

FY 2003 Commerce Justice State Appropriations Tracking- Report

<p>REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA</p>	<p>REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA</p>	<p>REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA</p>
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	<p>National Oceanic and Atmospheric Administration</p> <p style="text-align: center;">(including transfers of funds)</p> <p>Appropriations, 2002.....\$3,258,848,000 Budget estimate, 2003.....3,130,614,000 Committee recommendation.....3,349,506,000</p> <p>The Committee recommends an appropriation of \$3,349,506,000 for National Oceanic and Atmospheric Administration [NOAA]. Transfers and deobligations total \$75,200,000. The recommendation is \$218,892,000 above the budget request. The Committee recommendation includes a 4.1 percent pay adjustment for Federal employees. During this time of continued budgetary constraint, the Committee recommendation continues to make funding for ocean, coastal, fisheries, and atmospheric programs a high priority.</p> <p>As in past years, the Committee expects NOAA and the Department to adhere to the direction given in this section of the Committee report and to observe the reprogramming procedures detailed in section 605 in the general provisions of the accompanying bill.</p> <p style="text-align: center;">Operations Research, and Facilities</p> <p>The Committee recommends discretionary appropriations of \$2,352,301,000. The recommendation is \$138,219,000 above the budget request.</p> <p>Sea Grant College Program. Through its budget request, the administration slated the National Sea Grant College Program for termination under NOAA and reconstitution under the National Science Foundation</p>	<p style="text-align: center;">108TH CONGRESS Report HOUSE OF REPRESENTATIVES</p> <p>1st Session 108-10 MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2003, AND FOR OTHER PURPOSES</p> <p>February 13 (legislative day, FEBRUARY 12), 2003- Ordered to be printed Mr. YOUNG of Florida, from the committee of conference, submitted the following CONFERENCE REPORT [To accompany H.J. Res. 2]</p> <p>The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H.J. Res. 2), 'making further continuing appropriations for the fiscal year 2003, and for other purposes', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:</p> <p>That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:</p> <p>In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:</p> <p>SECTION 1. SHORT TITLE.</p> <p>This joint resolution may be cited as the 'Consolidated Appropriations Resolution, 2003'.</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>[NSF]. The Committee does not support this ill-conceived notion. Instead, the Committee recommends a total appropriation of \$63,410,000 for the program. Under the NSF, the program would lose its State matching requirement and it would lack authorization to continue its successful Extension Program. The Sea Grant program has a long-standing commitment to problem-oriented scientific research and education that responds to the needs of industry, government, resource managers, university scientists, and the broader public. The outreach and technology transfer services of the Sea Grant program have improved science-based fisheries management, pollution remediation, seafood safety, marine safety, and marine engineering. The Committee is concerned that NSF, with its tradition of funding basic science, will be less responsive to the research agenda successfully developed by Sea Grant.</p> <p>Ocean and Coastal Observing Systems. The Committee reaffirms its support for the establishment of an integrated interagency ocean and coastal observing system that will provide critical information to a wide variety of users of ocean and coastal information and services. Substantially better information on the current and future state of the ocean and its role in environmental change is needed.</p> <p>Adequate predictive capability is a prerequisite to the development of sound policies at the national and regional level, policies ranging from maritime commerce to public health, from fisheries to safety of life and property, from climate change to national security.</p> <p>Broad scale discussions have been underway for almost three decades on this topic, but coordinated attention at the Federal level has begun in earnest only in recent years. In Senate Report 107_42, the Committee</p>	<p>DIVISION B--COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 2003</p> <p>MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2003, AND FOR OTHER PURPOSES.</p> <p>That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, and for other purposes, namely:</p> <p>TITLE II--DEPARTMENT OF COMMERCE AND RELATED AGENCIES</p> <p>NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION</p> <p style="text-align: center;">Operations, Research, and Facilities</p> <p style="text-align: center;">(including transfer of funds)</p> <p>For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized, \$2,313,519,000, to remain available until September 30, 2004: Provided, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may</p>
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	<p>directed the Office of Science and Technology Policy to develop an interagency plan for the research, technology demonstration, and ultimately, the implementation of an integrated ocean observing system.</p> <p>The Committee notes that efforts are underway to develop such a plan, but to date, no such interagency plan has been submitted.</p> <p>The Committee directs NOAA to work with its partners on the National Ocean Research Leadership Council to submit a plan to the Committee prior to the release of the President's budget for fiscal year 2004. This plan will detail an implementation strategy for the establishment of an integrated ocean and coastal observing system. This plan shall, at a minimum: (1) include an interagency governance structure; (2) define the roles and responsibilities of each agency in implementing and operating the system; (3) provide multi-year funding estimates by agency; and (4) include a process for regional coordination and technical support to ensure development of integrated regional systems with a national observing initiative.</p> <p>In addition, as development of an integrated long-term Federal plan proceeds, the Committee urges NOAA to coordinate existing or planned regional coastal observing systems, particularly those for which funding has been provided or those which use Federal platforms such as buoys. The Committee directs NOAA to utilize the data management and technical expertise of the Coastal Services Center to perform this function as well as provide education and outreach to participating Federal agencies, academic institutions, State agencies, and other interests. Ocean Health Initiative. One area where coastal observing systems would be useful is in exploring the relationship between the oceans and human health. In 1999, a National</p>	<p>retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further , That, in addition, \$65,000,000 shall be derived by transfer from the fund entitled ``Promote and Develop Fishery Products and Research Pertaining to American Fisheries": Provided further , That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,000,000, unless funds provided for ``Coastal Zone Management Grants" exceed funds provided in the previous fiscal year: Provided further, That if funds provided for ``Coastal Zone Management Grants" exceed funds provided in the previous fiscal year, then no State shall receive more than five percent or less than one percent of the additional funds: Provided further , That, of the \$2,395,519,000 provided for in direct obligations under this heading (of which \$2,313,519,000 is appropriated from the General Fund, \$65,000,000 is provided by transfer, and \$17,000,000 is derived from deobligations from prior years), \$417,933,000 shall be for the National Ocean Service, \$580,066,000 shall be for the National Marine Fisheries Service, \$374,740,000 shall be for Oceanic and Atmospheric Research, \$698,767,000 shall be for the National Weather Service, \$150,616,000 shall be for the National Environmental Satellite, Data, and Information Service, and \$173,397,000 shall be for Program Support: Provided further , That, of the amount provided under this heading, \$273,022,000 shall be for the conservation activities defined in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further , That no general administrative charge shall be applied against an assigned activity included in this Act and, further, that any direct administrative expenses applied against an assigned</p>
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	<p>Research Council report, From Monsoons to Microbes: Understanding the Ocean's Role in Human Health, focused attention on the implications of ocean phenomena for human health. The phenomena include climate change, weather events, coastal hazards, infectious diseases, and harmful algal blooms. As the nation faces increasing coastal pressures and scientists identify alarming changes in coastal systems, including changes in sentinel species such as dolphins and fish, NOAA is uniquely positioned to play a strong role in identification, prediction, and prevention of such changes.</p> <p>In addition, genetic and other characteristics of marine organisms can be used for medical advances and NOAA can help build a bridge between marine scientists and human health experts.</p> <p>The Committee directs the Under Secretary to establish an Ocean Health Initiative to coordinate and focus agency activities on critical areas of concern and identify critical gaps in coverage. The Committee is providing \$10,000,000 that shall be used for critical research and projects aimed at closing identified gaps. The Committee directs NOAA to: (1) work with the NSF and the National Institute of Environmental Health Sciences in developing a joint program that builds on and complements existing NOAA programs; (2) establish an external peer reviewed grant process; and (3) provide for the selection and funding of internationally recognized "distinguished" scholars to work in collaboration with NOAA researchers. NOAA will submit a spend plan for approval by the Committees on Appropriations before program funding is obligated.</p> <p>Fisheries Management Reform. The Committee continues to be gravely concerned over the need for reform of the Federal fishery management system. In June 2002,</p>	<p>activity shall be limited to 5 percent of the funds provided for that assigned activity so that total National Oceanic and Atmospheric Administration administrative expenses shall not exceed \$243,000,000: Provided further, That any use of deobligated balances of funds provided under this heading in previous years shall be subject to the procedures set forth in section 605 of this Act: Provided further, That the Secretary of Commerce will designate a National Marine Fisheries Service Regional Office for the Pacific Area within sixty days of enactment of this Act: Provided further, That the existing National Marine Fisheries Service Southwest Region and Fisheries Science Center and Northwest Region and Fisheries Science Center shall not be merged or reorganized to form the new National Marine Fisheries Service Pacific Area Regional Office, that the current structure, organization, function, and funding of the Southwest and Northwest Centers will not be changed except for funds that are already dedicated to the Hawaiian Islands, and that each regional organization will have the lead responsibility for its own programs:</p> <p>Provided further, That the Secretary of Commerce may enter into cooperative agreements with the Joint and Cooperative Institutes as designated by the Secretary to use the personnel, services, or facilities of such organizations for research, education, training, and outreach.</p> <p>In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.</p>
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	<p>the National Academy of Public Administration [NAPA] and the National Research Council [NRC] issued the report requested by the Committee that continues and expands the review begun in the June 2000 report prepared for NOAA, An Independent Assessment of the Resource Requirements for the National Marine Fisheries Service. The NAPA/NRC report confirmed that the agency is in a management crisis that will require years to resolve, and stated that the National Marine Fisheries Service [NMFS] must demonstrate leadership to ensure the necessary changes are made in the fishery management structure. The Committee supports current efforts by the Agency to strengthen accountability in both the Councils and the Agency.</p> <p>However, the Committee is concerned that implementation of the changes has been extremely slow, even when the funds have been provided. More aggressive action is needed, particularly in strengthening analytical capabilities and litigation preparedness. The Committee directs NOAA, no later than June 30, 2003, to report to the Committees on Appropriations on its progress in implementing the reforms identified in the NAPA/NRC report, as well as issues identified by NMFS, including how the budget request for fiscal year 2004 helps achieve these reforms.</p> <p>Pacific Salmon Funding. The Committee notes the lack of accountability and performance standards for resources distributed to restore endangered and threatened salmon through the Pacific Coastal Salmon Recovery Fund. For fiscal year 2002, the Committees on Appropriations provided the National Marine Fisheries Service \$111,700,000 to be distributed among certain States and tribes for habitat restoration and salmon recovery. The Secretary of Commerce is imposed with</p>	<p>Procurement, Acquisition and Construction (including transfers of funds)</p> <p>For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$759,030,000, to remain available until March 1, 2006, except for funds appropriated for the National Marine Fisheries Service Honolulu Laboratory and for the National Environmental Satellites, Data, and Information Service, which shall remain available until expended: Provided, That unexpended balances of amounts previously made available in the "Operations, Research, and Facilities" account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated: Provided further, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That of the amount provided under this heading for expenses necessary to carry out conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, including funds for the Coastal and Estuarine Land Conservation Program, \$76,179,000, to remain available until expended: Provided further, That the Secretary shall establish a Coastal and Estuarine Land Conservation Program, for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or</p>
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	<p>substantial legal obligations under the Endangered Species Act because no less than twenty six runs of Pacific salmon are listed as endangered. Failure to make progress toward recovery under the Endangered Species Act poses adverse legal consequences for the agency. The Committee has no assurances from the Administration that any of these funds have contributed to the recovery of Pacific salmon. This is particularly important at a time when the Department is struggling to respond to a huge litigation caseload, which the Committee has provided substantial funds to help reduce. Furthermore, there appears to be no way to accurately estimate total annual Federal expenditures for Pacific salmon recovery, but funds provided to the various agencies are more than \$500,000,000 per year.</p> <p>The Committee believes that some mechanism assuring legal and fiscal accountability is required for distribution of funds to States with listed salmon species. Section 6 of the Endangered Species Act provides for such a mechanism, linking the distribution of recovery funds to assurances that the State has an adequate and active program for endangered species conservation. The Committee directs NOAA to enter into Section 6 cooperative agreements with the States and tribes that are using funds for recovery of listed species to clarify State and tribal involvement in regional and local recovery programs. In addition, the Committee directs NOAA to provide an annual report to the Committee no later than March 30 of each year on the projects funded through the Pacific Salmon Recovery Fund and their projected and actual results, particularly focusing on progress toward recovery of endangered and threatened salmon species and projected ending date for funding needs based on recovery schedules. The Committee recommends that not less than 1 percent of the amounts made available for the Pacific</p>	<p>recreational state to other uses: Provided further, That none of the funds provided in this Act or any other Act under the heading "National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction" shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center.</p> <p>PACIFIC COASTAL SALMON RECOVERY</p> <p>For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, \$90,000,000: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</p> <p>In addition, for a final payment pursuant to the 1999 Pacific Salmon Treaty Agreement, \$40,000,000, of which \$25,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund, and of which \$15,000,000 shall be deposited in the Southern Boundary Restoration and Enhancement Fund: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</p> <p>FISHERMEN'S CONTINGENCY FUND</p> <p>For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$1,000, to be derived from receipts collected pursuant to that Act, to remain available until</p>
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	<p>Coastal Salmon Recovery Fund be made available to NOAA to accomplish this task.</p> <p>Enforcement of International Dolphin Agreement. The Committee is concerned that Mexico and other non-U.S. parties to the International Dolphin Conservation Program [IDCP], of which the United States is a member, are not fully complying with the requirements of the IDCP, particularly with respect to accurate reporting of dolphin interactions and mortality.</p> <p>The Committee directs the Department, in conjunction with NOAA, and in consultation with key U.S. stakeholders, to evaluate and document any lack of compliance by the non-U.S. parties to the IDCP with its provisions, including through on-site visits and discussions with government officials, observers and others with first-hand knowledge of country practices, and to submit a written report describing the findings to the Committee no later than May 1, 2003. The report should include an evaluation of compliance with the on-board observer program, with a focus on national observers; reporting of dolphin interactions and mortality; operational requirements for vessels; and actions by parties to follow-up on infractions identified by the international review panel.</p> <p>NOAA Operations, Research, and Facilities Fiscal Year 2003</p> <p style="text-align: center;">Committee Recommendation</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>National Ocean Service.....</td> <td style="text-align: right;">\$406,243,000</td> </tr> <tr> <td>National Marine Fisheries Service.....</td> <td style="text-align: right;">603,052,000</td> </tr> <tr> <td>Oceanic and Atmospheric Research.....</td> <td style="text-align: right;">395,685,000</td> </tr> <tr> <td>National Weather Service.....</td> <td style="text-align: right;">682,610,000</td> </tr> <tr> <td>National Environmental Satellite and Data Information</td> <td></td> </tr> </table>	National Ocean Service.....	\$406,243,000	National Marine Fisheries Service.....	603,052,000	Oceanic and Atmospheric Research.....	395,685,000	National Weather Service.....	682,610,000	National Environmental Satellite and Data Information		<p>expended.</p> <p>FOREIGN FISHING OBSERVER FUND</p> <p>For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627), the American Fisheries Promotion Act (Public Law 96-561) and the International Dolphin Conservation Program Act (Public Law 105-42), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$1,000, to remain available until expended.</p> <p>FISHERIES FINANCE PROGRAM ACCOUNT</p> <p>For the cost of direct loans, \$287,000, as authorized by the Merchant Marine Act of 1936, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$5,000,000 for Individual Fishing Quota loans, and not to exceed \$59,000,000 for Traditional direct loans, of which not less than \$40,000,000 may be used for direct loans to the United States distant water tuna fleet: Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.</p> <p>FISHERIES FINANCE PROGRAM ACCOUNT</p>
National Ocean Service.....	\$406,243,000											
National Marine Fisheries Service.....	603,052,000											
Oceanic and Atmospheric Research.....	395,685,000											
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National Environmental Satellite and Data Information												

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(House Report 107- - To accompany H.R.)

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NOAA

REPORT (CONFERENCE)

CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Service	133,841,000
Program Support.....	202,870,000

Total Operations, Research, and Facilities....	2,352,301,000

NATIONAL OCEAN SERVICE

[In thousands of dollars]

Committee
recommendation

Navigation Services:	
Mapping & Charting:	
Mapping & Charting	
Base.....	36,542
Coastal Storms.....	1,000
Joint Hydrographic Center.....	4,250
Joint Hydrographic Center__Bathymetric	
Research.....	2,000
Electronic Navigation Charts.....	3,350
Shoreline Mapping.....	2,000
Address Survey	
Backlog/Contracts.....	20,450
MS/LA Digital Coast.....	1,000
Vessel Lease/Time Charter.....	9,900

Subtotal, Mapping and Charting.....	80,492
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For the cost of direct loans, \$287,000, as authorized by the Merchant Marine Act of 1936, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$5,000,000 for Individual Fishing Quota loans, and not to exceed \$59,000,000 for Traditional direct loans, of which not less than \$40,000,000 may be used for direct loans to the United States distant water tuna fleet:

Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

GENERAL PROVISIONS--DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of

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(House Report 107- - To accompany H.R.)

NOAA

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(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Geodesy:
 Geodesy Base.....21,539
 National Spatial Reference System.....250
 Height Modernization Study-NGS Implementation...250
 Height Modernization Study NC.....1,000
 Height Modernization Study CA.....1,000
 Height Modernization Study MS.....1,000
 Geodetic Survey-LA.....1,000
 S. Carolina Geodetic Survey.....500

Subtotal, Geodesy.....26,539

Tide & Current Data.....13,709
 PORTS.....3,000
 Coastal Storms.....1,000
 Upper Cook Inlet Tidal Research.....500

Subtotal, Tide & Current Data.....18,209

Total, Navigation Services.....125,240

Ocean Resources Conservation and Assessment:
 Ocean Assessment Program [OAP]:
 Ocean Assessment Program Base.....15,128
 Coastal Observation Technology System.....1,700
 Center for Integrated Marine Technologies.....2,500
 Alliance for Coastal Technologies.....2,500

passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901-5902).

SEC. 203. Hereafter none of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Commerce, Justice, State Appropriations Act.

SEC. 205. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such

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	Center for Coastal Ocean Observation & Analysis.2,500 Carolina Coastal Ocean Observing and Prediction System.....2,500 Wallops Ocean Observation Project.....2,000 Coastal Marine Research & Monitoring Program....,000 Submersible Microtechnology Research.....1,500 Coastal Storms.....750 Beaufort.....3,000 Pfiesteria Research and HAB Rapid Response.....3,925 Coastal Services Center.....20,000 Pacific Coastal Center.....2,000 Harmful Algal Blooms.....5,000 Coastal Watershed Groundwater Assessment NH.....500 CREST.....450 Harmful Algal Bloom Task Force SC.....600 Aquatic Research Consortium MS.....2,500 Coop Institute for Coastal and Estuarine Enviro Tech.....6,550 Hawaii Coral Reef Initiative.....1,500 National Coral Reef Institute-Florida.....1,000 Coral Reef Program.....14,000 National Fish and Wildlife Foundation-NFWF.....1,500 JASON Education and Outreach.....2,000 Subtotal, Ocean Assessment Program [OAP].....97,603 =====	department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section. SEC. 206. Hereafter the Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949. SEC. 207. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103-356: Provided, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: Provided further, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund
	Response and Restoration: Response and Restoration Base.....4,641 Estuarine and Coastal Assessment.....2,670 Estuarine Restoration Program.....1,200 Damage Assessment Program.....5,200	

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	Oil Pollution Act of 1990.....1,000 Coastal Protection and Restoration Project.....1,000 Spill Response and Restoration Program.....2,000 Marine Debris Removal SC.....175 Edisto Beach Marsh Restoration.....100 Water Control Impoundments SC.....700 Coastal Remediation Technology.....750 Subtotal, Response and Restoration.....19,436 =====	plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: Provided further, That such fund shall provide services on a competitive basis: Provided further, That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2003 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, ADP, and other support systems: Provided further, That such amounts retained in the fund for fiscal year 2003 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: Provided further, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury: Provided further, That such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 103-356. SEC. 208. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the 'National Institute of Standards and Technology, Construction of Research Facilities', \$14,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, \$6,000,000 is
	Oceanic and Coastal Research: Oceanic and Coastal Research Base.....6,293 Fish Forensics/Enforcement.....1,300 MERHL.....4,000 Murrell's Inlet Special Area.....200 Gulf of Alaska Ecosystem Monitoring.....750 Nowcast/Forecast Operational System.....500 Pfiesteria/Toxins Research.....1,000 Aquidneck Island.....600 Subtotal, Ocean and Coastal Research.....14,643 =====	
	Coastal Ocean Science: Coastal Ocean Program Base.....12,890 ECOHAB.....4,200 Long-Term Estuary Assessment Consortium.....1,200 Hypoxia.....1,085 South Florida Ecosystem.....1,200	

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>Joint Hydrographic Center-Bathymetric Research..1,200 _____</p> <p>Subtotal, Coastal Ocean Science.....21,775 =====</p> <hr/> <p>Total, Ocean Resources Conservation & Assessment.....153,457 =====</p> <hr/> <p>Ocean and Coastal Management: Coastal Management: CZMA Grants.....68,963 CZMA Program Administration.....3,483 National Estuarine Research Reserve System.....16,400 Nonpoint Pollution Implementation Grants.....1,000 Marine Protected Areas.....3,000 _____</p> <p>Subtotal, Coastal Management.....92,846 =====</p> <hr/> <p>Ocean Management: Marine Sanctuary Program: Marine Sanctuary Program Base.....33,500 Northwest Straits Citizens Advisory Commission.1,200 _____</p> <p>Subtotal, Ocean Management.....34,700 =====</p>	<p>appropriated to the Thayer School of Engineering for the nanocrystalline materials and biomass research initiative, \$3,000,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies, \$4,000,000 is appropriated for the Institute for Politics, and \$1,260,000 is appropriated to the Franklin Pierce Manse.</p> <p>SEC. 209. Of the amount available from the fund entitled 'Promote and Develop Fishery Products and Research Pertaining to American Fisheries', \$10,000,000 shall be provided to develop an Alaska seafood marketing program. Such amount shall be made available as a direct lump sum payment to the Alaska Fisheries Marketing Board (hereinafter 'Board') which is hereby established to award grants to market, develop, and promote Alaska seafood and improve related technology and transportation with emphasis on wild salmon, of which 20 percent shall be transferred to the Alaska Seafood Marketing Institute. The Board shall be appointed by the Secretary of Commerce and shall be administered by an Executive Director to be appointed by the Secretary. The Board shall submit an annual report to the Secretary detailing the expenditures of the board.</p> <p>SEC. 210. (a) The Secretary of Commerce is authorized to award grants and make direct lump sum payments in support of an international advertising and promotional campaign developed in consultation with the private sector to encourage individuals to travel to the United States consisting of radio, television, and print advertising and marketing programs.</p> <p>(b) The United States Travel and Tourism Promotion</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	Total, Ocean and Coastal Management.....127,546 =====	Advisory Board (hereinafter 'Board') is established to recommend the appropriate coordinated activities to the Secretary for funding.
	<hr/> TOTAL, NATIONAL OCEAN SERVICE-ORF....406,243	<p>(c) The Secretary shall appoint the Board within 30 days of enactment and shall include tourism-related entities he deems appropriate.</p> <p>(d) The Secretary shall consult with the Board and state and regional tourism officials on the disbursement of funds.</p> <p>(e) There is authorized to be appropriated \$50,000,000, to remain available until expended, and \$50,000,000 is appropriated to implement this section.</p>
	<p>Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.</p> <p>The Committee recommends an appropriation of \$406,243,000 for the National Ocean Service [NOS].</p> <p>Navigation. The Committee recommends \$4,250,000 for the Joint Hydrographic Center. In addition, the Committee recommends \$3,200,000 for bathymetric surveys off the Northeast Coast of the United States and around the Aleutian Chain in accordance with the data needs identified by a Joint Hydrographic Center on the potential expansion of United States lands beyond the Exclusive Economic Zone. Within the funding recommendation for Shoreline Mapping, the Committee recommends that NOS focus on mapping the shoreline of the North Slope of Alaska.</p> <p>Ocean Resources Conservation and Management. The Committee recommends continued funding for the Coastal Observation Technology System within the NOS to provide a national framework, technical assistance, and support for sustained coastal observation systems, with particular emphasis on coordinating regional systems. The Committee recommendation includes \$15,700,000 for this program.</p> <p>The Committee recommends \$500,000 for Nowcast/Forecast Operational Systems to coordinate research on waves, temperature, and current dynamics to</p>	<p>SEC. 211. From funds made available from the 'Operations and Training' account, not more than \$50,000 shall be made available to the Maritime Administration for administrative expenses to oversee the implementation of this section for the purpose of recovering economic and national security benefits to the United States following the default under the construction contract described in section 8109 of the Department of Defense Appropriations Act for Fiscal Year 1998 (Public Law 105-56): Provided, That the owner of any ship documented under the authority of this section shall offset such appropriation through the payment of fees to the Maritime Administration not to exceed the appropriation and that such fees be deposited as an offsetting collection to this appropriation: Provided further, That notwithstanding any other provision of law, one or both ships originally contracted under section 8109 of Public Law 105-56 may be constructed to completion in a shipyard located outside of the United States and the</p>

<p align="center">REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA</p>	<p align="center">REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA</p>	<p align="center">REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA</p>
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	<p>forecast weather and ocean conditions affecting both wildlife and human safety.</p> <p>The Committee recommendation includes \$14,000,000 for the Coral Reef Program, subject to approval of a spend plan by the Committees on Appropriations. The Committee recommends \$3,000,000 for the Beaufort Laboratory and encourages the lab to pursue opportunities for collaborative research with area universities. Under Response and Restoration, \$750,000 is provided for Coastal Remediation Technology to develop a cooperative program with the Cooperative Institute for Coastal and Estuarine Environmental Technology to evaluate innovative environmental technologies for estuary remediation. Under funding for the Coastal Ocean Program, the Committee directs the program to work with and continue its current levels of support for the Baruch Institute's research and monitoring of small, high-salinity estuaries and to continue its current levels of support for the LUCES program.</p> <p>Within the funds provided for the MERHL, the Committee directs NOAA to create a scientific and professional [ST] position to act as Chief Scientist for NCCOS.</p> <p>Ocean and Coastal Management. The Committee recommendation includes full funding for Coastal Zone Management Act Administration. The Committee recommends \$3,483,000 under the Administration account. The Committee recommends \$33,500,000 for the National Marine Sanctuary Program [NMSP]. The Committee supports elevation of the NMSP to that of Office of National Marine Sanctuaries. Further, the Committee recommends that this Office have authority to create Regional Offices and recommends an additional five full-time equivalents to implement this regional approach.</p>	<p>owner thereof (or a related person with respect to that owner) may document one or both ships under U.S. flag with a coastwise endorsement, and notwithstanding any other provision of law, and not later than two years after entry into service of the first ship contracted for under section 8109 of Public Law 105-56, that owner (or a related person with respect to that owner) may re-document under U.S. flag with a coastwise endorsement one additional foreign-built cruise ship: Provided further, That: (1) the owner of any cruise ship documented under the authority of this section is a citizen of the United States within the meaning of 46 U.S.C. 12102(a), (2) the foreign-built cruise ship re-documented under the authority of this section meets the eligibility requirements for a certificate of inspection under section 1137(a) of Public Law 104-324 and applicable international agreements and guidelines referred to in section 1137(a)(2) thereof and the 1992 Amendments to the Safety of Life at Sea Convention of 1974, and that with respect to the re-documented foreign-built cruise ship, any repair, maintenance, alteration, or other preparation necessary to meet such requirements be performed in a United States shipyard, (3) any non-warranty repair, maintenance, or alteration work performed on any ship documented under the authority of this section shall be performed in a United States shipyard unless the Administrator of the Maritime Administration finds that such services are not available in the United States or if an emergency dictates that the ship proceed to a foreign port for such work, (4) any ship documented under the authority of this section shall operate in regular service transporting passengers between or among the islands of Hawaii and shall not transport passengers in revenue service to ports in Alaska, the Gulf of Mexico, or the Caribbean Sea, except as part of a voyage to or from a</p>
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REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

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

National Marine Fisheries Service
[In thousands of dollars]

Committee
recommendation

Base:

Direct labor.....	35,919
Personnel benefits.....	8,980
Former personnel.....	1,122
Travel of persons.....	2,245
Rent, Communications, Utilities, Miscellaneous Charges.....	6,735
Contractual services.....	22,449
Supplies and materials.....	4,490
Equipment.....	3,367
Grants, fixed charges.....	25,817
All other.....	1,122

Total, Base.....	112,246
	=====

Fisheries Research and Management Services:

Science and Technology:

AKFIN.....	3,200
Alaska Fisheries Development Foundation.....	1,000
Alaska Groundfish Monitoring.....	2,087
Alaska Groundfish Monitoring-Bering Sea Fishermen's Association CDQ.....	175
Alaska Groundfish Monitoring-Crab Research	

shipyard for ship construction, repair, maintenance, or alteration work, (5) no person, nor any ship operating between or among the islands of Hawaii, shall be entitled to the preference contained in the second proviso of section 8109 of Public Law 105-56, and (6) no cruise ship operating in coastwise trade under the authority of this section or constructed under the authority of this section shall be eligible for a guarantee of financing under title XI of the Merchant Marine Act 1936: Provided further, That any cruise ship to be documented under the authority of this section shall be immediately eligible before documentation of the vessel for the approval contained in section 1136(b) of Public Law 104-324: Provided further, That for purposes of this section the term 'cruise ship' means a vessel that is at least 60,000 gross tons and not more than 120,000 gross tons (as measured under chapter 143 of title 46, United States Code) and has berth or stateroom accommodations for at least 1,600 passengers, the term 'one or both ships' means collectively the partially completed hull and related components, equipment, and parts of whatever kind acquired pursuant to the construction contract described in section 8109 of Public Law 105-56 and intended to be incorporated into the ships constructed thereto, the term 'related person' means with respect to a person: a holding company, subsidiary, or affiliate of such person meeting the citizenship requirements of section 12102(a) of title 46, United States Code, and the term 'regular service' means the primary service in which the ship is engaged on an annual basis.

SEC. 212. (a) The Secretary of Commerce shall implement a fishing capacity reduction program for the West Coast groundfish fishery pursuant to section 212 of Public Law 107-206 and 16 U.S.C. 1861a (b)-(e); except

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p style="text-align: right;">NMFS.....473</p> Alaska Groundfish Monitoring Gulf of Alaska Coastal Communities.....250 Alaska Groundfish Monitoring-NMFS Field Fishery Monitoring...300 Alaska Groundfish Monitoring-NMFS Rockfish Research.....350 Alaska Groundfish Monitoring-Winter Pollock Survey.....1,000 Alaskan Groundfish Surveys.....661 Alaskan Groundfish Surveys-Calibration Studies.....240 American Fisheries Act Implementation.....3,525 Atlantic Herring and Mackerel.....200 Bering Sea Pollock Research.....945 Bluefin Tuna Tagging [UNH].....850 Bluefish/Striped Bass.....700 Charleston Bump Billfish Tagging.....150 Chinook Salmon Research at Auke Bay.....300 Computer Hardware and Software.....3,492 Cooperative Research-National Cooperative Research.....2,750 Cooperative Research-NE Cooperative Research.....3,250 Cooperative Research-SE Cooperative Research.....3,000 Cooperative Research Northeast Consortium.....5,000 Driftnet Act Implementation.....1,800 Driftnet Act Implementation/ Pacific Rim Fisheries.....150 Driftnet Act Implementation/ Science Observer Russian EEZ.....250 Expand Stock Assessments- Improve Data Collection.....12,000	<p>that the program may apply to multiple fisheries; except that within 90 days after the date of enactment of this Act, the Secretary shall publish a public notice in the Federal Register and issue an invitation to bid for reduction payments that specifies the contractual terms and conditions under which bids shall be made and accepted under this section; except that section 144(d)(1)(K)(3) of title I, division B of Public Law 106-554 shall apply to the program implemented by this section. (b) A reduction fishery is eligible for capacity reduction under the program implemented under this section; except that no vessel harvesting and processing whiting in the catcher-processors sector (section 19.660.323(a)(4)(A) of title 50, Code of Federal Regulations) may participate in any capacity reduction referendum or industry fee established under this section.</p> <p>(c) A referendum on the industry fee system shall occur after bids have been submitted, and such bids have been accepted by the Secretary, as follows: members of the reduction fishery, and persons who have been issued Washington, Oregon, or California Dungeness crab and Pink shrimp permits, shall be eligible to vote in the referendum to approve an industry fee system; referendum votes cast in each fishery shall be weighted in proportion to the debt obligation of each fishery, as calculated in subsection (f) of this section; the industry fee system shall be approved if the referendum votes cast in favor of the proposed system constitute a simple majority of the participants voting; except that notwithstanding 5 U.S.C. 553 and 16 U.S.C. 1861a(e), the Secretary shall not prepare or publish proposed or final regulations for the implementation of the program under this section before the referendum is conducted. (d) Nothing in this section</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	Fish Statistics- Atlantic States Marine Fisheries Commission..2,000 Fish Statistics- Economics & Social Sciences Research.....4,000 Fish Statistics- National Fisheries Information System.....2,575 Fish Statistics-National Standard 8.....1,000 Fish Statistics.....13,900 Fisheries Development Program- Hawaiian Fisheries Development.....1,000 Fisheries Development Program- Product Quality and Safety/ Seafood Inspection.....8,685 Fisheries Oceanography.....1,000 FMP Extended Jurisdiction, State of Alaska.....1,500 GULFFIN Data Collection Effort.....3,500 Gulf of Maine Groundfish Survey.....567 Gulf of Mexico Consortium.....3,000 Halibut Data Collection.....450 Hawaii Seafood Safety and Inspections.....800 Hawaii Stock Management Plan.....750 Highly Migratory Shark Fishery Research Program.....1,500 Horseshoe Crab Research.....850 Information Analysis and Dissemination.....21,890 JIMAR.....2,500 Lobster Sampling.....150 Magnuson Stevens Implementation off Alaska.....4,350 MARFIN.....2,500 MARFIN__NE Activities.....250 MARFIN Red Snapper.....750	shall be construed to prohibit the Pacific Fishery Management Council from recommending, or the Secretary from approving, changes to any fishery management plan, in accordance with applicable law; or the Secretary from promulgating regulations (including regulations governing this program), after an industry fee system has been approved by the reduction fishery. (e) The Secretary shall determine, and state in the public notice published under paragraph (a), all program implementation aspects the Secretary deems relevant. (f) Any bid submitted in response to the invitation to bid issued by the Secretary under this section shall be irrevocable; the Secretary shall use a bid acceptance procedure that ranks each bid in accordance with this paragraph and with additional criteria, if any, established by the Secretary: for each bid from a qualified bidder that meets the bidding requirements in the public notice or the invitation to bid, the Secretary shall determine a bid score by dividing the bid's dollar amount by the average annual total ex-vessel dollar value of landings of Pacific groundfish, Dungeness crab, and Pink shrimp based on the 3 highest total annual revenues earned from such stocks that the bidder's reduction vessel landed during 1998, 1999, 2000, or 2001. For purposes of this paragraph, the term `total annual revenue' means the revenue earned in a single year from such stocks. The Secretary shall accept each qualified bid in rank order of bid score from the lowest to the highest until acceptance of the next qualified bid with the next lowest bid score would cause the reduction cost to exceed the reduction loan's maximum amount. Acceptance of a bid by the Secretary shall create a binding reduction contract between the United States and the person whose bid is accepted, the performance of which shall be subject only to the conclusion of a successful referendum, except
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REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

MARMAP.....	850
Massachusetts Fisheries Institute.....	500
NAPA/NAS Management Review.....	1,050
Steller Sea Lion/Pollock Research North Pacific Council and Management.....	2,000
New England Stock Depletion.....	1,000
NMFS Facilities Maintenance.....	4,000
Observers-Fishery Observers.....	2,000
Observers/Training-Atlantic Coast Observers.....	3,350
Observers/Training-East Coast Observers.....	350
Observers/Training- Hawaii Longline Observer Program.....	4,000
Observers/Training- N. Pacific Marine Resources Observers.....	1,875
Observers/Training- N. Pacific Observer Program.....	800
Observers/Training-West Coast Observers.....	3,730
PACFIN Catch Effort Data.....	3,000
Pacific Highly Migratory Species Research.....	750
Recreational Fishery Harvest Monitoring RECFIN.....	3,450
Recreational Fishery Harvest Monitoring RECFIN-SC.....	500
Red Snapper Monitoring and Research.....	7,500
Reduce Fishing Impacts on EFH.....	500
SEAMAP.....	1,400
Shrimp Pathogens South Carolina.....	450
South Carolina Taxonomic Center.....	500
West Coast Groundfish.....	5,220

Subtotal, Science and Technology.....	176,340
	=====

that a person whose bid is accepted by the Secretary under this section shall relinquish all permits in the reduction fishery and any Dungeness crab and Pink shrimp permits issued by Washington, Oregon, or California; except that the Secretary shall revoke the Pacific groundfish permit, as well as all Federal fishery licenses, fishery permits, area, and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program. (g) The Secretary shall establish separate reduction loan sub-amounts and repayment fees for fish sellers in the reduction fishery and for fish sellers in each of the fee-share fisheries by dividing the total ex-vessel dollar value during the bid scoring period of all reduction vessel landings from the reduction fishery and from each of the fee-share fisheries by the total such value of all such landings for all such fisheries; and multiplying the reduction loan amount by each of the quotients resulting from each of the divisions above. Each of the resulting products shall be the reduction loan sub-amount for the reduction fishery and for each of the fee-share fisheries to which each of such products pertains; except that, each fish seller in the reduction fishery and in each of the fee-share fisheries shall pay the fees required by the reduction loan sub-amounts allocated to it under this paragraph; except that, the Secretary may enter into agreements with Washington, Oregon, and California to collect any fees established under this paragraph. (h) Notwithstanding 46 U.S.C. App. 1279(b)(4), the reduction loan's term shall not be less than 30 years. (i) It is the sense of the Congress that the States of Washington, Oregon, and California should revoke all relinquishment permits in each of the fee-share fisheries immediately after reduction payment, and otherwise to

REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

National Environmental Policy Act.....	5,000
Pacific Salmon Treaty.....	5,612
Pacific Salmon Treaty- Chinook Salmon Agreement.....	1,844
Refine EFH Designations.....	1,000
Regional Councils.....	15,000
SCORE.....	3,000
South Carolina Seafood Marketing.....	500
South Carolina Shrimper Assistance.....	1,500
Yukon River Chinook Salmon State of Alaska.....	1,000
Yukon River Chinook Salmon- Yukon River Drainage Fisheries Association.....	499

Subtotal, Conservation and Management.....	102,849
=====	
Total, Fisheries Research and Management Services.....	
279,189	
=====	
Protected Resources Research and Management Services: Science and Technology:	
Antarctic Research.....	1,650
Atlantic Salmon Research.....	710
Bottlenose Dolphin Research.....	1,000
Columbia River Endangered Species Studies.....	299
Dolphin Encirclement.....	3,300
Dolphin/Yellowfin Tuna Research.....	250
Endangered Species Act-Atlantic Salmon.....	1,717

Administration, Operations, Research and Facilities', shall be considered to be within the 'Coastal Assistance sub-category' in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(b) For fiscal year 2004 and thereafter, response and restoration activities, Cooperative Research, Protected Species activities, Endangered Species Act--Marine Mammals, Sea Turtles and Other Species, Endangered Species Act--Right Whales, Marine Mammal Protection, and Sea Grant (except for the fellowship program) under the heading, 'National Oceanic and Atmospheric Administration, Operations, Research, and Facilities', shall be considered to be within the 'Coastal Assistance sub-category' in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(c) All references to outlays in title VIII of Public Law 106-291 are repealed. This title may be cited as the 'Department of Commerce and Related Agencies Appropriations Act, 2003'.

TITLE VI--GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	Endangered Species Act- Marine Mammals, Sea Turtles & Other Species.....3,500 Endangered Species Act-Other Species.....2,700 Endangered Species Act-Pacific Salmon Recovery.....17,450 Endangered Species Act- Right Whale Activities.....3,500 Endangered Species Act-Sea Turtles.....5,250 Hawaiian Monk Seals.....825 Hawaiian Sea Turtles.....6,300 Marine Mammal Protection.....7,120 Marine Mammal Protection-Ice Seals.....250 Marine Mammal Protection- State of Alaska Harbor Seal Research.....900 Marine Mammal Strandings.....4,000 Rancho Nuevo Sea Turtles.....350 Recovery of Endangered Large Whales.....1,000 Steller Sea Lion Recovery Plan- Alaska Fisheries Foundation.....1,000 Steller Sea Lion Recovery Plan- Alaska Sea Life Center.....5,000 Steller Sea Lion Recovery Plan.....5,000 Steller Sea Lion Recovery Plan-N. Pacific Universities MM Consortium.....2,500 Steller Sea Lion Recovery Plan- Univ of AK Gulf Apex Predator.....1,000 Steller Sea Lions-Endangered Species Act.....850 Subtotal, Science and Technology.....77,421 =====	this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, 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. SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby. SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a 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 an office or employees; (5) reorganizes offices, programs, or
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	Conservation and Management Services: Atlantic Salmon Recovery Plan.....450 Chinook Salmon Management.....150 Cook Inlet Beluga.....200 Endangered Species Act-Atlantic Salmon.....500 Endangered Species Act- Pacific Salmon Recovery.....20,500 Endangered Species Act- Right Whale Activities.....3,500 Marine Mammal Strandings- Alaska SeaLife Center.....1,000 Marine Mammal Strandings- Charleston Health and Risk Assessment.....800 Native Marine Mammals- Alaska Eskimo Whaling Commission.....500 Native Marine Mammals- Alaska Harbour Seals.....150 Native Marine Mammals- Aleut Pacific Marine Resources Observers...125 Native Marine Mammals- Beluga Whale Committee.....225 Native Marine Mammals- Bristol Bay Native Association..... 50 Protected Species Management- California Sea Lions.....750 Protected Species Management- NFWF Species Management.....1,000 Protected Species Management- State of Maine Salmon Recovery.....1,500 Southeastern Sea Turtles.....300 State of Maine Recovery Plan.....150 Steller Sea Lion Recovery Plan- State of Alaska.....2,000	activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds. (b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects (including construction 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 from 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 of such reprogramming of funds. SEC. 606. None of the funds made available in this Act
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>-----</p> Subtotal, Conservation and Management Services....33,850 ===== <hr/> Total, Protected Resources Research and Management Service.....111,271 ===== <hr/> Habitat Conservation Research and Management Services: Bay Watersheds Education and Training Program...3,500 Oxford.....2,900 Blue Crab Advanced Research Consortium.....2,500 Charleston Bump.....450 Chesapeake Bay Multi-Species Management.....500 Chesapeake Bay Oyster Restoration.....2,000 Chesapeake Bay Studies.....3,500 Center for Marine Education and Research MS.....2,500 Community-based Restoration Grants.....13,050 Connecticut River Partnership.....300 Coral Reef.....11,000 Habitat Conservation.....5,151 Kenai Peninsula Fish Habitat Restoration.....1,000 Magnuson Stevens Implementation off Alaska.....850 Marsh Restoration-NH.....1,000 Mobile Bay Oyster Recovery.....1,000 South Carolina Oyster Recovery.....1,000 Oyster Chesapeake Bay Project-VA.....1,000 ----- Total, Habitat Conservation Research and Management Services.....53,201	<p>may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.</p> <p>SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS- It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.</p> <p>(b) NOTICE REQUIREMENT- In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.</p> <p>(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA- If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a 'Made in America' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the</p>
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REPORT (HOUSE OF REPRESENTATIVES)

CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)

OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)

CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

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Enforcement and Surveillance Services:

Driftnet Act Implementation.....1,375
Enforcement and Surveillance.....20,420
Enforcement and Surveillance-
Cooperative Agreements w/States.....5,500
Enforcement and Surveillance-
Vessel Monitoring System.....4,500

Subtotal, Enforcement.....31,795
=====

Partnerships in Enforcement:

Enforcement and Surveillance-
Cooperative Agreements w/States.....15,000
SC DNR Research Vessel.....350

Subtotal, Partnerships in Enforcement.....15,350
=====

Total, Enforcement and Surveillance Services.....47,145
=====

TOTAL,
NATIONAL MARINE FISHERERIES SERVICE__

ORF.....603,052

debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds: (1) that the United Nations undertaking is a peacekeeping mission; (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 610. (a) None of the funds appropriated or otherwise made available by this Act

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>The Committee recommends an appropriation of \$603,052,000 for the National Marine Fisheries Service [NMFS]. Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.</p> <p>White paper. Late this summer, NMFS released a white paper entitled, "Fiscal Year 2003 Senate Appropriations Committee Mark Impacts-NOAA Fisheries". Suspiciously, the paper alleged that a host of Congressional priorities might be eliminated were Senate levels enacted into law, even though NMFS was receiving hundreds of millions of dollars in funding. Efforts by the Committee to clarify just what NMFS would do with the money allotted to it by the Senate proved unsuccessful. Therefore, NMFS is directed to fully fund and execute every initiative cited in the aforementioned white paper as well as every initiative listed in the table above and described in the narrative below. No other activities shall be undertaken or continued. NMFS is directed to submit a spending plan to the Committees on Appropriations accounting for every dollar to be spent. The spending plan shall be delivered not later than April 15, 2003, and the Committee cautions NMFS and NOAA not to be late as is often the case.</p> <p>Base funding. The Committee has worked closely with NMFS to differentiate between fixed and variable costs, leading to the first accurate accounting of so-called base funding. The Committee commends those who participated in this endeavor.</p> <p>Transfers of funds between subaccounts within the base account, or into or out of the base account, shall be subject to reprogramming requirements regardless of dollar amount.</p> <p>Fisheries Litigation Issues. The Committee</p>	<p>shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.</p> <p>(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2003.</p> <p>SEC. 611. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce, or otherwise abide by the Memorandum of Agreement signed by the Federal Trade Commission and the Antitrust Division of the Department of Justice on March 5, 2002.</p> <p>SEC. 612. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>recommendation includes \$5,000,000 for the NMFS to address National Environmental Policy Act [NEPA] issues. To date, \$42,000,000 has been appropriated to NOAA to maintain an up-to-date litigation docket and conduct periodic analyses of its litigation record and pending caseload. In the past, the Committee has also directed NMFS to improve its administrative record keeping by employing standardized methods uniformly throughout the regional fisheries management councils, fisheries management regions, and fisheries science centers. The Committee directed that such an administrative record should contain all required analyses, so that officials involved in the process could assure themselves by inspection that the record supported their proposed actions prior to their approval.</p> <p>To date, NMFS has ignored this direction. Furthermore, NMFS has provided no justification of how it has spent the funds that have been appropriated for these purposes. The Committee recommends \$5,000,000 to establish an Office of National Environmental Policy Act Compliance. This Office will be coordinated by a Senior Executive Service level employee who will report directly to the Undersecretary of Commerce for Oceans and Atmosphere. Under the direction of this National Coordinator, each fisheries management regional office or fisheries management council will house a regional NEPA Coordinator. At a minimum, NOAA will employ 50 individuals by September 30, 2003 to work on its NEPA issues. None of the funds recommended for this effort will be made available for regional council support without prior Committee approval.</p> <p>NMFS shall submit for approval to the Committees on Appropriations a spend plan on this action before April 20, 2003.</p>	<p>procedures set forth in that section.</p> <p>SEC. 613. Of the funds appropriated in this Act under the heading 'Office of Justice Programs--State and Local Law Enforcement Assistance', not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.</p> <p>SEC. 614. Hereafter, none of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>The Committee is pleased with the work conducted by National Academy of Public Administration [NAPA] and the National Research Council [NRC] on its report, An Independent Assessment of the Resource Requirements for the National Marine Fisheries Service. The Committee recommends that NAPA continue to review NMFS management systems and recommends \$750,000 for it to do so. The Committee also recommends \$300,000 for the NRC Ocean Studies Board to focus on issues at the interface between research and management such as adequacy of equipment, and staff training. The Committee looks forward to hearing from the NAPA and the NRC on their progress.</p> <p>The Committee recommendation includes \$7,000,000 for North Atlantic right whale research, management activities, and Atlantic coastal States' implementation of cooperative Federal-State right whale recovery plans, such as those concluded under section 6 of the Endangered Species Act [ESA], to be distributed in the manner described in the following table:</p> <p style="text-align: center;">Northern Right Whale Preservation</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 20px;">Reduce ship strikes.....</td> <td style="text-align: right; padding-left: 20px;">\$1,430,000</td> </tr> <tr> <td style="padding-left: 20px;">Whale detection technologies.....</td> <td style="text-align: right; padding-left: 20px;">[400,000]</td> </tr> <tr> <td style="padding-left: 40px;">Passive acoustic.....</td> <td style="text-align: right; padding-left: 20px;">[160,000]</td> </tr> <tr> <td style="padding-left: 40px;">Active acoustic.....</td> <td style="text-align: right; padding-left: 20px;">[95,000]</td> </tr> <tr> <td style="padding-left: 40px;">Measuring whale response to approaching vessels.....</td> <td style="text-align: right; padding-left: 20px;">[145,000]</td> </tr> <tr> <td style="padding-left: 20px;">Reduce entanglement.....</td> <td style="text-align: right; padding-left: 20px;">1,105,000</td> </tr> <tr> <td style="padding-left: 20px;">Gear modification.....</td> <td style="text-align: right; padding-left: 20px;">[355,000]</td> </tr> <tr> <td style="padding-left: 20px;">Center for Coastal Studies.....</td> <td style="text-align: right; padding-left: 20px;">[300,000]</td> </tr> <tr> <td style="padding-left: 20px;">New England Aquarium.....</td> <td style="text-align: right; padding-left: 20px;">[300,000]</td> </tr> <tr> <td style="padding-left: 20px;">Southeast disentanglement teams.....</td> <td style="text-align: right; padding-left: 20px;">[100,000]</td> </tr> </table>	Reduce ship strikes.....	\$1,430,000	Whale detection technologies.....	[400,000]	Passive acoustic.....	[160,000]	Active acoustic.....	[95,000]	Measuring whale response to approaching vessels.....	[145,000]	Reduce entanglement.....	1,105,000	Gear modification.....	[355,000]	Center for Coastal Studies.....	[300,000]	New England Aquarium.....	[300,000]	Southeast disentanglement teams.....	[100,000]	<p>of the same type.</p> <p>SEC. 615. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, as amended.</p> <p>(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2003.</p> <p>SEC. 616. None of the funds appropriated pursuant to this Act or any other provision of law may be used for: (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the 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.</p> <p>SEC. 617. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of \$600,000,000 shall not be available for obligation until the following fiscal year, with the exception of emergency appropriations made available by Public Law 107-38 and transferred to the</p>
Reduce ship strikes.....	\$1,430,000																					
Whale detection technologies.....	[400,000]																					
Passive acoustic.....	[160,000]																					
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>Biology.....1,205,000 Recovery coordination..... 110,000 Other.....400,000 State programs.....1,750,000 Northeast Consortium.....1,000,000</p> <p>Within the amounts provided, the Committee expects NMFS to expedite right whale recovery in consultation with the Implementation Team and the Take Reduction Team. The NMFS is expected to support priority management, enforcement, and ship strike prevention activities, including expedited development and deployment of innovative fishing gear and whale tracking technologies, improved stranding response and procedures, a whale-sighting advisory system, and a mandatory ship-reporting system. No more than 20 percent of funds provided to NMFS may be used for salaries of existing personnel.</p> <p>Fisheries Research and Management. The Committee recommends \$3,450,000 for the recreational fishing information network [RECFIN] program, and expects that the Pacific, Atlantic, and Gulf States shall each receive one-third of these funds with funding for inshore recreational species assessment and tagging efforts in South Carolina. In addition, the Committee expects that \$500,000 will be used to continue the effort to enhance the annual collection and analysis of economic data on marine recreational fishing. The Committee recommends that the \$750,000 for the Interstate Fish Commissions be equally divided among the three commissions. As in prior fiscal years, funds appropriated for the Hawaii Fisheries Development and Hawaii Stock Management Plan programs shall be administered by the Oceanic Institute.</p> <p>The Committee recommends that NMFS double its</p>	<p>Fund.</p> <p>SEC. 618. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of</p> <p>students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.</p> <p>SEC. 619. None of the funds appropriated or otherwise made available to the Department of State and the Department of Justice shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the Secretary's determination under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Attorney General has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section: Provided, That the Attorney General shall notify the Secretary of State in every instance when a foreign country denies or unreasonably delays accepting an alien who is a citizen, subject, national, or resident of that country after the Attorney General asks whether the Government will accept the alien under section 243 of the Immigration and Nationality Act.</p> <p>SEC. 620. None of the funds made available to the</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>effort with regard to California Cooperative Fisheries Investigation cruises. Of the amounts recommended for the Stellar Sea Lion Recovery Plan, \$1,000,000 is for Alaska Fisheries Foundation to study innovative methods to deter whale predation of sea lions. In addition, the Committee expects NOAA to continue its research initiative on Pacific decadal oscillation, predator-prey relationships with particular emphasis on killer whale predation on sea lion pups, and to explore other factors in the marine environment that may be contributing to the decline of Stellar sea lions and other marine mammal populations.</p> <p>Of the amounts recommended for SCORE, \$1,000,000 is provided for New Hampshire, \$1,000,000 is provided for South Carolina, and \$1,000,000 is provided for the Mote Marine Laboratory.</p> <p>Protected Resources Research and Management. Of the amounts provided for Native Marine Mammals, \$100,000 is to enable the Alaska Eskimo Whaling Commission to participate in International Whaling Commission meetings.</p> <p>Habitat Conservation. The Committee recommendation includes \$3,500,000 for Chesapeake Bay Studies, of which \$500,000 is for sea grass restoration. In addition, the Committee recommends that NOAA continue a micro-grant program allowing local governments and non-profit organizations to perform fisheries and shellfish restoration on the Chesapeake Bay. The Committee recommendation includes \$1,500,000 for seven full-time equivalents for the Oxford Laboratory to support the NOAA Chesapeake Bay Office's fisheries, habitat restoration, and ecosystem research needs. The Committee provides a total of \$3,500,000 for the Bay Watersheds Education and Training Program to be administered by the NOAA Chesapeake Bay Office. Of this amount,</p>	<p>Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.</p> <p>SEC. 621. (a) Hereafter, none of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.</p> <p>(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.</p> <p>SEC. 622. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.</p> <p>SEC. 623. Of the funds appropriated in this Act for the Departments of Commerce,</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>\$2,000,000 is to continue the program in the Chesapeake Bay Watershed and \$1,500,000 is for pilots in three locations.</p> <p>Enforcement and Surveillance. The Committee recommendation provides \$350,000 for a fisheries research vessel for the South Carolina Department of Natural Resources. The Committee recommends continued support at last year's level for marine forensics and southeast fisheries' law enforcement, and the Committee expects continued cooperative laboratory activities between NMFS and State and local governments and the academic community. The Committee recommends that the three interstate marine fisheries commissions may be eligible to receive a portion of the Cooperative Enforcement Program funds for use in providing law enforcement coordination among the States and NMFS. Of the amounts provided for Enforcement and Surveillance-Cooperative Agreements with States, the Committee recommends \$3,500,000 for the South Carolina Department of Natural Resources.</p> <p style="text-align: center;">Oceanic and Atmospheric Research [In thousands of dollars]</p> <p style="text-align: right;">Committee recommendation</p> <p>Climate Research:</p> <p>Laboratories & Joint Institutes:</p> <p style="margin-left: 20px;">Aeronomy Laboratory (Colorado).....8,111</p> <p style="margin-left: 20px;">Atlantic Oceanographic and Meteorological Laboratory (Florida).....5,691</p> <p style="margin-left: 20px;">Air Resources Laboratory (CO, ID, NC, NV, TN).....3,447</p> <p style="margin-left: 20px;">Climate Diagnostic Center (Colorado).....2,555</p> <p style="margin-left: 20px;">Climate Monitoring and Diagnostic Laboratory</p>	<p>Justice, and State, the Judiciary, and the Small Business Administration, \$100,000 shall be available to each Department or agency only to implement telecommuting programs:</p> <p>Provided, That, six months after the date of enactment of this Act and every six months thereafter, each Department or agency shall provide a report to the Committees on</p> <p>Appropriations on the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs: Provided further, That each</p> <p>Department or agency shall designate a 'Telework Coordinator' to be responsible for overseeing the implementation of telecommuting programs and serve as a point of contact on such programs for the Committees on Appropriations.</p> <p>SEC. 624. The paragraph under the heading 'Small Business Administration--Business Loans Program Account' in chapter 2 of division B of Public Law 107-117 (115 Stat. 2297) is amended by inserting 'or section 7(a) of the Small Business Act (15 U.S.C. 636(a))' after 'September 11, 2001'.</p> <p>SEC. 625. For additional amounts under the heading 'Small Business Administration, Salaries and Expenses', \$2,000,000 shall be available for a grant to the Innovation and Commercialization Center; \$2,000,000 shall be available for the Mississippi State University MAF/TIGER database project; \$1,000,000</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	(Colorado).....5,952 Environmental Technology Laboratory (Colorado).....243 Forecast Systems Laboratory (Colorado).....156 Geophysical Fluid Dynamics Laboratory (New Jersey).....14,229 Pacific Marine Environmental Laboratory (Washington).....8,523 Space Environmental Center (Colorado).....236 Subtotal, Laboratories & Joint Institutions.....49,143 =====	shall be for the Black Hills Rural Tourism Marketing Program; \$1,500,000 shall be for the Center for Tourism Research; \$3,125,000 shall be for the National Inventor's Hall of Fame; \$3,175,000 shall be for the Boston Museum of Science; \$2,000,000 shall be for the Tuck School and Minority Business Development Agency Partnership; \$2,000,000 shall be for the Oklahoma International Trade Processing Center; \$300,000 shall be for the Providence, Rhode Island Center for Women and Enterprise; \$500,000 shall be for the Ogontz Revitalization Corporation; \$500,000 shall be for the Idaho Virtual Incubator, Phase III; \$1,600,000 shall be for the Adelante grant; \$300,000 shall be for the Immigration Services project in Iowa; \$2,000,000 shall be for the Microdevice Fabrication Facility; \$700,000 shall be for the Carvers Bay Library; \$1,000,000 shall be for technical upgrades for the Northwest Center for Engineering, Science, and Technology; \$200,000 shall be for the Southern New Mexico High Technology Consortium; \$1,000,000 shall be for the American Museum of Natural History; \$200,000 shall be for the Program for International Education and Training; \$2,000,000 shall be available for a grant to the St. Louis Enterprise Center in St. Louis County, Missouri to expand programs, operations and facilities to assist in business incubation; \$400,000 shall be available for a grant for the Promesa Enterprises to provide back office services
	Climate & Global Change Program: Base.....68,608 Aerosols_Climate Interaction.....2,000 Variability Beyond ENSO.....1,000 Climate Forcing Agents.....1,000 Accelerating Climate Models-IRI.....2,100 Subtotal, Climate & Global Change Program.....74,708 =====	
	Climate Observations & Services: Climate Reference Network.....3,000 Climate Data & Info and CLASS in PAC.....1,000 Baseline Operations.....2,500 Regional Assessments, Education and Outreach.....1,750	

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	Climate Change Assessments.....650 Weather_Climate Connection.....900 Carbon Cycle.....2,300 Ocean Observations/Ocean Systems.....3,500 ARGO_Related Costs.....7,950 Climate Modeling Center [GFDL].....4,000 Global Climate Atmospheric Observing System..3,000 Subtotal, Climate Observations & Services.....30,550 =====	
	Climate Partnership Programs: Central CA Ozone Study.....500 East Tennessee Ozone Study.....300 International Pacific Research Center (U of HI).....2,000 Arctic Research Initiative [SEARCH].....2,000 Subtotal, Climate Partnership Programs.....4,800 =====	
	Total, Climate Research.....159,201 =====	
	Weather & Air Quality Research: Laboratories & Joint Institutes: Aeronomy Laboratory (Colorado).....2,054 Atlantic Oceanographic and Meterological Laboratory (Florida).....3,921 Air Resources Laboratory (CO, ID, NC, NV, TN).....2,077	and infrastructure support to community-based organizations in the Bronx, New York; \$700,000 shall be available for a grant to the New York City Department of Parks, working in conjunction with Youth Ministries for Peace and Justice, for developing a facility in New York City's Starlight Park; \$300,000 shall be available for a grant to the Urban Justice Center to provide legal assistance to groups engaged in community development in low-income neighborhoods; \$650,000 shall be available for a grant to CAP Services of Stevens Point, Wisconsin to purchase and renovate property; \$200,000 shall be available for a grant for the Promesa Foundation in South Bronx, New York to provide community growth funding; \$400,000 shall be available for a grant to the Lower East Side Girls Club of New York to provide for facility development; \$1,100,000 shall be available for a grant to J.F. Drake State Technical College in Huntsville, Alabama to construct and equip a media center in support of local business needs; \$1,100,000 shall be available for a grant to the City of Los Angeles, California to develop a facility to support downtown business development; \$1,100,000 shall be available for a grant to the MountainMade Foundation to fulfill its charter purposes and to continue the initiative developed by the NTTC for outreach and promotion, business and sites development, the education of artists and craftspeople, and to promote

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	Climate Monitoring and Diagnostic Laboratory (Colorado).....166 Environmental Technology Laboratory (Colorado).....6,864 Forecast Systems Laboratory (Colorado).....10,646 Geophysical Fluid Dynamics Laboratory (New Jersey).....3,077 National Severe Storms Laboratory (Oklahoma).....7,552 Pacific Marine Environmental Laboratory (Washington).....264 Space Environmental Center (Colorado).....7,242 Subtotal, Laboratories & Joint Institutes.....43,863 =====	
	U.S. Weather Research Program: Base.....2,750 Targeted Wind Sensing.....2,000 Subtotal, U.S. Weather Research Program.....4,750 =====	
	Weather & Air Partnership Programs: Tornado Severe Storm Research.....1,000 New England Air Quality Study.....1,750 AIRMAP.....5,000 STORM.....1,000	small businesses, artisans and their products through market development, advertisement, commercial sale and other promotional means; \$700,000 shall be available for a grant to Lord Fairfax Community College for workforce development programs; \$700,000 shall be available for a grant to the Village of Edgar, Wisconsin to purchase and redevelop property as a small business park to support local agriculture; \$500,000 shall be available for a grant to the West Virginia High Technology Consortium to develop a small business commercialization grant program; \$250,000 shall be available for a grant to Johnstown Area Regional Industries in Pennsylvania to develop small business technology centers; \$250,000 shall be available for a grant to the Economic Growth Connection of Westmoreland to establish a Paperless Procurement grant program; \$350,000 shall be available for a grant to the Fayette County, Pennsylvania Community Action Agency for the Republic Incubator Project; \$1,000,000 shall be available for a grant to the Shenandoah Valley Discovery Museum to establish a new facility; \$500,000 shall be available for a grant to the University of Tennessee at Chattanooga for the Riverbend Technology Institute for the technology incubator project; \$500,000 shall be available for a grant to the California State University, San Bernardino for development of the Center for the Commercialization of Advanced Technology; \$1,000,000 shall be available for a grant to the Rhode Island School of

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	Subtotal, Weather & Air Partnership Programs.....8,750 =====	Design for the modernization of a building to establish a small business incubator; \$500,000 shall be available for a grant to the University of Scranton to establish an Electronic Business Technology Center; \$500,000 shall be available for a grant to Experience Works!, Incorporated for small business program activities; \$500,000 shall be available for a grant to Wilberforce University to improve technology systems; \$500,000 shall be available for a grant to Millikin University for facilities development for the Business and Technology Center; \$500,000 shall be available for a grant to the Michael J. Quill Irish Cultural and Sports Center for facilities development; \$2,600,000 shall be available for a grant to Iowa State University for the development of a research park biologics facility; \$1,000,000 shall be available for a grant to the Southern Kentucky Tourism Development Association for continuation of a regional tourism promotion initiative; \$450,000 shall be available for a grant to the Bronx Council on the Arts to help promote stabilization of small arts organizations; \$500,000 shall be available for a grant to Southern Kentucky Rehabilitation Industries for internal development; \$250,000 shall be available for a grant to Johnstown Area Regional Industries in Pennsylvania to continue the workforce development training program; \$500,000 shall be available for a grant to the City of Monticello, Kentucky for commercial revitalization activities; \$1,500,000 shall be available for a grant to Shenandoah University to develop a historical and tourism
	Total, Weather & Air Quality Research.....57,363 =====	
	Ocean, Coastal, and Great Lakes Research: Laboratories & Joint Institutes: Atlantic Oceanographic and Meterological Laboratory (Florida).....3,219 Environmental Technology Laboratory (Colorado).....445 Great Lakes Environmental Research Laboratory (Michigan).....8,232 Pacific Marine Environmental Laboratory (Washington).....7,389 =====	
	Subtotal, Laboratories & Joint Institutes.....19,285 =====	
	National Sea Grant College Program: Base.....57,410 Aquatic Nuisance Species/ Zebra Mussel Research.....3,000 Gulf of Mexico Oyster Initiative.....1,000 Oyster Disease Research.....2,000 =====	
	Subtotal, National Sea Grant College Program.....63,410	

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>=====</p> <hr/> National Undersea Research Program [NURP]: Base.....13,770 National Institute for Undersea Science and Technology.....5,000 Aquarius II.....12,000 <hr/> Subtotal, National Undersea Research Program [NURP].....30,770 <p>=====</p> <hr/> Ocean Exploration.....20,000 Ocean & Coastal Partnership Programs: Arctic Research.....2,000 Cooperative Institute for Arctic Research.....350 Institute for Science Technology and Public Policy.....1,000 Gulf of Maine Council.....250 Lake Champlain Research Consortium.....300 NISA/Ballast Water Demonstrations.....2,250 NISA/Prevent & Control Invasive Species.....800 NISA Alaska.....1,500 NOAA Marine Aquaculture Program.....2,606 Ocean Health Initiative.....10,000 Cooperative Institute for New England Mariculture and Fisheries.....3,000 Aquaculture Education Program- Cedar Point MS.....2,000 Pacific Tropical Ornamental Fish.....500	development facility; \$500,000 shall be available for a grant to the City of Merrill, Wisconsin to purchase and redevelop industrial property to support economic growth; \$2,500,000 shall be available for a grant to the Virginia Community College System (VCCS) for improvement of distance learning programs; \$750,000 shall be available for a grant to Soundview Community in Action for a technology access and business improvement project; \$100,000 shall be available for a grant to the Gospel Rescue Ministries for facilities renovation; \$450,000 shall be available for a grant to the Pregones Theater in the South Bronx, New York for construction improvements; \$100,000 shall be available for a grant to the Atoka Preservation Society for facility restoration activities; \$500,000 shall be available for a grant to the Virginia Science Museum for marine science and other environmental program activities at Belmont Bay; \$500,000 shall be available for a grant to the Infotonics Center of Excellence for small business incubation activities; \$500,000 shall be available for a grant to the Chicago Field Museum to renovate and develop a facility; \$500,000 shall be available for a grant to the Cedarbridge Development Urban Renewal Corporation for office complex development activities; and \$500,000 shall be available for a grant to the City of Belvidere, Illinois to establish a Small Business Agriculture-Technology Incubator and New Use Economy Information Center: Provided, That Section 629 of Public Law 107-77 is amended with respect to a grant of: (1) \$500,000 to Johnstown Area
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>Tsunami Hazard Mitigation.....6,300 _____</p> <p>Subtotal, Ocean & Coastal Partnership Programs.....32,856 =====</p> <hr/> <p>Total, Ocean, Coastal, and Great Lakes Research...166,321 =====</p> <hr/> <p>High Performance Information Technology.....12,800 =====</p> <hr/> <p>TOTAL NOAA RESEARCH__ORF.....395,685</p> <p>The Committee recommends an appropriation of \$395,685,000 for Oceanic and Atmospheric Research [OAR]. Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.</p> <p>Base funding. The Committee has worked closely with OAR to differentiate between fixed and variable costs, leading to the first accurate accounting of so-called base funding. The Committee commends those who participated in this endeavor.</p> <p>The amounts recommended under OAR ``Laboratories and Joint Institutes'', ``Climate and Global Change-Base Program'', and ``U.S. Weather Research Program-Base'', are subject to the following funding guidelines: 32 percent is for direct labor; 8 percent is for personnel benefits; 1 percent is for former personnel; 2 percent is for travel of persons; 6 percent is for rent and utilities; 20 percent is for</p>	<p>Regional Industries for the High Technology Initiative and Wireless/Digital Technology Program by deleting the word `for' after `Industries' and inserting the words `to provide technical and financial assistance under a High Technology Initiative and Wireless Digital Technology Program.'; (2) \$2,000,000 to the Los Angeles Conservancy by adding the phrase `, including the use of subgrants and other forms of financial assistance' after `rebuilding and revitalization.'; (3) \$500,000 for a grant to Yonkers, New York by deleting `Yonkers, New York' and inserting `the Yonkers Industrial Development Agency'; and (4) \$450,000 to the Southern Kentucky Rehabilitation Industries by deleting the words `financial assistance and small business development' after `for' and inserting `technology upgrades': Provided further, That, any grant made by the Small Business Administration to the MountainMade Foundation during fiscal year 2002 or to the NTTC at Wheeling Jesuit University during fiscal years 1998 through 2002 may be used by such entity to promote small businesses and artisans, and their products, through market development, advertisement, commercial sale, and other promotional means: Provided further, That the preceding proviso shall apply to promotional activities occurring on or after October 1, 1997.</p> <p>SEC. 626. Any amounts previously appropriated for the Port of Anchorage for an intermodal marine facility and access thereto shall be transferred to and administered by</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>contractual services; 4 percent is for supplies and materials; 3 percent is for equipment; 23 percent is for grants and fixed charges; and 1 percent is for miscellaneous expenses. Transfers of funds between these guidelines, or into or out of the base accounts, shall be subject to reprogramming requirements regardless of dollar amount.</p> <p>Climate Change Research Initiative. The Committee does not recommend \$18,000,000 as requested, for the Climate Change Research Initiative. The Committee has, for many years, supported robust funding for the Climate and Global Change Program and activities under Climate Observations and Services. The Committee is concerned that the administration's proposed increases for Climate Change Research are not provided under the Global Change Research Program, but under a separate Climate Change Research Initiative not related to the research program being conducted pursuant to the coordinated Federal process established in the Global Change Research Act of 1990. The Committee supports increased funding for global climate change but the funding should be provided to NOAA for research priorities established under the U.S. Global Climate Research Program decision making structure. The Committee has provided \$159,201,000 for climate research. This funding level does not include funds appropriated for climate research elsewhere within NOAA's budget.</p> <p>Of the amounts provided for Tsunami Hazard Mitigation, \$1,000,000 is for the Tsunami Warning and Environmental Observing in Alaska.</p> <p>Ocean Exploration. The Committee recommendation includes \$20,000,000 for Ocean Exploration, an increase of \$6,000,000 over the fiscal year 2002 level. Of this amount, the Committee recommends \$1,000,000 for the</p>	<p>the Administrator for the Maritime Administration including non-federal contributions. Such amounts shall be subject only to conditions and requirements required by the Maritime Administration.</p> <p>TITLE VII—RESCISSIONS DEPARTMENT OF COMMERCE</p> <p>NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION</p> <p>COASTAL IMPACT ASSISTANCE (RESCISSION)</p> <p>Of the unobligated balances available under this heading, \$7,000,000 are rescinded.</p> <p>DIVISION N--TITLE V--FISHERIES DISASTERS</p> <p>Section 501- The conference agreement includes section 501, included in the Senate, providing \$100,000,000 for various fishery disasters. The House did not include a similar provision.</p> <p>TITLE VI OFFSETS</p> <p>The conference agreement includes a 0.65 percent across-the-board rescission to discretionary budgetary resources provided in divisions A through K of this Act, as well as to any previously enacted</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>Center for Marine Cultural Resources. These amounts will be administered by NOAA to establish a Cooperative Institute of Marine Cultural Resources, in collaboration with the University of Rhode Island and NOAA's Ocean Exploration program.</p> <p>NISA. The Committee recommends \$2,250,000 for National Invasive Species Act/Ballast Water Demonstrations. The amount recommended is for the Chesapeake Bay and Great Lakes ballast water demonstrations to be allocated according to the fiscal year 2002 level. Of the amounts provided, \$250,000 is for the Center for Innovative Technologies to continue activities begun in fiscal year 2002.</p> <p>NISA Alaska. The Committee recommends \$1,750,000 to address the proliferation of exotic species such as Atlantic salmon in the marine environment in the North Pacific. Of this amount, \$750,000 is for the Pacific States Marine Fisheries Commission to prevent the escapement of Atlantic salmon from Alaska streams and to address other invasive species issues including mitten crab, and green crab.</p> <p>Ocean, Coastal, and Great Lakes Research. Within the amount provided for the Great Lakes Environmental Research Lab, the Committee recommends that NOAA support research programs on aquatic invasive species mitigation and reduction in the Lake Champlain Basin. Of the amounts recommended for the National Sea Grant College Program, no less than \$3,000,000 shall be for hiring of additional personnel, at the State program level, to act as liaisons between NOAA, Sea Grant Institutions, and the commercial and recreational fishing industries. The Committee recommends \$13,770,000 for the National Undersea Research Program [NURP]. Of the amount provided, \$6,885,000 is for research conducted through the</p>	<p>fiscal year 2003 advance appropriation. This rescission does not apply to the Head Start program, the Veterans' Medical Care program, the Women, Infants, and Children nutrition program, or the space shuttle program. Specific exemptions for these programs are also included in the respective sections of this joint resolution.</p>
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
--	---	---

	<p>east coast NURP centers and \$6,885,000 is for the west coast NURP centers, including the Hawaiian and Pacific Center and the West Coast and Polar Regions Center. The Committee expects level funding will be available for Aquarius, ALVIN, and program administration.</p> <p>The Committee recommends \$12,000,000 for the next generation undersea laboratory/habitat. The Committee directs the Administrator of NOAA, working with NURP, the Office of Ocean Exploration, the Director of the National Marine Sanctuaries in Key Largo, Florida as well as the University of North Carolina Wilmington to design and build a new relocatable undersea laboratory/habitat. This new, modern laboratory/habitat supported by the Committee's recommendation will significantly improve the Nation's ability to conduct valuable research and promote understanding and education of our oceans and its resources.</p> <p>Before deployment, an operational plan shall be put in place to identify locations only within the waters of the United States where this laboratory will be used to address our most important marine challenges in priority order. This plan shall be submitted to the Committees on Appropriations for approval. This new platform shall be deployed first in the Florida Keys National Marine Sanctuary, in an area such as the Tortugas reserve.</p> <p>The Committee recommendation includes \$2,000,000 for Arctic Research. Of this amount, \$350,000 is for the Cooperative Institute for Arctic Research.</p> <p style="text-align: center;">National Weather Service [In thousands of dollars] Committee recommendation</p>	
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REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Operations and Research:

Local Warnings and Forecasts:

Base.....	483,178
Air Quality Forecasting Pilot Program.....	3,000
Alaska Data Buoys.....	1,700
Southern California Data Buoys.....	600
Aviation Forecast.....	35,596
Edmunds County Warning System.....	215
High Resolution Temperature Forecasting.....	3,000
Mt. Washington Observatory.....	500
New England Weather Technology Initiative.....	500
NC Flood Plain Mapping Pilot.....	2,000
Sustain Cooperative Observer Network.....	1,890

Subtotal, Local Warnings and Forecasts.....	532,179
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Advanced Hydrological Prediction Services.....	4,500
WFO Maintenance.....	5,000
Weather Radio Transmitters:	
Weather Radio Transmitters Base.....	2,320
NOAA Weather Radio Transmitters-WY.....	400
North Dakota Ag Weather Network.....	340

Subtotal, Weather Radio Transmitters.....	3,060
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Central Forecast Guidance.....	43,525
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REPORT (HOUSE OF REPRESENTATIVES)

CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)

OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)

CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Total, Operations and Research.....588,264
=====

Systems Operation & Maintenance:

NEXRAD.....39,996

ASOS.....7,650

AWIPS.....36,500

Weather & Climate Supercomputing Backup.....7,200

NWSTG Backup.....3,000

Total, Systems Operation & Maintenance.....94,346
=====

TOTAL NATIONAL WEATHER SERVICE-
ORF.....682,610

The Committee recommends an appropriation of \$682,610,000 for the National Weather Service [NWS] for operations, acquisitions, and research. Various Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

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

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
--	---	---

	<p>antenna in Erie, PA and develop a strategy to adequately address the prediction of lake-effect snow in the area.</p> <p>The Committee recommendation includes \$3,000,000 to complete analysis of the air quality pilot program, finalize a concept of operations, and begin procurement of the information technology infrastructure necessary to support operational air quality forecasts by the end of fiscal year 2004. In addition, \$3,000,000 is provided to complete the operational implementation of the temperature forecasting pilot in New England. The Committee recommendation provides for the modernization of a total of 200 meteorological observing stations and for the operational use of high-resolution forecasts models at 8 sites in fiscal year 2003.</p> <p>Flash floods. The Committee directs NOAA to commission the National Academy of Sciences to conduct a study to assess the availability, performance, and capability of the NWS NEXRAD located on Sulphur Mountain in Ventura County, California to detect heavy precipitation and aid forecasters at the Los Angeles Weather Forecast Office in providing flash flood warnings and forecasts, and on the basis of that study, to provide the Under Secretary of Commerce for Oceans and Atmosphere with a report on the performance of that mission by the NWS. The report also should include any recommendations for improving the accuracy and timeliness of flash flood warnings in and around western Los Angeles and Ventura Counties, California.</p> <p>National Environmental Satellite, Data, and Information Service</p> <p style="text-align: center;">[In thousands of dollars]</p> <p style="text-align: right;">Committee</p>	
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REPORT (HOUSE OF REPRESENTATIVES)

CJS Appropriations Report, 2003
 (House Report 107- - To accompany H.R.)

NOAA**REPORT (SENATE)**

OMNIBUS Appropriations Report, 2003
 (Senate Report To accompany H.J. Res 2)

NOAA**REPORT (CONFERENCE)**

CJS Appropriations Report, 2003
 (Report 107- - To accompany H.R.)

NOAA

recommendation
Environmental Satellite Observing Systems:
Satellite Command and Control.....32,461
Satellite Facilities Security.....300
Product Processing and Distribution.....18,150
—————
Subtotal, Environmental Satellite Observing Systems.....50,911
=====
Product Development, Readiness & Application:
Base.....18,768
Coral Reef Monitoring.....750
Joint Center/Accelerate Use of Satellites.....750
Global Wind Demonstration.....4,000
—————
Subtotal, Product Development, Readiness & Application.....24,268
=====
Total, Environmental Satellite Observing Systems.....75,179
=====
NOAA's Data Centers & Information Services:
Archive, Access & Assessment:
Base.....32,000
Archive, Access & Assessment/ Climate Database Modernization.....6,214

REPORT (HOUSE OF REPRESENTATIVES)

CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)

OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)

CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Subtotal, Archive, Access & Assessment.....38,214
=====

Coastal Data Development.....4,513
Regional Climate Centers.....3,600
Environmental Data Systems Modernization.....12,335

Total, NOAA's Data Centers & Information
Services.....58,662
=====

TOTAL NATIONAL ENVIRONMENTAL SATELLITE,
DATA AND INFORMATION SERVICE-
ORF.....133,841

The Committee recommends an appropriation of
\$133,841,000 for the National Environmental Satellite,
Data, and Information Service [NESDIS].

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

Program Support
[In thousands of dollars]

REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Committee
recommendation

Corporate Services:

Under Secretary and Associate Offices

Base.....27,000

Policy Formulation and Direction

Base.....35,000

Federal Employee Pay Adjustment.....12,507

Educational Partnership Program/
Minority Serving Institutions.....14,000

National Ocean Science Education Program.....1,000

 Total, Corporate Services.....89,507

Facilities:

Maintenance, Repairs and Safety.....4,000

Boulder Facilities Operations.....4,500

National Aquarium Infrastructure Repairs.....1,000

Environmental Compliance.....2,000

Pribilof Islands Cleanup.....6,000

 Total, Facilities.....17,500

Marine Operations & Maintenance:

Marine Services:

Marine Services Base (Data Acquisition).....64,000

AGATE PASS (Coastal YTT) Operations.....350

FAIRWEATHER Operations.....4,100

REPORT (HOUSE OF REPRESENTATIVES)

CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)

OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)

CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Subtotal, Marine Services (including base).....68,450
=====

Fleet Planning and Maintenance:

Fleet Planning and Maintenance.....11,213

AGATE PASS (Coastal YTT) Maintenance.....250

FAIRWEATHER Maintenance.....450

Subtotal, Fleet Planning and Maintenance.....11,913
=====

Total, Marine Operations and Maintenance.....80,363
=====

Aviation Operations: Aircraft Services.....15,500

Total, Aircraft Services.....15,500
=====

Total, Marine and Aviation Operations.....95,863
=====

GRAND TOTAL PROGRAM SUPPORT-ORF.....202,870

The Committee recommends an appropriation of

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>\$202,870,000 for the NOAA program support functions.</p> <p>Corporate Services. The Committee recommends \$14,000,000 to provide funding to historically black colleges and universities to train scientists. The Committee recommends that this program be extended to Native Hawaiian Serving Institutions and Alaskan Native Serving Institutions as defined in the Higher Education Act.</p> <p>Facilities. The Committee supports improvements to the infrastructure of the National Aquarium and recommends \$1,000,000 for needed repairs. The Committee expects the Department of Commerce to draft a 20-year working plan for the National Aquarium to be provided to the Committee on Appropriations no later than July 1, 2003.</p> <p>PROCUREMENT, ACQUISITION, AND CONSTRUCTION</p> <p style="text-align: center;">[In thousands of dollars]</p> <p style="text-align: right;">Committee recommendation</p> <p>NOS: Coastal and Estuarine Land Conservation Program [CELP]:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 20px;">Base.....</td> <td style="text-align: right;">12,900</td> </tr> <tr> <td style="padding-left: 20px;">Seacoast, NH.....</td> <td style="text-align: right;">2,000</td> </tr> <tr> <td style="padding-left: 20px;">Los Cerritos Wetlands, CA.....</td> <td style="text-align: right;">2,000</td> </tr> <tr> <td style="padding-left: 20px;">Laughlin Cove, WA.....</td> <td style="text-align: right;">300</td> </tr> <tr> <td style="padding-left: 20px;">Maury Island, WA.....</td> <td style="text-align: right;">1,800</td> </tr> <tr> <td style="padding-left: 20px;">Rocky Point, RI.....</td> <td style="text-align: right;">1,900</td> </tr> <tr> <td style="padding-left: 20px;">Satilla River, GA.....</td> <td style="text-align: right;">2,000</td> </tr> <tr> <td style="padding-left: 20px;">Harbor Herons, NY.....</td> <td style="text-align: right;">2,000</td> </tr> <tr> <td style="padding-left: 20px;">Deer Island, MS.....</td> <td style="text-align: right;">2,200</td> </tr> </table>	Base.....	12,900	Seacoast, NH.....	2,000	Los Cerritos Wetlands, CA.....	2,000	Laughlin Cove, WA.....	300	Maury Island, WA.....	1,800	Rocky Point, RI.....	1,900	Satilla River, GA.....	2,000	Harbor Herons, NY.....	2,000	Deer Island, MS.....	2,200	
Base.....	12,900																			
Seacoast, NH.....	2,000																			
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REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

North Bass Island, OH.....	2,000
East Sandusky Bay, OH.....	2,000
Mill River, CT.....	2,000
Farm River, CT.....	300
Morro Bay Dunes, CA.....	2,000
Wetlands Harbor, LA.....	1,600
Hawaii Coastal Lands.....	3,000
Coastal Bays, MD.....	2,000
Chesapeake, Eastern Shore, MD.....	2,000
Nanjemoy, MD.....	2,000
Deer Lagoon, WA.....	600
City of Two Harbors, MN.....	400
Long Island, NY.....	1,000
Bonneau Ferry, SC.....	10,000
Cooper River, West Branch, SC.....	2,000

Subtotal, Coastal and Estuarine Land Conservation
Program.....60,000

Estuarine Land Acquisition & Construction:

NERRS Base.....	10,012
ACE Basin.....	4,500
Great Bay Partnership.....	6,000
Grand Bay, MS.....	6,000
Morris Island.....	4,000

Subtotal, NERRS
Acquisition/Construction.....30,512

REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Marine Sanctuaries Construction:

Base.....10,000

Subtotal, Marine Sanctuary Construction.....10,000

Other NOS Facilities:

Kasitsna Bay Laboratory.....1,400

Beaufort Lab.....500

Subtotal, Other NOS Facilities.....1,900

Total NOS __ PAC.....102,412

NMFS:

Honolulu Lab.....15,000

Kodiak Pier.....2,000

Ketchikan Facilities.....3,000

Pascagoula Laboratory.....2,000

Phase III __ Galveston Laboratory
Renovation __ NMFS.....2,000

Total, NMFS __ PAC.....24,000

REPORT (HOUSE OF REPRESENTATIVES)

CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)

OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)

CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

OAR:

Systems Acquisition:

Comprehensive Large Array Data
Stewardship System.....3,600
Research Supercomputing.....6,519

Subtotal, OAR Systems Acquisition.....10,119

Construction:

Barrow Planning and Design.....1,000
Norman Consolidation Project.....6,000

Subtotal, OAR Construction.....7,000

Total, OAR_PAC.....17,119

NWS:

Systems Acquisition:

ASOS.....5,125
AWIPS.....16,264
NEXRAD.....8,260
Radiosonde Network Replacement.....6,500
Weather and Climate Supercomputing.....20,000

REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Subtotal, NWS Systems Acquisition.....56,149

=====

Construction: WFO Construction.....10,630

=====

Subtotal, NWS Construction.....10,630

=====

Total, NWS-PAC.....66,779

=====

NESDIS:

Systems Acquisition:

Geostationary Systems.....227,398

Polar Orbiting Systems.....359,538

EOS & Advanced Polar Data Processing,

Distribution & Archiving Systems.....3,000

CIP Single Point of Failure.....2,800

Coastal Remote Sensing.....3,000

=====

Subtotal, NESDIS Systems Acquisition.....595,736

=====

Construction:

Satellite CDA Facility.....4,000

Sutland Facility.....8,890

=====

REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

Subtotal, NESDIS Construction.....12,890
=====Total, NESDIS-PAC.....608,626
=====

Program Support:

CAMS.....10,000

G_IV Instrumentation Upgrades.....8,400

Fleet Replacement:

Small Waterplane Area Twin Hull Vessel.....9,000

Fisheries Research Vessel Replacement.....50,874

Hydrographic Equipment Upgrades.....6,200
-----Subtotal, OMAO Fleet Replacement.....66,074
=====Total, Program Support-PAC.....84,474
=====

GRAND TOTAL

PAC.....903,410

The Committee recommendation provides \$903,410,000 for Procurement, Acquisition, and Construction. The recommendation is \$92,023,000 above the request.

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

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>following paragraphs.</p> <p>National Ocean Service. The Committee recommends \$60,000,000 for the coastal and estuarine land conservation program. This program provides funds for matching grants to States, communities, and groups engaged in land conservation efforts that benefit coastal and estuarine areas. These funds will be used expressly to acquire lands or interests in lands that include significant conservation, recreation, ecological, historical or aesthetic values to further the goals of a federally approved Coastal Zone Management Program or a National Estuarine Research Reserve.</p> <p>The Committee recommends \$500,000 for repairs and facilities improvements at the Beaufort Laboratory. In recognition of the dilapidated conditions at the laboratory due to decades of neglect, the Committee encourages the lab to develop a 10-year facilities plan for Pivers Island.</p> <p>Program Support. The Committee recommendation provides \$9,000,000 for a Small Waterplane Area Twin Hull vessel to be homeported in New Castle, NH.</p> <p style="text-align: center;">Other [In thousands of dollars]</p> <p style="text-align: center;">Committee recommendation</p> <p>OPERATIONS, RESEARCH, FACILITIES [ORF]:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 20px;">Direct Obligations.....</td> <td style="text-align: right;">2,424,301</td> </tr> <tr> <td style="padding-left: 20px;">De-Obligations.....</td> <td style="text-align: right;">(17,000)</td> </tr> <tr> <td style="padding-left: 20px;">Transfers: Coastal Zone Management Fund.....</td> <td style="text-align: right;">3,000</td> </tr> <tr> <td style="text-align: right; border-top: 1px solid black;">_____</td> <td></td> </tr> </table> <p>TOTAL, DISCRETIONARY ORF BUDGET AUTHORITY.....2,404,301</p>	Direct Obligations.....	2,424,301	De-Obligations.....	(17,000)	Transfers: Coastal Zone Management Fund.....	3,000	_____		
Direct Obligations.....	2,424,301									
De-Obligations.....	(17,000)									
Transfers: Coastal Zone Management Fund.....	3,000									

REPORT (HOUSE OF REPRESENTATIVES)CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

=====
Transfers: Promote & Develop American Fisheries.....(55,000)

Subtotal, ORF Transfers.....(55,000)
=====
TOTAL, ORF APPROPRIATION.....2,349,301
=====
PROCUREMENT, ACQUISITION, CONSTRUCTION [PAC]:
Direct Obligations.....906,610
De_Obligations.....(3,200)

TOTAL, PAC APPROPRIATION.....903,410
=====
OTHER DISCRETIONARY APPROPRIATIONS:
Fisherman's Contingency Fund.....954
Foreign Fishing Observer Fund.....191
Fisheries Financing Program.....(3,000)
Coastal Zone Management Fund.....(3,000)
Pacific Coastal Salmon Fund.....98,650

TOTAL, OTHER DISCRETIONARY APPROPRIATIONS.....93,795

REPORT (HOUSE OF REPRESENTATIVES)

CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)

OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)

CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

NOAA Grand Total Discretionary
Appropriations.....3,368,599

Pacific Coastal Salmon Recovery Fund

Appropriations, 2002.....\$157,419,000
Budget estimate, 2003.....110,000,000
Committee recommendation.....98,650,000

The Committee recommends \$98,650,000 for Pacific Coastal Salmon conservation. Of this amount, \$78,650,000 is for the Pacific Coastal Salmon Recovery Fund. Within the funding for the Pacific Coastal Salmon Recovery Fund, the Committee recommends \$23,750,000 for the State of Washington, \$20,650,000 for the State of Alaska, \$11,000,000 for the State of Oregon, \$11,000,000 for the State of California, \$8,950,000 for the Pacific Coastal Tribes, and \$3,300,000 for the Columbia River Tribes. Of the funds provided for the State of Alaska, \$5,000,000 is for the Arctic Yukon-Kushokwim Sustainable Salmon initiative, \$1,000,000 is for construction of salmon mitigation passes, \$1,000,000 is for the Cook Inlet Fishing Community Assistance Program, \$500,000 is for the Yukon River Drainage Association, \$500,000 is for Fort Richardson fisheries, \$500,000 is for Elmendorf AFB hatcheries, \$500,000 is for Fort Wainwright fisheries, \$450,000 is for universal quality standards, \$450,000 is for competitive analysis of global salmon, \$250,000 is to restore the king salmon runs in Coffman Cove, \$250,000 is to enable the State of Alaska to participate in discussions regarding the Columbia River hydrosystem management,

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>and \$100,000 is for United Fishermen of Alaska's subsistence program. Of the amounts provided for the State of Washington, \$5,000,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish Report. The funding shall be spent in accordance with the terms and conditions of the Forest and Fish Report and consistent with the requirements of the Endangered Species Act and Clean Water Act. Of the amount provided to the State of Oregon, \$1,100,000 is for conservation mass marking at the Columbia River Hatcheries.</p> <p style="text-align: center;">Fishermen's Contingency Fund</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 20px;">Appropriations, 2002.....</td> <td style="text-align: right; padding-left: 20px;">\$952,000</td> </tr> <tr> <td style="padding-left: 20px;">Budget estimate, 2003.....</td> <td style="text-align: right; padding-left: 20px;">954,000</td> </tr> <tr> <td style="padding-left: 20px;">Committee recommendation.....</td> <td style="text-align: right; padding-left: 20px;">954,000</td> </tr> </table> <p>The Committee recommends an appropriation of \$954,000 for the fishermen's contingency fund.</p> <p>The fishermen's contingency fund provides compensation to U.S. fishermen for damage or loss of fishing gear and any resulting loss because of natural or man-made obstructions related to oil and gas exploration, development, and production on the Outer Continental Shelf. The Secretary of Commerce is authorized to establish an area account within the fund for any area within the Outer Continental Shelf. A holder of a lease, permit, easement, or right-of-way in such area is required to pay a fee into the appropriate area account in the fund. Each area account, if depleted, will be replenished by assessment. The authorization stipulates that amounts available in each area account can be disbursed only to the</p>	Appropriations, 2002.....	\$952,000	Budget estimate, 2003.....	954,000	Committee recommendation.....	954,000	
Appropriations, 2002.....	\$952,000							
Budget estimate, 2003.....	954,000							
Committee recommendation.....	954,000							

REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>extent provided by appropriations acts. Since receipts collected may not be sufficient for this appropriation, the Committee has included language which provides that the sums necessary to eliminate the insufficiency may be derived from the general fund of the Treasury.</p> <p style="text-align: center;">Foreign Fishing Observer Fund</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Appropriations, 2002.....</td> <td style="text-align: right;">\$191,000</td> </tr> <tr> <td>Budget estimate, 2003.....</td> <td style="text-align: right;">191,000</td> </tr> <tr> <td>Committee recommendation.....</td> <td style="text-align: right;">191,000</td> </tr> </table> <p>The Committee recommends an appropriation of \$191,000 for the foreign fishing observer fund.</p> <p>Fees paid into the fund are collected from owners and operators of certain foreign fishing vessels that fish within the U.S. fishery conservation zone. The fund supports salaries of U.S. observers and program support personnel, other administrative costs, and the cost of data management and analysis.</p> <p style="text-align: center;">fisheries finance program account</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Appropriations, 2002.....</td> <td style="text-align: right;">\$287,000</td> </tr> <tr> <td>Budget estimate, 2003.....</td> <td style="text-align: right;">.....</td> </tr> <tr> <td>Committee recommendation.....</td> <td style="text-align: right;">.....</td> </tr> </table> <p>The Committee notes that an appropriation is not necessary for the fisheries finance program account. Of the loan authority provided through bill language, \$5,000,000 is for entry level and small vessel individual fishery quota [IFQ] obligation guarantees in the halibut and sablefish fisheries off Alaska pursuant to section 1104A(a)(7) of the Merchant Marine Act of 1936. These funds are provided</p>	Appropriations, 2002.....	\$191,000	Budget estimate, 2003.....	191,000	Committee recommendation.....	191,000	Appropriations, 2002.....	\$287,000	Budget estimate, 2003.....	Committee recommendation.....	
Appropriations, 2002.....	\$191,000													
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REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA	REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA	REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA
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	<p>for IFQ loans in accordance with section 303(d)(4) of the Magnuson-Stevens Act and section 108(g) of the Sustainable Fisheries Act.</p> <p>General Provisions-Department of Commerce</p> <p>Section 201 makes Commerce Department funds available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.</p> <p>Section 202 makes appropriations for salaries and expenses available for the hire of passenger motor vehicles, and for services, uniforms, and allowances as authorized by law.</p> <p>Section 203 prohibits any funds from being used to support hurricane reconnaissance aircraft and activities that are under the control of the U.S. Air Force or the U.S. Air Force Reserve.</p> <p>Section 204 provides the authority to transfer funds between Department of Commerce accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures.</p> <p>Section 205 allows the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.</p> <p>Section 206 permits the Department of Commerce franchise fund to retain a percentage of earnings from services provided for capital investments.</p> <p>Section 207 provides funding for 4 grants and a cooperative agreement.</p> <p>Section 208 clarifies allowable applications of a grant program.</p>	
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<p>REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA</p>	<p>REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA</p>	<p>REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA</p>
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	<p>Section 209 further clarifies allowable applications of a grant program. Section 210 promotes foreign tourism to the United States. Section 211 salvages an inter-island shipping capability.</p> <p style="text-align: center;">TITLE VI-GENERAL PROVISIONS</p> <p>The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill. Section 601 prohibits any appropriation act from being used for publicity or propaganda purposes not authorized by law. Section 602 prohibits any appropriation contained in the act from remaining available for obligation beyond the current year unless expressly so provided. Section 603 provides that the expenditure for any appropriation contained in the act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law. Section 604 limits the availability of funds for a memorandum of agreement. Section 605 stipulates Committee policy concerning the reprogramming of funds. Section 605(a) prohibits the reprogramming of funds which: (1) create new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates offices or employees; (5) reorganizes offices,</p>	
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<p align="center">REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA</p>	<p align="center">REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA</p>	<p align="center">REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA</p>
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	<p>programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees-unless the Appropriations Committees of the House and Senate are notified 15 days in advance.</p> <p>Section 605(b) prohibits a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress unless the Appropriations Committees of the House and Senate are notified 15 days in advance.</p> <p>Section 606 prohibits construction, repair, overhaul, conversion, or modernization of NOAA ships outside of the United States.</p> <p>Section 607 ties grant eligibility to retired law enforcement disability benefits.</p> <p>Section 608 limits the availability of funds for tobacco promotion.</p> <p>Section 609 prohibits funds from being used to issue a visa to any alien involved in extrajudicial and political killings in Haiti and establishes working conditions for plaintiffs in a recently settled Federal lawsuit.</p> <p>Section 610 prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993 and prohibits implementation of a background check system that does not require and result in the immediate destruction of certain information.</p> <p>Section 611 delays obligation of some receipts deposited into the Crime Victim Fund.</p>	
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<p>REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA</p>	<p>REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA</p>	<p>REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA</p>
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	<p>Section 612 ties visa issuance to cooperation on so-called ``non-returnables".</p> <p>Section 613 limits the placement of maximum or high security prisoners to appropriately secure facilities.</p> <p>Section 614 restricts Federal prisoner access to certain amenities.</p> <p>Section 615 makes appropriations for the Small Business Administration.</p> <p>Section 616 clarifies section 626 of Public Law 107-77 that allows a cause of action for the Iranian hostages.</p>	
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REPORT (HOUSE OF REPRESENTATIVES)

CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

NOAA

REPORT (SENATE)

OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)

CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

REPORT (HOUSE OF REPRESENTATIVES)

CJS Appropriations Report, 2003
(House Report 107- - To accompany H.R.)

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REPORT (SENATE)

OMNIBUS Appropriations Report, 2003
(Senate Report To accompany H.J. Res 2)

NOAA

REPORT (CONFERENCE)

CJS Appropriations Report, 2003
(Report 107- - To accompany H.R.)

NOAA

<p>REPORT (HOUSE OF REPRESENTATIVES) CJS Appropriations Report, 2003 (House Report 107- - To accompany H.R.) NOAA</p>	<p>REPORT (SENATE) OMNIBUS Appropriations Report, 2003 (Senate Report To accompany H.J. Res 2) NOAA</p>	<p>REPORT (CONFERENCE) CJS Appropriations Report, 2003 (Report 107- - To accompany H.R.) NOAA</p>
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