum extent possible, for the following programs previously funded by transfers: Muskie Graduate and Ph.D. Fellowships; Youth Exchange and Excellence Award programs; and the Junior Faculty Development program.

The Committee recommendation continues enhanced support for programs to engage Arab and Muslim audiences through educational and cultural exchanges as the highest programmatic priority under this account. The Committee expects the Department to allocate adequate funding to continue and expand Fulbright Exchanges (including American Studies), English Language Programs (including English Language Fellows), International Visitor programs, and Values/Religious Tolerance programs (including cultural exchanges) for these audiences. The Committee expects the Department to allocate fiscal year 2004 appropriations to the Near East and South Asia regions in percentages consistent with those used in fiscal year 2003.

With respect to exchanges with Southeast and Central Europe and the countries of the former Soviet Union, the Committee understands that the total amount requested and recommended for this account will not support a continuation of these programs at the levels reflected in the fiscal year 2003 transfers into this account. The Committee expects the Department to allocate all resources provided under this heading in accordance with worldwide public diplomacy and policy priorities.

The Committee notes that the budget request for this account did not propose any programmatic or administrative allocation of the $100,040,000 requested to consolidate exchanges with Southeast and Central Europe and the countries of the former Soviet Union under this heading. Consistent with past practice, the Committee assumes that not more than $7,500,000 of this amount shall be for staff and administrative support in addition to the amount requested for Program Support. With regard to the programmatic distribution of these funds, the Committee expects the Department to integrate these resources with worldwide base programs such as the Fulbright Program, the International Visitors Program and the Citizen Exchanges Program. In addition, the Committee supports the continuation of specific regional exchange programs mentioned above that focus on Southeast and Central Europe and the countries of the former Soviet Union. No funding shall be expended under this account for programs that do not involve the exchange of persons, or that have foreign assistance or international development as the primary goal.

The Committee expects that a proposal for the programmatic and geographic distribution of available resources (including unobligated balances and recoveries) will be submitted through the normal reprogramming process within 60 days from the date of enactment of this Act. The Committee expects that the overall funding distribution will conform to the programmatic and geographical guidance above.

The Committee recommendation includes a limitation of not to exceed $2,000,000 on the use of fees or other payments received from or in connection with English teaching, educational advising and counseling, and exchange visitor programs as authorized by law.

REPRESENTATION ALLOWANCES

The Committee recommends $9,000,000 for representation allowances authorized by section 905 of the Foreign Service Act of 1980. This amount is $2,557,000 above the amount available in fiscal year 2003 and the same as the budget request. These funds are used to reimburse Foreign Service Officers for expenditures incurred in their official capacities abroad in establishing and maintaining relations with officials of foreign governments and appropriate members of local communities. The Department shall submit a quarterly report to the Committee containing detailed information on the allotment and expenditure of this appropriation.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The Committee recommends a total of $10,000,000 for the Protection of Foreign Missions and Officials account. This is $929,000 below the amount available in fiscal year 2003 and the same as the budget request.

This account reimburses local governments and communities for the extraordinary costs incurred in providing protection for international organizations, foreign missions and officials, and foreign dignitaries under certain circumstances. The Committee believes that local jurisdictions incurring such costs must submit a certified billing for such costs in accordance with program regulations. The Committee also believes that in those instances where a local juris-

diction will realize a financial benefit from a visit by a foreign dignitary through increased tax revenues, such circumstances should be taken into account by the Department in assessing the need for reimbursement under this program. The Committee expects the Department to treat such submissions diligently and provide reimbursement to local jurisdictions on a timely basis if claims are fully justified.

The Committee is aware of concerns regarding the level of reimbursement for protection expenses in light of heightened security measures since September 11, 2001. The Committee directs the Department to report to the Committee within 30 days from the enactment of this Act on the amount of valid outstanding reimbursement claims; the availability of appropriated funds to pay for such claims, including balances of prior year supplemental appropriations; and how the Department intends to budget for such needs in future years.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The Committee recommends a total appropriation of $1,394,335,000 for Embassy Security, Construction, and Maintenance. This amount is $139,047,000 above the amount available in fiscal year 2003 (excluding supplemental appropriations) and $120,065,000 below the budget request. The recommendation designates $861,400,000 as available only for priority worldwide security upgrades, acquisition, and construction, the full amount requested for such activities. The recommendation includes $532,935,000 for non-security related costs, which is $27,740,000 above fiscal year 2003 and $120,065,000 below the budget request. The Committee recommendation includes requested wage and price increases for the Department's Office of Overseas Buildings Operations (OBO), which will support 787 positions in fiscal year 2004.

This account provides funds to manage U.S. Government real property overseas and maintain Government-owned and long-term leased properties at approximately 260 posts, leasing office and functional facilities, and residential units, not only for the Department of State, but for all U.S. employees overseas.

Worldwide Security Upgrades.—The Committee recommendation includes $861,400,000 for security projects, the full amount requested, including $761,400,000 to continue the capital security program of constructing new secure replacement facilities for the Department's most vulnerable embassies and consulates. The Committee expects that projects undertaken under this program will address the highest priority facilities from a security standpoint. In previous fiscal years the Department has proposed to reprogram funds under this activity for projects that do not address top priority security vulnerabilities and for projects that will not result, when complete, in a facility that meets existing security standards. The Committee expects that worldwide security funds will be used only for projects that meet these specifications. To the extent that a top priority security replacement project also involves a plan for a separate building on the compound for another agency, the Committee expects that these, also, will be included in the spending plan described below, including a justification regarding the necessity for such a separate building.

The Committee recommendation for the capital security program includes $120,000,000 for the first year cost of the Capital Security Cost Sharing Program. The Committee expects that the continuing growth in the Department's contribution to this program will be further enhanced by contributions from other U.S. Government agencies starting in fiscal year 2005. The Committee believes that such a program, in addition to creating an enhanced funding stream to accelerate the replacement of vulnerable facilities, will also create new incentives for all agencies with a presence overseas to rationalize and right-size their overseas operations.

The Committee recommendation also includes $100,000,000, the amount requested, to continue the compound security upgrade program. The Committee understands that this program includes the installation of forced entry/ballistic resistant roof hatches, vault doors and power-assisted vehicle barriers, and other similar measures. The Committee expects that this funding will also provide physical security improvements to residential compounds.

The Committee expects that a proposed spending plan for the entire amount of available resources for worldwide security upgrades will be submitted through the normal reprogramming process within 60 days from the date of enactment of this Act. The Committee expects the Department to notify it immediately if there are any facilities that the Department believes face serious security risks.

Right-Sizing the U.S. Government Overseas Presence.—The Committee continues to be disappointed at the lack of discernable progress in the pursuit of an interagency process of determining the right size and makeup of overseas posts, including exorbitant staffing projections at posts scheduled for new embassy or consulate compounds. The Committee directs the Office of Overseas Buildings Operation (OBO) to work closely with the new Office on Right-Sizing the U.S. Government Overseas Presence to ensure that projected staffing levels for new embassy compounds are prepared in a disciplined and realistic manner, and that these estimates become a basis for determining the size, configuration and budget of new embassy compound construction projects. The justification for all facilities projects funded under this account must include a full explanation of regional efficiency and security planning, and related staffing assumptions. Such projects will not be approved for funding absent evidence of the application of a uniform right-sizing methodology.

Capital Program.—The Committee recommendation includes $22,313,000 for the non-security capital program. The Committee expects the Department to propose an allocation of this funding through the normal reprogramming process. The recommendation does not include funding requested specifically for non-security construction costs related to the construction of a new U.S. Embassy in Berlin, Germany. The Committee understands that, in addition to funding provided in this Act, the Department also has significant additional amounts available from the asset management account to support ongoing costs of the Berlin project.

Operations and Maintenance.—The recommendation provides a total of $346,000,000 for OBO operations and maintenance activities, including the full amount requested for facility rehabilitation, and for maintenance and repair of buildings. The recommendation also provides $155,000,000 for the leasehold program, including a

base increase of $5,975,000 to adjust for overseas inflationary impacts.

Project Execution.—The recommendation includes $91,241,000 for project execution activities, including $31,650,000, the full amount requested, for security management. This amount will support additional site security measures and cleared American guards to supervise an increasing number of capital projects.

Other.—The Committee recommendation also includes $6,735,000 for headquarters operations, $28,449,000 for information management and support, $8,847,000 for planning and development, $6,150,000 for real estate and property management, and $23,000,000 for renovations to the Harry S Truman Building.

Assets Management.—The budget request designates $50,000,000 in assets management funds planned for expenditure in fiscal year 2004. The Committee expects that these funds will be used for opportunity purchases to replace uneconomical leases and for other priority capital acquisition purposes. In addition, as in previous years, the Committee expects that assets management funds will continue to be allocated in part to security construction needs. Any use of these or additional assets management funds in fiscal year 2004 is subject to reprogramming. In addition, with respect to the requirement that a reprogramming for any major new start be submitted, the Committee understands that requirement to mean that any rehabilitation or construction projects involving an ambassador's residence will be subject to the requirement. In addition to regular reporting provided to the Committee on acquisition and disposal of overseas property, the Department shall submit a report to the Committee by November 1, 2003, listing all properties disposed of, or in process for disposal, along with associated actual or anticipated proceeds of sale, at posts which have had funding approved for the construction of a new secure compound in, or after, fiscal year 1999.

Changes from the Budget Request.—The Committee recommendation is $14,078,000 below the request for non-capital construction items in this account. The Committee notes, however, that the request was based upon the fiscal year 2003 request and not the enacted fiscal year 2003 Act. As in previous years, the Committee expects that there will be additional savings available to the Department. The Department will have the ability to propose that savings be used for needs not funded by the recommendation through the normal reprogramming process. The Committee would also entertain a reprogramming of funds from the non-security capital program budget, should requirements in that category fall short of the recommended amount.

The recommendation continues language carried in the bill in previous years that prohibits funds from being used for acquisition of furniture and furnishings and generators for other departments and agencies.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The Committee recommends $1,000,000 to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service. This amount is $5,458,000 below the non-supplemental amount provided in fiscal year 2003 and the same as the budget request. A fiscal year 2003 supplemental appropriation

of $50,000,000 was provided under this account in Public Law 108–11 to cover anticipated evacuation costs related to the war in Iraq. The Committee funding recommendation anticipates that carryover balances from fiscal year 2003 will be available for obligation in fiscal year 2004. Funding provided in this account is available until expended.

The Committee has included a provision in the bill that permits up to $1,000,000 to be transferred from this account to the Repatriation Loans Program account, as requested in the budget. This provision will ensure an adequate level of resources for loans to American citizens through the Repatriation Loans Program account should that account require additional funds in fiscal year 2004 due to an unanticipated increase in the number of loans.

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

REPATRIATION LOANS PROGRAM ACCOUNT

The Committee recommendation includes $612,000 for the subsidy cost of repatriation loans and $607,000 for administrative costs of the program as authorized by 22 U.S.C. 2671, which is $8,000 above the amount available in fiscal year 2003 and the same as the budget request.

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

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The Committee recommends $18,782,000 for the appropriation entitled "Payment to the American Institute in Taiwan". This amount is $452,000 above the fiscal year 2003 amount and $991,000 below the request. The recommendation provides for the Institute's pay and inflationary base adjustments. In addition, the Institute is authorized to collect Machine Readable Visa fees, as well as reimbursements from agencies and user fees from trade show exhibitors.

The Committee expects that the American Institute in Taiwan (AIT) will cover anticipated operating expenses in fiscal year 2004 through a combination of appropriations and visa fee revenues. The Committee expects the Department to submit by November 1, 2003, an AIT spending plan for fiscal year 2004, indicating the total amount of estimated fee collections, the amount of such fee collections allocated for operating expenses, and the total amount planned for operating expenses from all funding sources.

The Taiwan Relations Act requires that programs concerning Taiwan be carried out by the American Institute in Taiwan and authorizes funds to be appropriated to the Secretary of State to carry out the provisions of the Act. The Institute administers programs

in the areas of economic and commercial services, cultural affairs, travel services, and logistics. The Department of State contracts with the American Institute in Taiwan to carry out these activities.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The Committee recommends $134,979,000 for the appropriation entitled "Payment to the Foreign Service Retirement and Disability Fund". This amount is the full budget request and $3,221,000 below the amount appropriated for fiscal year 2003. The amount provided in the Committee recommendation is required to amortize the unfunded liability in the system, as documented by the annual evaluation of Fund balances.

This appropriation, which is considered mandatory for budget scorekeeping purposes, is authorized by the Foreign Service Act of 1980, which provides for an appropriation to the Fund in 30 equal annual installments of the amount required for the unfunded liability created by new benefits, new groups of beneficiaries or increased salaries on which benefits are computed. The Retirement Fund is maintained through contributions by participants, matching government contributions, special government contributions (including this account), interest on investments, and voluntary contributions.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The bill includes a total of $1,010,463,000 for payment of obligations of United States membership in international organizations as authorized by conventions, treaties, or specific Acts of Congress for fiscal year 2004. This amount is $150,092,000 above the amount available in fiscal year 2003 and the same as the request.

The amount provided in the bill is intended to cover anticipated assessments for membership in international organizations, including the United Nations (UN). In addition, the amount provides full funding for anticipated assessments for membership in the North Atlantic Treaty Organization and the related North Atlantic Assembly, International War Crimes Tribunals for Rwanda and the former Yugoslavia, the Organization of American States, and the Pan American Health Organization, among others.

Estimates of the amount required to cover fiscal year 2004 assessments have varied based on the most recent foreign currency exchange rates for the dollar, which has fallen in value since the budget request was formulated. The Committee expects that these exchange rate losses may be offset by amounts pre-paid in fiscal year 2003, transfers from other accounts, and some activities included in the request that will not require funding within fiscal year 2004. No funding is requested or recommended for implementation of the UN Capital Master Plan. The Committee continues to support close coordination and oversight of this plan by the U.S. Government interagency task force funded under the Diplomatic and Consular Programs account.

United Nations Educational, Scientific and Cultural Organization (UNESCO).—The recommendation includes $71,429,000, as requested, for the estimated costs associated with the United States

accession to membership in UNESCO. The Committee expects, as the U.S. prepares to re-enter, that the Department will work aggressively to ensure that UNESCO, particularly at senior levels, employs more Americans. Should the Department make an exception to the "zero nominal growth" budget policy with regard to international organizations and support an increase in the UNESCO budget for the 2004–2005 biennium, the Department shall submit a reprogramming of funds from lower priority items under this account to cover an increase in the U.S. assessment for UNESCO. The Committee further expects that any increase in the 2004–2005 UNESCO budget will focus on those management and administrative reforms identified by the General Accounting Office, and that any U.S. contribution for the last quarter of this calendar year will be directed toward those UNESCO activities and programs that will directly benefit U.S. national interests and priorities. In addition, to address security and efficiency concerns, the Committee encourages the Department to consider appointing one representative with the rank of ambassador to represent the U.S. at UNESCO and at the Organization for Economic Cooperation and Development in Paris, France.

Reassessment of U.S. Membership in International Organizations.—The Committee notes, with approval, the Department's actions to formally withdraw from certain international organizations where continued U.S. participation was determined to be a low priority in the context of overall U.S. national interests. The Committee continues to support the comprehensive reassessment of U.S. membership in each of the 50 international organizations for which funding is requested under this account, and to insist that the Department take the necessary measures to live within the amount of funds provided under this account.

Reform and Budget Discipline.—The Committee continues to insist on reform and budget discipline as a priority for all of the international organizations, including the development of processes to evaluate, prioritize and terminate programs. The Committee believes that the onus is on each international organization and the State Department representatives to those organizations to reduce overall budgets and eliminate duplicative activities, excessive administrative costs, and inefficient operations.

United Nations Regular Budget.—The recommendation assumes full payment of the U.S. assessment to the UN regular budget. This assessment is estimated at $340,700,000 for calendar year 2003, an increase of $61,373,000, or 22 percent, over the calendar year 2002 assessment. In order to ensure the ability of the Congress to monitor fiscal discipline at the UN and adherence to the continuing United States policy of zero nominal growth budgets for international organizations, the recommendation includes language requiring the Secretary to notify the Committee in advance of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget. Toward this end the Committee expects the Department to insist on the evaluation and prioritization of ongoing UN programs and activities, so that in the event of unanticipated requirements, budget offsets may be taken from activities and programs that have already been determined to be lower-priority by the organization. Any proposal to exceed the adopted bien-

nial budget level of $2,891,000,000 should be communicated to the Committee in advance of the formal notification, consideration and adoption of such a proposal.

Pan American Health Organization (PAHO).—The Committee continues to support the work done by the Pan American Health Organization (PAHO). PAHO has taken the lead in health issues, including border health concerns, emerging diseases and bio-terrorism, that have an impact on citizens of the United States and all citizens of the Americas. The outbreak of the SARS virus and the treatment of similar diseases highlight the importance of PAHO to the United States. The Committee recommendation includes full funding as requested for the U.S. assessment for PAHO in fiscal year 2004.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The Committee recommendation includes $550,200,000 for United States payments for Contributions for International Peacekeeping Activities for fiscal year 2004, the amount requested in the budget and $119,131,000 below the fiscal year 2003 level. The Committee recommendation provides for the full payment of anticipated fiscal year 2004 assessments for United Nations (UN) peacekeeping missions.

The Committee is concerned about the continuing lack of progress in resolving the dispute over the Western Sahara, despite an enormous investment of funds in the MINURSO peacekeeping mission. The Committee urges the Department to work to encourage a negotiated settlement to the dispute, and bring to an end the costly UN peacekeeping presence associated with a referendum settlement program that has failed to materialize over the past decade and that the Secretary General and his Personal Envoy abandoned as unworkable last year.

The establishment of several large, complex missions over the past few years has tested the capacity of the UN to plan and manage such operations successfully. The Brahimi report addressed many deficiencies in UN peacekeeping efforts, including problems in doctrine, strategy, decision-making, planning, deployment, support and information technology. The Committee continues to support efforts to improve the performance and efficiency of UN peacekeeping missions through structural and procedural reforms. The Committee also supports efforts to better limit and focus the goals of such missions, and to set specific benchmarks for performance and mission termination.

With regard to benchmarks, the Committee is convinced that clear, realistic benchmarks must be established and enforced for the performance of MONUC, the UN peacekeeping mission in the Democratic Republic of the Congo. The Committee recommendation includes requested funding to cover anticipated fiscal year 2004 assessments for MONUC totaling $210,012,000. The Committee expects the Department to consult with the Committee, and to submit the required notifications, prior to any progression of this mission.

The Committee continues to support the efforts of the UN's Office of Internal Oversight Services (OIOS) to identify waste, fraud and abuse in peacekeeping operations, and to recommend specific reforms to ensure that such practices are brought to an end. The

Committee directs the Department to provide the necessary support to ensure that OIOS oversight is systematically brought to bear on every UN peacekeeping mission, including through the presence of resident auditors.

The bill retains language carried in previous years requiring 15–day advance notice of any new or expanded mission, together with a statement of cost, duration, exit strategy, vital national interest, and source of funds to pay the cost. The bill also retains language requiring certification that American manufacturers and suppliers are provided equal procurement opportunities, and language prohibiting the use of funds under this account for the costs of court monitoring. The bill does not include requested language to make a portion of appropriations under this account available for two fiscal years.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

The bill includes a total of $31,168,000 for the International Boundary and Water Commission, United States and Mexico (IBWC). This amount is $437,000 above the amount available in fiscal year 2003 and $9,295,000 below the total budget request for fiscal year 2004. The total amount provided includes $25,668,000 for Salaries and Expenses and $5,500,000 for construction. The recommendation includes language authorizing not to exceed $6,000 for representation expenses.

SALARIES AND EXPENSES

The Committee recommendation for the Salaries and Expenses account is $25,668,000, which is $352,000 above the amount available in fiscal year 2003 and $5,894,000 below the budget request. The amount recommended by the Committee provides additional resources for requested wage and price increases. The recommendation does not include requested program increases. The Committee notes that fluctuations in the Commission's operations and maintenance budgets can result in unanticipated cost savings. Should the Commission experience such savings, the Commission will have the ability to propose, through the section 605 reprogramming process, the use of surplus funds for items not included in the Committee recommendation.

CONSTRUCTION

The Committee recommendation for IBWC construction provides $5,500,000, which is $85,000 above the amount available in fiscal year 2003 and $3,401,000 below the budget request.

The recommendation provides funding for ongoing projects as follows: Boundary-wide construction—$2,101,000; and Rio Grande construction—$3,399,000. The Committee is aware that the Rio Grande American Canal Extension project has been completed, and that remaining unobligated balances for this project total approximately $3,400,000. The Committee expects that this funding will be applied to facilities renovation and Rio Grande construction needs in fiscal year 2004. Any reallocation of funding among

projects must be proposed to the Committee under the reprogramming procedures set forth in section 605 of this Act.

The Committee notes the Commission's continuing failure to conclude negotiations with Mexico to ensure the secondary treatment of Tijuana sewage. As a result of this lack of progress, the Committee recommendation does not include funding requested under this heading for Western Boundary activities. The Committee expects the Commission to conclude negotiations with Mexico before the submission of the Commission's fiscal year 2005 budget request. The Commission shall submit a monthly report to the Committee on Appropriations regarding the progress of such negotiations.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The Committee recommends a total of $8,944,000 to fund the U.S. share of expenses of the International Boundary Commission, the International Joint Commission, United States and Canada, and the Border Environment Cooperation Commission for fiscal year 2004. This amount is $466,000 below the amount available in fiscal year 2003 and $2,260,000 below the budget request, and includes $1,261,000 for the International Boundary Commission, $5,550,000 for the International Joint Commission and $2,133,000 for the Border Environment Cooperation Commission. The recommended funding level for the International Joint Commission includes $1,311,000 for fourth year costs of a five-year study of the water regulation plan governing Lake Ontario and the St. Lawrence River.

INTERNATIONAL FISHERIES COMMISSIONS

The Committee recommends a total of $16,989,000 to fund the U.S. share of the expenses of international fisheries commissions or related organizations, as well as the travel expenses of the United States commissioners. This amount is the same as the amount available in fiscal year 2003 and $3,054,000 below the budget request.

The Committee recommendation includes $2,100,000 for the Inter-American Tropical Tuna Commission and $12,248,000 for the Great Lakes Fishery Commission (GLFC), as requested. In addition, the Committee expects that any amounts reprogrammed from the Great Lakes Fishery Commission's lampricide program for other purposes in fiscal year 2003 will be restored to the GLFC in the allocation of funding under this heading. The Committee further expects the GLFC to coordinate its efforts with other agencies with regard to the threat posed by the introduction of Asian Carp into the Great Lakes. Remaining amounts under this heading may be allocated on a priority basis to other international commissions, subject to the reprogramming guidelines contained in section 605 of this Act.

The Committee expects the Department to take immediate action to evaluate and prioritize United States participation in, and funding for, international fisheries commissions. In a climate of limited resources the Committee continues to insist that the Department live within appropriated amounts, prioritize as necessary among commissions according to policy goals, take steps as necessary to

withdraw from lower priority commissions, and refrain from entering into new commitments.

The Committee directs the Department to submit a proposed spending plan for the total amount provided under this heading no later than 60 days after the enactment of this Act.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The Committee recommends an appropriation of $10,376,000 for payment to the Asia Foundation for fiscal year 2004, which is the same as the amount available in fiscal year 2003 and $1,126,000 above the budget request. The Committee recommendation continues the increased funding provided in fiscal year 2003 for enhanced Foundation programs on human rights, higher education, democratic governance, ethnic harmony, religious tolerance and legal/judicial reform in Afghanistan, Pakistan and Indonesia.

The Asia Foundation is a private, nonprofit institution, established to stimulate Asian democratic development and assist the peoples of Asian countries to shape their own destinies.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

The Committee recommends an appropriation for fiscal year 2004 of interest and earnings from the Eisenhower Exchange Fellowship Program Trust Fund, expected to total $500,000. The Committee recognizes the important and unique role of Eisenhower Exchange Fellowships in the U.S. Government's worldwide public diplomacy effort. The Committee has urged the Eisenhower Exchange Fellowships, Incorporated, (EEF) to fashion its exchange programs to reflect the priority within all public diplomacy programs of building mutual understanding with Arab and Muslim populations worldwide. In this regard, the Committee continues to expect that the selection of foreign and United States fellows will reflect this priority. In addition, the Committee supports a nationwide, merit-based recruitment and selection process for United States Fellows. The Committee expects EEF and the Department to submit a report to the Committee by November 30, 2003, describing its achievements in these areas.

The Eisenhower Exchange Fellowship Act of 1990 authorized a permanent endowment for the Eisenhower Exchange Fellowship Program to increase educational opportunities for young leaders in preparation for and enhancement of their professional careers and to advance peace through international understanding. The Act established the Eisenhower Exchange Fellowship Program Trust Fund in the United States Treasury for these purposes. A total of $7,500,000 has been provided to establish a permanent endowment for the program, from which the appropriation of interest and earnings is provided to Eisenhower Exchange Fellowships, Incorporated.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The Committee recommends language in the accompanying bill that will appropriate for fiscal year 2004 interest and earnings of the Israeli Arab Scholarship Endowment Fund, expected to total $375,000. A permanent endowment of $4,978,500 for the Fund was

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

EAST-WEST CENTER

The Committee does not recommend an appropriation for the costs of maintaining and operating the East-West Center. The budget request included $14,280,000 for this purpose.

The Committee recommendation eliminates a direct sole-source grant from the Federal government. The Committee notes that the Center can solicit contributions and can compete for other Federal grants to support its research and training activities. The Center started receiving a direct grant from the Federal government in fiscal year 1961.

NATIONAL ENDOWMENT FOR DEMOCRACY

The Committee recommends $42,000,000 for the National Endowment for Democracy (NED) for fiscal year 2004, $273,000 above the amount available in fiscal year 2003 and $6,000,000 above the budget request. The recommendation continues the increased funding provided in fiscal year 2003 for enhanced Endowment grant programs to build and strengthen democratic institutions in the Muslim world. The Committee recommendation also continues funding for grants to foster Africa's dynamic democracy movements, including groups in Sudan and the Democratic Republic of Congo.

The NED is a private, non-profit corporation established to encourage and strengthen the development of democratic institutions and processes internationally through private-sector initiatives, training, and other activities, including those which promote pluralism, democratic governance, civic education, human rights, and respect for the rule of law. The NED provides funding for projects which are determined to be in the national interest of the United States and which are administered by private organizations and groups.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The Committee recommendation includes $552,105,000 to carry out United States International Broadcasting Operations for fiscal year 2004, which is an increase of $61,421,000 above the comparable fiscal year 2003 level, excluding supplemental amounts, and the same as the comparable request. This account funds the operating and engineering costs of Voice of America (VOA), Radio Free Europe/Radio Liberty (RFE/RL), Radio Free Asia (RFA), and the Broadcasting Board of Governors (BBG). The recommendation includes funding for Broadcasting to Cuba under this account. In the current year, and in the request, this funding is provided in a separate account. The Committee recommendation provides the full

request for all entities funded under this account, including funding to continue the Middle East Televison Network initiative. The Committee recommendation includes the requested reduction of $8,838,000 from broadcasting programs, and $3,964,000 from management and administrative efficiencies. As directed in previous years, all communications with the Committee on the part of the various broadcasting entities shall be coordinated through the Broadcasting Board of Governors.

Arabic Television.—The United States continues to face an enormous challenge to provide the people of Arab and Muslim countries with accurate information about U.S. policies and values. The Committee recommendation continues to support the Board's efforts to expand its ability to reach audiences in the Middle East. To date, the Committee has provided $60,400,000, including $30,000,000 in the accompanying bill for television broadcasting in Arabic. The Committee directs the BBG to provide quarterly status reports detailing the progress of this effort, with the first report expected by December 1, 2003. Developing quality news and entertainment programs in the Arabic language should to the maximum extent possible involve the creative talents of the private and not-for-profit sectors. The Committee continues its direction to the Board to integrate new approaches in developing programming, to more effectively engage key audiences.

Language Service Review and Research.—The Committee continues to support the Board's efforts to objectively and systematically review and evaluate the performance, results, and priority of every U.S. Government-sponsored international broadcasting language service and to propose corresponding reallocations of funds. The Committee endorses this process as a means to improve broadcast quality and meet emerging program priorities within limited resources. The Committee expects that the Board will establish comprehensive performance measures and improve coordination of programming streams across component organizations, including the grantee organizations. The Committee continues to direct the Board to ensure that foreign policy implications are given full consideration before adopting language service review recommendations. The Committee expects the Board to submit a comprehensive report on Language Service Review results and corresponding reallocations of funds, as appropriate. The Committee anticipates that the continuing language service review effort will result in the dedication of additional resources to emerging priority programs, through the normal reprogramming process.

Africa Broadcasting.—The Committee understands that 40 million Africans listen to VOA on a regular basis. The Committee supports the use of radio broadcasts as a component of sustained HIV/AIDs prevention efforts undertaken by many African governments, African countries, humanitarian organizations, and U.S. assistance programs. VOA's Africa Division has incorporated more than 3,000 broadcasts about HIV/AIDs into its regular programming for broadcasting to Africa within the past 18 months.

Anti-jamming efforts.—The Committee continues to support initiatives by the BBG to defeat jamming and reach a wider audience for Radio Free Asia and Voice of America broadcasts to China, Tibet, Vietnam, and North Korea. The Committee is aware that new technologies may allow the VOA and RFA to more effectively

defeat jamming efforts. The Committee encourages the Board to evaluate the usefulness of these technologies. The Committee directs the BBG to make available an additional $500,000 for anti-jamming technologies in fiscal year 2004.

The Committee notes that the recommendation assumes reductions in certain language services in countries that have made significant advances in democratic reforms, including press freedoms. The Committee expects the BBG to continue to monitor the situations in these countries and advise the Committee regarding any change in language service prioritization.

The Committee is increasingly concerned about a potential blurring of the distinction between the international broadcasting conducted by the Broadcasting Board of Governors and that conducted by the Defense Department. While the Committee continues to strongly support all necessary efforts to provide for national security, close collaboration with the Defense Department may foster misunderstanding among foreign audiences as to the principles and goals of BBG broadcasting. Within sixty days of enactment of this bill, the BBG shall report fully to the Committee on the nature and duration of any cooperative efforts with the Defense Department over the last year. In addition, the BBG shall notify Congress in writing of any projects or programs to be undertaken with the Defense Department within 7 days of the beginning of such activities. Both reports should include a description of services provided and any financial arrangements between the entities.

The Committee recommends funding for the principal broadcasting entities as follows:

Voice of America.—The Committee recommendation provides $162,192,000 for VOA, including requested program reductions of $1,860,000 from lower priority programs.

Radio Free Europe/Radio Liberty.—The Committee recommendation provides the full requested amount of $73,988,000 for RFE/RL, including the requested amounts for broadcasting to Iran and Iraq. The Committee continues to support programming efforts in Persian, Tajik, Uzbek, Turkmen, Arabic, Kazakh, Kyrgyz, and Azeri.

The Committee commends RFE/RL for developing programming in Avar, Chechen, and Circassian, and for expanding broadcasting to the Northern Caucasus. The Committee recognizes the continuing importance of broadcasting objective, uncensored information to the isolated minorities of the Northern Caucasus in their native languages.

RFE/RL headquarters.—The Committee understands the Administration has engaged the government of the Czech Republic regarding the relocation of RFE/RL headquarters in Prague, the Czech Republic. The Committee further understands that, to date, the BBG and RFE/RL have not reached agreement with the Czech Republic on a suitable site for relocation within the Republic. The Committee directs the Board to submit a report to the Committee by no later than September 5, 2003, on all aspects of the relocation and an analysis of relocating outside the Czech Republic, including economic and security considerations. No funding is included in this Act to expand RFE/RL regional staffing.

Broadcasting to Cuba.—The Committee recommendation includes $26,901,000 for radio and television broadcasting to Cuba,

which is the same as the request and $2,067,000 above the fiscal year 2003 level.

Radio Free Asia.—The Committee recommendation includes the full requested amount of $28,571,000 for RFA. This amount will allow RFA to continue its expanded schedule of broadcasting to China, Tibet, Burma, Vietnam, North Korea, Laos, and Cambodia.

The recommendation includes funding for RFA to continue daily Uyghur broadcasts.

The Committee is supportive of efforts to increase the number of broadcast hours of both the VOA and the RFA Korea services. The Committee expects the BBG to reprogram funds, if necessary, to achieve these increases.

BROADCASTING CAPITAL IMPROVEMENTS

The Committee recommendation includes $11,395,000 in new budget authority for broadcasting capital improvements, $1,262,000 below the current year level and the same amount as the request. Of the amount provided, $1,250,000 is for the relocation costs of the Philippines transmitting station. The recommendation will provide for the continuation of base costs for maintenance, improvements, replacements and repairs, digital production capability development, and security upgrades at transmitting stations overseas.

The Board shall continue to keep the Committees informed on the status of its efforts to acquire additional transmission capabilities in the Middle East. The Board shall also continue to keep the Committees informed regarding costs and results of the ongoing digital conversion project.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

The Committee recommends the following general provisions for the Department of State, similar to provisions that were included in the fiscal year 2003 Appropriations Act:

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

Section 402 of the bill permits up to five percent of any State Department appropriation to be transferred to another State Department appropriation, but no program can be increased by more than ten percent, and also provides the same authority to Broadcasting Board of Governors programs. In addition, the language provides that any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 403 of the bill prohibits the use of funds by the Department of State or the Broadcasting Board of Governors to provide assistance to the Palestinian Broadcasting Corporation.

TITLE V—RELATED AGENCIES

ANTITRUST MODERNIZATION COMMISSION

The recommendation provides $1,499,000 as initial funding to establish the Antitrust Modernization Commission. The request did not include funding for the Commission. The Commission, authorized by Public Law 107–273, will examine whether antitrust laws need to be modernized and identify and study related antitrust issues.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The recommendation includes $499,000 for the Commission for the Preservation of America's Heritage Abroad, which is $3,000 above the fiscal year 2003 level and equal to the request. The recommendation will allow the Commission to fund its administrative expenses through appropriated funds while relying on other sources of funding for actual purchase and restoration of property.

The Committee commends the Commission's recent progress in protecting and preserving endangered cultural sites in Eastern and Central Europe important to the heritage of U.S. citizens, including cemeteries, monuments, and historic buildings. One of its primary tasks is to obtain protection and preservation assurances from the governments of the region. Although it began operations during FY 1990, more than two-thirds of the 13 government-to-government agreements it has negotiated have been entered into since 2001. On May 19, 2003, the Commission signed a Joint Declaration of Agreement with the German Government to preserve and protect sites associated with victims of genocide during World War II. The Commission has also accelerated efforts to identify and support a growing number of site preservation projects.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The Committee recommends an appropriation of $9,096,000 for the salaries and expenses of the Commission on Civil Rights for fiscal year 2004. The amount recommended is $59,000 above the fiscal year 2003 level and equal to the request.

The Commission was established by the Civil Rights Act of 1957 and is directed by eight part-time commissioners. The Commission was created to protect the civil rights of people within the U.S. and was intended to be an independent, bipartisan, fact-finding agency. The Commission investigates charges of citizens being deprived of voting and other civil rights and collects, studies, and disseminates information on the impact of Federal laws and policies on civil rights.

The Committee recommends language as included in previous years, which provides: (1) $50,000 to employ consultants; (2) a limitation of four full-time positions under schedule C of the Excepted Service, exclusive of one special assistant for each Commissioner, and (3) a prohibition against reimbursing Commissioners for more

than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

The recommendation includes $3,000,000 for the Commission on International Religious Freedom, which is $135,000 above the fiscal year 2003 level and the same as the request.

The Committee commends the Commission for its efforts to promote international religious freedom in consultation with the U.S. Department of State, independent human rights groups, and other non-governmental organizations, religious leaders, academics, policy experts, the intelligence community, and government agencies. The Committee urges the Commission and the State Department to explore the idea of devising an Index on Religious Freedom that may be used to assess progress on relevant issues within regions and specific countries. The State Department's Report on Trafficking in Persons may provide a useful model for assessing and tracking efforts to promote religious freedom worldwide.

The Commission, established pursuant to the International Religious Freedom Act of 1998, conducts independent reviews, reports on facts and circumstances of violations of religious freedom abroad, and recommends options for United States policies with respect to foreign countries engaging in or tolerating violations of religious freedom.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The recommendation includes $1,615,000 for the Commission on Security and Cooperation in Europe, which is $43,000 above the fiscal year 2003 level and the same as the request. The Commission was established in 1976 to monitor compliance with the Final Act of the Conference on Security and Cooperation in Europe, with particular regard to provisions dealing with humanitarian affairs.

The Committee commends the Commission for addressing threats to the peace, security, and stability of Europe and for promoting U.S. national interests in this vital region of the world. The Committee recognizes the leadership of the Commission in promoting human rights, democracy, and the rule of law in the 55 participating States of the Organization for Security and Cooperation in Europe (OSCE).

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

The recommendation includes $1,800,000 for the Congressional-Executive Commission on the People's Republic of China, which is $429,000 above the fiscal year 2003 level and the same as the request.

The Committee commends the Commission for its ongoing efforts to monitor China's compliance with international human rights agreements and standards. The Committee urges the Commission

to expedite completion of its Political Prisoner Registry project in accordance with Section 302(b) of Public Law 106–286 and to provide a monthly status report to the Committee on related plans and activities. The timely completion of the registry will significantly heighten international awareness regarding the plight of political prisoners in China. The Committee urges the Commission to consult with key stakeholders and the public on the design and development of the Registry project.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The bill includes $328,400,000 for the salaries and expenses of the Equal Employment Opportunity Commission (EEOC) for fiscal year 2004. This amount is $21,585,000 above the fiscal year 2003 level, excluding supplemental amounts, and $6,354,000 below the request.

The Committee recommendation includes inflationary increases for personnel, benefits, and space rental costs. The Committee understands that one of the goals of the pending EEOC restructuring is to maintain investigation and litigation services in the locations where these functions currently exist. The Committee supports EEOC's efforts to restructure its organization to better serve the American people and requests that the EEOC inform the Committee prior to taking any restructuring actions, in accordance with the reprogramming provisions of section 605 of the Act. The Committee expects the Commission to maintain cost-saving mechanisms put in place over the last year, if necessary, to implement elements of the restructuring plan. In addition, the EEOC should continue to submit quarterly reports on projected and actual spending and staffing levels during fiscal year 2004.

The bill includes language similar to that included in previous Appropriations Acts allowing not to exceed $33,000,000 for payments to State and local Fair Employment Practices Agencies (FEPAs). The Committee again encourages the EEOC to use the experience the FEPAs have in mediation as the Commission continues to expand its Alternative Dispute Resolution programs. The bill also includes language similar to that included in previous Appropriations Acts allowing non-monetary awards to private citizens and up to $2,500 for official reception and representation expenses.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The bill includes total budget authority of $278,958,000 for the salaries and expenses of the Federal Communications Commission (FCC) for fiscal year 2004, of which $269,000,000 is to be derived from offsetting collections, resulting in a direct appropriation of $9,958,000. The operating level for fiscal year 2004 is $7,971,000 above the fiscal year 2003 level and $1,840,000 below the request.

The Committee recommendation includes bill language, similar to that included in previous Appropriations Acts, which allows: (1) up to $600,000 for land and structure; (2) up to $500,000 for care and improvement of grounds and buildings; (3) up to $4,000 for official reception and representation expenses; (4) purchase of uni-

forms and acquisition of vehicles; (5) special counsel fees; (6) collection of $269,000,000 in section 9 fees; (7) the sum appropriated to be reduced as section 9 fees are collected; and (8) fees in excess of $269,000,000 to be available in fiscal year 2005.

The mission of the Federal Communications Commission is to implement the Communications Act of 1934 in a manner that promotes competition, innovation, and deregulation in the communications industry and the availability of high quality communications services for all Americans.

The Committee is disturbed by the declining standards of broadcast television and is concerned about reports of a proposed program that would appear to denigrate some rural Americans. In the fiscal year 2003 Statement of Managers, the conferees directed the Commission to continue to report to Congress on the issues associated with resurrecting a broadcast industry code of conduct for programming, that, if adhered to by the broadcast industry, would protect against the further erosion of broadcasting standards. The Committee has not received any updates during fiscal year 2003, and the Committee requests that the FCC provide a status report by December 31, 2003.

The Committee is concerned about a recent report on FCC travel sponsored by non-Federal sources. The recommendation includes language that prohibits FCC Commissioners and staff from accepting payment from certain non-Federal sources to attend conventions, conferences, and meetings. The Committee recommends a funding level that is sufficient to accommodate mission-critical travel.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $183,041,000 for the salaries and expenses of the Federal Trade Commission for fiscal year 2004, which is $6,488,000 above the fiscal year 2003 level and $8,091,000 below the request. Collections from premerger filing fees under the Hart-Scott-Rodino Act and Do-Not-Call list fees partially offset the appropriation requirement for this account.

The mission of the Commission is to enforce a variety of Federal antitrust and consumer protection laws. Under these laws, the Commission seeks to ensure that the nation's markets are competitive, function vigorously and efficiently, and are free from undue governmental and private restrictions. The Commission also seeks to improve the operation of the marketplace by eliminating deceptive and unfair practices. Appropriations for both the Antitrust Division of the Department of Justice and the Commission are partially financed with Hart-Scott-Rodino Act pre-merger filing fees. The Committee understands that due to changes in the Hart-Scott-Rodino fee structure and a reduction in merger activity the number of pre-merger filings requiring review declined by 76 percent between fiscal year 2000 and fiscal year 2002.

The Committee commends the Commission for its efforts to establish a national Do-Not-Call registry to protect consumers from unwanted and intrusive telemarketing calls. The Do-Not-Call program goal is to reduce telemarketing calls by 80 percent for con-

sumers who wish to participate in the program. The Committee directs the General Accounting Office (GAO) to study the implementation of the Do-Not-Call program and determine whether the Commission is achieving its goal of reducing by 80 percent the number of telemarketing calls registered consumers receive. If GAO determines that the program does not reduce 80 percent of telemarketing calls to enrolled telephone numbers, then the GAO shall provide recommendations to the Committee and the FTC on how to strengthen the program.

To improve responsiveness to an individual's decision to enroll in the program, the Committee directs that not later than 60 days after the date of enactment of this Act, the Commission shall amend the Telemarketing Sales Rule to require telemarketers subject to such rule to update, by obtaining from the Commission the list of telephone numbers on the "do-not-call" registry on the first day of each month.

Since 2000, the Commission has issued a series of reports entitled, "Marketing Violent Entertainment to Children: A Review of the Self-Regulation and Industry Practices in the Motion Picture, Music Recording & Electronic Game Industries." The latest report, from June 2002, found that advertisements for mature video games are still being placed in television and print media with substantial youth audiences. The Commission's December 2001 study also found that 78 percent of unaccompanied minors aged 13 to 16 years old were able to purchase video games rated "mature". The Committee is concerned with the level of violence in video games and the impact these games have on children. The Committee directs the Commission to educate parents on the content included in video games rated "teen" and "mature". The Committee further directs the Commission to work with the industry to discontinue the marketing of "teen" and "mature" video games to children. The Committee also directs the Commission to work with retailers to ensure that such video games are not sold to unaccompanied children.

The recommendation continues bill language, as requested, prohibiting the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991. However, the Committee notes that GAO is currently studying the enforcement of this section and will be reporting its findings to the Committee in August 2003.

The recommendation includes bill language that prohibits Commissioners and staff from accepting payment from certain non-Federal sources to attend conventions, conferences, and meetings. The Committee recommends a funding level that is sufficient to accommodate mission-critical travel.

The recommendation also includes bill language which: (1) allows for purchase of uniforms and hire of motor vehicles; (2) allows up to $2,000 for official reception and representation expenses; (3) allows for the collection of fees; (4) allows for the sum appropriated to be reduced as fees are collected; and (5) allows funding to be available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The recommendation includes $338,848,000 for the payment to the Legal Services Corporation. This amount is $2,203,000 above the fiscal year 2003 level and $9,548,000 above the request. This amount includes: (1) $319,548,000 for grants to basic field programs and required independent audits; (2) $2,600,000 for the Office of the Inspector General; (3) $13,300,000 for Corporation management and administration; and (4) $3,400,000 for client self-help and information technology.

The Legal Services Corporation is a private, nonprofit corporation that provides low-income individuals with access to legal assistance and information concerning civil legal problems. Created in 1974, the Legal Services Corporation is charged by Congress to provide assistance to those who would otherwise be unable to afford adequate legal counsel.

ADMINISTRATIVE PROVISION

The Committee recommendation includes bill language to continue statutory requirements and restrictions contained in previous Appropriations Acts.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The Committee recommendation includes $1,856,000 for the necessary expenses of the Marine Mammal Commission, which is $1,174,000 below the current year level, and the same amount as requested.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

The recommendation includes $2,000,000 for the Corporation, which is $13,000 above the fiscal year 2003 level and equal to the request. The Corporation was established by Public Law 106–50 to foster entrepreneurship and business opportunities for veterans, including access to training, capital and markets. The Committee understands that fiscal year 2004 is the last year the Corporation is authorized to receive appropriated funding and that the Corporation's operations and programs will be self-sustaining by the start of fiscal year 2005.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The Committee recommendation includes $841,500,000 for the Securities and Exchange Commission (SEC), including $738,500,000 from current year fee collections and $103,000,000 from prior year unobligated balances. This total funding level is $7,000 below the request and $95,711,000 above the level of funds available in fiscal year 2003.

The primary mission of the SEC is to protect investors and maintain the integrity of the securities markets. This includes ensuring full disclosure of financial information, regulating the nation's secu-

rities markets, and preventing and policing fraud and malpractice in the securities and financial markets.

In fiscal year 2003, the Commission received an appropriation increase of $226,845,000 to significantly increase its ability to protect investors and to implement the Sarbanes-Oxley Act. The fiscal year 2004 recommendation annualizes the increases provided in fiscal year 2003, including fully funding the Commission's pay parity and merit pay programs, annualizing the 842 new positions partially funded in fiscal year 2003, and providing $106,070,000 for information technology programs.

While the Committee has provided large increases to ensure the Commission has all the resources it needs to combat corporate fraud, the Committee wants to ensure that such significant increases in funding can be effectively utilized. Therefore, the Committee directs the General Accounting Office (GAO) to review the Commission's allocation of the additional funding provided in fiscal years 2003 and 2004, including actual spending in fiscal year 2003 and planned spending for fiscal year 2004. The Committee expects GAO to review the Commission's processes for distributing additional positions among the Commission's various program offices, and the allocation of resources to information technology. GAO shall report its finding to the Committee no later than 180 days after the enactment of this Act.

The Committee is concerned that American investors may be unwittingly investing in companies with ties to countries that sponsor terrorism and countries linked to human rights violations. For example, the Committee is aware of certain companies listed on U.S. exchanges that are linked to human rights abuses in Sudan. The Committee believes that a company's association with sponsors of terrorism and human rights abuses, no matter how large or small, can have a material adverse effect on a public company's operations, financial condition, earnings, and stock prices, all of which can negatively affect the value of an investment. In order to protect American investors' savings and to disclose these business relationships to investors, the Committee directs the Commission to establish an Office of Global Security Risk within the Division of Corporation Finance. The duties of this office shall include, but not be limited to: (1) establishing a process by which the SEC identifies all companies on U.S. exchanges operating in State Department-designated terrorist-sponsoring states; (2) ensuring that all companies sold on U.S. exchanges operating in State Department-designated terrorist-sponsoring states are disclosing such activities to investors; (3) implementing enhanced disclosure requirements based on the asymmetric nature of the risk to corporate share value and reputation stemming from business interests in these higher risk countries; (4) coordinating with other government agencies to ensure the sharing of relevant information across the Federal government; and (5) initiating a global dialogue to ensure that foreign corporations whose shares are traded in the United States are properly disclosing their activities in State Department-designated terrorist-sponsoring states to American investors. The Commission is directed to provide the Committee with quarterly reports on the activities of Office of Global Security Risk.

The recommendation includes bill language that prohibits Commissioners and staff from accepting payment from certain non-Federal sources to attend conventions, conferences, and meetings. The Committee recommends a funding level that is sufficient to accommodate mission-critical travel.

In addition, the Committee recommends language, similar to that included in previous Appropriations Acts, which: (1) allows for the rental of space; (2) makes up to $3,000 available for official reception and representation expenses; (3) makes up to $10,000 available for a permanent secretariat for the International Organization of Securities Commissions; and (4) makes up to $100,000 available for expenses of meetings and consultations with foreign governmental and regulatory officials.

SMALL BUSINESS ADMINISTRATION

The accompanying bill provides a total of $745,557,000 for the four appropriations accounts of the Small Business Administration (SBA). This amount is $55,331,000 below the budget request, and $13,885,000 above the amount appropriated in fiscal year 2003. Detailed guidance for the four SBA appropriations accounts are contained in the following paragraphs.

SALARIES AND EXPENSES

The Committee recommends $326,592,000 for the salaries and expenses account of the Small Business Administration. This amount is $14,179,000 above the amount provided in fiscal year 2003 and $33,563,000 below the request.

Of the amount provided under this heading, $191,592,000 is for operating expenses of the SBA. In addition, a total of $138,085,000 from other SBA accounts may be transferred to and merged with the salaries and expenses account for indirect operating costs. This amount consists of $129,000,000 from the Business Loans Program account and $9,085,000 from the Disaster Loans Program account from the administrative expenses related to those accounts. The Committee also anticipates that SBA will have an additional $3,280,000 in fee receipts available for operating expenses and $1,500,000 in transfers from other agencies. This will result in a total availability of $334,457,000 for the operating expenses of the SBA, an increase of $15,721,000.

In addition, the recommendation includes language under the Disaster Loans Program account providing that $117,585,000 of the amount provided for administrative expenses may be transferred to and merged with the salaries and expenses account for the direct and indirect administrative costs of disaster loan making and servicing.

Within the amounts provided under this heading, the Committee expects the SBA to continue to help small businesses adapt to a paperless procurement environment. The Committee recommendation also includes the full amount requested for Low Documentation Processing Centers.

The Committee supports efforts by the SBA to examine and implement organizational changes, both in Washington, D.C., and in the field, that result in greater operational efficiencies, cost savings, and improved delivery of SBA services to small businesses na-

tionwide. The Committee recommendation includes an increase of $1,700,000 for space restructuring. The Committee expects that this one-time investment will result in future GSA rent savings. The recommendation also includes an increase of $500,000 to assist in compliance with Government regulations, $200,000 for the 8(a) business development program internet application program, and $600,000 for the creation of an electronic grant system. The Committee is aware of the HUBZone Empowerment Contracting Program and the Procurement Marketing and Access Network (PRO-Net) and expects SBA to fund continuing expenses of these programs as appropriate, from the SBA operating account.

The Committee directs SBA to submit a long-range plan for implementation of the loan monitoring system (LMS) and the joint accounting and administrative system project (JAAMS). The Committee expects this plan to include a description of how the remaining balances obligated to FEDSIM in prior fiscal years will be utilized.

The Committee recommendation for salaries and expenses includes a total of $135,000,000 for non-credit initiatives as follows:

National Ombudsman	$500,000
Advocacy Research	1,100,000
Veterans Programs	750,000
7(j) Technical Assistance Programs	1,500,000
Small Business Development Centers	89,000,000
SCORE	5,000,000
Women's Business Centers	12,500,000
Women's Business Council	750,000
Business Information Centers	400,000
Native American Outreach	2,500,000
Microloan Technical Assistance	15,000,000
PRIME Technical Assistance	5,000,000
Drug Free Work Place	1,000,000
Total, non-credit initiatives	135,000,000

The Committee expects future SBA budgets to fund staff salaries and expenses out of funding provided for operations and not under funds budgeted for non-credit initiatives.

The Committee recommendation includes $2,500,000 for a Native American Outreach initiative, which is $2,500,000 above the amount requested and $513,000 above the current level. The Committee expects that this initiative will assist small businesses and economic development in tribal areas on the basis of need. The Committee realizes that not all Native American tribes, particularly those in remote areas experiencing severe economic hardship, may be aware of this and other SBA programs. The Committee expects the SBA to include a strong outreach component in this initiative to ensure that underserved Native American tribes have the opportunity to participate in the program. The Committee understands that funding for this initiative is in addition to other SBA credit and non-credit programs that serve Native Americans.

The Committee provides $89,000,000 for Small Business Development Centers (SBDC), $579,000 above the current level and $1,000,000 above the request. The Committee expects SBDCs, among other areas of assistance, to assist small businesses in the development of drug-free workplaces, identifying export opportunities, and providing Native Americans with business opportunities. The SBA is directed to submit a report to the Committee within

90 days of enactment of this Act describing the various programs offered by SBDCs to support American small businesses.

Of the amounts provided for the SBDC program, $2,000,000 is to continue the SBDC defense transition program.

The Committee recommendation includes requested language authorizing $3,500 for official reception and representation expenses as well as language authorizing the SBA to charge fees to cover the cost of publications and certain loan servicing activities. The language also permits revenues received from all such activities to be credited to the salaries and expenses account to be available for carrying out these purposes without further appropriations. The recommendation does not include the requested authority for a specified amount of program funds to remain available for two years. The recommendation also does not include requested language allowing the SBA to retain not to exceed $3,000,000 of increased collections of delinquent debt for qualified expenses.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $13,000,000 for the Office of Inspector General of the Small Business Administration, which is $1,500,000 below the request and $659,000 above the amount appropriated in fiscal year 2003. The recommendation assumes that an additional $500,000 may be transferred to this account from the administrative expenses of the Disaster Loans Program account for oversight costs related to that program. The Committee recommendation includes resources for continued oversight of SBA's business loan portfolio and SBA's administration of the 7(a) and disaster loan programs and non-credit programs. The Committee directs that the additional resources provided above current services be directed to increasing costs for the SBA's financial statement and additional fraud investigations in the 7(a) and disaster loans programs.

BUSINESS LOANS PROGRAM ACCOUNT

The Committee recommends a total of $215,715,000 under this account, consisting of: $84,805,000 for the Business Loans Program account for subsidies for guaranteed business loans, which is equal to the fiscal year 2003 level; $1,910,000 for subsidies for direct business loans; and $129,000,000 for administrative expenses related to business loan programs. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans. The recommendation includes a provision in the bill, also carried in previous years, which allows up to $45,000,000 to remain available for two fiscal years.

The SBA Business Loan Program serves as an important source of capital for America's small businesses. The Committee's recommendation provides $84,805,000 for the 7(a) program and understands that an additional $10,000,000 is expected to carry over into fiscal year 2004. This level of funding will provide for a $9,300,000,000 business loan program level, the requested program level. The Committee understands that SBA is estimating a fiscal year 2003 7(a) program level of $8,500,000,000. Therefore, the Committee's fiscal year 2004 recommendation provides for an in-

crease of $800,000,000 in the 7(a) program level. The recommendation also includes language, as carried in previous fiscal years, requiring the SBA to submit a reprogramming under section 605 of the Act before exceeding a 7(a) program level of $10,000,000,000.

The Committee further understands that in fiscal year 2003 the Supplemental Terrorist Activity Relief program funded a loan program level of $1,663,000,000. The Committee understands that this is a non-recurring program to address the small business needs in the aftermath of 9/11.

In addition, the recommendation includes bill language providing a $4,500,000,000 program level for the 504 Certified Development Company Loans program for long-term, fixed-rate financing for the purchase of land, buildings and long-life capital equipment, and a $4,500,000,000 program level for the Small Business Investment Companies program to provide equity capital and long-term debt financing for new or expanding entrepreneurial companies. The recommendation includes requested bill language regarding the Master Reserve Fund.

As required by the Federal Credit Reform Act of 1990, Congress is required to appropriate an amount sufficient to cover the subsidy costs associated with all direct loan obligations and loan guarantee commitments made in fiscal year 2004, as well as the administrative expenses of the loan programs. The subsidy amounts are measured on a net present value basis, and the administrative expenses are estimated on a cash basis.

DISASTER LOANS PROGRAM ACCOUNT

The Committee recommends a total of $190,250,000 for the Disaster Loans Program Account for loan subsidies and associated administrative expenses, which is $10,213,000 below the request, and equal to the fiscal year 2003 level. The Committee recommendation includes $72,665,000 for the subsidy costs of disaster loans, which when combined with estimated recoveries and other balances will provide for a loan level of at least $760,316,000,000, which represents the requested average annual disaster loan program level.

The Committee recommendation includes $117,585,000 for administrative expenses of carrying out the program, which may be transferred to and merged with appropriations for salaries and expenses. The recommendation includes language specifying that, of the amount provided for administrative expenses, $108,000,000 is for the direct administrative expenses of loan making and loan servicing, and $9,085,000 is for indirect administrative expenses. The recommendation also includes language requiring that any amount in excess of $9,085,000 transferred to the salaries and expenses account for indirect administrative expenses shall be subject to reprogramming requirements, as detailed under section 605 of this Act. In addition, the recommendation retains language transferring $500,000 of the amount provided for administrative expenses to the Office of Inspector General for audits and reviews of the disaster loan portfolio.

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the subsidy costs associated with all direct loan obligations and loan guarantee commitments made in fiscal year 2004, as well as the administrative expenses of the loan programs. The subsidy

amounts are measured on a net present value basis, and the administrative expenses are estimated on a cash basis.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The Committee recommends $3,000,000 for the State Justice Institute (SJI) for fiscal year 2004, which is $19,000 above the fiscal year 2003 appropriation and $3,000,000 above the President's request.

The SJI is a private, non-governmental organization that awards grants to improve the administration of justice in State courts. For the second consecutive year, the Administration's budget request has proposed eliminating Federal funding for SJI. However, the Administration's request provides a variety of grant programs to assist State courts under the Office of Justice Programs (OJP). Under Title I of this Act, the Committee provides funding for programs such as the Byrne Formula program, the Drug Courts program, the Southwest Border Prosecutor initiative, the Gun Violence Reduction Program, the Juvenile Accountability Incentive Block Grant Program, the Criminal Records Upgrade program, Child Abuse Training for Judicial Personnel and Practitioners, the Closed-Circuit Televising of Testimony for Children program, and the Violence Against Women—STOP Grants program. All of these programs are available to assist State courts. The Committee encourages SJI to work with the OJP on issues involving State courts and encourages SJI to apply for funding from OJP grant programs that support State court programs.

The Committee understands that SJI has been unable to raise non-Federal funding. The Committee understands that SJI has contacted bar associations and State court organizations and while these organizations support SJI, and enjoy receiving grant funding and services from SJI, they are not inclined to contribute to operations of the SJI beyond matching grant funding for individual projects.

TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill. Except where modifications are indicated, these general provisions were included in the fiscal year 2003 Appropriations Act.

Section 601 prohibits any appropriation contained in the Act from being used for publicity or propaganda purposes not authorized by the Congress.

Section 602 prohibits any appropriation contained in the Act from remaining available for obligation beyond the current fiscal year unless explicitly provided.

Section 603 provides that the expenditure of any appropriation contained in the Act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law or under existing Executive Order issued pursuant to existing law.

Section 604 provides that if any provision of the Act or the application of such provision to any person or circumstance shall be held

invalid, the remainder of the Act and the application of such provisions to persons or circumstances other than those to which it is held invalid shall not be affected.

Section 605, modified from fiscal year 2003, provides for the Committee's policy concerning the reprogramming of funds. Section 605(a) prohibits the reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates offices or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any function or activity presently performed by Federal employees unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance. Section 605(b) prohibits a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance. The Committee has again included carryover funds under the requirements of section 605 to clarify that agencies must follow reprogramming procedures with respect to carryover funds.

Section 606 prohibits funds in the Act from being used for construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside the United States.

Section 607 states the sense of the Congress that all equipment and products purchased with funds made available in the bill should be American-made, directs the head of each Federal agency to provide a notice describing Congressional intent to any entity it provides financial assistance to or enters into a contract with, and makes any person determined to have misused "Made in America" labeling ineligible to receive grants or contracts made with funds provided under this Act.

Section 608 prohibits funds from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion similar to proposed guidelines published by the EEOC in October, 1993.

Section 609 prohibits the use of funds for any United Nations peacekeeping mission when it is made known that United States Armed Forces are under the command or operational control of a foreign national and the President has not submitted to the Congress a recommendation that such involvement is in the national security interest of the United States.

Section 610 prohibits the use of funds to pay for expansion of diplomatic or consular operations in Vietnam beyond the level of operations on July 11, 1995, unless the President certifies within 60 days that Vietnam is cooperating in full faith with the U.S. on POW/MIA issues.

Section 611 provides that any closing or downsizing costs incurred by a department or agency funded under this Act resulting

from funding reductions in the Act shall be absorbed within the budgetary resources available to the Department or agency, and provides transfer authority between appropriation accounts to carry out the provision, subject to reprogramming procedures.

Section 612 limits funding under the Local Law Enforcement Block Grant to 90 percent to an entity that does not provide public safety officers injured in the line of duty and, as a result, separated or retired from their jobs, with health insurance benefits equal to those they received while on duty.

Section 613 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, provided that such restrictions are applied equally to all tobacco products or tobacco products of the same type. This provision is not intended to impact routine international trade services provided to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Section 614 prohibits funds for the issuance of visas to persons involved in political and extrajudicial killings in Haiti.

Section 615 prohibits funds made available in this Act from being used to implement a Federal user fee for background checks conducted pursuant to the Brady Handgun Control Act of 1993, or to implement a background check system that does not require and result in the immediate destruction of certain information.

Section 616, modified from fiscal year 2003, delays the obligations of any receipts deposited into the Crime Victims Fund in excess of $625,000,000 until October 1, 2004. Due to unprecedented criminal fines in recent years, receipts deposited have greatly exceeded historical levels. The Committee has continued to take this action to ensure that a stable source of funds will remain available for the program.

Section 617 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious beliefs of students participating in such programs.

Section 618, modified from fiscal year 2003, prohibits the use of funds to process visas for citizens of countries that deny or delay the repatriation of deported citizens.

Section 619 prohibits the use of Department of Justice funds to transport high security prisoners to facilities not certified by the Bureau of Prisons as appropriate to receive such prisoners.

Section 620 prohibits the use of funds for certain audiovisual equipment and material by Federal Prisons.

Section 621 prohibits the transfer of funds in the Act to any department or agency of the U.S. Government, except pursuant to authority provided in this, or any other appropriation Act.

Section 622, modified from fiscal year 2003, requires the Departments of Commerce, Justice, State, the Judiciary and the Small Business Administration to each establish a policy under which eligible employees may participate in telecommuting to the maximum extent possible. This section also designates funding for the departments, the Judiciary, and the Small Business Administration to be available only to implement telecommuting programs and requires the entities to report on expenditure of the funds provided.

Section 623 amends fiscal year 2002 supplemental appropriations language to allow certain remaining balances to be used for similar loan programs in fiscal year 2004.

Section 624 prohibits the use of funds in this Act to grant, transfer or assign a license for a commercial television broadcast station if such action would result in an entity exceeding a 35 percent aggregate national audience reach.

Section 625 requires the Bureau of Alcohol, Tobacco, Firearms and Explosives to include specific language in any release of tracing study data that makes clear that trace data cannot be used to draw broad conclusions about firearms-related crime.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(RESCISSION)

The Committee recommends a rescission of $24,122,000 of unobligated balances in this account, which is $12,500,000 above the level requested to be rescinded in the budget. This amount consists of $14,522,000 in balances available through the recovery of prior year deobligations and $9,600,000 from the Cooperative Agreement Program for projects associated with activities no longer performed by the Justice Department.

COMMUNITY ORIENTED POLICING SERVICES

(RESCISSION)

The Committee recommends a rescission of $6,378,000 in balances made available through the recovery of prior year deobligations. This amount is equal to the request.

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives.

CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives states that:

Each report of a committee on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America, which states:

No money shall be drawn from the Treasury but in consequence of Appropriations made by law. * * *

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives in developing funding recommendations.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1) of rule XIII of Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill, which directly or indirectly change the application of existing law.

Language is included in various parts of the bill to continue ongoing activities which require annual authorization or additional legislation, which to date has not been enacted.

The bill includes provisions which place limitations on the use of funds in the bill or change existing limitations and which might, under some circumstances, be construed as changing the application of existing law.

The bill includes a number of provisions, which have been virtually unchanged for many years, which are technically considered legislation.

The bill also provides that a number of appropriations shall remain available for obligation beyond the current fiscal year. While these provisions are not specifically authorized for all of the items, it is deemed desirable to include such language for certain programs in order to provide for orderly administration and the effective use of funds.

Language is included under a number of accounts, in which appropriations are offset by collections, that specify the level of offsetting collections to be credited to the account and in certain cases makes collections in excess of the level available in the following fiscal year.

In various places in the bill, the Committee has designated funds within appropriation accounts in order to fund specific programs and has adjusted some designations.

Language is deleted for items that were one-time requirements in fiscal year 2003.

Language is included making changes to citations of authorizations.

Language is included designating the number of employees and funding for legislative affairs functions of the Departments of Commerce, Justice and State.

In various places in the bill, language is included restricting travel costs of regulatory agencies from being paid by certain non-Federal sources.

Throughout the bill, several General Provisions carried in the fiscal year 2003 bill for one-time requirements are deleted and several other contain technical modifications.

Those additional changes in the fiscal year 2004 bill, which might be interpreted as changing existing law, are as follows:

Language is included establishing an account, Identification Systems Integration, for deployment of an automated booking system and for an integrated fingerprint identification system.

Under Legal Activities Office Automation, language is included delaying a certain amount of obligations.

Language is included regarding authorities of the Detention Trustee.

Under Department of Justice, Office of Inspector General, language is deleted regarding authorities of the Attorney General with regard to emergencies and acquisition of motor vehicles.

Under United States Marshals Service, language is deleted regarding purchase of motor vehicles and language is included funding construction of prisoner-holding space.

Under Federal Bureau of Investigation, language is deleted regarding certain basic authorities and regarding facilities buildout.

Language is included that transfers the Interagency Crime and Drug Enforcement account into the Drug Enforcement Administration.

The Interagency Crime and Drug Enforcement account is changed to Interagency Drug Enforcement. Language is included directing that the Drug Enforcement Administrator, rather than the Attorney General, be responsible for redistributing carryover balances.

Under Bureau of Alcohol, Tobacco, Firearms and Explosives, language is included prohibiting the use of funds for certain purposes.

Under Office of Justice Programs, Justice Assistance, language is included concerning the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003. Language is deleted concerning Domestic Preparedness.

Under State and Local Law Enforcement Assistance, language is included making funding available for grants, contracts, cooperative agreements and other assistance. Language is also included concerning prior year balances of the Violence Against Women Prevention and Prosecution Program, expanding the purpose areas for the Local Law Enforcement Block Grant Program, citing the authorities for Boys and Girls Clubs, designating the USA Freedom Corps, describing the purposes of the Cooperative Agreement Program, concerning alcohol and crime prevention in Indian Country, and regarding a hate crimes training and technical assistance program for State and local law enforcement. Language is deleted concerning prior year unobligated balances and the Commonwealth of Puerto Rico.

Under Weed and Seed, language is deleted concerning salaries and related expenses.

Under Community Oriented Policing Services, language is included making deobligations available in accordance with section 605 of the Act. Language is modified concerning training and technical assistance. Language is included concerning the Police Corps program, a DNA analysis and backlog reduction program, a gun violence reduction program, and the DC Superior Court and a fugitive apprehension program. Language is deleted transferring prior year balances derived from the Violent Crime Reduction Trust Fund.

Under Juvenile Justice Programs, language is included for a tribal youth delinquency prevention program. Language is deleted des-

ignating funds for the School Safety Initiative. Language is modified concerning Project Sentry and the Juvenile Accountability Block Grant program. Language is included for Secure our Schools Act and Project Childsafe.

Under Public Safety Officers Benefits, language is included making funds available for education benefits.

Under International Trade Administration, Operations and Administration, language is included changing the name of a programmatic line office, designating funds for an Office of China Enforcement, and designating funds for the United States Foreign and Commercial Service.

Under Periodic Censuses and Programs, language is included designating funds for certain purposes. Language is deleted designating amounts for the 2000 decennial census and regarding prior-year obligations. Language is modified regarding the 2010 decennial census.

Under National Telecommunications and Information Administration, Salaries and Expenses, language is deleted making funds available until expended, and prohibiting NTIA from authorizing spectrum to any Federal entity without reimbursement. Language is included designating funds for expenses related to Federal spectrum management.

Under Public Telecommunications Facilities, Planning and Construction, language is included providing for the administration of grants. Language is deleted regarding availability of funds and limiting funding for program administration.

Under Industrial Technology Services, language is deleted regarding the Advanced Technology Partnership Program and regarding non-profit organizations.

Under National Oceanic and Atmospheric Administration, Operations, Research and Facilities, language is deleted regarding limitations on a grant program and funding requirements for a program. Language is included regarding Ocean and Coastal Observing System grants.

Under National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction, language is deleted regarding transfers of funds and establishment of a program.

Language is deleted regarding the conservation category.

Under Pacific Coastal Salmon Recovery, language is deleted regarding the 1999 Pacific Salmon Treaty Agreement between the United States and Canada.

Language is deleted regarding funding for the Fishermen's Contingency Fund and the Foreign Fishing Observer Fund.

Under Fisheries Finance Program Account, language is deleted providing funds for direct loans and designating funds for certain loan programs. Language is included regarding uses of the funding.

Language is included authorizing the Supreme Court to repay student loans for law clerks.

Language is deleted making an amount available only for trafficking grants. Language is deleted regarding establishment of an Africa Advisory Panel. Language is included making a maximum amount available for the Bureau of International Organization Affairs, designating an amount to establish and operate an Office on Right-Sizing the United States Government Overseas Presence, and designating an amount for worldwide security upgrades.

Under Capital Investment Fund, language is included delaying obligation of a portion of the funds.

Under Embassy Security, Construction, and Maintenance, language is included making funds available only for worldwide security upgrades, acquisition, and construction. Language is also included identifying an amount for domestic and overseas representation.

Under International Organizations, Contributions to International Organizations, language is included requiring that the United Nations remain within its biennial budget. Language is included specifying the funds that may be used to pay the assessment to the North Atlantic Treaty Organization.

Under Contributions to International Peacekeeping Activities, language is deleted making funding available for two fiscal years.

Under Federal Communications Commission, language is deleted making a portion of the appropriation available for two fiscal years.

Under Legal Services Corporation, Payment to the Legal Services Corporation, language is deleted that exempted a certain portion of the appropriation from the historical funding formula. Similar language is also deleted from Administrative Provision—Legal Services Corporation.

Under Marine Mammal Commission, Salaries and Expenses, language is deleted extending the availability of funding.

Under Securities and Exchange Commission, Salaries and Expenses, language is included making prior year balances available in fiscal year 2004.

Under Small Business Administration, language is deleted relating to funds available in 2003. A new provision is included regarding disaster loans. Language is included regarding the Master Reserve Fund. A new section 623 is included to allow remaining balances to be used for similar purposes in fiscal year 2004.

In section 615, language is included regarding the immediate destructin of certain records.

In section 622, language is included requiring the Departments of Commerce, Justice, State, the Judiciary and the Small Business Administration to each establish a telework policy. This section also designates funding for the departments, the Judiciary, and the Small Business Administration to be available only to implement telecommuting programs and requires a report on expenditure of the funds.

In section 624, language is included prohibiting the use of funds for specific actions related to commercial television broadcast licenses.

In section 625, language is included requiring the Bureau of Alcohol, Tobacco, Firearms and Explosives to include specific language in any release of tracing study data.

Language is included rescinding funds under State and Local Law Enforcement Assistance and Community Oriented Policing Services.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

[In thousands of dollars]

Agency/program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Department of Justice:[1]				
General Administration	2003	121,079	95,477	106,664
Identification Systems Integration	2003	24,505	—	20,677
Legal Activities Office Automation	2003	15,942	15,838	30,136
Narrowband	2003	149,292	71,327	103,171
Counterterrorism Fund	2003	35,000	20,993	1,000
Administrative Review and Appeals	2003	198,869	190,290	193,530
Detention Trustee	2003	1,388,583	808,578	810,125
Office of Inspector General	2003	66,288	54,099	56,245
U.S. Parole Commission	2003	11,355	10,420	10,609
General Legal Activities	2003	659,181	605,368	618,537
Radiation Exposure Compensation	2003	Such sums	1,983	1,996
Antitrust Division	2003	141,855	133,133	128,133
U.S. Attorneys	2003	1,550,948	1,493,993	1,526,253
Foreign Claims Settlement Commission	2003	1,194	1,129	1,205
U.S. Marshals Service-Salaries and Expenses	2003	722,193	684,051	678,672
Fees and Expenses of Witnesses	2003	156,146	175,645	156,145
Community Relations Service	2003	10,732	9,412	9,526
Assets Forfeiture Fund	2003	22,949	21,759	21,759
Interagency Crime and Drug Enforcement	2003	362,131	369,712	—
Federal Bureau of Investigation—Salaries and Expenses	2003	4,322,662	4,581,923	4,576,730
Federal Bureau of Investigation—Construction	2003	1,250	1,242	1,242
Federal Bureau of Investigation—FTTTF	—	—	—	61,597
Drug Enforcement Administration	2003	1,582,044	1,550,773	1,601,327
Interagency Drug Enforcement	—	—	—	556,465
Bureau of Alcohol, Tobacco, Firearms, and Explosives	—	—	—	831,199
Federal Prison System	2003	4,605,068	4,444,827	4,667,526
Office of Justice Programs:				
Justice Assistance:				
Management and Administration	2003	215,811	137,753	40,000
National Institute of Justice	1995	33,000	27,000	59,000
Bureau of Justice Statistics	1995	33,000	21,379	33,731
Regional Information Sharing System	2003	100,000	28,812	35,000
White Collar Crime	—	—	—	4,500
State and Local Law Enforcement:				
Local law enforcement block grants	—	—	—	400,000
Byrne Grants	1995	1,000,000	500,000	615,000
USA Freedom Corps	—	—	—	5,000
Cooperative Agreement Program	—	—	—	2,500
Indian Assistance Programs	—	—	—	13,000
Victims of Trafficking	2002	10,000	10,000	10,000
State Prison Drug Treatment Program	2000	72,000	63,000	70,000
Prescription Drug Monitoring	—	—	—	10,000
Prison Rape Prevention and Prosecution	—	—	—	60,000
Law Enforcement Family Support	2000	7,500	1,500	1,487
Telemarketing	2000	2,500	2,000	1,982
Missing Alzheimer's Patients	1998	900	900	892
Hate Crimes Training	—	—	—	1,000
Weed and Seed	—	—	—	51,811
Violence Against Women:				
Training Programs	1997	1,000	1,000	4,957
Safe Havens	2002	15,000	15,000	14,903
Community Oriented Policing				
Training and Technical Assistance	—	—	—	20,662
Tribal Law Enforcement	—	—	—	30,000
Methamphetamine Hot Spots	—	—	—	60,000
Law Enforcement Technologies	—	—	—	100,000
DNA Initiative	—	—	—	174,353
Southwest Border Prosecutors	—	—	—	40,000
Project Safe Neighborhoods	—	—	—	45,000
Police Integrity	—	—	—	17,000
Management and Administration	—	—	—	26,130

[In thousands of dollars]

Agency/program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Juvenile Justice:				
Tribal Youth	—	—	—	12,500
Alcohol Prevention	—	—	—	25,000
Project Sentry	—	—	—	20,000
Secure our Schools Act	2003	30,000	4,968	20,000
Project Childsafe	—	—	—	25,000
Department of Commerce:				
International Trade Administration	1996	Such sums	248,726	382,123
Bureau of Industry and Security	2001	Such sums	64,711	68,203
Economic Development Administration	2003	335,000	318,680	318,680
National Telecommunications and Information Administration [2]	—	—	—	—
National Institute of Standards and Technology	1993	383,500	310,677	460,059
National Oceanic and Atmospheric Administration [2]				
Department of State:				
Administration of Foreign Affairs	2003	5,133,390	5,098,804	5,190,020
International Organizations	2003	1,617,359	1,529,702	1,560,663
International Commissions	2003	66,385	57,130	57,101
Other State	2003	72,000	69,986	52,376
Broadcasting Board of Governors	2003	644,486	533,841	563,500
Commission on International Religious Freedom	2003	2,865	2,865	3,000
Federal Communications Commission	1991	Such sums	115,794	278,958
Federal Trade Commission	1998	110,000	106,500	183,041
Legal Services Corporation	1980	Such sums	300,000	338,848
Securities and Exchange Commission	2002	776,000	716,350	738,500
State Justice Institute	1996	25,000	6,850	3,000

[1] The fiscal year 2001 Commerce, Justice, State, and the Judiciary and Related Agencies Appropriation Act, Public Law 106–553, Section 102, hereafter continued the authorizations contained in Public Law 96–132, the Department of Justice Appropriations Authorizations Act, Fiscal Year 1980, until the effective date of a subsequent Department of Justice appropriation authorization act.

[2] Programs under the Department of Commerce are funded pursuant to a number of expiring authorizing statutes. The statutes address a number of projects that do not directly correspond to the account structure in this Act. Following are the relevant authorizing statutes and estimates of the funding provided pursuant to each statute:

National Telecommunications and Information Administration Salaries and Expenses: Telecommunications Authorization Act of 1992, P.L. 102–538	1993	17,000	18,123	14,604
Public Telecommunications Facilities, Planning and Construction/Information Infrastructure Grants: Public Telecommunications Authorization Act of 1992, P.L. 102–356	1994	42,000	24,000	17,940
Technology Administration, Salaries and Expenses, P.L. 102–245	1993	8,500	6,070	7,822
National Oceanic and Atmospheric Administration Operations, Research and Facilities:				2,974,513
Endangered Species Act Amendments of 1958, P.L. 100–478	1992	6,750	8,236	
Marine Mammal Protection Act, P.L. 103–238	1999	14,768	22,927	
International Dolphin Conservation Program Act, P.L. 105–42	2001	4,000	3,293	
Magnuson-Stevens Fisheries Conservation Act, P.L. 104–297	1999	159,000	165,286	
NOAA Marine Fisheries Program Authorization Act, P.L. 104–297	2000	110,470	125,596	
Coastal Zone Management Act, P.L. 104–150	1999	55,100	58,500	
Coastal Zone Management Act, P.L. 101–506 section 6217, Coastal Nonpoint Source Program	1995	12,000	5,000	
Pacific Coastal Salmon Recovery: Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund and Southern Boundary Restoration and Enhancement fund, P.L. 106–553	2003	100,000	129,155	90,000

Comparison With the Budget Resolution

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives requires an explanation of compliance with section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, which requires that the report accompanying a bill providing new budget authority contain a statement detailing how that authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year from the Committee's section 302(a) allocation.

[In millions of dollars]

	Section 302(b) allocation	Recommended in this bill
Budget authority:		
Mandatory	642	642
Discretionary	37,914	37,914
Total budget authority	38,556	38,556
Outlays:		
Mandatory	654	654
Discretionary	41,009	40,989
Total outlays	41,663	41,643

FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

Fiscal year 2004 outlays

[In millions of dollars]

Budget authority	38,556
Outlays:	
2004	27,382
2005	6,895
2006	3,033
2007	1,544
2008 and future years	516

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, the financial assistance to State and local governments is as follows:

	Millions
FY 2004 new budget authority	1,828
FY 2004 outlays resulting therefrom	3,074

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

SECTION 530C OF TITLE 28, UNITED STATES CODE

§ 530C. Authority to use available funds

(a) * * *

(b) PERMITTED USES.—

(1) * * *

(2) SPECIFIC PERMITTED USES.—

(A) AIRCRAFT AND BOATS.—Funds available to the Attorney General for United States Attorneys, for the Federal Bureau of Investigation, for the United States Marshals Service, *for the Bureau of Alcohol, Tobacco, Firearms and Explosives,* for the Drug Enforcement Administration, and for the Immigration and Naturalization Service may be used for the purchase, lease, maintenance, and operation of aircraft and boats, for law enforcement purposes.

(B) PURCHASE OF AMMUNITION AND FIREARMS; FIREARMS COMPETITIONS.—Funds available to the Attorney General for United States Attorneys, for the Federal Bureau of Investigation, for the United States Marshals Service, *for the Bureau of Alcohol, Tobacco, Firearms and Explosives,* for the Drug Enforcement Administration, for the Federal Prison System, for the Office of the Inspector General, and for the Immigration and Naturalization Service may be used for—

(i) * * *

* * * * * * *

EMERGENCY SUPPLEMENTAL ACT, 2002

(Division B of Public Law 107–117)

DIVISION B—TRANSFERS FROM THE EMERGENCY RESPONSE FUND PURSUANT TO PUBLIC LAW 107–38

* * * * * * *

CHAPTER 2

* * * * * * *

RELATED AGENCIES

* * * * * * *

SMALL BUSINESS ADMINISTRATION

* * * * * * *

DISASTER LOANS PROGRAM ACCOUNT

For emergency expenses for the cost of loan subsidies and for loan modifications as authorized by section 202 of this Act, for disaster recovery activities and assistance related to the terrorist acts in New York, Virginia, and Pennsylvania on September 11, 2001 *or section 7(b) of the Small Business Act,* for "Disaster Loans Program Account", $75,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, language is not included regarding certain transfer authority.

RESCISSIONS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Department of Justice, State and Local Law Enforcement Assistance Account	$24,122,000
Department of Justice, Community Oriented Policing Services Account	$6,378,000

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 1

Date: July 16, 2003.

Measure: Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill, FY 2004.

Motion by: Mr. Obey.

Description of motion: To prohibit the use of funds in this Act to grant, transfer or assign a license for a commercial television broadcast station if such action would result in an entity exceeding a 35 percent aggregate national audience reach.

Results: Adopted 40 yeas to 25 nays.

Members Voting Yea		*Members Voting Nay*
Mr. Berry	Mr. Moran	Mr. Aderholt
Mr. Bishop	Mr. Murtha	Mr. Bonilla
Mr. Boyd	Mr. Nethercutt	Mr. Crenshaw
Mr. Clyburn	Mr. Obey	Mr. Culberson
Mr. Cramer	Mr. Olver	Mr. Cunningham
Ms. DeLauro	Mr. Pastor	Mr. Doolittle
Mr. Dicks	Mr. Peterson	Mrs. Emerson
Mr. Edwards	Mr. Price	Mr. Frelinghuysen
Mr. Farr	Mr. Regula	Ms. Granger
Mr. Fattah	Mr. Rothman	Mr. Hobson
Mr. Goode	Ms. Roybal-Allard	Mr. Kingston
Mr. Hinchey	Mr. Sabo	Mr. Kirk
Mr. Hoyer	Mr. Serrano	Mr. Knollenberg
Mr. Istook	Mr. Sherwood	Mr. Kolbe
Mr. Jackson	Mr. Taylor	Mr. LaHood
Ms. Kaptur	Mr. Visclosky	Mr. Latham
Mr. Kennedy	Mr. Vitter	Mr. Lewis
Ms. Kilpatrick	Mr. Walsh	Mrs. Northup
Mrs. Lowey	Mr. Wamp	Mr. Rogers
Mr. Mollohan	Mr. Wolf	Mr. Simpson
		Mr. Sweeney
		Mr. Tiahrt
		Dr. Weldon
		Mr. Wicker
		Mr. Young

ROLLCALL NO. 2

Date: July 16, 2003.

Measure: Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill, FY 2004.

Motion by: Mr. Tiahrt.

Description of motion: To exempt corporations from a separate provision in this Act that prohibits the use of funds to investigate or act upon applications for relief under 18 U.S.C. 925(c) from persons who are prohibited from processing shipping, transporting or receiving firearms or ammunition; to prohibit the use of funds to transfer the functions of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to other agencies or Departments in fiscal year 2004; to prohibit the use of funds to disclose to the public any information required to be kept by Federal firearms licensees; to prohibit the use of funds to require Federal firearms licensees to submit certain records to the ATF regarding the acquisition or disposition of a firearm; to prohibit the use of funds to promulgate or implement any rule to require Federal firearms licensees to conduct a physical inventory of firearms; to prohibit the use of funds to deny applications for Federal firearms dealer licenses or renewal of such licenses due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code; to amend a provision to prohibit the use of funds for any national instant criminal background check system that does not require and result in the immediate destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm; and to require the ATF to include specific language in any release of tracing study data that makes clear that trace data cannot be used to draw broad conclusions about firearms-related crime.

Results: Adopted 31 yeas to 30 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Bonilla
Mr. Berry	Mr. Clyburn
Mr. Bishop	Mr. Dicks
Mr. Boyd	Mr. Farr
Mr. Crenshaw	Mr. Fattah
Mr. Culberson	Mr. Frelinghuysen
Mr. Cunningham	Ms. Granger
Mr. Doolittle	Mr. Hobson
Mr. Edwards	Mr. Hoyer
Mrs. Emerson	Mr. Jackson
Mr. Goode	Ms. Kaptur
Mr. Hinchey	Mr. Kennedy
Mr. Istook	Ms. Kilpatrick
Mr. Kingston	Mr. Kirk
Mr. Knollenberg	Mr. Kolbe
Mr. LaHood	Mr. Lewis
Mr. Latham	Mrs. Lowey
Mr. Mollohan	Mr. Obey
Mr. Murtha	Mr. Olver

Mr. Nethercutt
Mr. Peterson
Mr. Rogers
Mr. Sherwood
Mr. Simpson
Mr. Sweeney
Mr. Taylor
Mr. Tiahrt
Mr. Vitter
Mr. Wamp
Dr. Weldon
Mr. Wicker
Mr. Pastor
Mr. Price
Mr. Regula
Mr. Rothman
Ms. Roybal-Allard
Mr. Sabo
Mr. Serrano
Mr. Visclosky
Mr. Walsh
Mr. Wolf
Mr. Young

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY

The following table provides a detailed summary, for each Department and agency, comparing the amounts recommended in the bill with fiscal year 2003 enacted amounts and budget estimates presented for fiscal year 2004:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	90,477	133,772	106,664	+16,187	-27,108
Supplemental appropriations (P.L. 108-11)	5,000	---	---	-5,000	---
Joint automated booking system	15,869	---	---	-15,869	---
Automated Biometric Identification System-Integrated Identification system integration	8,941	---	---	-8,941	---
Identification systems integration	---	34,077	20,677	+20,677	-13,400
Legal activities office automation	15,838	---	30,136	+14,298	+30,136
Narrowband communications	63,936	140,083	103,171	+39,235	-36,912
Transfer from Treasury	7,391	---	---	-7,391	---
Counterterrorism fund	993	---	1,000	+7	+1,000
Supplemental appropriations (P.L. 108-11)	20,000	---	---	-20,000	---
Administrative review and appeals	190,290	197,420	193,530	+3,240	-3,890
Detention trustee	768,578	810,125	810,125	+41,547	---
Supplemental appropriations (P.L. 108-11)	40,000	---	---	-40,000	---
Office of Inspector General	51,599	62,029	56,245	+4,646	-5,784
Supplemental appropriations (P.L. 108-11)	2,500	---	---	-2,500	---
Total, General administration	1,281,412	1,377,506	1,321,548	+40,136	-55,958
United States Parole Commission					
Salaries and expenses	10,420	11,051	10,609	+189	-442

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Legal Activities					
General legal activities:					
Direct appropriation	605,368	663,350	618,537	+13,169	-44,813
Radiation exposure compensation act	1,983	---	---	-1,983	---
Non-defense	---	1,996	1,996	+1,996	---
Subtotal	607,351	665,346	620,533	+13,182	-44,813
Vaccine injury compensation trust fund (permanent)	4,002	4,028	4,028	+26	---
Legal activities office automation	---	33,240	---	---	-33,240
Antitrust Division	133,133	141,898	128,133	-5,000	-13,765
Offsetting fee collections - current year	-133,133	-112,000	-112,000	+21,133	---
Direct appropriation	---	29,898	16,133	+16,133	-13,765
United States Attorneys	1,493,993	1,556,784	1,526,253	+32,260	-30,531
United States Trustee System Fund	155,736	175,172	166,157	+10,421	-9,015
Offsetting fee collections	-149,736	-167,172	-158,157	-8,421	+9,015
Interest on U.S. securities	-6,000	-8,000	-8,000	-2,000	---
Direct appropriation	---	---	---	---	---
Foreign Claims Settlement Commission	1,129	1,212	1,205	+76	-7

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Marshals Service:					
Salaries and expenses (non-CSE)	676,051	720,806	678,672	+2,621	-42,134
Supplemental appropriations (P.L. 108-11)	8,000	---	---	-8,000	---
Construction	15,028	---	---	-15,028	---
Total, United States Marshals Service	699,079	720,806	678,672	-20,407	-42,134
Fees and expenses of witnesses	175,645	156,145	156,145	-19,500	---
Community Relations Service	9,412	9,526	9,526	+114	---
Assets forfeiture fund	21,759	22,949	21,759	---	-1,190
Total, Legal activities	3,012,370	3,199,934	3,034,254	+21,884	-165,680
Interagency Law Enforcement					
Interagency crime and drug enforcement	369,712	541,844	---	-369,712	-541,844
Federal Bureau of Investigation					
Salaries and expenses	3,680,923	4,149,465	4,086,626	+405,703	-62,839
Supplemental appropriations (P.L. 108-11)	367,192	---	---	-367,192	---
Counterintelligence and national security	472,211	490,104	490,104	+17,893	---
Direct appropriation	4,520,326	4,639,569	4,576,730	+56,404	-62,839
Foreign terrorist tracking task force	61,597	---	61,597	---	+61,597

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Construction	1,242	---	1,242	---	+1,242
Total, Federal Bureau of Investigation	4,583,165	4,639,569	4,639,569	+56,404	---
Drug Enforcement Administration					
Salaries and expenses	1,639,223	1,677,304	1,719,888	+80,665	+42,584
Diversion control fund	-88,450	-118,561	-118,561	-30,111	---
Subtotal	1,550,773	1,558,743	1,601,327	+50,554	+42,584
Interagency drug enforcement	---	---	556,465	+556,465	+556,465
Total, Drug Enforcement Administration	1,550,773	1,558,743	2,157,792	+607,019	+599,049
Bureau of Alcohol, Tobacco and Firearms	788,273	838,987	831,199	+42,926	-7,788
GREAT grants	12,915	13,000	---	-12,915	-13,000
Total	801,188	851,987	831,199	+30,011	-20,788
Federal Prison System					
Salaries and expenses	4,044,788	4,677,214	4,461,257	+416,469	-215,957
Buildings and facilities	396,632	---	202,840	-193,792	+202,840
Rescission	---	-187,900	---	---	+187,900

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Prison Industries, Incorporated (limitation on administrative expenses)	3,407	3,429	3,429	+22	---
Total, Federal Prison System	4,444,827	4,492,743	4,667,526	+222,699	+174,783
Office of Justice Programs					
Justice assistance	199,983	2,136,423	209,131	+9,148	-1,927,292
(By transfer)	(6,632)	---	(6,632)	---	(+6,632)
Rescission	---	-11,622	---	---	+11,622
Total, Office of Justice Programs	199,983	2,124,801	209,131	+9,148	-1,915,670
State and local law enforcement assistance:					
Local law enforcement block grant	397,400	---	400,000	+2,600	+400,000
Boys and Girls clubs (earmark)	(79,480)	---	(80,000)	(+520)	(+80,000)
National Institute of Justice (earmark)	(19,870)	---	(20,000)	(+130)	(+20,000)
USA FREEDOM corps (earmark)	(2,981)	---	(5,000)	(+2,019)	(+5,000)
Indian assistance	17,883	---	13,000	-4,883	+13,000
Tribal prison construction	(4,968)	---	---	(-4,968)	---
Indian tribal courts program	(7,948)	---	(8,000)	(+52)	(+8,000)
Indian grants	(4,968)	---	(5,000)	(+32)	(+5,000)
State criminal alien assistance program	248,375	---	400,000	+151,625	+400,000
Cooperative agreement program	4,968	---	2,500	-2,468	+2,500
Byrne grants (formula)	496,750	---	500,000	+3,250	+500,000
Byrne grants (discretionary)	149,933	---	115,000	-34,933	+115,000
Juvenile crime block grant	188,765	---	---	-188,765	---
Drug courts	44,708	---	55,000	+10,292	+55,000
State prison drug treatment	64,577	---	70,000	+5,423	+70,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Other crime control programs	5,653	---	5,361	-292	+5,361
Assistance for victims of trafficking	9,935	---	10,000	+65	+10,000
Violence against women prevention and prosecution	387,629	---	---	-387,629	---
Prescription drug monitoring	7,451	---	10,000	+2,549	+10,000
Prison rape prevention	12,915	---	60,000	+47,085	+60,000
Terrorism prevention and response training	14,902	---	---	-14,902	---
Prior year unobligated balances	-20,854	---	---	+20,854	---
Total, State and local law enforcement	2,030,990	---	1,640,861	-390,129	+1,640,861
Weed and seed program fund	58,542	---	51,811	-6,731	+51,811
Community oriented policing services:					
Hiring	198,700	---	---	-198,700	---
Training and technical assistance	20,528	20,662	20,662	+134	---
Bullet proof vests	25,279	---	25,000	-279	+25,000
Tribal law enforcement	34,773	30,000	30,000	-4,773	---
Meth hot spots	56,761	20,000	60,000	+3,239	+40,000
Police corps	14,903	---	28,315	+13,412	+28,315
COPS technology	188,719	50,000	100,000	-88,719	+50,000
Interoperable communications	19,870	---	---	-19,870	---
Supplemental appropriations (P.L. 108-11)	54,750	---	---	-54,750	---
Criminal records upgrade	39,740	---	56,924	+17,184	+56,924
DNA backlog/crime lab	81,009	---	174,353	+93,344	+174,353
Paul Coverdell forensics science	---	---	5,000	+5,000	+5,000
Crime identification technology	68,626	---	---	-68,626	---
Gun violence reduction	44,708	---	45,000	+292	+45,000
Southwest border prosecutors	39,740	---	40,000	+260	+40,000
Project sentry	9,935	---	---	-9,935	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Offender reentry	14,837	---	13,504	-1,333	+13,504
Safe schools initiative	15,111	---	---	-15,111	---
Police integrity grants	16,853	16,963	17,000	+147	+37
DC Circuit Court and fugitive apprehension	---	---	41,105	+41,105	+41,105
Management and administration	32,782	26,130	26,130	-6,652	---
Rescission	---	-6,378	---	---	+6,378
Total, Community oriented policing services	977,624	157,377	682,993	-294,631	+525,616
Violence against women prevention and prosecution	---	---	387,629	+387,629	+387,629
Juvenile justice programs	273,517	---	462,282	+188,765	+462,282
(Transfer out)	(-6,632)	---	(-6,632)	---	(-6,632)
Public safety officers benefits:					
Death benefits	49,054	49,054	49,054	---	---
Disability and education benefits	3,974	---	7,500	+3,526	+7,500
Total, Public safety officers benefits program	53,028	49,054	56,554	+3,526	+7,500
Total, Office of Justice Programs	3,593,684	2,331,232	3,491,261	-102,423	+1,160,029
Total, title I, Department of Justice	19,647,551	19,004,609	20,153,758	+506,207	+1,149,149
(Transfer out)	(-6,632)	---	(-6,632)	---	(-6,632)
(By transfer)	(6,632)	---	(6,632)	---	(+6,632)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
RELATED AGENCIES					
Office of the United States Trade Representative					
Salaries and expenses	34,772	36,994	41,994	+7,222	+5,000
European communities music licensing dispute (P.L. 108-11)	3,300	---	---	-3,300	---
International Trade Commission					
Salaries and expenses	53,649	58,295	57,000	+3,351	-1,295
Total, Related agencies	91,721	95,289	98,994	+7,273	+3,705
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	367,838	395,123	395,123	+27,285	---
Offsetting fee collections	-8,000	-13,000	-13,000	-5,000	---
Direct appropriation	359,838	382,123	382,123	+22,285	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Bureau of Industry and Security					
Operations and administration	59,088	78,169	61,000	+1,912	-17,169
CWC enforcement	7,203	---	7,203	---	+7,203
Total, Bureau of Industry and Security	66,291	78,169	68,203	+1,912	-9,966
Economic Development Administration					
Economic development assistance programs	288,115	331,027	288,115	---	-42,912
Salaries and expenses	30,565	33,377	30,565	---	-2,812
Total, Economic Development Administration	318,680	364,404	318,680	---	-45,724
Minority Business Development Agency					
Minority business development	28,718	29,487	29,000	+282	-487
Total, Trade and Infrastructure Development	865,248	949,472	897,000	+31,752	-52,472
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	71,689	84,756	75,000	+3,311	-9,756
Bureau of the Census					
Salaries and expenses	181,811	220,908	220,908	+39,097	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Periodic censuses and programs	369,067	441,053	441,053	+71,986	---
Total, Bureau of the Census	550,878	661,961	661,961	+111,083	---
National Telecommunications and Information Administration					
Salaries and expenses	14,604	18,869	14,604	---	-4,265
Public telecommunications facilities, planning and construction	43,273	2,538	2,538	-40,735	---
Information infrastructure grants	15,402	---	15,402	---	+15,402
Total, National Telecommunications and Information Administration	73,279	21,407	32,544	-40,735	+11,137
United States Patent and Trademark Office					
Current year fee funding	1,015,229	1,203,055	1,138,700	+123,471	-64,355
Prior year carryover	166,771	---	100,000	-66,771	+100,000
New fees (proposed legislation)	---	192,000	---	---	-192,000
Total, Patent and Trademark Office	1,182,000	1,395,055	1,238,700	+56,700	-156,355
Offsetting fee collections	-1,015,229	-1,203,055	-1,238,700	-223,471	-35,645
Total, Economic and Information Infrastructure	862,617	960,124	769,505	-93,112	-190,619

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
SCIENCE AND TECHNOLOGY					
Technology Administration					
Office of Technology Policy					
Salaries and expenses	9,822	8,015	7,822	-2,000	-193
NTIS revolving fund	---	---	---	---	---
National Institute of Standards and Technology					
Scientific and technical research and services	357,075	379,849	357,862	+787	-21,987
Industrial technology services	284,760	39,607	39,607	-245,153	---
Construction of research facilities	65,670	69,590	62,590	-3,080	-7,000
Working capital fund	---	7,772	---	---	-7,772
Total, National Institute of Standards and Technology	707,505	496,818	460,059	-247,446	-36,759
National Oceanic and Atmospheric Administration					
Operations, research, and facilities	2,298,481	2,389,300	2,180,454	-118,027	-208,846
(By transfer from Promote and Develop Fund)	(65,000)	(75,000)	(79,251)	(+14,251)	(+4,251)
(By transfer from Coastal zone management)	---	3,000	---	---	-3,000
Total, Operations, research, and facilities	2,298,481	2,392,300	2,180,454	-118,027	-211,846

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Procurement, acquisition and construction	754,096	842,399	794,059	+39,963	-48,340
Supplemental appropriations (P.L. 108-11)	65,000	---	---	-65,000	---
Total, Procurement, acquisition and construction	819,096	842,399	794,059	-25,037	-48,340
Pacific coastal salmon recovery	129,155	90,000	90,000	-39,155	---
Coastal zone management fund	-3,000	-3,000	-3,000	---	---
Fishermen's contingency fund	1	956	---	-1	-956
Foreign fishing observer fund	1	191	---	-1	-191
Fisheries finance program account	-8,000	-4,000	-7,000	+1,000	-3,000
Total, National Oceanic and Atmospheric Administration	3,235,734	3,318,846	3,054,513	-181,221	-264,333
Total, Science and Technology	3,953,061	3,823,679	3,522,394	-430,667	-301,285
Departmental Management					
Salaries and expenses	44,662	57,191	44,662	---	-12,529
Office of Inspector General	20,501	23,378	22,000	+1,499	-1,378
Total, Departmental management	65,163	80,569	66,662	+1,499	-13,907

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Tourism promotion (sec. 210)	49,675	---	---	-49,675	---
Total, Department of Commerce	5,704,043	5,718,555	5,156,567	-547,476	-561,988
Total, title II, Department of Commerce and related agencies	5,795,764	5,813,844	5,255,561	-540,203	-558,283
Appropriations	(5,795,764)	(5,813,844)	(5,255,561)	(-540,203)	(-558,283)
(By transfer)	(65,000)	(75,000)	(79,251)	(+14,251)	(+4,251)
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,872	1,896	1,896	+24	---
Other salaries and expenses	43,586	55,581	53,464	+9,878	-2,117
Supplemental appropriations (P.L. 108-11)	1,535	---	---	-1,535	---
Total, Salaries and expenses	46,993	57,477	55,360	+8,367	-2,117
Care of the building and grounds	41,355	4,658	10,591	-30,764	+5,933
Total, Supreme Court of the United States	88,348	62,135	65,951	-22,397	+3,816

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	2,225	2,237	2,237	+12	---
Other salaries and expenses	17,970	20,185	18,428	+458	-1,757
Supplemental appropriations (P.L. 108-11)	973	---	---	-973	---
Total, Salaries and expenses	21,168	22,422	20,665	-503	-1,757
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,678	1,721	1,721	+43	---
Other salaries and expenses	11,931	12,485	12,347	+416	-138
Supplemental appropriations (P.L. 108-11)	50	---	---	-50	---
Total, Salaries and expenses	13,659	14,206	14,068	+409	-138
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	263,854	274,504	274,504	+10,650	---
Other salaries and expenses	3,513,161	3,913,848	3,729,672	+216,511	-184,176
Direct appropriation	3,777,015	4,188,352	4,004,176	+227,161	-184,176

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Vaccine Injury Compensation Trust Fund	2,766	3,293	3,293	+527	---
Defender services	534,961	635,481	613,948	+78,987	-21,533
Fees of jurors and commissioners	54,281	53,181	53,181	-1,100	---
Court security	266,655	311,171	288,941	+22,286	-22,230
Total, Courts of Appeals, District Courts, and Other Judicial Services	4,635,678	5,191,478	4,963,539	+327,861	-227,939
Administrative Office of the United States Courts					
Salaries and expenses	63,087	71,908	66,968	+3,881	-4,940
Federal Judicial Center					
Salaries and expenses	20,720	21,660	21,440	+720	-220
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	35,300	29,000	29,000	-6,300	---
United States Sentencing Commission					
Salaries and expenses	12,011	13,200	12,746	+735	-454

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
General Provisions					
Judges pay raise (sec. 304)	---	4,000	---	---	-4,000
Total, title III, the Judiciary	4,889,971	5,430,009	5,194,377	+304,406	-235,632
TITLE IV - DEPARTMENT OF STATE AND RELATED AGENCY					
Administration of Foreign Affairs					
Diplomatic and consular programs	3,248,008	3,516,843	3,453,260	+205,252	-63,583
(Transfer out)	(-4,000)	(-4,000)	(-4,000)	---	---
Supplemental appropriations (P.L. 108-11)	98,420	---	---	-98,420	---
Worldwide security upgrades	549,405	646,701	646,701	+97,296	---
Total, Diplomatic and consular programs	3,895,833	4,163,544	4,099,961	+204,128	-63,583
Capital investment fund	182,119	157,000	142,000	-40,119	-15,000
Office of Inspector General	29,074	31,703	29,777	+703	-1,926
Educational and cultural exchange programs	243,712	345,346	345,346	+101,634	---
Representation allowances	6,443	9,000	9,000	+2,557	---
Protection of foreign missions and officials	10,929	10,000	10,000	-929	---
Embassy security, construction, and maintenance	505,195	653,000	532,935	+27,740	-120,065
Supplemental appropriations (P.L. 108-11)	149,500	---	---	-149,500	---
Worldwide security upgrades	750,093	861,400	861,400	+111,307	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Emergencies in the diplomatic and consular service....	6,458	1,000	1,000	-5,458	---
Supplemental appropriations (P.L. 108-11).....	50,000	---	---	-50,000	---
(By transfer).....	(4,000)	(4,000)	(4,000)	---	---
(Transfer out).....	(-1,000)	(-1,000)	(-1,000)	---	---
Repatriation Loans Program Account:					
Direct loans subsidy.....	608	612	612	+4	---
Administrative expenses.....	603	607	607	+4	---
(By transfer).....	(1,000)	(1,000)	(1,000)	---	---
Total, Repatriation loans program account.....	1,211	1,219	1,219	+8	---
Payment to the American Institute in Taiwan.....	18,330	19,773	18,782	+452	-991
Payment to the Foreign Service Retirement and Disability Fund.....	138,200	134,979	134,979	-3,221	---
Total, Administration of Foreign Affairs.....	5,987,097	6,387,964	6,186,399	+199,302	-201,565
International Organizations					
Contributions to international organizations, current year assessment.....	860,371	1,010,463	1,010,463	+150,092	---
Contributions for international peacekeeping activities, current year.....	669,331	550,200	550,200	-119,131	---
Total, International Organizations and Conferences.....	1,529,702	1,560,663	1,560,663	+30,961	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	25,316	31,562	25,668	+352	-5,894
Construction	5,415	8,901	5,500	+85	-3,401
American sections, international commissions	9,410	11,204	8,944	-466	-2,260
International fisheries commissions	16,989	20,043	16,989	---	-3,054
Total, International commissions	57,130	71,710	57,101	-29	-14,609
Other					
Payment to the Asia Foundation	10,376	9,250	10,376	---	+1,126
Eisenhower Exchange Fellowship program	497	500	500	+3	---
Israeli Arab scholarship program	373	375	375	+2	---
East-West Center	17,883	14,280	---	-17,883	-14,280
National Endowment for Democracy	41,727	36,000	42,000	+273	+6,000
Total, Department of State	7,644,785	8,080,742	7,857,414	+212,629	-223,328
RELATED AGENCY					
Broadcasting Board of Governors					
International Broadcasting Operations	465,850	525,204	552,105	+86,255	+26,901
Supplemental appropriations (P.L. 108-11)	30,500	---	---	-30,500	---
Broadcasting to Cuba	24,834	26,901	---	-24,834	-26,901
Broadcasting capital improvements	12,657	11,395	11,395	-1,262	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total, Broadcasting Board of Governors.....	533,841	563,500	563,500	+29,659	---
Total, title IV, Department of State.....	8,178,626	8,644,242	8,420,914	+242,288	-223,328
(Transfer out).....	(-5,000)	(-5,000)	(-5,000)	---	---
(By transfer).....	(5,000)	(5,000)	(5,000)	---	---
TITLE V - RELATED AGENCIES					
Antitrust Modernization Commission					
Salaries and expenses.....	---	---	1,499	+1,499	+1,499
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses.....	496	499	499	+3	---
Commission on Civil Rights					
Salaries and expenses.....	9,037	9,096	9,096	+59	---
Commission on International Religious Freedom					
Salaries and expenses.....	2,865	3,000	3,000	+135	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Commission on Ocean Policy					
Salaries and expenses	1,987	---	---	-1,987	---
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,572	1,615	1,615	+43	---
Congressional-Executive Commission on the People's Republic of China					
Salaries and expenses	1,371	1,800	1,800	+429	---
Equal Employment Opportunity Commission					
Salaries and expenses	306,815	334,754	328,400	+21,585	-6,354
Supplemental appropriations (P.L. 108-11)	15,000	---	---	-15,000	---
Federal Communications Commission					
Salaries and expenses	270,987	280,798	278,958	+7,971	-1,840
Offsetting fee collections - current year	-269,000	-251,984	-269,000	---	-17,016
Direct appropriation	1,987	28,814	9,958	+7,971	-18,856

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Trade Commission					
Salaries and expenses	176,553	191,132	183,041	+6,488	-8,091
Offsetting fee collections - current year	-150,000	-112,000	-112,000	+38,000	---
Offsetting fee collections, telephone database	-18,100	-18,000	-20,100	-2,000	-2,100
Direct appropriation	8,453	61,132	50,941	+42,488	-10,191
Legal Services Corporation					
Payment to the Legal Services Corporation	336,645	329,300	338,848	+2,203	+9,548
Marine Mammal Commission					
Salaries and expenses	3,030	1,856	1,856	-1,174	---
National Commission on Terrorism Attacks Upon the United States					
Salaries and expenses (P.L. 108-11)	11,000	---	---	-11,000	---
National Veterans Business Development Corporation					
Salaries and expenses	1,987	2,000	2,000	+13	---
Securities and Exchange Commission					
Salaries and expenses	745,789	841,507	841,500	+95,711	-7

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Prior year unobligated balances	-29,439	---	-103,000	-73,561	-103,000
Direct appropriation	716,350	841,507	738,500	+22,150	-103,007
Small Business Administration					
Salaries and expenses	312,413	360,155	326,592	+14,179	-33,563
Office of Inspector General	12,341	14,500	13,000	+659	-1,500
Business Loans Program Account:					
Direct loans subsidy	3,702	1,910	1,910	-1,792	---
Guaranteed loans subsidy	84,805	94,860	84,805	---	-10,055
Administrative expenses	128,161	129,000	129,000	+839	---
Total, Business loans program account	216,668	225,770	215,715	-953	-10,055
Disaster Loans Program Account:					
Direct loans subsidy	72,665	79,109	72,665	---	-6,444
Administrative expenses	117,585	118,354	117,585	---	-769
Gainsharing	---	3,000	---	---	-3,000
Total, Disaster loans program account	190,250	200,463	190,250	---	-10,213
Total, Small Business Administration	731,672	800,888	745,557	+13,885	-55,331

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
State Justice Institute					
Salaries and expenses	2,981	---	3,000	+19	+3,000
Total, title V, Related agencies	2,153,248	2,416,261	2,236,569	+83,321	-179,692
TITLE VII - RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration					
Working Capital fund (rescission)	-78,000	---	---	+78,000	---
Legal Activities					
Assets forfeiture fund (rescission)	-50,874	---	---	+50,874	---
Office of Justice Programs					
State & local law enforcement assistance (rescission)	---	---	-24,122	-24,122	-24,122
Community oriented policing services (rescission)	---	---	-6,378	-6,378	-6,378
Immigration and Naturalization Service					
Immigration emergency fund (rescission)	-580	---	---	+580	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
DEPARTMENT OF COMMERCE					
National Oceanic and Atmostpheric Administration					
Coastal impact assistance (rescission).....	-7,000	---	---	+7,000	---
Departmental Management					
Emergency oil and gas guaranteed loan program account (rescission).....	-920	---	---	+920	---
Emergency steel guaranteed loan program account (rescission).....	---	-97,000	---	---	+97,000
RELATED AGENCIES					
Federal Communications Commission					
Salaries and expenses (rescission).....	-5,700	---	---	+5,700	---
Small Business Administration					
Salaries and expenses (rescission).....	-13,750	---	---	+13,750	---
Business Loans Program Account:					
Guaranteed loans subsidy (rescission).....	-10,500	---	---	+10,500	---
Total, title VII, Rescissions.....	-167,324	-97,000	-30,500	+136,824	+66,500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total:					
New budget (obligational) authority.....	40,497,836	41,211,965	41,230,679	+732,843	+18,714
Appropriations.....	(40,665,160)	(41,514,865)	(41,261,179)	(+596,019)	(-253,686)
Rescissions.....	(-167,324)	(-302,900)	(-30,500)	(+136,824)	(+272,400)
(Transfer out).....	(-11,632)	(-5,000)	(-11,632)	---	(-6,632)
(By transfer).....	(76,632)	(80,000)	(90,883)	(+14,251)	(+10,883)

ADDITIONAL VIEWS OF THE HONORABLE DAVID R. OBEY AND JOSÉ E. SERRANO

In crafting the FY 2004 Commerce, Justice, and State appropriations bill, the Chairman was forced to work with an inadequate and irresponsible request from the President that cut roughly $1.2 billion of funding to State and local first responders. An insufficient allocation based on the House's irresponsible budget resolution and the shortfall in the President's request forced the Chairman to make exceptionally hard decisions. We commend the Chairman for working with us to address our priorities in a fair and open manner. The bill fully funds many critical agencies and activities, including the Federal Bureau of Investigation; the UN Educational, Scientific, and Cultural Organization; the Legal Services Corporation; and international peacekeeping and diplomatic security initiatives. Important increases over the President's request are provided for drug enforcement programs and state and local law enforcement.

We also commend Appropriations Committee members on both sides of the aisle for adopting an amendment that overturns the FCC decision to expand the national audience reach that television networks may acquire. The FCC decision would have further concentrated power in the hands of a few media giants and undermined community standards.

Five media conglomerates—Viacom, Disney, AOL Time Warner, NewsCorp, and General Electric—now control a 70 percent share of homes watching during prime time. And new technologies expand the reach of these media giants. The networks are guaranteed carriage to cable subscribers. In fact, they own most of cable. There are 91 major cable networks, 80 percent of which are owned by the same media conglomerates. The cable news networks are all owned by AOL Time Warner (CNN), NewsCorp (Fox News), and General Electric (MSNBC and CNBC). The top twenty Internet news sites are also largely owned by the same media giants.

This media concentration is a threat to democracy. The public owns the airwaves, but the Supreme Court has held that it is in the public interest to grant exclusive private licenses because "the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public." In other words, democracy will flourish only when its citizens have access to a diversity of sources of news and information. Having the capacity to read the New York Times in print or online is useful but it does not increase the diversity of sources of news. As William Safire has argued, "Why do we have more channels and fewer real choices today? Because the ownership of our means of communication is shrinking. Moguls glory in amalgamation, but more individuals than they realize resent the loss of local control and community identity."

In addition to threatening democratic practices, media concentration leads to programming inconsistent with local community standards. At network-owned stations, program decisions are made by network executives in cloistered corporate headquarters. Local managers run affiliates. They live in the communities they serve and are held accountable for program decisions by their neighbors and acquaintances. As a result, affiliates occasionally preempt national programming to meet the needs of their communities. For example, when some affiliates refused to air certain liquor ads, NBC abandoned the idea. No network-owned stations even threatened not to air the ads. In another well-publicized instance, the network-owned stations all showed the Victoria's Secret Fashions Show in the same early evening time slot. In contrast, several locally-owned stations aired it at a later time slot, after young children could be expected to be asleep. In another example, one network would not let its stations air a political debate because it would have preempted a season premiere. The fact is, no network-owned and operated station has ever refused to run a network program.

Locally-owned stations are an endangered species. The percentage of stations that are network-owned and operated is growing and the FCC's decision would have allowed the networks to reach an even wider audience. A single entity could own stations that reach 45 percent of TV households under the FCC's new regulations. If networks own a larger portion of the stations, they can ignore the local concerns of their few remaining affiliates with impunity. The networks might even punish stations that refused to run network shows, or changed their time slot or content. As the national cap has weakened. affiliates preempt networks less. From 1991 to 1995, when the cap on national audience reach was at 25 percent, affiliates on average preempted 48 hours of network programming per year. With the cap at 35 percent, affiliates preempted only 36 hours.

By adopting this amendment, the Committee took an important stand to protect our democratic institutions and local communities. We look forward to working with the Chairman to get this provision enacted into law. In addition, we would like to work with the Chairman to address several other important issues as this bill moves forward. These issues are described in more detail below.

First Responders: As was noted previously, the President's request cut $1.2 billion in State and local law enforcement grants. This included the elimination of Byrne grants, the Local Law Enforcement Block Grant, and the COPS Hiring program, all of which provide essential funding for first responders. The Chairman has done an admirable job restoring funds for most of these programs to the FY 2003 levels, with the notable exception of the COPS Hiring program. However, flat funding for homeland defense is not acceptable.

A report issued by the Council on Foreign Relations and chaired by Warren Rudman stated, "America will fall approximately $98 billion short of meeting critical emergency responder needs over the next five years if current funding levels are maintained." Over the past two years, House Democrats have consistently proposed additional funding to address first responder needs. We must continue

to help State and local law enforcement prepare for potential terrorist attacks. This will be costly. We must accept this conclusion and make the investments necessary to provide for our homeland defense.

Corporate Oversight: For the past two years, we have been confronted with stories of corporations collapsing in value, devouring investors' savings, and destroying the retirement hopes of thousands and thousands of workers. Despite recent investments that have been made in the Securities and Exchange Commission, the Federal Bureau of Investigation, and the US Attorneys to better regulate business and protect American investors, it is important that we do not become complacent. One of the government's chief responsibilities is making sure that businesses are honest and play by the rules, and that is an everyday job. Two of the most important agencies in performing this function are the Federal Trade Commission and the Justice Department's Antitrust Division. We are concerned about the possible impact of cuts in the House bill to these agencies and will continue to seek sufficient resources to ensure appropriate corporate oversight.

Economic Growth and Development: The United States economy has underperformed and been mired in recession for several years. Unemployment is currently at an unacceptable 6.4 percent. The key to reversing these trends will be small businesses. The House bill proposes deep cuts to current operating levels for important programs such as the Manufacturing Extension Program, the Advanced Technology Program, the Economic Development Administration, and the Small Business Administration. To help provide businesses with the resources and assistance to turn the economy around, we will continue to advocate for sufficient funding in these and other business and development programs.

Other areas of concern include maintaining an adequate diplomatic presence abroad; fully funding legitimate Federal debts owed to State and local governments for diplomatic and homeland security activities; protecting the environment; and transitioning public television to digital broadcasting. However, we would once again commend the Chairman for the openness and fairness with which he has dealt with concerns we have raised. As this bill moves through the House and into Conference negotiations, we look forward to continuing our close working relationship, securing additional funds for key priorities, and enacting media ownership rules that protect fundamental principles of democracy and community decency.

DAVE OBEY.
JOSÉ E. SERRANO.

○