

An hourglass-shaped graphic with a globe inside. The top bulb is dark blue, and the bottom bulb is light blue. The globe is centered in the narrow neck of the hourglass. The text is overlaid on the hourglass.

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Congressional Research Service

Report RL33470

*Science, State, Justice, Commerce and Related Agencies
(House)/Commerce, Justice, Science and Related Agencies
(Senate): FY2007 Appropriations*

Susan B. Epstein and M. Angeles Villarreal, Foreign Affairs, Defense, and Trade Division

May 9, 2007

Abstract. This report is a guide to the regular appropriations bills that Congress considers each year. It is designed to supplement the information provided by the House Committee on Appropriations and Senate Subcommittee on Legislative Branch of the Senate Committee on Appropriations. It summarizes the current legislative status of the bill, its scope, major issues, funding levels, and related legislative activity.

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CRS Report for Congress

Science, State, Justice, Commerce and Related Agencies (House)/ Commerce, Justice, Science and Related Agencies (Senate): FY2007 Appropriations

Updated May 9, 2007

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**Prepared for Members and
Committees of Congress**

Appropriations are one part of a complex federal budget process that includes budget resolutions, appropriations (regular, supplemental, and continuing) bills, rescissions, and budget reconciliation bills. The process begins with the President's budget request and is bounded by the rules of the House and Senate, the Congressional Budget and Impoundment Control Act of 1974 (as amended), the Budget Enforcement Act of 1990, and current program authorizations.

This report is a guide to the regular appropriations bills that Congress considers each year. It is designed to supplement the information provided by the House Committee on Appropriations and Senate Subcommittee on Legislative Branch of the Senate Committee on Appropriations. It summarizes the current legislative status of the bill, its scope, major issues, funding levels, and related legislative activity. The report lists the key CRS staff relevant to the issues covered and related CRS products.

NOTE: A Web version of this document with active links is available to congressional staff at [http://beta.crs.gov/cli/level_2.aspx?PRDS_CLI_ITEM_ID=73].

Science, State, Justice, Commerce and Related Agencies (House)/ Commerce, Justice, Science and Related Agencies (Senate): FY2007 Appropriations

Summary

This report monitors actions taken by the 109th Congress for the House's Science, State, Justice, Commerce, and Related Agencies (SSJC) and the Senate's Commerce, Justice, Science, and Related Agencies (CJS) FY2007 appropriations bill. Appropriations bills reflect the jurisdiction of the subcommittees of the House and Senate Appropriations Committees in which they are considered. Jurisdictions for the subcommittees of the House and Senate Appropriations Committees changed at the beginning of the 109th Congress.

On September 29, 2006, Congress passed the Defense Department Appropriation (H.R. 5631/P.L. 109-289), which included a continuing resolution (CR) to fund the most other agencies, including SSJC agencies, through November 17, 2006. On November 15, 2006, Congress passed a second CR (H.J.Res. 100) which extended funding provided in the initial continuing resolution through December 8, 2006. On December 8, the House passed a third CR (H.J.Res. 102), which extended funding through February 15, 2007. The Senate passed the measure on December 9. On February 15, 2007, the President signed into law H.J.Res. 20 (P.L. 110-5), which amended P.L. 109-289, the Revised Continuing Appropriations Resolution, extending continuing appropriations through FY2007.

For the FY2007 SSJC/CJS appropriations, the Administration requested \$62.5 billion/\$52.3 billion in the budget that it sent to Congress on February 6, 2006. The Administration request for the major departments and their related agencies are Department of Justice (DOJ), \$21.3 billion; Department of Commerce (DOC), \$6.3 billion; Department of State, \$10.2 billion; Science, \$22.8 billion; and Related Agencies, \$2.3 billion. (The numbers may not add to the total due to rounding.)

The House passed its SSJC appropriation bill (H.R. 5672) on June 29, providing a total of \$62.6 billion. The House funding level included \$22.5 billion for DOJ, \$5.9 billion for DOC and related agencies, \$22.7 billion for the Science agencies, \$9.7 billion for the Department of State and international broadcasting, and \$2.3 billion for related agencies. The Senate committee reported its bill covering State Department funding (H.R. 5522) on July 10.

The enacted FY2006 appropriation provided \$62.1 billion (\$63.1 billion, including FY2006 supplemental funds) for the agencies under the jurisdiction of the Science, State, Justice, Commerce Appropriations subcommittee of the House. The appropriations enacted for the major departments and their related agencies were DOJ, \$21.7 billion; DOC, \$6.6 billion; Department of State, \$9.5 billion; Science, \$22.2 billion; and Related Agencies, \$2.5 billion.

This report is the final update for the FY2007 SSJC report. Any future adjustments of the FY2007 numbers will be in the FY2008 appropriation report.

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Division abbreviations: ALD = American Law Division; DSP = Domestic Social Policy Division; FDT = Foreign Affairs, Defense, and Trade Division; G&F = Government and Finance Division; RSI = Resources, Science, and Industry Division.

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Science, State, Justice, Commerce and Related Agencies (House)/ Commerce, Justice, Science and Related Agencies (Senate): FY2007 Appropriations

Most Recent Developments

On September 29, 2006, Congress passed the Department of Defense FY2007 Appropriation bill (H.R. 5631/P.L. 109-289), which included a continuing resolution (CR) providing funding for Science, State, Justice and Commerce (SSJC) and related agencies through November 17, 2006. The funding is the lesser of House- or Senate-passed funding levels for FY2007 or the FY2006 enacted level. On November 15, 2006, Congress passed a second CR (H.J.Res. 100), which extended funding provided in the initial continuing resolution through December 8, 2006. On December 8, the House passed a third CR (H.J.Res. 102) extending funding through February 15, 2007. The Senate passed the measure on December 9. On February 15, 2007, the 110th Congress passed P.L. 110-5, which amended P.L. 109-289 (H.J. Res 20) the Revised Continuing Appropriations Resolution, 2007 extending appropriations through FY2007.

The House passed its SSJC appropriation bill (H.R. 5672/ H.Rept. 109-520/ S.Rept. 109-280) on June 29, providing a total of \$63.1 billion. The House funding level included \$22.5 billion for the Department of Justice, \$5.9 billion for the Department of Commerce and related agencies, \$22.7 billion for the Science agencies, \$9.7 billion for the Department of State and international broadcasting, and \$2.3 billion for related agencies. The Senate CJS Appropriations Subcommittee marked up its version of the bill on July 11, and the full Senate committee began working on the the bill on July 13. The Senate version recommends \$22.0 billion for Justice, \$7.1 billion for Commerce, \$23.8 billion for Science, and \$2.3 billion for related agencies. Department of State funding is in H.R. 5522 (S.Rept. 109-277) and contains \$9.6 billion for the State Department and international broadcasting.

The Administration submitted its FY2007 budget to Congress on February 6, 2006. The Administration requested \$62.5 billion for the agencies under the jurisdiction of the Science, State, Justice, Commerce Appropriations (SSJC) subcommittee of the House and \$52.3 billion for the Agencies under the Commerce, Justice, Science (CJS) Appropriations subcommittee in the Senate. The Administration requests for the major departments and their related agencies are Department of Justice, \$21.3 billion; Department of Commerce, \$6.3 billion; Department of State, \$10.2 billion; Science, \$22.8 billion; and Related Agencies, \$2.3 billion.

The President signed the FY2006 Science, State, Justice, Commerce, and Related Agencies (SSJC) appropriations bill into law on November 22, 2005 (P.L. 109-108). The law provided \$62.1 billion (\$63.1 billion including FY2006 supplementals) for the agencies under the jurisdiction of the Science, State, Justice, Commerce Appropriations subcommittee of the House. The estimated appropriations of the major departments and their related agencies (after rescissions and supplementals) were Department of Justice, \$21.7 billion; Department of Commerce, \$6.6 billion; Department of State, \$9.5 billion; Science, \$22.2 billion; and Related Agencies, \$3.2 billion.

Appropriations bills reflect the jurisdiction of the subcommittees of the House and Senate Appropriations Committees in which they are considered. Jurisdictions for the subcommittees of the House and Senate Appropriations Committees were changed at the beginning of the 109th Congress. In the 108th Congress, both the House and Senate subcommittees had identical jurisdiction and produced the Commerce, Justice, State, the Judiciary and Related Agencies appropriations bills. In the 109th Congress, jurisdiction for the Judiciary appropriation was removed to the Treasury, Transportation, HUD Subcommittees in the House and the Senate. Science appropriations, namely the National Aeronautical and Space Administration and the National Science Foundation, were transferred to the former CJS subcommittees in both chambers. In the Senate, appropriations for the Department of State were transferred to the Foreign Operations subcommittee; however, they remain under the jurisdiction of SSJC in the House. In addition, the Senate Appropriations Committee has placed the National Institute of Science and Technology and the National Oceanic and Atmospheric Administration under its Title III Science Agencies. For the purposes of comparison, this report will retain reference to these agencies in Title II Commerce agencies.

Table 1. Legislative Status of SSJC/CJS Appropriations, FY2007

Subcommittee Markup		House Report	House Passage	Senate Report	Senate Passage	Conf. Report	Conf. Report Approval		Public Law
House	Senate						House	Senate	
6/14/06	7/11/06	6/20/06 H.Rept. 109-520	6/29/06 (393-23)	7/13/06 S.Rept. 109-280					P.L. 110-5 signed 2/15/07

Background Information

Synopsis of FY2006 Appropriations

The Administration requested \$64.2 billion/\$54.2 billion for SSJC/CJS appropriations in its FY2006 budget request sent to Congress on February 7, 2005. The House Appropriations Committee reported its SSJC bill (H.R. 2862, H.Rept. 109-118) on June 7, 2005, and the House passed the bill on June 16 after three days

of debate and 43 amendments. The Senate Appropriations Committee reported its bill (H.R. 2862, S.Rept. 109-88) on June 23, 2005. The Senate Appropriations Committee reported its State, Foreign Operations Appropriation bill (H.R. 3057/S.Rept. 109-96) June 30. It contains the Senate figures of \$9,709.2 for the Department of State, International Broadcasting, and related agencies. The full Senate passed the bill on July 20. The Senate passed the CJS bill by a vote of 91-4 on September 15, 2005, after consideration of 122 amendments. The Conference Report (H.Rept. 109-272) was filed on November 7, 2005. The House approved the measure by a vote of 397-19 on November 9; the Senate approved it on November 11 by a vote of 94-5. It was signed into law by President Bush on November 22, 2005 (P.L. 109-108). The FY2006 appropriations were subject to a 1.28% across-the-board rescission, reflecting Sec. 638, P.L. 109-108 and P.L. 109-148.

Departmental Funding Trends

The table below shows funding trends for the major agencies in CJS appropriations over the five-year period FY2002-FY2006, including supplemental appropriations. Over the five-year period, funding decreased for the Department of Justice by \$2.082 billion (-8.8%). Funding increased for the Department of Commerce by \$0.735 billion (12.8%), for the Title III Science Agencies by \$2.473 billion (12.5%), and for the Department of State by \$1.559 billion (21.2%).

The Justice Department's budget declined from FY2002 to FY2003 by 17% when it was reduced by more than \$4 billion due to the relocation of some activities to the Department of Homeland Security. The Justice Department total has continued to be below the FY2002 total. The Commerce Department budget has generally increased, with a slight decrease in FY2006 over the previous year due primarily to the rescissions applied to FY2006 enacted appropriations. The Science Agencies' funding has shown a gradual increase each of the five years; the State Department's increases each year through FY2005 reflect funding for the U.S. embassy in Iraq, embassy security, and international peacekeeping, largely through emergency supplemental appropriations.

Table 2. Funding for Departments of Commerce, Justice, and State, and Science Agencies
(in billions of current dollars)

Department/Agency	FY2002	FY2003	FY2004	FY2005	FY2006
Justice	23.707	19.648	19.850	21.000	21.714
Commerce	5.739	5.796	5.943	6.550	6.737
Science ^a	19.71	20.600	20.960	21.676	22.218
State	7.362	8.179	9.429	10.181	9.565

Sources: Funding totals provided by the U.S. House of Representatives, Committee on Appropriations.

a. Before FY2006, Title III Science Agencies were contained in the VA/HUD appropriations bill.

Survey of High-Profile Issues

Department of Justice

- The President's FY2007 budget request proposes the consolidation of the state, local, and tribal law enforcement grant programs, the Weed and Seed program, and juvenile justice programs into the Justice Assistance account of the Office of Justice Programs (OJP). The FY2007 President's request would eliminate funding for a number of OJP programs, such as the Edward Byrne Memorial Justice Assistance Grants (JAG) program (\$327.2 million in FY2006 after earmarks for Boys and Girls Clubs and National Institute of Justice), the Edward Byrne Discretionary Grants (\$189.3 million in FY2006), Indian Country Prison Grants (\$8.9 million in FY2006), and Tribal Court Grants (\$7.9 million in FY2006).
- The Administration's budget request proposes an increase in funding for the Project Safe Neighborhoods (PSN) initiative, a program administered by ATF that is designed to combat firearms-related crime, to reach a level of \$395 million. Under the President's budget proposal, the restructured PSN program would include Project ChildSafe, State and Local Gun Crime Prosecution Assistance/*Project Sentry*, Gang Technical Assistance Program, Weed and Seed Program/Community Capacity Development Office (CCDO), National Stalker and Domestic Violence Database, and National Criminal History Improvement Program (NCHIP).
- The FY2007 President's budget proposes funding for expanding and improving Drug Courts, providing \$69 million for the program, an increase of \$60 million over the FY2006 enacted appropriations.
- The FY2007 budget proposal included funding of \$40 million for the Meth Hot Spots program, a program designed to provide state and local law enforcement assistance in cleaning up toxic waste sites created through the illicit production of methamphetamine. The proposed funding level represented an increase of \$20 million over funding enacted in FY2006.
- The President's FY2007 request for DEA included a proposal to transfer the High-Intensity Drug Trafficking Area (HIDTA) program from the Office of National Drug Control Policy (ONDCP) to DOJ and to coordinate the program with the efforts of the Organized Crime and Drug Enforcement Task Force (OCDETF) and other antidrug efforts that are part of DEA's comprehensive drug enforcement strategy. The budget request proposes \$208 million for HIDTA funding in FY2007.

Department of Commerce and Related Agencies

Key issues include the following:

- Appropriations measures that limit the use by the U.S. Patent and Trademark Office (PTO) of the full amount of fees collected in the current fiscal year.
- A proposed shift from funding to support industrial technology development programs at the National Institute of Standards and Technology, particularly the Advanced Technology Program and the Manufacturing Extension Partnership and congressionally directed projects, to a greater concentration on funding basic research in the physical sciences as part of the President's "American Competitiveness Initiative."
- For FY2007, the Bush Administration has requested that \$45 million be added to the National Telecommunications and Information Administration (NTIA) budget to fund the Digital Television Transition and Public Safety Fund, as mandated by the Deficit Reduction Act of 2005. There is a 2008 deadline for the Federal Communications Commission (FCC) to auction unused analog spectrum and a February 17, 2009, deadline for converting all U.S. analog television transmissions to digital. Policymakers will likely consider this budget request with regard to whether it will achieve this goal, and how NTIA will assist in the conversion process.
- Possible termination of the Census Bureau's longitudinal Survey of Income and Program Participation and its proposed replacement with a new data collection system focusing on income and wealth dynamics.
- Consolidation of 18 federal economic and community development programs in the Administration's proposed "Strengthening America's Communities Initiative," reduction of their aggregate funding levels, and creation of a new Regional Development Account within the Economic Development Administration.
- The ability of U.S. trade agencies and PTO to fight intellectual property infringement abroad.
- The efficacy of U.S. trade agency enforcement of U.S. trade remedy laws against unfair foreign competition.
- The possible consolidation of the National Oceanic and Atmospheric Administration's (NOAA's) budget authority under a single Organic Act and Congress's review of NOAA satellite programs.
- Proposed terminations of several ocean-related programs, provoking criticism from the Joint Ocean Commission Initiative.

Science Agencies

Key issues are as follows:

- President Bush’s “Vision for Space Exploration” and its consequent reprioritization of NASA programs, and potential personnel cuts (especially in aeronautics research).
- Whether to use the space shuttle to service the Hubble Space Telescope.

Department of State and International Broadcasting

Key issues include the following:

- Secretary Rice’s newly announced vision for diplomacy referred to as Transformational Diplomacy, which will involve reorganizing parts of USAID and State.
- Moving of diplomats away from Washington and Europe to countries where the Administration deems more critical need.
- Increased emphasis on critical need language capabilities within the Department.
- Greater emphasis on public diplomacy activities conducted by all State Department personnel overseas.

Department of Justice¹

Background

Title I of the SSJC/CJS bill typically covers appropriations for the Department of Justice (DOJ). Established by an act of 1870 (28 U.S.C. 501) with the Attorney General at its head, DOJ provides counsel for citizens and protects them through law enforcement. It represents the federal government in all proceedings, civil and criminal, before the Supreme Court. In legal matters, generally, the Department provides legal advice and opinions, upon request, to the President and executive branch department heads. The major functions of DOJ agencies and offices are described below.

- *United States Attorneys* prosecute criminal offenses against the United States, represent the federal government in civil actions, and initiate proceedings for the collection of fines, penalties, and forfeitures owed to the United States.

¹ This section was written by Celinda Franco, Specialist in Social Legislation, Domestic Social Policy Division.

- *United States Marshals Service* provides security for the federal judiciary, protects witnesses, executes warrants and court orders, manages seized assets, detains and transports unsentenced prisoners, and apprehends fugitives.
- *Federal Bureau of Investigation (FBI)* investigates violations of federal criminal law; helps protect the United States against terrorism and hostile intelligence efforts; provides assistance to other federal, state, and local law enforcement agencies; and shares jurisdiction with Drug Enforcement Administration (DEA) over federal drug violations.
- *Drug Enforcement Administration (DEA)* investigates federal drug law violations; coordinates its efforts with state, local, and other federal law enforcement agencies; develops and maintains drug intelligence systems; regulates legitimate controlled substances activities; and conducts joint intelligence-gathering activities with foreign governments.
- *Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)* enforces federal law related to the manufacture, importation, and distribution of alcohol, tobacco, firearms, and explosives. It was transferred from the Department of the Treasury to the Department of Justice by the Homeland Security Act of 2002 (P.L. 107-296).
- *Federal Prison System* provides for the custody and care of the federal prison population, the maintenance of prison-related facilities, and the boarding of sentenced federal prisoners incarcerated in state and local institutions.
- *Office of Justice Programs (OJP)* manages and coordinates the activities of the Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, Community Oriented Policing Services (COPS), and the Office of Victims of Crime.

Most crime control has traditionally been a state and local responsibility. With the passage of the Crime Control Act of 1968 (P.L. 90-351), however, the federal role in the administration of criminal justice has increased incrementally. Since 1984, Congress has approved five major omnibus crime control bills, designating new federal crimes, penalties, and additional law enforcement assistance programs for state and local governments.

For FY2007, Congress appropriated \$22.692 billion² for discretionary DOJ programs, an increase of \$977.9 million over FY2006 appropriations.

Government Performance and Results Act

The Government Performance and Results Act (GPRA) required the Department of Justice, along with other federal agencies, to prepare a five-year strategic plan, including a mission statement, long-range goals, and program

² Amount reflects total appropriations for direct discretionary programs and does not include mandatory DOJ programs that are not subject to congressional appropriations.

assessment measures. The Department's Strategic Plan for FY2003-2008 sets forth four goals:

- prevent terrorism and promote national security;
- enforce federal criminal laws and represent the rights and interests of the American people;
- prevent and reduce crime and violence by assisting state, local, and tribal efforts;
- ensure the fair and efficient operation of the Federal justice system.

FY2007 Budget Request

The Department of Justice FY2007 budget request included \$21.494 billion in spending. The FY2007 budget request would have represented a decrease of \$220 million over appropriations enacted by Congress for FY2006 (see **Table 3**).

According to DOJ budget justifications, the President's FY2007 budget request included increased funding for preventing terrorism and ensuring domestic security of \$386 million over FY2006 enacted levels. For reducing violent crime, gun crime, illegal drug trafficking, and white collar crime, the FY2007 budget request included \$9 billion, which would have been an increase of \$489 million over FY2006 enacted levels. Support for state, local, and tribal crime and violence prevention would have been reduced to \$2.9 billion by the President's budget request, a decrease of \$1 billion from FY2006 enacted levels. Funding for the federal justice system under the President's request totaled \$7.8 billion, which would have been an increase of \$404 million over FY2006 appropriations.

The House passed its SSJC bill (H.R. 5672), which would have provided a total of \$22.456 billion for the Department of Justice. This was \$1.131 billion more than the Administration had requested and \$741.7 million more than the enacted FY2006 funding level. The Senate-passed recommendation included \$21.955 billion in DOJ funding, which would have been \$461.3 million more than the President's request and \$241.2 million more than enacted FY2006 levels. Under P.L. 110-5, the Revised Continuing Appropriations Resolution, 2007, \$22.692 billion was enacted for funding the Department of Justice, an increase of \$977.9 million over FY2006 appropriations. (See **Table 3** for more details.)

General Administration. The General Administration account for DOJ includes salaries and expenses, as well as other programs designed to ensure that the collaborative functions of the DOJ agencies are coordinated to help fight crime as efficiently as possible. Examples include the Joint Automated Booking System and the Automated Biometric Identification System. For FY2007, the President's budget proposal included \$2.078 billion for General Administration, an increase of \$233.9 million over FY2006 funding levels. The General Administration account funds the Attorney General's office, senior departmental management, the Inspector General's office, efforts to integrate fingerprint identification systems (e.g., IAFIS and IDENT), and narrowband communications, among other things. For FY2007, the budget request proposed funding of \$175 million for the Justice Information Sharing Technology (JIST) initiative, \$89.2 million for Narrowband Communications, and \$1.332 billion for the Office of the Detention Trustee.

For salaries and expenses, the President's FY2007 budget proposed \$115.5 million, an increase of \$7.4 million over FY2006 funding levels. These proposed funds would have supported the Attorney General and DOJ senior policy-level offices responsible for managing Department resources and developing policies for legal, law enforcement, and criminal justice activities. The FY2007 budget request did not include funding for the Office of Intelligence and Policy Review, which Congress had funded at \$36.6 million in FY2006. The Administration's request for FY2007 proposed funding of \$15.9 million for a National Drug Intelligence Center.

The House-passed bill included \$1.942 billion for General Administration funding, while the Senate recommendation included \$1.859 billion. The House bill would have allowed \$35.4 million for Salaries and Expenses; the Senate recommendation would have provided \$41.1 million. The House bill would have provided \$125 million for JIST, while the Senate committee recommended \$100 million in funding. For Narrowband Communications, the House bill would have provided \$89 million, and the Senate recommended \$75 million. For General Administration, the continuing resolution (CR), P.L. 110-5, included \$1,226 billion for General Administration funding.

For the *Federal Office of Detention Trustee (OFDT)*, the FY2007 request included \$1.332 billion in funding, a \$170.4 million increase over FY2006 appropriations. The OFDT provides overall management and oversight for federal detention services relating to the detention of federal prisoners in non-federal institutions or otherwise in the custody of the U.S. Marshals Service. The House would have provided \$1.331 billion for the Office of the Detention Trustee, while the Senate recommended \$1.332 billion, an amount identical to the Administration's request. The CR included \$1.255 billion for the Detention Trustee.

The *Office of the Inspector General (OIG)* is responsible for detecting and deterring waste, fraud, and abuse involving DOJ programs and personnel and promoting economy and efficiency in DOJ operations. The OIG also investigates allegations of departmental misconduct. The Administration's FY2007 budget proposal requested \$70.558 million for the OIG, a \$2.7 million increase over the FY2006 appropriation. The House and Senate proposals would have provided \$70.558 million for FY2007. The CR for FY2007 included \$70.118 million.

U.S. Parole Commission. The U.S. Parole Commission adjudicates parole requests for prisoners who are serving felony sentences under federal and District of Columbia code violations. For FY2007, the Administration's budget request proposed \$11.951 million for the parole commission, an increase of \$1.0 million over the FY2006 appropriation. The House and Senate proposals would have provided \$11.5 million for the Parole Commission. The CR included \$11.424 million for FY2007.

Legal Activities. The Legal Activities account includes several subaccounts: (1) general legal activities, (2) U.S. Attorneys, (3) U.S. Marshals Service, (4) prisoner detention, and (5) other legal activities. For FY2007, the Administration's budget request included \$3.446 billion for legal activities, an increase of \$168.7 million over the FY2006 enacted appropriations of \$3.277 billion. The House bill included

\$3.385 billion, and the Senate recommended \$3.384 billion for total legal activities. Under the CR, Legal Activities received FY2007 appropriations of \$3.335 billion.

The *General Legal Activities* account funds the Solicitor General's supervision of the department's conduct in proceedings before the Supreme Court. It also funds several departmental divisions (tax, criminal, civil, environment and natural resources, legal counsel, civil rights, and antitrust). For these purposes, the Administration's FY2007 budget request included \$684.3 million, an increase of almost \$30.8 million over the FY2006 enacted appropriation. The House bill included \$668.7 million, and the Senate provided \$653.4 million for these activities. The CR included \$672.6 million for FY2007.

The *U.S. Attorneys* and the *U.S. Marshals Service* are present in all of the 94 federal judicial districts. The U.S. Attorneys prosecute criminal cases and represent the federal government in civil actions. For the U.S. Attorneys Office, the Administration's FY2007 request included \$1.664 billion, an increase of nearly \$64.8 million over the enacted FY2006 amount of \$1.599 billion. The House bill proposed \$1.664 billion, the same amount as the Administration's request, while the Senate proposed \$1.646 billion for funding of the U.S. Attorneys Office. The CR included \$1.646 billion for the U.S. Attorneys in FY2007.

The U.S. Marshals are responsible for the protection of the Federal Judiciary, protection of witnesses, execution of warrants and court orders, custody and transportation of unsentenced federal prisoners, and fugitive apprehension. The FY2007 request included \$825.9 million for the Marshals Service, an increase of \$25.3 million over the Service's FY2006 enacted appropriation of \$801.7 million. The House bill proposed funding of \$825.9 million, while the Senate proposed funding of \$856.0 million for the U.S. Marshals. The CR included \$814.8 million in FY2007 appropriations for the U.S. Marshals.

For *other legal activities* — the Community Relations Service, the Independent Counsel, the U.S. Trustee Fund (which is responsible for maintaining the integrity of the U.S. bankruptcy system by, among other things, prosecuting criminal bankruptcy violations), and the Asset Forfeiture program — the FY2007 request included \$298.2 million, \$64 million more than appropriated in FY2006 of \$234 million. The CR specified FY2007 funding of \$10.178 million for Salaries and Expenses of the Community Relations Service, and \$21.211 million for the Assets Forfeiture Fund out of total funding for other legal activities of \$202.4 million.

Interagency Law Enforcement. The Interagency Law Enforcement account reimburses departmental agencies for their participation in the *Organized Crime Drug Enforcement Task Force (OCDETF)* program. Organized into nine regional task forces, this program combines the expertise of federal agencies with the efforts of state and local law enforcement to disrupt and dismantle major narcotics-trafficking and money-laundering organizations. From DOJ, the federal agencies that participate in OCDETF are the Drug Enforcement Administration; the Federal Bureau of Investigation; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the U.S. Marshals Service; the Justice, Tax and Criminal Divisions of DOJ; and the U.S. Attorneys. From the Department of Homeland Security, the U.S. Bureau of Immigration and Customs Enforcement and the U.S. Coast Guard participate in

OCDETF. In addition, the Internal Revenue Service and Treasury Office of Enforcement also participate from the Department of the Treasury. State and local law enforcement agencies participate in approximately 87% of all OCDETF investigations. The FY2007 President's budget request included \$706.1 million for OCDETF, of which \$208 million was intended to be used for relocating the High Intensity Drug Trafficking Areas (HIDTAs)³ at DOJ, for a net OCDETF funding level of \$498.1 million. For FY2006, \$483.2 million was appropriated for OCDETF, \$14.9 million less than the net FY2007 amount requested by the Administration.

The House bill proposed funding of \$498.5 million for OCDETF in FY2007. The Senate recommended \$388.0 million for the program. Neither the House nor Senate proposals included the relocation of HIDTAs from the Department of Treasury. The CR included OCDETF funding of \$494.8 million for FY2007.

Federal Bureau of Investigation. The Federal Bureau of Investigation (FBI), as the lead federal investigative agency, continues to reorganize to focus more sharply on preventing terrorism and other criminal activities. The Administration's FY2007 request proposed funding of \$6.04 billion for the FBI. This funding level would have increased FBI funding by \$302.4 million over the FY2006 enacted appropriations of \$5.738 billion. Of the President's requested amount, \$51.4 million would fund construction.

The FY2007 budget request included funding for the FBI to improve its ability to prevent terrorist attacks, disrupt terrorist and their financing, and investigate and prosecute those responsible for committing terrorist acts against the United States. The President's FY2007 budget would have provided funding of \$2.308 billion for counterintelligence and national security, compared with appropriations of \$2.260 billion in FY2006, a proposed increase of \$48 million.

The House bill provided total FBI funding of \$6.043 billion, including \$80.4 million for construction. The Senate recommended funding of \$5.975 billion for the agency, of which \$120.7 million would be for construction expenses. The CR included FBI total appropriations for FY2007 of \$6.014 billion, of which \$5.962 billion was specified for salaries and expenses, and \$51.4 million was specified for construction.

Drug Enforcement Administration. The Drug Enforcement Administration (DEA) is the lead federal agency tasked with reducing the illicit supply and abuse of dangerous narcotics and drugs. DEA, along with OCDETF, dismantled 119 drug trafficking organizations operating in the United States and significantly disrupted the activities of 208 others in FY2005. The Administration's FY2007 request included \$1.736 billion for DEA, almost \$61.6 million more than the \$1.675 billion appropriated by Congress in FY2006.

³ The HIDTA program is currently administered by the Office of National Drug Policy (ONDCP), and a similar request to relocate the HIDTA program was proposed in the Administration's FY2006 request.

For FY2007, the House proposed funding of \$1.752 billion for DEA, while the Senate proposed \$1.724 billion. The CR included \$1.737 billion for DEA funding in FY2007.

Bureau of Alcohol, Tobacco, Firearms and Explosives. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) enforces federal law related to the manufacture, importation, and distribution of alcohol, tobacco, firearms, and explosives. The FY2007 request proposed \$860.1 million for ATF, a decrease of almost \$71.7 million from FY2006 appropriations of \$935.8⁴ million. According to the FY2007 budget request, the Administration had proposed additional funding for ATF of \$120 million to be collected from user fees related to explosives.

The President's budget would have restructured and centralized a large portion of ATF's programmatic resources into the Project Safe Neighborhoods (PSN) initiative. The PSN initiative brings together federal, state, and local law enforcement agencies to identify the most pressing gun crime problems in their communities and develop strategies to attack those problems through prevention, deterrence, and aggressive prosecution. Under the PSN, a number of programs of several agencies, including OJP, ATF, the U.S. Attorneys, and the DOJ Criminal Division, would be coordinated to address the crime and violence in hard-hit neighborhoods across the country. For example, from OJP, the following programs would be brought into PSN: *Project Childsafe*, which distributes free gun safety kits; the State and Local Gun Crime Prosecution Assistance (*Project Sentry*) program, which provides support for prosecution of crimes involving misuse of firearms; the *Gang Technical Assistance Program*, a new program to assist states and localities in their efforts to disrupt criminal gang activity and enhance the sharing of criminal intelligence; the *Weed and Seed* program, which promotes multi-disciplinary community-based crime control strategies, including gang-related violence; the *National Stalker and Domestic Violence Database*, which supports law enforcement and prosecution efforts against stalking and domestic violence; and the *National Criminal History Improvement Program (NCHIP)*, which sponsors efforts to improve the quality, timeliness, and immediate availability of criminal history and related records used to support criminal investigations, and background checks for employment and eligibility to purchase a firearms. The Administration's FY2007 budget request proposed funding of \$395 million for the PSN program.

ATF also launched a companion initiative, the Violent Crime Impact Teams (VCIT), which combines the efforts of federal, state, and local law enforcement to target gun crime "hot spots." VCIT is currently active in 10 cities, and the FY2007 budget request included an expansion of the initiative to 15 additional cities. This expansion would have increased VCIT funding by \$16 million, for a total request of \$35.7 million.

The House bill provided \$950.1 million, and the Senate recommended \$985.0 million for FY2007 funding for ATF. The CR included \$979.2 million for ATF funding in FY2007.

⁴ This amount reflects rescissions of \$11.79 million and 2006 Hurricane Katrina Supplemental appropriations of \$24.0 million.

Federal Prison System. The Federal Prison System is administered by the Bureau of Prisons (BOP), which maintains penal institutions nationwide and contracts with state, local, and private concerns for additional detention space. The Administration requested almost \$5.107 billion in FY2007 funding for the Federal Prison System, almost \$173.2 million more than Congress appropriated for FY2006.

The Administration estimates that as of January 26, 2006, there were nearly 188,463 federal inmates in 113 institutions, of which 11% represent immigration-related arrests and over 53% represent drug-related offenses. Of the total number of federal inmates, 159,872 are in facilities operated by the BOP. The BOP projects that the total federal prison population will increase to 195,972 in 2006, and increase to 203,880 by 2007. As required by the Violent Crime Control and Law Enforcement Act (VCCLEA) of 1994, the BOP provides substance abuse treatment for certain “eligible” inmates. According to BOP, over the past seven years, the percentage of all federal inmates with a substance abuse disorder increased from 34% to 40%.

The House bill proposed funding of \$5.079 billion for BOP, while the Senate recommended \$5.303 billion for FY2007. The CR included FY2007 total funding for BOP of \$5.407 billion, of which \$4.974 billion was specified for salaries and expenses and \$432.3 million for buildings and facilities.

Office of Justice Programs. The Office of Justice Programs (OJP) manages and coordinates the National Institute of Justice, Bureau of Justice Statistics, Office of Juvenile Justice and Delinquency Prevention, Office of Victims of Crimes, Bureau of Justice Assistance, and related grant programs. For the Office of Justice Programs and related offices, bureaus, and programs, the Administration’s request included \$1.201 billion for FY2007, a reduction of more than \$1.2 billion from FY2006 appropriated levels of just under \$2.372 billion.

For FY2007, the House bill provided \$2.376 billion in total OJP funding, while the Senate proposed total funding of almost \$1.934 billion for these programs. The CR included FY2007 funding for OJP programs of \$2.479 billion.

The President’s FY2007 request proposed to eliminate funding for a number of OJP programs, similar to the President’s FY2006 budget request, and consolidate the remaining programs under the Justice Assistance account. The following are selected examples of the President’s budget-cutting proposals. The Administration’s budget proposal would have eliminated funding for, among other programs, the Byrne Justice Assistance Grants (JAG) program (\$411.2 million in FY2006), the Byrne Discretionary Grants (\$189.3 million in FY2006), Indian Country Prison Grants (\$8.9 million in FY2006), and Tribal Court Grants (\$7.9 million in FY2006). The President’s proposal also would have eliminated funding for most Juvenile Justice programs, which had received appropriations in FY2006 of \$338.4 million, including the Juvenile Accountability Block Grant (JABG), funded at \$49.4 million. Funding for the State Criminal Alien Assistance Program (SCAAP), would have been eliminated by the President’s budget proposal, compared with FY2006 funding of \$399.8 million for the program, and the Secure Our Schools (SOS) program funding would have been eliminated, resulting in a \$14.8 million reduction from FY2006 funding levels. The President’s FY2007 budget request would have reduced funding for the Bulletproof Vests program from \$29.6 million in FY2006 to \$9.8 million in

FY2007, and the Prison Rape Prevention and Prosecution Program, funded at just under \$16 million in FY2006, would have been reduced to slightly under \$2 million in FY2007.

The President's FY2007 budget proposal would have increased funding for the Southwest Border Prosecution Initiative, from \$29.617 million in FY2006 to \$29.757 million in FY2007. The Weed and Seed Program/Community Capacity Development Office (CCDO) budget request would have decreased slightly, from \$49.361 million in FY2006 to \$49.348 million in FY2007. The National Stalker and Domestic Violence Database funding would have been increased, from \$2.934 million in FY2006 to \$2.938 in FY2007. The FY2007 budget request would have funded the Boys and Girls Clubs of America but at a reduced funding level of \$59.5 in FY2007, compared to \$83.9 million in FY2006.

Both the House and Senate proposals would have funded most of the programs not funded under the Administration's FY2007 budget request. The House proposed funding of almost \$635.1 million for JAG grants, while the Senate proposed \$555.1 million for the program. The House bill would not have included any funding for the Byrne Discretionary Grants, while the Senate proposed funding of \$120 million for FY2007. The House proposed funding of \$49.3 million for the Weed and Seed program, while the Senate proposed \$40 million for the program, an amount that would have reflected a \$9.3 million reduction in program funding.

The CR included \$1.184 billion for law enforcement assistance, which included amounts for JAG grants as well as other grant programs for state, local, and tribal law enforcement. The CR did not specify the FY2007 funding amounts for many of the grant programs under OJP, although it did specify funding of \$50.0 million for the Weed and Seed program.

Community Oriented Policing Services. The Administration's FY2007 request proposed \$102.1 million for the Community Oriented Policing Services (COPS) program along with a rescission of \$127.5 million, for a negative budget authority of \$25.4 million. However, under the President's budget proposal some COPS programs would have been combined with other OJP programs and transferred into the Justice Assistance account (described below), to be awarded on a competitive basis. Funding for COPS Interoperability and Technology Grants would have been eliminated (\$138.1 million in FY2006); the Meth Hot Spots program would have been funded at \$40.1 million in FY2007, down from \$62.7 million in FY2006; and the COPS Training and Technical Assistance program would have been funded at a slightly higher level, \$3.997 million in FY2007, compared with \$3.949 million in FY2006. In addition, beginning in FY2007, the Administration proposed that Indian Country activities be jointly administered by OJP and COPS, and included proposed funding of \$31.1 million for tribal law enforcement.

The House would have funded the COPS program at \$541.7 million in FY2007, while the Senate would have provided funding of \$537.6 million for the program. The House proposed \$32 million for the Bullet Proof Vest initiative, while the Senate recommended \$20 million for FY2007. The Meth Hot Spots program would have been funded at \$99 million by the House proposal, while the Senate proposed

funding of \$85 million. COPS technology grants would have been funded at \$100 million by the House and \$110 million by the Senate.

The CR included FY2007 funding for COPS of \$541.7 million. The CR also included a rescission of up to \$109 million in unobligated balances available from the prior year appropriation.

Justice Assistance. The Justice Assistance account funds the operations of OJP bureaus and offices. Besides funding OJP management and administration, this account also funds the National Institute of Justice, the Bureau of Justice Statistics, cooperative efforts that address missing children, and regional criminal intelligence. For FY2007, the Administration's budget request just under \$1.098 billion.

The House and Senate proposed total FY2007 funding for Justice Assistance of \$223.6 million and \$172 million, respectively. Under the CR, FY2007 funding for Justice Assistance received \$237.7 million.

The President's FY2007 budget proposed the realignment of most OJP grant programs under the Justice Assistance account, although Congress did not approve the Administration's proposal. Under the President's proposed realignment, selected OJP programs would have been used for the following purposes.

Improving the Criminal Justice System. For Improving the Criminal Justice System, the Administration's request included \$377.2 million along with a proposed \$127.5 million rescission.⁵ The balance of the funds requested would include, among other programs, the following: \$9.8 million for the Bulletproof Vest Partnership (formerly funded under COPS); \$59.5 million for Boys and Girls Clubs; \$165.8 million for the PSN program; \$39.7 million for the Regional Information Sharing System; \$29.8 million for the Southwest Border Project; \$14.9 million for Faith-Based Prisoner Re-entry Initiative; and \$1.9 million for Prison Rape Prevention & Prosecution. In addition, the Administration's FY2007 request proposed to eliminate funding for the State Criminal Alien Assistance program (SCAAP).

The House bill proposed funding of \$32 million for the Bulletproof Vest program, while the Senate proposal recommended \$20 million in FY2007 funding. The House bill would have included \$75 million for Boys and Girls Clubs, while the Senate proposed funding of \$85 million for the program. The House bill included funding of \$415 million for SCAAP, while the Senate proposed funding of only \$100 million for the program. For the PSN program, the House bill provided \$54.8 million, and the Senate recommended \$30 million.

Research, Development, Evaluation, and Statistics. For Research, Development, Evaluation and Statistics, the Administration's FY2007 budget requested \$116 million: \$59.8 million for criminal justice statistics and \$56.2 million for research, evaluation, and demonstration projects.

⁵ Rescissions under the President's budget request for DOJ typically are monies that have not been spent in the previous year or are recovered from grantees for whom funds were obligated but not spent or were mis-spent in previous years.

Technology for Crime Identification. The Administration's FY2007 budget request for the Technology for Crime Identification program proposed \$238.2 million in funding, of which \$175.6 million for the DNA analysis and capacity enhancement program. Of that amount, not less than \$151 million could be for reducing and eliminating the backlog of DNA samples and for increasing state and local DNA laboratory capacity.

Both the House and Senate bills would have funded the DNA backlog grants at almost \$175.6 million for FY2007, an increase of more than \$68 million over FY2006 levels.

Juvenile Delinquency and Crime. For strengthening the juvenile justice system, the Administration's FY2007 request included \$175.9 million, including \$93.2 for state and local programs under the Juvenile Justice Formula Grant program; \$33.5 million for the Juvenile Delinquency Block Grants; \$6.5 million for demonstration projects; and \$10 million for research, evaluation, training and technical assistance. The President's FY2007 budget did not request funding for the Juvenile Accountability Incentive Block Grant.

Juvenile Justice programs would have been funded at \$285.7 million by the House and \$300.2 million by the Senate. Both the House and Senate bills included \$25 million in funding for the Juvenile Justice Formula Grant program and \$6.6 million for discretionary grants. The House proposal provided \$49.4 million for Juvenile Accountability Incentive Block Grants, while the Senate would provided \$50 million. The CR provided funding of \$326 million for FY2007 Juvenile Justice programs.

Substance Abuse Demand Reduction. The Administration's FY2007 budget request for Substance Abuse Demand Reduction provided for funding of \$79.9 million, including \$69.2 million for Drug Courts, and \$10.7 million for the Cannabis Eradication Grant program. The President's FY2007 budget request did not include funding for the Residential Substance Abuse Treatment (RSAT), the drug treatment program for state prisoners.

For Drug Courts, the House proposed \$40 million in funding, compared to the Senate's recommendation of \$15 million for the program. For the RSAT program, the House bill included \$5 million and the Senate bill included \$2 million. Neither bill included funding for the Cannabis Eradication grant program.

Victims of Crime. The Administration's budget request for services for Victims of Crime (VOC) within the Justice Assistance account included \$109.4 million. Among other things, this amount would have funded programs and initiatives authorized under the Violence Against Women Act (VAWA) and Victims of Child Abuse Act, including \$50.9 million for the Missing Child program, just under \$10 million for the Victim Notification System and for legal counsel and support services for victims, \$11.7 million for improving the investigation and prosecution of child abuse, \$1.9 million for the National Sex Offender Public Registry, and \$1.5 million for victims of trafficking.

In addition, the President's FY2007 budget request proposed a \$625 million cap for the Crime Victims Fund. The budget request also included a proposal to rescind, or cancel, \$1.255 billion from balances in the Crime Victims Fund, also frequently referred to as the "Rainy Day" fund.

The House and Senate bills included provisions to set the Crime Victims Fund cap at \$625 million for FY2007. The House and Senate bills did not include provisions to rescind the balance of the Crime Victims Fund. The Crime Victims Fund cap for FY2007 was \$625 million, and the President's proposal to rescind the balance of the "Rainy Day" fund was not included in the CR.

Office on Violence Against Women. The Office on Violence Against Women (OVW) was created in 1995 as a component of the Department of Justice, and the OVW is administratively separate from OJP. The Administration's FY2007 budget request for OVW would have provided funding of \$347 million. Of that amount, \$11.9 million would have been for the Court-Appointed Special Advocate (CASA) program, \$2.3 million for Child Abuse Training programs for judicial personnel and practitioners, and \$986,000 for grants for televised testimony.

For VAWA, the House bill included \$418.3 million and the Senate report recommended \$390 million. The CR provided \$382.5 million for VAWA programs.

Table 3. Funding for the Department of Justice
(\$ millions in budget authority)^a

Accounts	FY2006 Enacted ^b	FY2007 Request	FY2007 House	FY2007 Senate	FY2007 Enacted
General Administration	\$1,786.9	\$2,078.8	\$1,942.1	\$1,859.9	\$1,834
U.S. Parole Commission	10.9	11.9	11.5	11.5	11.4
Legal Activities	3,298.1	3,405.8	3,385.8	3,384.8	3,335.4
<i>General legal activities</i>	653.5	684.3	668.7	654.3	672.6
<i>United States Attorneys</i>	1,599.6	1,664.4	1,644.4	1,646.2	1,645.6
<i>United States Marshals Service</i>	801.7	825.9	825.9	856.0	814.8
<i>Other</i>	243.3	231.2	246.8	228.3	202.4
Federal Bureau of Investigation	5,823.4	6,040.0	6,043.4	5,974.9	6,013.6
<i>Salaries and expenses</i>	3,395.9	3,680.7	3,654.9	3,546.2	5,962.2
<i>Counterintelligence and National Security</i>	2,259.7	2,307.9	2,307.9	2,307.9	
<i>Construction</i>	37.1	51.4	80.4	120.70	51.4
Drug Enforcement Administration	1,689.1	1,736.5	1,751.5	1,723.7	1,737.4
Interagency Law Enforcement	483.2	706.1 ^d	498.5	388.0	494.8
Bureau of Alcohol, Tobacco, Firearms and Explosives	935.8	860.1 ^e	950.1	985.0	979.2
Federal Prison System	4,933.4	5,106.6	5,078.5	5,303.6	5,406.6
Office of Violence Against Women	381.6	347.0	418.3	390.0	382.5
Office of Justice Programs	2,371.7	1,201.0	2,376.2	1,933.8	2,413.4
<i>Justice assistance</i>	230.3	1,033.9	223.6	172.0	237.7
<i>State and local law enforcement assistance</i>	1,253.1	—	1,202.0	810.1	1,184
<i>Weed and seed program fund</i>	49.4	—	49.3	40.0	50
<i>Community oriented policing services</i>	457.4	102.1	541.7	537.6	541.7
<i>Juvenile justice programs</i>	338.4	—	285.7	300.2	326
<i>Public safety officers benefits program</i>	72.8	65.0	73.8	73.8	74
Additional Funding ^c		0.2		0.1	195.7
Rescissions					(112.0)
Total: Department of Justice	\$21,714.1	\$21,494.0	\$22,455.8	\$21,955.3	\$22,804.0

Source: U.S. House and Senate Appropriations Committees; For FY2007 enacted amounts: Revised Continuing Appropriations Resolution, 2007 (P.L. 110-5) and Congressional Budget Office, Budget Analysis for FY2007.

- Amounts may not total due to rounding.
- Amounts include rescissions and Hurricane Katrina Supplemental Appropriations (P.L. 109-148).
- For amounts not specified in the table.
- Amount includes \$208 million for proposed relocation of High Intensity Drug Trafficking Area (HIDTA) program.
- Amount does not include the President's budget proposal to collect \$120 million in fees from explosives users.

Related CRS Products

CRS Report RL33308, *Community Oriented Policing Services (COPS): Background, Legislation, and Issues Community Oriented Policing Services (COPS) Program*, by Nathan James.

CRS Report RS22416, *Edward Byrne Memorial Justice Assistance Grant Program: Legislative and Funding History*, by Nathan James.

CRS Report RL32824, *Federal Crime Control: Background, Legislation and Issues*, coordinated by Lisa Seghetti.

CRS Report RS22458, *Gun Control: Statutory Disclosure Limitations on ATF Firearms Trace Data and Multiple Handgun Sales Reports*, by William J. Krouse.

CRS Report RL32842, *Gun Legislation in the 109th Congress*, by William J. Krouse.

CRS Report RL33403, *Hate Crime Legislation in the 109th Congress*, by William J. Krouse and Janice Cheryl Beaver.

CRS Report RL33011, *Terrorist Screening and Brady Background Checks for Firearms*, by William J. Krouse.

CRS Report RL33033, *Intelligence Reform at the Federal Bureau of Investigation: Issues and Options for Congress*, by Alfred Cummings and Todd Masse.

CRS Report RS22070, *Juvenile Justice: Overview of Legislative History and Funding Trends*, by Blas Nunez-Neto.

CRS Report RL32800, *Sex Offender Registration and Community Notification Law: Enforcement and Other Issues*, by Garrine P. Laney.

CRS Report RL32579, *Victims of Crime Compensation and Assistance: Background and Funding*, by Celinda Franco.

CRS Report RL30871, *Violence Against Women Act: History and Federal Funding*, by Garrine Laney.

Commerce and Related Agencies⁶

Title II includes the appropriations for the Department of Commerce and related agencies. The origins of the department date to 1903 with the establishment of the Department of Commerce and Labor (32 Stat. 825). The separate Department of Commerce was established on March 4, 1913 (37 Stat. 7365; 15 U.S.C. 1501).

The department's responsibilities are numerous and quite varied, but its activities center on five basic missions: (1) promoting the development of U.S. business and increasing foreign trade; (2) improving the nation's technological competitiveness; (3) encouraging economic development; (4) fostering environmental stewardship and assessment; and (5) compiling, analyzing, and disseminating statistical information on the U.S. economy and population.

The following agencies within the Commerce Department carry out these missions:

- *Economic Development Administration (EDA)* provides grants for economic development projects in economically distressed communities and regions.
- *Minority Business Development Agency (MBDA)* seeks to promote private and public sector investment in minority businesses.
- *Bureau of the Census* collects, compiles, and publishes a broad range of economic, demographic, and social data.
- *Economic and Statistical Analysis Programs* provide (1) timely information on the state of the economy through preparation, development, and interpretation of economic data and (2) analytical support to department officials in meeting their policy responsibilities. Much of the analysis is conducted by the Bureau of Economic Analysis (BEA).
- *International Trade Administration (ITA)* seeks to develop the export potential of U.S. firms and to improve the trade performance of U.S. industry.
- *Bureau of Industry and Security* enforces U.S. export laws consistent with national security, foreign policy, and short-supply objectives (formerly the Bureau of Export Administration).
- *National Oceanic and Atmospheric Administration (NOAA)* provides scientific, technical, and management expertise to (1) promote safe and efficient marine and air navigation; (2) assess the health of coastal and marine resources; (3) monitor and predict the coastal, ocean, and global environments (including weather forecasting); and (4) protect and manage the nation's coastal resources.
- *Patent and Trademark Office (PTO)* examines and approves applications for patents for claimed inventions and registration of trademarks.

⁶ This section was coordinated by Nye Stevens, Specialist in American National Government, Government and Finance Division.

- *Technology Administration*, through the Office of Technology Policy, advocates integrated policies that seek to maximize the impact of technology on economic growth, conducts technology development and deployment programs, and disseminates technological information.
- *National Institute of Standards and Technology (NIST)* assists industry in developing technology to improve product quality, modernize manufacturing processes, ensure product reliability, and facilitate rapid commercialization of products based on new scientific discoveries.
- *National Telecommunications and Information Administration (NTIA)* advises the President on domestic and international communications policy, manages the federal government's use of the radio frequency spectrum, and performs research in telecommunications sciences.

The President's FY2007 budget request called for \$6.18 billion for the Commerce Department. This represented a decrease of \$293.8 million, or about 4.5%, from the FY2006 appropriation for the department of \$6.47 billion (after the FY2006 rescission). The House bill, H.R. 5672, would have cut the Department's appropriation further, to \$5.77 billion, about 6% less than the current level and 10% less than the request. The principal reductions made by the House were in the accounts for NOAA, EDA, Census, and departmental management. The Revised Continuing Appropriations Resolution 2007 (P.L. 110-5) enacted funding level for the Commerce Department for FY2007 was reported to be \$6.53 billion.

Departmental Management

The President's FY2007 budget requested \$98.5 million in new discretionary budget authority for Departmental Management: \$57.0 million for salaries and expenses, \$22.53 million for the Office of Inspector General (IG), and \$18 million for renovation of the Department's headquarters, the Herbert C. Hoover Building. The Revised Continuing Appropriations Resolution 2007 (P.L. 110-5) enacted funding level for the Departmental Management for FY2007 was reported to be \$47 million for salaries and expenses and \$22 million for IG.

The President's FY2007 budget request of \$57 million for salaries and expenses would have been approximately \$9.5 million above the FY2006 appropriation, a 20% increase. The \$22.53 million for the IG would have been a slight increase from the FY2006 appropriation of \$22.47 million. The House bill provided \$30.1 million for salaries and expenses, \$26.9 million less than requested and \$16.8 million less than the FY2006 appropriation. No funds were provided for renovation of the Hoover Building, but the House did grant the full \$22.5 million for the IG. The Senate committee report's recommendation was that \$52.1 million be provided for salaries and expenses. Included in this figure was \$5.9 million for blast protection windows in the Hoover Building, but the Senate, like the House, provided nothing for Hoover Building renovation. With the \$22.5 million for the IG, the Senate committee's allowance for the departmental management account amounts to \$74.6 million, \$22 million more than the House's allowance.

International Trade Administration⁷

The International Trade Administration (ITA) provides export promotion services, works to assure compliance with trade agreements, administers trade remedies such as antidumping and countervailing duties, and provides analytical support for ongoing trade negotiations. The agency is divided into four policy units and an Executive and Administrative Directorate, with an estimated total full-time staff of 2,217 in FY2006.

The Revised Continuing Appropriations Resolution 2007 (P.L. 110-5) enacted funding level for ITA for FY2007 was reported to be \$393.8 million, which is the same as the agency's budget in FY2006. The President's FY2007 request for ITA was \$408.8 million, a \$14.9 million (3.6%) increase over the FY2006 appropriation of \$393.8 million (after rescissions). The request anticipated the collection of \$33 million in fees and other reimbursable obligations, raising available funds to \$441.8 million. The House recommended \$429.8 million for ITA for FY2007, \$28 million more than the current level and \$8 million more than the request. Of the total, \$13 million was to be offset from fee collections, for a net appropriation of \$416.8 million. The House Appropriations Committee stated that the budget request was insufficient to fund overseas ongoing operations and provided an additional \$3 million above the request to cover the costs of ongoing operations in overseas field offices. The Committee also recommended an additional \$2 million for increased exports of environmental technologies. The Senate Appropriations Committee recommended a net appropriation of \$413.8 million for ITA, \$5 million above the budget request, but \$3 million below the House recommendation.

Manufacturing and Services Unit (MSU). The MSU carries out certain industry analysis functions of the former Trade Development Unit (TD), but it is also tasked with promoting the competitiveness and expansion of the U.S. manufacturing sector under the President's Manufacturing Initiative of March 2003. Congress transferred the trade promotion activities of TD — the Advocacy Center, the Trade Information Center, and Office of Export Assistance — to the new Trade Promotion Unit. The FY2006 appropriation provided \$47 million for the MSU (before rescissions). The President requested \$47.3 million in direct obligations for FY2007. The Senate recommendation for MSU for FY2007 was the same as the budget request.

Market Access and Compliance Unit (MAC). The MAC monitors foreign country compliance with trade agreements, identifies compliance problems and market access obstacles, and informs U.S. firms of foreign business practices and opportunities. The FY2006 appropriation provided \$43 million for MAC (before rescissions). The President requested \$39.3 million in FY2007. The House recommendation for MAC was \$40.8 million. The Senate recommendation for MAC was the same as the budget request.

⁷ The sections on ITA, USTR, and ITC were written by M. Angeles Villarreal, Analyst in International Trade and Finance, Foreign Affairs, Defense, and Trade Division.

Import Administration Unit (IA). IA administers the trade remedy laws of the United States, including antidumping, countervailing duty, and safeguard actions. In FY2006, IA received an appropriation of \$59 million (before rescissions). The Administration has requested \$59.4 million for IA in FY2007. The House recommendation for IA was \$61.4 million. The Senate recommendation for IA in FY2007 was \$59.4 million, the same as the budget request..

Trade Promotion/U.S. Foreign Commercial Service (TP/FCS). The TP/FCS program conducts trade promotion programs intended to broaden and deepen the base of U.S. exports; provides U.S. companies with export assistance services; and leads interagency advocacy efforts for major overseas projects. In FY2006, the TP/FCS received an appropriation of \$227 million (before rescissions). For FY2007, the Administration requested \$237.3 million for this unit. The House recommendation for TP/FCS was \$249.8 million. The Senate recommendation for TP/FCS was \$242.3 million, \$5 million above the budget request.

Office of the U.S. Trade Representative (USTR)

USTR, located in the Executive Office of the President (EOP), is responsible for developing and coordinating U.S. international trade and direct investment policies. The President's FY2007 request was \$42.2 million, about \$2 million less than the FY2006 amount of \$44.2 million appropriated by Congress (including rescissions). The House approved \$46.2 million for FY2007, \$4 million (9%) more than requested by the President. The House recommended that \$2 million of this amount was to be for negotiating, implementing, monitoring, and enforcing trade agreements with China. The Senate Appropriations Committee recommendation provided \$42.2 million for USTR, the same as the Administration's request. The Revised Continuing Appropriations Resolution enacted funding level for USTR for FY2007 was reported to be \$44.2 million, which is the same as the agency's budget in FY2006.

The USTR is responsible for advancing U.S. interests at the WTO and negotiating bilateral and regional free trade agreements (FTAs). In 2006 and 2007, the Administration concluded FTAs with Oman, Peru, Colombia, Panama, and South Korea. The Administration has ongoing negotiations with Thailand, Malaysia, and the United Arab Emirates. In addition, the Administration is participating in the ongoing multilateral negotiations known as the Doha Development Agenda. In 2006, USTR obtained congressional approval of FTAs with Bahrain, the Dominican Republic and Central American countries (DR-CAFTA), and Oman. The Office had 229 full-time employees in FY2006.

U.S. International Trade Commission (ITC)

ITC is an independent, quasi-judicial agency that advises the President and Congress on the impact of U.S. foreign economic policies on U.S. industries and, along with the Import Administration Unit of ITA, is charged with administering various U.S. trade remedy laws. Its six commissioners are appointed by the President for nine-year terms. As a matter of policy, its budget request is submitted to Congress by the President without revision. In FY2006, ITC had 365 employees.

For FY2007, ITC requested \$64.2 million, about a \$2 million increase over the \$62.0 million appropriated by Congress in FY2006 (after rescissions). The House approved \$62.6 million for FY2007, 1% more than the FY2006 level but 3% less than the budget request. The Senate Appropriations Committee recommendation provided \$64.2 million for ITC, the same as the President's budget request. The Revised Continuing Appropriations Resolution enacted funding level for ITC for FY2007 was reported to be \$62.0 million, which is the same as the agency's budget in FY2006.

Bureau of Industry and Security⁸

The President's FY2007 request for the Bureau of Industry and Security (BIS) was \$78.6 million, a 3.4% increase from the funding level of \$75 million (after rescissions) adopted by the FY2006 conference report (H.Rept. 109-272). Under the Revised Continuing Appropriations Resolution (P.L. 110-5), the FY2006 funding level was adopted for FY2007. BIS administers export controls on dual-use goods and technology through its licensing and enforcement functions. It cooperates with other nations on export control policy and provides assistance to the U.S. business community to comply with U.S. and multilateral export controls. It also administers U.S. anti-boycott statutes, and it is charged with monitoring the U.S. defense industrial base. The agency had 415 full-time employees in FY2006. Authorization for the activities of BIS, the Export Administration Act (50 U.S.C. 2401, et seq), last expired in August 2001. On August 17, 2001, President Bush invoked the authorities granted by the International Economic Emergency Powers Act (50 U.S.C. 1703(b)) to continue in effect the system of controls contained in the act and by the Export Administration Regulations (15 C.F.R., Parts 730-799).

BIS divided its FY2007 funding request between licensing activity (\$38.9 million), enforcement activities (\$33.2 million), and management and policy coordination (\$6.5 million). Of these amounts, \$14.8 million was requested for Chemical Weapons Convention (CWC) enforcement. The House recommended \$76.8 million, a level \$1.8 billion above the current year, but the same amount below the administration request. Of the \$76.8 million, the House recommended \$62.0 million for operations and administration and \$14.8 million for CWC compliance activities. The Senate Appropriations Committee recommended \$78.6 million, the same as the President's request, and mirrored the division of funding above.

Economic Development Administration⁹

For the second consecutive year, the Administration included in its budget request a proposal that would eliminate a number of federal economic and community development programs and dramatically reshape programs administered by the Commerce Department's Economic Development Administration (EDA). The Administration requested a total of \$327.2 million for EDA activities for FY2007, including \$257 million for the new Regional Development Account (RDA) program,

⁸ This section was written by Ian F. Fergusson, Analyst in International Trade and Finance, Foreign Affairs, Defense, and Trade Division.

⁹ This section was written by Eugene Boyd, Analyst, Government and Finance Division.

\$27 million for planning grants awarded to Economic Development Districts, \$13 million for trade adjustment assistance, and \$29 million for salaries and expenses. This was approximately \$47 million more than the \$280.4 million appropriated in FY2006, which included \$29 million for salaries and expenses, \$158 million for public works, \$44 million for economic adjustment, \$27 million for planning, \$13 million for trade adjustment, \$8 million for technical assistance, and \$483,000 for research. The Revised Continuing Appropriations Resolution 2007 (P.L. 110-5) enacted funding level for the Economic Development Administration for FY2007 was \$280 million, which is the same as the agency's budget for FY2006.

The Administration's FY2006 budget recommendations included a proposal that would have consolidated the activities of at least 18 existing community and economic development programs, including those of the EDA, into a two-part grant proposal called the Strengthening America's Communities Initiative (SACI).¹⁰ Responsibility for the 18 programs now being carried out by five federal agencies (the Departments of Housing and Urban Development, Commerce, Treasury, Health and Human Services, and Agriculture) would have been transferred to the Commerce Department. Congress eventually rejected the proposal and funded all 18 programs for FY2006.

The Administration's FY2007 budget request outlined a revamped SACI proposal. Under the FY2007 version, two of the 18 programs would be funded — the Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program and a new Regional Development Account (RDA) within EDA. The FY2007 budget proposed a SACI funding level of \$3.360 billion — nearly \$2 billion less than the aggregate appropriation for the 18 programs in FY2006. The Administration's FY2007 budget also identified some general elements of the new SACI proposal including development of a common set of goals and performance measures for the CDBG and RDA programs. In addition, the Administration plan called for a new CDBG allocation formula targeted to the neediest communities, a bonus fund component, and reforms that addressed the CDBG program's shortcomings outlined in the Program Assessment Rating Tool. On May 25, 2006, HUD posted its legislative reform on its website.¹¹ The proposal did not have a House or Senate sponsor. The FY2007 version of the President's SACI proposal recommended consolidating four existing EDA programs (public works, economic adjustment assistance, research and evaluation, and technical assistance) into a single account, the RDA. RDA funds would be awarded on a competitive basis to entities that support multi-jurisdictional regional development activities. The Administration did not release a formal legislative proposal creating the RDA.

H.R. 5672, as passed by the House on June 29, 2006, recommended an FY2007 appropriation of \$260.4 million for EDA activities, including \$139.6 million for

¹⁰ For a detailed review of the Administration's SACI proposals, see CRS Report RL32823, *An Overview of the Administration's Strengthening America's Communities Initiative (SACI)*, coordinated by Eugene Boyd, Bruce K. Mulock, Pauline Smale, Tadlock Cowan, Garrine P. Laney, and Bruce E. Foote.

¹¹ See [<http://www.hud.gov/content/releases/pr06-056act.pdf>].

public works, \$44.2 million for economic adjustment assistance, \$8 million for technical assistance, \$12.8 million for trade adjustment assistance, \$26 million for planning grants and \$29.7 million for salary and expenses.¹² The proposed funding level was \$20 million less than appropriated for FY2006 and recommended by the Senate, and \$66.8 million less than the \$327.1 million requested by the Administration. Under the House version of H.R. 5672, funding for public works projects would fall \$19 million below the \$159 million appropriated in FY2006, accounting for the bulk of the reduction, accompanied by modest reductions in economic adjustment assistance (\$600,000), trade adjustment assistance (\$200,00) and technical assistance (\$320,000).

The committee report accompanying the bill included several directives to the EDA. The bill directed the EDA “to continue operations and funding of the planning grant program for existing and designated economic districts in a manner that is consistent with the current and ongoing practices, policies and existing rules and regulations.”¹³ This was a reference to questions generated by draft regulations released during August of last year. The report accompanying the bill also directed EDA to continue to direct funds to the most distressed communities, including providing funds to local economies affected by the economic downturn in the coal industry at no less than the same level of assistance received in 2006, and it directed EDA to maintain the operation of all six of its regional offices. This last directive was in response to concerns that EDA was considering closing three of its six regional offices.

On July 13, 2006, the Senate Appropriations Committee reported its version of H.R. 5672 (S.Rept. 109-280). The bill recommended an appropriation of \$280.4 million for program activities and salaries and expenses. This is \$47 million less than requested by the Administration, \$20 million more than recommended by the House, and approximately the same amount as appropriated for FY2006. The bill included \$155 million for public works, which is \$15 million less than recommended by the House; \$45 million for economic adjustment grants; \$8.2 million for technical assistance; \$15 million for trade adjustment assistance, which is \$2.2 million more than recommended by the House; \$26.7 million for planning grants; \$870,000 for research grants; and \$29.7 million for salaries and expenses. The report accompanying the Senate version of the bill included language that specifically rejected the Administration’s request that program activities be consolidated into a single Regional Development Account. Like its House counterpart, the report accompanying the Senate version of the bill included language voicing concern about the distribution of EDA program funds among the agency’s six regional offices. It directed EDA to allocate funds to the six regional offices within 30 days after enactment of the act using the EDA formula and to notify the Senate Appropriations Committee when all grant funds have been distributed.

¹² The Economic Development Administration Reauthorization Act of 2004, P.L. 108-373, requires EDA to provide at least \$27 million for planning grants.

¹³ U.S. Congress, House Committee on Appropriations, Science, State, Justice, Commerce and Related Agencies Appropriations Bill, Fiscal Year 2007, report to accompany H.R. 5672, 109th Cong., 2nd sess., H.Rept. 109-520 (Washington: GPO, 2008), p. 74.

Minority Business Development Agency¹⁴

The Minority Business Development Agency (MBDA) is charged with the lead role in coordinating all the federal government's minority business programs. For FY2007 the President's budget requests \$29.6 million for the MBDA, which is unchanged from the enacted FY2006 appropriation. The Senate Appropriations Committee and the House approved the full \$29.6 million. The Revised Continuing Appropriations Resolution 2007 (P.L. 110-5) enacted funding level for the Minority Business Development Agency for FY2007 is \$30 million, which is the same as the agency's budget for FY2006.

For FY2006, the Administration requested \$30.7 million for the agency, and Congress approved \$30.0 million. The FY2006 rescission reduced this by approximately \$380,000, to \$29.6 million.

National Telecommunications and Information Administration¹⁵

The National Telecommunications and Information Administration (NTIA) is the executive branch's principal advisory office on domestic and international telecommunications and information technology issues and policies. Its mandate is to provide greater access for all Americans to telecommunications services; to support U.S. attempts to open foreign markets; to advise on international telecommunications negotiations; to fund research grants for new technologies and their applications; and to assist nonprofit organizations converting to digital transmission in the 21st century. The NTIA also manages federal use of radio frequency spectrum domestically and internationally.

For FY2007, the continuing resolution (CR) provided FY2006 funding levels for NTIA, like most other federal agencies. For FY2006, that total amount for NTIA was \$39.6 million. There are two major components to the NTIA budget (the Bush Administration has sought to create a third program in its FY2008 budget request, created out of the Deficit Reduction Act of 2005, discussed below). The first is Salaries and Expenses. For FY2006, and through the CR of FY2007, this program received \$17.8 million. In the past, a large part of this program has been for the management of various information and telecommunications policies both domestically and internationally. Currently, a large part of this program (\$7 million) is for the management of the federal government's use of the radio spectrum. For the FY2008 budget, the Bush Administration requested \$18.5 million for Salaries and Expenses. For the second component, the Public Telecommunications and Facilities Program (PTFPC), Congress continued to fund this program at FY2006 levels through FY2007, at \$21.7 million. The Bush Administration sought to end funding for this program in its FY2008 budget request.

¹⁴ This section was written by Eric Weiss, Analyst in Financial Institutions, Government and Finance Division.

¹⁵ This section was written by Glenn McLoughlin, Specialist in Technology and Telecommunications Policy, Resources, Science, and Industry Division.

The third NTIA program that the Bush Administration requested in both its FY2007 and FY2008 budget requests came out of the 2005 Deficit Reduction Act. That law — and the creation of the new NTIA program — called for the creation of a Digital Transition and Safety Public Fund, which would offset receipts from the auction of licenses to use electromagnetic spectrum recovered from discontinued analog signals. The Bush Administration set those reimbursable funds at \$45 million in FY2007. These receipts would fund the following programmatic functions at NTIA: a digital-analog converter box program to assist consumers in meeting the 2009 deadline for receiving television broadcasts in digital format; public safety interoperable communications grants (which would be made to ensure that public safety agencies have a standardized format for sharing voice and data signals on the radio spectrum); New York City’s 9/11 digital transition funding (until the planned Freedom Tower is built); assistance to low-power television stations for converting from analog to digital transmission; a national alert and tsunami warning program; and funding to enhance a national alert system as stated in the ENHANCE 911 Act of 2004. However, complete funding for all of these functions under the FY2007 CR has not been completely determined as of this date.

National Technical Information Service¹⁶

In accordance with the National Technical Information Act (P.L. 100-519), as amended in 1992 by the American Technology Preeminence Act (P.L. 102-245), the President’s budget submission did not request any funding for the National Technical Information Service (NTIS) for FY2007. Similarly, the House of Representatives did not appropriate any funding for NTIS when it passed H.R. 5672 on June 29, 2006. Likewise, the Senate Committee on Appropriations did not appropriate any funding for NTIS when it passed H.R. 5672 on July 13, 2006. The continuing resolution used to fund the remaining portion of FY2007 (P.L. 110-5) also did not include any funding for NTIS. Instead, funding for NTIS will continue to be drawn from NTIS’ Revolving Fund, established by the Commerce, Justice, State Appropriations Act for FY1993 (P.L. 102-395). In part, due to NTIS’s efforts to develop new products and limit spending, NTIS achieved a positive net income of \$1.92 million for FY2006. This compares with a positive net income of \$508,000 for FY2004, \$10,000 for FY2003, \$1.346 million for FY2002, and \$2.290 million for FY2001.

The NTIS is part of the Technology Administration at the Department of Commerce. The NTIS was established within the Department of Commerce in 1970, although its origins can be traced back to World War II with the creation of the Publications Board in 1945. The Publications Board collected classified scientific and technical information related to the war effort to be considered for release to the general public. These functions were formalized in 1950 with the establishment of the Clearinghouse for Federal Scientific and Technical Information within the Bureau of Standards, which were later transferred to the newly created NTIS in 1970.

According to its website, [<http://www.ntis.gov/>], NTIS serves as “the federal government’s central source for the sale of scientific, technical, engineering, and

¹⁶ This section was written by Jeffrey W. Seifert, Specialist in Information Science and Technology Policy, Resources, Science, and Industry Division.

related business information by or for the U.S. government and complementary materials from international sources.” Its mission is to support “the nation’s economic growth and job creation by providing access to information that stimulates innovation and discovery.” The NTIS claims to hold approximately 3 million government information products, with 600,000 of these documents available through its online searchable database. In addition, NTIS offers a variety of fee-based services to federal agencies. These services include, but are not limited to, distribution of information products, support services, web development, multimedia production, and custom research services.

The advent and rapid growth of electronic and multimedia publishing both challenges and affirms the role of NTIS. On the one hand, the growth of the Internet and electronic documents contributed, in part, to a decline in NTIS sales as more documents become available online at no charge from other sources. In addition, the emergence of a range of new information brokers raises the question of whether or not the services NTIS provides are redundant and/or directly compete with those provided by private sector companies. On the other hand, the dynamic nature of online content means that websites and their content can move location or disappear without notice. Moreover, even in the case of websites that are well established and relatively consistent in maintaining content, there is no guarantee that online materials will be archived or remain available indefinitely. In contrast, part of NTIS’s responsibilities include maintaining a “permanent repository” of information.

Bureau of the Census¹⁷

For discretionary domestic spending by the Bureau of the Census in FY2007, the Administration requested budget authority totaling \$878.2 million: \$184.1 million for salaries and expenses and \$694.1 million for periodic programs, including the decennial census. The total request was \$66 million greater than the FY2006 enacted amount of \$812.2 million (and exceeded by \$76.3 million the FY2006 level of \$801.9 million, after rescissions). Much of the increase was due to preparations for the 2010 census, the Bureau’s highest-priority program, which will involve a mail-out, mail-back short-form questionnaire to be answered by all U.S. households. The Bureau plans to replace the census long form with the American Community Survey (ACS), which provides yearly tabulations of data from monthly household samples. For the whole 2010 census program, the FY2007 request of \$511.6 million was intended to go toward planning, testing, and developing the re-engineered census; improved mapping; and maintaining the full, nationwide ACS implementation level.

To help fund the 2010 census, the Bureau proposed eliminating the Vehicle Inventory and Use Survey from the economic census. Also, the Bureau proposed phasing out and replacing the Survey of Income and Program Participation (SIPP), in the salaries and expenses account, as explained below.

¹⁷ This section was written by Jennifer D. Williams, Government and Finance Division.

For the past two decades, the SIPP has been the leading source of [data on] the economic well-being of Americans. Its longitudinal household design provides many advantages; however, it also makes data processing and analysis difficult, leading to long delays before the data can be analyzed and understood. While the American Community Survey ... and a growing body of administrative records now provide important sources of information, they cannot by themselves meet all the information needs of policy makers.

The FY2007 request includes \$9.2 million to design a new data collection system on income and wealth dynamics to meet the policy and operational needs of the country, which will replace the SIPP.¹⁸

Of the \$9.2 million, the Bureau was to use \$5.6 million to design the new data collection system and the remaining \$3.6 million “to facilitate the collection of another wave (i.e., a ninth wave) of 2004 SIPP panel data during FY2007,” thus providing a full 2006 calendar year of SIPP data. The ninth wave, however, would have depended on the Bureau’s “success in getting partner agencies (such as the U.S. Department of Health and Human Services and the U.S. Social Security Administration) that rely on SIPP data to also make combined investments of roughly another \$6.4 [million], allowing for a ninth wave investment of \$10 [million].”¹⁹

The House Appropriations Committee recommended that the SIPP survey receive \$10 million more than the requested amount in discretionary funds “to continue SIPP data collection while a new survey is designed” and that an additional \$10 million “from mandatory funds ... be available to disseminate data collected from the SIPP in support of measuring the impact of welfare provisions.”²⁰

During consideration of H.R. 5672, the House approved three amendments²¹ to shift \$58.3 million from FY2007 Census Bureau funding to crime-fighting endeavors. Representative Mark Kennedy proposed moving \$50 million from the Bureau to the Edward Byrne Memorial Justice Assistance Grant Program under the Department of Justice to combat, in particular, crimes associated with methamphetamine. The House agreed to the amendment by a 291-129 vote (Roll No. 330). Representative Ginny Brown-Waite offered an amendment, approved by voice vote, to take \$5 million from the Department of Justice’s general administration and another \$5 million from the Census Bureau and increase funding for the Violence Against Women Act by \$10 million. Also approved on a voice vote was Representative Nancy Johnson’s amendment to decrease Bureau funding by \$3.3 million and increase, by the same amount, funding for the Federal Bureau of

¹⁸ U.S. Department of Commerce, Bureau of the Census, *Budget Estimates, Fiscal Year 2007, Congressional Submission*, Exhibit 13 (no page number), received via e-mail from the Census Bureau, March 7, 2006.

¹⁹ *Ibid.*

²⁰ U.S. Congress, House Committee on Appropriations, *Science, State, Justice, Commerce, and Related Agencies Appropriations Bill, Fiscal Year 2007*, report to accompany H.R. 5672, 109th Cong., 2nd sess., H.Rept. 109-520 (Washington: GPO, 2006), p. 77.

²¹ See *Congressional Record*, daily edition, vol. 152 (June 27, 2006), pp. H4644-H4645, H4651-H4652, H4657-H4661, and H4664-H4665.

Investigation's Innocent Images Program, which seeks to protect children from online sexual predators.

The House agreed to \$825.9 million for the Census Bureau in FY2007, \$24 million more than the FY2006 enacted amount, after rescissions. The amount approved for salaries and expenses was \$190.1 million; that for periodic programs was \$635.8 million. The \$58.3 million funding shift discussed above would have had, according to the Bureau, effects such as eliminating group quarters data collection for the ACS. Without these data, "the ACS cannot fully represent the total population of the U.S.," including prisoners and the elderly in nursing homes, and "cannot fully be the replacement for the long form in 2010."²²

The Senate Appropriations Committee's recommended \$828.2 million for the Bureau in FY2007 exceeded the House amount by \$2.3 million and the FY2006 enacted amount, after rescissions, by \$26.3 million, but was \$50 million less than the budget request. The shortfall was entirely in the periodic programs account, which was to receive \$644.1 million instead of the requested \$694.1 million. Salaries and expenses would have received \$184.1 million, as requested. The committee report included language encouraging the Bureau "to continue its hard work to minimize the number of personal visits for non-response follow-up for all census surveys." Increasing initial response rates would "provide substantial cost savings in the ongoing American Community Survey, other periodic surveys, and the 2010 census."²³

In P.L.110-5, Congress agreed to \$696.4 million for periodic programs, including \$511.6 million for the 2010 census, and \$196.6 million for salaries and expenses, totaling \$893 million for the Bureau in FY2007.

U.S. Patent and Trademark Office²⁴

The U.S. Patent and Trademark Office (USPTO) examines and approves applications for patents on claimed inventions and administers the registration of trademarks. It also assists other federal departments and agencies protect American intellectual property in the international marketplace. The USPTO is funded by user fees paid by customers that are designated as "offsetting collections" and subject to spending limits established by the Appropriations Committee.

The President's FY2007 budget requested \$1.843 billion in budget authority for the USPTO, an increase of 9.5% over the FY2006 figure. In addition, the budget document stated that the Office is to have "full access" to all fees collected in

²² U.S. Department of Commerce, Bureau of the Census, "Impact of H.R. 5672, as Passed by the House," statement dated July 3, 2006, p. 1.

²³ U.S. Congress, Senate Committee on Appropriations, *Departments of Commerce and Justice, Science, and Related Agencies Appropriations Bill, 2007*, report to accompany H.R. 5672, 109th Cong., 2nd sess., H.Rept. 109-280 (Washington: GPO, 2006), p. 82.

²⁴ This section was written by Wendy Schacht, Specialist in Science and Technology, Resources, Science, and Industry Division.

FY2007. The Administration also requested an extension of current law that temporarily increased patent fees for FY2005 and FY2006 and indicated that it will propose additional legislation to permanently extend this fee increase past FY2007.

H.R. 5672, the FY2007 Science, State, Justice, Commerce, and Related Agencies Appropriations Act as passed by the House during the 109th Congress, would have provided the USPTO with the budget authority to spend \$1.771 billion in FY2007, 5% above the previous fiscal year. This was the same figure included in the bill reported from the Senate Committee on Appropriations in the 109th Congress. The Senate committee report stated that

The Congressional Budget Office [CBO] re-estimated the amount of fees the USPTO will collect in fiscal year 2007 downward from the administration's [sic] estimation of \$1,842,966,000 to \$1,771,000,000. The Committee is therefore required to treat the CBO re-estimation as the actual budget request.

No final FY2007 appropriations bill was enacted during the 109th Congress. The USPTO was funded through February 15, 2007, by a series of continuing resolutions. Passed by the 110th Congress, P.L. 110-5 provided the Patent and Trademark Office with the budget authority to spend \$1.771 billion in FY2007.

The Administration's FY2006 budget proposal included \$1.703 billion in budget authority for the USPTO. H.R. 2862, as originally passed by both the House and the Senate, also provided \$1.703 billion for the Office. The final FY2006 appropriations, P.L. 109-108, gave the USPTO the budget authority to spend \$1.683 billion, a lesser amount due to a revision of estimated fee collections by the USPTO itself.

Beginning in 1990, appropriation measures have limited the ability of the U.S. Patent and Trademark Office to utilize the full amount of fees collected in each fiscal year. This is an area of controversy. Opponents of this approach argue that agency operations are supported by payments for services that must be financed in the year the expenses are incurred. Proponents of methods to limit USPTO fee usage maintain that the fees are necessary to help balance the budget and the fees appropriated back to the Office are sufficient to cover operating costs.

Technology Administration/Office of the Under Secretary of Technology²⁵

The Technology Administration and the Office of the Under Secretary of Technology in the Department of Commerce advocate national policies that foster technology development to stimulate economic growth, conduct technology development and deployment programs, and disseminate technological information. The Office of the Under Secretary for Technology also manages and supervises the activities of the National Institute of Standards and Technology and the National Technical Information Service.

²⁵ This section was written by Wendy Schacht, Specialist in Science and Technology, Resources, Science, and Industry Division.

For FY2007, the President's budget proposed spending \$1.5 million for the Technology Administration, a decrease of 75% over the previous fiscal year. H.R. 5672, as passed by the House in the 109th Congress, provided \$2.0 million for the Office of the Under Secretary of Technology, 66% below FY2006 funding. The version of H.R. 5672 reported from the Senate Committee on Appropriations during the 109th Congress recommended financing of \$2.5 million for the Office, 58% below the previous year's figure.

No final FY2007 appropriations bill was enacted during the 109th Congress. The Technology Administration was funded at FY2006 levels through February 15, 2007, by a series of continuing resolutions. The 110th Congress passed P.L. 110-5, which provided FY2007 appropriations of \$2 million for the Office, a 66% decrease in support from FY2006.

The Administration's FY2006 budget included \$4.2 million for the Office of the Under Secretary for Technology. H.R. 2862, as originally passed by the House, would have provided \$6.5 million. The initial Senate-passed version of the bill included funding (but no specific amount) under the Departmental Management account. The final FY2006 appropriations, P.L. 109-108, financed the Office at \$5.9 million (after mandated rescissions).

National Institute of Standards and Technology²⁶

The National Institute of Standards and Technology (NIST) is a laboratory of the Department of Commerce. The organization's mandate is to increase the competitiveness of U.S. companies through appropriate support for industrial development of pre-competitive generic technologies and the diffusion of government-developed technological advances to users in all segments of the American economy. NIST research also provides the measurement, calibration, and quality assurance techniques that underpin U.S. commerce, technological progress, improved product reliability, manufacturing processes, and public safety.

The Administration's FY2007 budget included \$581.3 million for NIST, a decrease of almost 22.7% from the previous fiscal year. Support for the laboratory's internal R&D activities under the Scientific and Technology Research and Services (STRS) account would have increased 18.3% to \$467 million (including \$8 million for the Baldrige National Quality Program). No funding was requested for the Advanced Technology Program (ATP), and support for the Manufacturing Extension Partnership (MEP) would decline 55.7% to \$46.3 million. Construction financing would have totaled \$68 million, a 60.8% decrease from FY2006.

H.R. 5672, the Science, State, Justice, Commerce, and Related Agencies Appropriations Act as passed by the House during the 109th Congress, provided \$627 million in FY2007 funding for NIST, almost 16.6% below the FY2006 figure due primarily to the absence of support for ATP. Financing for laboratory R&D in the STRS account would have increased 18.3% to \$467 million. MEP funding totaled

²⁶ This section was written by Wendy Schacht, Specialist in Science and Technology, Resources, Science, and Industry Division.

\$92 million, 12% below the previous fiscal year. For the construction budget, \$68 million was provided.

The version of H.R. 5672 reported from the Senate Committee on Appropriations in the 109th Congress would have funded NIST at \$764 million, 1.6% above FY2006. Although there was no financing for ATP, there was increased support for internal laboratory R&D, the Manufacturing Extension Partnership program, and construction activities. The STRS account was to receive \$467 million, the same amount included in both the Administration's request and the House-passed bill. Funding for MEP would have increased 1.3% from FY2006 to \$106 million. Construction was to be financed at \$191 million, 10% above the previous level and almost three times the amount provided by both the Administration's budget proposal and H.R. 5672 as passed by the House.

No final FY2007 appropriations bill was enacted during the 109th Congress; however, a series of continuing resolutions funded NIST at FY2006 levels through February 15, 2007. The 110th Congress passed P.L. 110-5, which appropriates \$675 million for NIST in FY2007. Funding for the STRS account increases 9.6% to \$432.8 million, construction support decreases 66% to \$58.6 million, while other programs remain at FY2006 levels including \$79 million for ATP and \$104.6 million for MEP.

The President's FY2006 budget requested \$532 million in funding for NIST. Included in this figure was \$426.3 million for the STRS account (with \$5.7 million for the Quality Program). No support was provided for ATP, while MEP would have been funded at \$46.8 million. The construction budget was to be \$58.9 million. H.R. 2862, as originally passed by the House, would have provided \$548.7 million for NIST. The STRS account was to receive \$397.7 million. Financing for MEP would total \$106 million; no funding was provided for ATP. Construction activities would have received \$45 million. The version of H.R. 2862 initially passed by the Senate funded NIST at \$844.5 million. Included in this amount was \$399.9 million for the STRS account (incorporating \$7.2 million for the Quality Program), \$106 million for MEP, and \$140 million for ATP. The construction budget would total \$198.6 million.

Subsequently, the final FY2006 appropriations, P.L. 109-108, provided \$752 million for NIST (after the mandated rescissions but not including a \$7 million rescission from unobligated balances in the MEP account). Support for the STRS account totaled \$394.8 million and included \$7.3 million for the Quality Program. The Manufacturing Extension Partnership received \$104.6 million and the Advanced Technology Program was financed at \$79 million. The construction budget totaled \$173.6 million.

Continued support for the Advanced Technology Program has been a major funding issue. ATP provides "seed financing," matched by private sector investment, to businesses or consortia (including universities and government laboratories) for development of generic technologies that have broad applications across industries. Opponents of the program cite it as a prime example of "corporate welfare," whereby the federal government invests in applied research activities that, they emphasize, should be conducted by the private sector. Others defend ATP, arguing

that it assists businesses (and small manufacturers) in developing technologies that, while crucial to industrial competitiveness, would not or could not be developed by the private sector alone. Although Congress has maintained (often decreasing) funding for the Advanced Technology Program, the initial appropriation bills passed by the House since FY2002 failed to include financing for ATP. During the 109th Congress, the version of the measure reported from the Senate Committee on Appropriations also did not fund ATP. For FY2006, support again was provided for the program, but the amount was 41% below that included in the FY2005 appropriations; FY2007 funding remained the same as the previous fiscal year.

The budget for the Manufacturing Extension Partnership, another extramural program administered by NIST, was an issue during the FY2004 appropriations deliberations. Although in the recent past congressional support for MEP remained constant, the Administration's FY2004 budget request, the initial House-passed bill, and the FY2004 Consolidated Appropriations Act substantially decreased federal funding for this initiative, reflecting the President's recommendation that manufacturing extension centers "...with more than six years experience operate without federal contribution." However, P.L. 108-447 restored financing for MEP in FY2005 to the level that existed prior to the 63% reduction taken in FY2004. While the level of support decreased in FY2006, it remained significantly above the FY2004 figure; FY2007 funding remained at the same level.

As part of the "American Competitiveness Initiative," announced by the President in the 2006 State of the Union, the Administration has indicated that it intends to double over 10 years funding for "innovation-enabling research" performed at NIST. This is to be accomplished through increased support of NIST's "core" programs, defined as internal research in the STRS account and the construction budget. To this end, the President's FY2007 budget requested an 18.3% increase in funding for intramural R&D at the laboratory. P.L. 110-5 provided for approximately half this increase (9.6%) in support research performed within the NIST facilities.

National Oceanic and Atmospheric Administration (NOAA) ²⁷

NOAA is the largest agency of the Department of Commerce (DOC) in terms of funding. For FY2007, NOAA's budget request was 58% of DOC's total request. President Bush requested almost \$3.68 billion for NOAA for FY2007 (See **Table 4**), including \$2.59 billion for the Operations, Research, and Facilities (ORF) account and \$1.02 billion for the Procurement, Acquisition, and Construction (PAC) account. For NOAA's Other Accounts, which include the Pacific Coastal Salmon Recovery Fund (PCSRF), the Coastal Zone Management Fund (CZMF), and NOAA's fisheries financing programs, \$60.8 million was requested. Also requested was a transfer of \$77 million from the Department of Agriculture for the Promote and Develop American Fisheries Fund (PDAFF), which provided additional spending authority.

²⁷ This section was prepared by Wayne A. Morrissey, Science and Technology Information Analyst, Resources, Science, and Industry Division.

For FY2006, Congress had appropriated NOAA a total of \$4.1 billion. About \$3.94 billion of that was funded by the FY2006 Science, State, Justice and Commerce Appropriations Act (P.L. 109-108). The act included an across-the-board rescission of 0.28% for DOC (Title VI, Sect. 638), or about \$40 million for NOAA. In February 2006, the Office of Management and Budget proposed a 1% across-the-board discretionary spending cut for most federal agencies. Section 3801 of the FY2006 Department of Defense Appropriations Act (P.L. 109-148) implemented the rescission resulting in a net appropriation for NOAA of \$3.91 billion (**Table 4.**) P.L. 109-148 also provided NOAA \$54 million in emergency appropriations for Hurricane Katrina recovery (H.Rept. 109-359, December 18, 2005, pp. 97-98), which increasing NOAA's FY2006 appropriations to almost \$3.95 billion. On February 16, 2006, the President requested further emergency appropriations of \$33 million for NOAA. Instead, Congress approved \$150 million in P.L. 109-234, resulting in a grand total of \$4.1 billion in appropriations for FY2006.

The President's Budget. President Bush's FY2007 budget request for NOAA of \$3.68 billion was \$420 million, or 10.2%, less than the \$4.1 billion appropriated for FY2006. Increases were proposed for the National Weather Service (NWS) and for NOAA Satellite programs. This would have included \$104.0 million for the Geostationary Orbiting Environmental Satellite (GOES) program to develop next generation GOES-R satellites. Also, \$20.3 million (to be matched by DOD) was requested for the National Polar Orbiting Environmental Satellite System (NPOESS) because of launch and deployment scheduling slippages. The President requested \$12.4 million for NWS for FY2007 to procure the last 19 tsunami detection buoys deployed as part of a "strengthened" National Tsunami Warning Program that included technology upgrades and warning system expansion. NOAA's Administrator noted that the request would culminate a \$40 million commitment.²⁸

The President also requested that \$25 million of unobligated FY2005 funds that were rescinded by Congress in FY2006 be restored. He also proposed savings of \$590 million for FY2007 by terminating funding for certain NOAA programs, including \$573 million from funding added by Congress in FY2006 not requested by the Administration, and \$16.3 million from one-year-only construction projects completed.²⁹ Among the more vocal critics of the President's FY2007 budget, Joint Oceans Commission (JOC) leaders objected to funding cuts proposed for ocean and coastal research-related budgets.³⁰

²⁸ For additional information about tsunami warning systems and funding, see CRS Report RL32739, *Tsunamis: Monitoring, Detection, and Early Warning Systems*, by Wayne Morrissey.

²⁹ For further information on NOAA's FY2007 appropriations see CRS Report RS22614, *The National Oceanic and Atmospheric Administration (NOAA): FY2007 Appropriations and FY2008 Budget*, by Wayne A. Morrissey.

³⁰ Joint Ocean Commission (JOC), "Statement of the Joint Ocean Commission Initiative on President Bush's FY2007 Budget Proposal," February 13, 2006, at [<http://www.jointoceancommission.org/>].

**Table 4. NOAA FY2007 Request and
FY2006-2007 Appropriations**
(\$millions)

<i>5 NOAA Line Offices/ Program Support & Adjustments to Base</i>	FY2006 Approps.^{a,b}	FY2007 Req.^c	P.L. 110-5^d
<i>National Ocean Service (NOS)</i>	493.6	393.5	493.2
<i>NOAA Fisheries (NMFS)</i>	669.8	649.0	667.2
<i>NOAA Research (OAR)</i>	368.9	338.3	370.2
<i>National Weather Service (NWS)</i>	735.8	783.4	746.8
<i>NOAA Satellites (NESDIS)</i>	177.0	149.6	177.7
Program Support	351.8	364.0	358.3
OPERATIONS, RESEARCH, & FACILITIES	2,794.3	2,678.8	2,813.4
BA Offsets (transfers/deobligations)	(66.4)	(89.0)	(22.0)
Adjustments (P.L. 109-148)	20.2	3.0	14.0
ORF DISCRETIONARY	2,748.1	2,592.8	2,805.4
PROCUREMENT, ACQUISITION, & CONSTRUCTION	1,109.9	1,024.5	1,092.0
Adjustments (P.L. 109-148)	37.4	—	17.0
TOTAL DISCRETIONARY PAC	1,147.3	1,024.5	1,109.0
OTHER ACCOUNTS/PCSRF/CZMF	54.6	60.8	61.6
SUBTOTAL NOAA APPROPRIATIONS	\$3,950.0	\$3,678.1	\$3,976.0
Adjustments ^e (P.L. 109-234)	150.0	—	—
NOAA DISCRETIONARY APPROPRIATIONS	\$4,100.0	\$3,678.1	\$3,976.0

Sources: FY2006 congressional appropriations and FY2007 Request figures (totals) from House CJS Appropriations Subcommittee (“House Recommendations,” July 5, 2006), and P.L. 110-5, Revised Continuing Appropriations Resolution, 2007, Chapter 9, February 15, 2007.

Notes:

- Emergency appropriations of \$54 million were provided for NOAA for FY2006 in P.L. 109-148, including \$17.2 million for ORF and \$37.4 million for PAC for Hurricane Katrina recovery. These are included in FY2006 appropriation subtotals. An additional emergency appropriation of \$150 million was provided for NOAA in P.L. 109-234, but was not included in the FY2007 request or P. L. 110-5 totals.
- FY2006 appropriation (P.L. 109-108) totals include an OMB cut of 1% , or \$40.1 million, i.e., \$28.3 million for ORF, \$0.6 million for PCSRF, \$11.2 million for PAC, and \$300,000 for fisheries finance programs. Including P.L. 109-148 and Sect. 638 of P.L. 109-272, total rescissions were roughly 1.28%.
- FY2007 NOAA line office budget details and other budget account figures from Department of Commerce, *NOAA Budget in Brief*, February 8, 2007, available at [http://www.corporateservices.noaa.gov/%7Enbo/07bluebook_highlights.html].
- P.L. 110-5, February 15, 2007 (introduced as H.J.Res. 20).
- Adjustments also include \$2 million for Medicare and \$3 million for Coastal Zone Management in all columns.

Issues debated during deliberations on NOAA's FY2007 appropriation included NOAA's satellite budget and the dissatisfaction of some Members of Congress with management of the polar satellite program and associated ground-based satellite data management components. Some constituents asserted that NOAA funding requested by the President and appropriated by the House for FY2007 was not sufficient to implement recommendations of the Joint Ocean Commissions Initiative (JOCI) in support of ocean research and exploration activities. The House Committee on Science reported H.R. 5450 (amended by H.Rept. 109-545, Part I), legislation to fund all of NOAA programs under a single authorizing law, and on September 20, 2006, the House passed the measure by voice vote. The Senate received H.R. 5450 on September 21, 2006, and referred it to the Senate Committee on Commerce, Science, and Transportation. No further legislative action occurred.

P.L. 110-5, Continuing Resolution for FY2007. On February 15, 2007, President Bush signed H.J.Res. 20 into law as P.L. 110-5, the Revised Continuing Appropriations Resolution, 2007. The act provided almost \$3.98 billion for NOAA for FY2007 (**Table 4**). Chapter 9 of P.L. 110-5, Science, State, Justice, Commerce, and Related Agencies, provided additional budget authority for NOAA, but also required funding cuts. This had the net effect of increasing NOAA appropriations by about \$26 million above FY2006 levels. Budget authority for certain loan guarantees under the the Fisheries Financing account were reduced by \$21 million. The FY2007 appropriation was \$298 million, or about 8%, more than the FY2007 request of \$3.68 billion. (For more information on NOAA's budget, see CRS Report RS22614, *The National Oceanic and Atmospheric Administration (NOAA): FY2007 Appropriations and FY2008 Budget*, by Wayne A. Morrissey.)

Table 5. Funding for the Department of Commerce and Related Agencies

(\$ millions in discretionary budget authority)

Bureau or Agency	FY2006 Enacted	FY2007 Request	House	Senate Committee	FY2007 Enacted
International Trade Administration	\$393.8	\$408.8	\$416.8	\$413.8	\$394.0
Bureau of Industry and Security	75.0	78.6	76.8	78.6	75.0
Economic Development Administration	280.4	327.2	260.4	280.4	280.0
Minority Business Development Agency	29.6	29.6	29.6	29.6	30.0
Economic and Statistical Analysis	79.2	80.5	79.9	80.5	79.0
Bureau of the Census	801.9	878.2	825.9	828.2	893.0
National Telecommunications and Information Admin.	39.6	17.8 ^a	17.8 ^a	17.8 ^a	40.0
— Pub. Telecom Facilities	—	—	—	22.0	—
Patent and Trademark Office ^b	(1,683.1)	(1,771.0)	(1,771.0)	(1,771.0)	(1,771.0)
Technology Administration	5.9	1.5	2.0	2.5	2.0
National Institute of Standards and Technology	752.0	581.3	627.0	764.0	675.0
National Oceanic and Atmospheric Administration	4,100.0	3,676.1	3,376.9	4,431.3	3,976.0
Departmental Management	69.3	98.5	52.6	74.6	69.0
Travel and Tourism	3.9	—	—	—	4.0
<i>Related Agencies:</i>					
U.S. Trade Representative	44.2	42.2	46.2	42.2	44.0
International Trade Commission	62.0	64.2	62.6	64.2	62.0
National Intellectual Property Law Enforcement Coord. Cncl.	0.0	1.0	0.0	0.0	0.0
<i>Related Agencies Subtotal:</i>	<i>106.2</i>	<i>107.4</i>	<i>108.8</i>	<i>106.4</i>	<i>106.0</i>
Title II Total:	\$6,737.1	\$6,284.5	\$5,874.5	\$7,129.7	\$6,623.0

Source: U.S. Department of Commerce, *FY2007 Budget In Brief*, p. 6; House Committee on Appropriations, Science, State, Justice, Commerce Subcommittee, Apr. 19, 2006, Crosswalk Table.

- a. Does not include \$45 million in mandatory spending from the Digital Transition and Safety Public Fund.
b. The Patent and Trademark Office (PTO) is fully funded by user fees. The fees collected, but not obligated during the current year, are available for obligation in the following fiscal year and do not count toward the appropriation totals. Only newly appropriated funds count toward the annual appropriation totals.

Related Legislation

H.J.Res. 53 (Miller-MI)

Proposes to amend the U.S. Constitution to provide for apportioning the House of Representatives on the basis of the number of U.S. citizens, not persons, in each state. If the amendment went into effect, the decennial census short form would have to include a question about citizenship. Introduced June 9, 2005, and referred to the House Committee on the Judiciary.

H.R. 5450 (Ehlers)

This legislation was introduced on May 22, 2006, and was referred to the House Committees on Science and Resources. The House Science Committee reported it on June 29, 2006 (H.Rept. 109-545, Part 1). It establishes the NOAA within the Department of Commerce, maintaining the current leadership structure at NOAA, but creates a new Deputy Assistant Secretary for Science and Education. It requires the Secretary of Commerce to maintain the National Weather Service within NOAA. It describes programs to support the operations and services, and the research and education functions of NOAA and authorizes the NOAA Science Advisory Board. It requires NOAA to contract with the National Academy of Sciences to perform three tasks, including an assessment of the adequacy of the environmental data and information systems of NOAA and to flesh out two strategic plans dealing with information system adequacy and extramural research to support the mission of NOAA. It also requires NOAA to submit a reorganization plan to Congress 18 months after enactment of the legislation. It repeals the executive order that established NOAA in 1970 and preserves the status of all current NOAA rules, regulations, and other legal matters. It requires NOAA to notify Congress and the public before closing or transferring a NOAA facility. Finally, the legislation establishes conditions for development of major program cost baselines and requires notification to Congress when certain cost increases or schedule delays occur in major programs.

H.R. 337 (Maloney)

Would amend present law to make the term of office of the Director of the Census five years and require that he or she report directly to the Secretary of Commerce. Introduced January 25, 2005, and referred to the House Committee on Government Reform.

Related CRS Products

CRS Report 95-36, *The Advanced Technology Program*, by Wendy H. Schacht.

CRS Report RL31832, *The Export Administration Act: Evolution, Provisions, and Debate*, by Ian F. Fergusson.

CRS Report RL33528, *Industrial Competitiveness and Technological Advancement: Debate Over Government Policy*, by Wendy H. Schacht.

CRS Report 97-104, *Manufacturing Extension Partnership Program: An Overview*, by Wendy H. Schacht.

CRS Report 95-30, *The National Institute of Standards and Technology: An Overview*, by Wendy H. Schacht.

CRS Report RS22410, *The National Oceanic and Atmospheric Administration (NOAA) Budget for FY2007: President's Request, Congressional Appropriations, and Related Issues*, by Wayne A. Morrissey.

CRS Report RS21469: *The National Telecommunications and Information Administration (NTIA): Budget, Programs, and Issues*, by Glenn McLoughlin.

CRS Report RL33603, *Ocean Commissions: Ocean Policy Review and Outlook*, by Harold F. Upton, John R. Justus and Eugene H. Buck.

CRS Report RL32823, *An Overview of the Administration's Strengthening America's Communities Initiative*, coordinated by Eugene Boyd.

CRS Report RL32739, *Tsunamis: Monitoring, Detection, and Early Warning Systems*, by Wayne Morrissey.

CRS Report RS20906, *U.S. Patent and Trademark Office Appropriations Process: A Brief Explanation*, by Wendy H. Schacht.

Science Agencies

National Aeronautics and Space Administration³¹

The National Aeronautics and Space Administration (NASA) was created by the 1958 National Aeronautics and Space Act (P.L. 85-568) to conduct civilian space and aeronautics activities. The agency is managed from headquarters in Washington, DC. It has nine major field centers around the country, plus the Jet Propulsion Laboratory, which is operated under contract by the California Institute of Technology. Dr. Michael Griffin became NASA Administrator in April 2005.

NASA requested \$16.792 billion for FY2007, a 1% increase over its FY2006 appropriation of \$16.631 billion. If \$385 million in supplemental funding for Hurricane Katrina response and recovery was excluded from the FY2006 figure, the requested increase for FY2007 was 3%. For FY2007 the House provided \$16.709 billion in H.R. 5672. The Senate Appropriations Committee recommended \$16.757 billion plus an additional \$1.040 billion in emergency funding. The final continuing resolution (P.L. 110-5) provided \$16.247 billion, plus an unspecified amount for statutory increases in civil servant pay (Sec. 111).

In September 2006, NASA announced a change in how it accounts for overhead expenses. The new system is known as "full cost simplification." The change increases the stated cost of some programs and decreases the stated cost of others,

³¹ This section was prepared by Daniel Morgan, Analyst in Science and Technology Policy, Resources, Science, and Industry Division.

without affecting actual program content. The increases and decreases exactly balance, so that NASA's total budget was unchanged. For any particular program, however, amounts expressed in the new accounting system were not directly comparable with amounts expressed in the previous system. In particular, amounts in the final FY2007 appropriation may not be directly comparable with amounts in the FY2007 request. NASA's initial operating plan for FY2007 would likely have clarified such comparisons, but it had not yet been made public. For more details, see CRS Report RS22381, cited at the end of this section.

Table 6. Funding for NASA
(\$ in millions)

Account	FY2006	FY2007 Request	FY2007 House	FY2007 Sen. Cte.	FY2007 Enacted
Science, Aeronautics, & Exploration	9,636.7	10,523.8	10,482.0	10,488.8	10,075.0
Exploration Capabilities	6,962.7	6,234.9	6,193.5	6,234.9	6,140.0
Inspector General	32.0	33.5	33.5	33.5	32.0
Subtotal	16,631.4	16,792.2	16,709.0	16,757.2	16,247.0
Return to Flight	—	—	—	1,000.0	—
Hurricane Katrina	—	—	—	40.0	—
Total	16,631.4	16,792.2	16,709.0	17,797.2	16,247.0

Source: House and Senate Appropriations Committees, H.R. 5672 as passed by the House, S.Rept. 109-280, and P.L. 110-5.

Note: FY2006 figures reflect supplemental appropriations and rescissions, but not amounts transferred between accounts by NASA or \$27 million transferred from NOAA. FY2007 enacted figures do not include an unspecified amount provided by Sec. 111 of P.L. 110-5 for statutory increases in civil servant pay.

Budget priorities throughout NASA are being driven by the Vision for Space Exploration, announced by President Bush in January 2004 and endorsed by Congress in the NASA Authorization Act of 2005 (P.L. 109-155). The Vision includes returning the space shuttle to flight status, then retiring it by 2010; completing the space station, but discontinuing its use by the United States by 2017; returning humans to the moon by 2020; and then sending humans to Mars and "worlds beyond." The President did not propose significantly increased funding for NASA to accomplish the Vision. Instead, most of the funding was to come from redirecting funds from other NASA activities. (Dr. Griffin has described this approach as "go as you can afford to pay.") The funding requirements of the Vision thus constrain other NASA priorities.

In the Science, Aeronautics, and Exploration (SA&E) account, funding for Constellation Systems, the program responsible for developing vehicles to return humans to the moon, would have increased from \$1.7 billion in FY2006 to \$3.1 billion in the FY2007 request. The House provided \$150 million less than the

request for Exploration Systems, which consists of Constellation Systems and two smaller programs. The Senate committee also recommended less than the request for Exploration Systems. The final appropriation for Exploration Systems was \$578 million less than the request, but the act was silent on how reductions should be allocated among Constellation Systems and the other programs.

Meanwhile, also in SA&E, reduced growth in Science funding would have added up to a proposed reduction of \$3.1 billion through FY2010 relative to projections in the previous year's request. Most of that reduction would have been to offset higher than expected costs for returning the space shuttle to flight status following the February 2003 *Columbia* accident. The request for Science included full funding for a Hubble Space Telescope servicing mission, but funding for several robotic missions to Mars were cancelled or deferred. No funding was requested for the SOFIA airborne infrared telescope or the Europa mission to one of Jupiter's moons. The request for Research and Analysis, which provides grant funding to individual researchers, was down 15% from FY2006 in most programs. The House provided \$75 million more than the request for Science, including \$50 million for Research and Analysis. The Senate committee recommended increases totaling \$31.5 million for two Science programs and directed NASA to proceed with SOFIA "from within available funds." The final appropriation, however, was \$5.251 billion, less than the request by \$79 million.

The request for Aeronautics Research in SA&E was about the same as was projected the previous year, but its content had changed significantly. The largest program, Vehicle Systems, has been renamed Fundamental Aeronautics and now focuses on "core competencies" in subsonic, supersonic, and hypersonic flight regimes, including work on rotorcraft. In the FY2006 budget cycle, proposals to eliminate several of these areas met with strong congressional opposition. An amendment to the Senate FY2007 budget resolution (S.Amdt. 3033 to S.Con.Res. 83) increased the recommended funding for NASA aeronautics by \$179 million. The House provided \$100 million more than the request for Aeronautics Research. The Senate Appropriations Committee recommended \$35 million more than the request. The final appropriation provided \$890 million for aeronautics, more than the request by \$166 million.

In the Exploration Capabilities account, NASA's current human space flight programs, the space shuttle and the International Space Station (ISS), are also being significantly affected by the Vision. The President's speech directed that the space shuttle be retired in 2010 after ISS construction is completed. The Crew Exploration Vehicle (CEV) being developed by the Constellation Systems program, whose primary purpose is to take astronauts to the moon, would also be able to visit the ISS. However, because it is planned for "no later than 2014" there is likely to be a multi-year gap when the United States will be unable to launch its own astronauts into space. As for the ISS, the President's speech directed NASA to restructure the broad-based research program it had planned to conduct aboard ISS to support only research needed to accomplish the Vision. (Congress responded in the NASA Authorization Act of 2005 by directing that at least 15% of ISS research funding be used for research not related to the Vision.) It is unclear what will happen to the ISS after its use by NASA is completed in 2017. The House provided the requested amount for the space shuttle but less than the request for the ISS and other

Exploration Capabilities activities. The Senate committee recommended the requested amount for Exploration Capabilities. The final appropriation for Exploration Capabilities was \$6.140 billion, less than the request by \$94 million.

A Mikulski amendment in the full Senate Appropriations Committee markup created two new appropriations accounts for NASA: \$1 billion for space shuttle Return to Flight expenses and \$40 million for additional Hurricane Katrina recovery expenses. Both were designated as emergency funding. Neither was included in the request, the House bill, or the final appropriation.

For more on NASA's FY2007 budget request, see CRS Report RS22381, *National Aeronautics and Space Administration: Overview, FY2007 Budget in Brief, and Key Issues for Congress*, by Daniel Morgan and Carl E. Behrens.

National Science Foundation (NSF)³²

Agency Mission. The National Science Foundation (NSF) was created by the National Science Foundation Act of 1950, as amended (P.L. 81-507). The NSF has the broad mission of supporting science and engineering in general and funding basic research across many disciplines. The majority of the research supported by the NSF is conducted at U.S. colleges and universities. In addition to helping to ensure the nation's supply of scientific and engineering personnel, the NSF promotes academic basic research and science and engineering education across many disciplines. Other federal agencies, in contrast, support mission-specific research. The NSF provides support for investigator-initiated, merit-reviewed, competitively selected awards, state-of-the-art tools, and instrumentation and facilities. Also, NSF provides almost 30% of the total federal support for science and mathematics education. Support is provided to academic institutions, industrial laboratories, private research firms, and major research facilities and centers. Although the NSF does not operate any laboratories, it does support Antarctic research stations, selected oceanographic vessels, and national research centers. In addition, the NSF supports university-industry relationships and U.S. participation in international scientific ventures.

The NSF is an independent agency in the executive branch and under the leadership of a presidentially appointed Director and a National Science Board (NSB) composed of 24 scientists, engineers, and university and industry officials involved in research and education. The NSB and the Director make policy for the NSF. The Office of the Inspector General (OIG) of the NSF has the responsibility of, among other things, conducting audits and investigations of NSF programs, and promoting efficiency and effectiveness in NSF programs and operations. The OIG reports directly to the NSB and Congress.

Key Budget Issues.

Overview of the FY2007 Appropriation. The FY2007 appropriation for the National Science Foundation (NSF) was included in P.L. 110-5, H.J.Res. 20,

³² This section was prepared by Christine M. Matthews, Specialist in Science and Technology Policy, Resources, Science, and Industry Division.

Revised Continuing Appropriations Resolution, 2007. NSF is funded at \$5.92 billion in FY2007, approximately \$336 million (6%) above the FY2006 level of \$5.58 billion. (The continuing resolution provided increased funding for the Research and Related Account (R&RA) for FY2007. All other accounts in NSF were maintained at approximately the same level as FY2006). The President's American Competitiveness Initiative proposes to double the NSF budget over the next 10 years. The FY2007 appropriation was to be the first installment toward that doubling effort. The FY2007 appropriation for NSF provided support for several interdependent priority areas: broadening participation in the science and engineering enterprise, providing world-class facilities and infrastructure, advancing research at the frontier, and bolstering K-12 education. NSF will invest more than \$600 million in programs targeted at those groups underrepresented in the science and engineering workforce. Funding has been provided for the construction of world-class facilities and for activities at advancing research at the frontiers of science.

Table 7. Funding for the National Science Foundation

(\$ in millions)

	FY2006 Enacted	FY2007 Request	House	Senate Cmte	FY2007 Enacted
Research and Related Activities	\$4,331.5	\$4,666.0	\$4,666.0	\$4,646.4	\$4,666.0
Education and Human Resources	796.7	816.2	832.4	835.8	796.7
Major Research Equipment and Facilities Construction	190.9	240.3	237.3	237.3	190.9
Salaries and Expenses	246.8	281.8	268.6	256.5	248.3
National Science Board	4.0	3.9	3.9	3.9	4.0
Office of Inspector General	11.4	11.9	11.9	11.9	11.4
Total, NSF	\$5,581.2	\$6,020.0	\$6,020.0	\$5,991.7	\$5,917.2

Source: P.L. 110-5, Revised Continuing Appropriations Resolution, FY2007, February 15, 2007.

NSF asserts that international research partnerships are critical to the nation in maintaining a competitive edge, addressing global issues, and capitalizing on global economic opportunities. To address these particular needs, the FY2007 appropriation provided increased funding for the Office of International Science and Engineering. Also, in FY2007, NSF will continue in its leadership role in planning U.S. participation in observance of the International Polar Year, which spans 2007 and 2008. A first-year investment was provided to address major challenges in polar research. Other FY2007 highlights include funding for the National Nanotechnology Initiative, investments in Climate Change Science Program, continued support for homeland security, and funding for Networking and Information Technology Research and Development. Also, a new effort in the FY2007 appropriation was

support for a program of fundamental research on new technologies for sensor systems that detect explosives.

The FY2007 appropriation included \$4.67 billion for Research and Related Activities (R&RA), a 7.7% increase (\$334.5million) over the FY2006 level of \$4.33 billion. R&RA funds research projects, research facilities, and education and training activities. Partly in response to concerns in the scientific community about the imbalance between support for the life sciences and the physical sciences, the FY2007 appropriation provided increased funding for the physical sciences. Research in the physical sciences often leads to advances in other disciplines. R&RA includes Integrative Activities (IA) and is a source of funding for the acquisition and development of research instrumentation at U.S. colleges and universities. It also funds Partnerships for Innovation, disaster research teams, and the Science and Technology Policy Institute. The Office of Polar Programs (OPP) is funded in the R&RA. In FY2006, responsibility for funding the costs of icebreakers that support scientific research in polar regions was transferred from the U.S. Coast Guard to NSF.³³ The NSF will continue to operate and maintain the three icebreakers.³⁴ The OPP is funded at \$485 million in the FY2007 appropriation, 24.2% above the FY2006 level. Significant increases in OPP for FY2007 are directed at the programs for Arctic and Antarctic sciences. Funding levels for other programs and activities in the R&RA resulting from the CR are not yet available.

Research project support in the FY2007 appropriation totals approximately \$2.40 billion. Support is provided to individuals and small groups conducting disciplinary and cross-disciplinary research. NSF supports a variety of individual centers and center programs. The FY2007 appropriation provided funding for Science and Technology Centers, Materials Centers, Engineering Research Centers, Nanoscale Science and Engineering Centers, and Centers for Analysis and Synthesis.

The Major Research Equipment and Facilities Construction (MREFC) account was funded at the CR level of \$190.9 million in FY2007, the same as FY2006. The MREFC supports the acquisition and construction of major research facilities and equipment that extend the boundaries of science, engineering, and technology. Of all federal agencies, NSF is the primary supporter of “forefront instrumentation and facilities for the academic research and education communities.” First priority for funding is directed at ongoing projects. Second priority is given to projects that have been approved by the National Science Board (NSB) for new starts.³⁵ NSF requires

³³ Although the NSF does not own the ships, it is responsible for the operation, maintenance, and staffing of the vessels.

³⁴ The United States has maintained a presence in the Antarctic for almost 40 years, and 90% of the icebreakers duties are devoted to polar research. Language was included in the FY2006 conference report directing the NSF to pursue alternative sources of funding for the icebreaking fleet beyond 2006. One proposed option is for the NSF to enter into a memorandum of understanding with the Coast Guard for reimbursement for the maintenance and operation of U.S. Polar research activities. Several studies are being conducted to review the long-term icebreaking needs in support of research in the Antarctic.

³⁵ The FY2006 request included support for the Rare Symmetry Violating Processes (continued...)

that for a project to receive support, it must have “the potential to shift the paradigm in scientific understanding and/or infrastructure technology.” NSF states that the projects receiving support in the FY2007 appropriation meet that qualification. Six ongoing projects and two new starts are funded in FY2007. Projects receiving support are the Atacama Large Millimeter Array Construction (\$64.3 million), EarthScope (\$27.4 million), IceCube Neutrino Observatory (\$28.7 million), National Ecological Observatory Network (\$4 million), Scientific Ocean Drilling Vessel (\$42.9 million), Alaskan Region Research Vessel (\$9.4 million), and Ocean Observatories Initiative (\$5.1 million). An additional \$9.1 million was provided for the South Pole Station Modernization project.

The FY2007 appropriation provided support for several NSF-wide investments: biocomplexity in the environment, human and social dynamics, and mathematical sciences. Additional priority areas include those of strengthening core disciplinary research, continuing as lead federal agency in networking and information technology R&D, and sustaining organizational excellence in NSF management practices. The NSF maintains that researchers need not only access to cutting-edge tools to pursue the increasing complexity of research, but funding to develop and design the tools critical to 21st century research and education. A proposed investment of \$596.8 million in cyberinfrastructure will allow for funding of modeling, simulation, visualization and data storage, and other communications breakthroughs. NSF anticipates that this level of funding will make cyberinfrastructure more powerful, stable, and accessible to researchers and educators through widely shared research facilities. Increasing grant size and duration has been a long-term priority for NSF. The funding rate for research grant applications has declined from approximately 30% in the late 1990s to an estimated 23% in FY2006.

The FY2007 appropriation for the Education and Human Resources Directorate (EHR) was \$796.7 million, the same level as FY2006. (Disaggregated data on funding of specific programs and activities in the EHR, as a result of the CR, are not yet available). The EHR portfolio is focused on, among other things, increasing the technological literacy of all citizens, preparing the next generation of science, engineering, and mathematics professionals, and closing the achievement gap in all scientific fields. Support is provided at the various educational levels: pre-college, undergraduate, and graduate. Priorities at the pre-college level include research and evaluation on education in science and engineering, informal science education, and a new program, Discovery Research K-12. Discovery Research will combine the strengths of three existing programs and encourage innovative thinking in K-12 science, technology, engineering, and mathematics education.

At the undergraduate level, approximately 72% of the funding was in support of new awards and activities. Priorities at the undergraduate level include the Robert Noyce Scholarship Program; Course, Curriculum, and Laboratory Improvement;

³⁵ (...continued)

(RSVP). Language was included in the FY2006 appropriations stating that conferees were concerned with the “unacceptable increases” in the project cost and suggested that the RSVP proposal be altered or descoped. If the necessary changes can be made, then the restructured RSVP could be considered for inclusion for project support within the R&RA.

Science, Technology, Engineering, and Mathematics (STEM) Talent Expansion Program; the National STEM Education Digital Library; the Federal Cyber Service; and Advanced Technological Education. The Math and Science Partnership Program (MSP) has been transferred to the undergraduate level in FY2007. The MSP has made approximately 80 awards, with an overall funding rate of about 9%. No new partnerships have been proposed in FY2007. Funding in the FY2007 appropriation will provide support for ongoing awards, in addition to data collection, evaluation, knowledge management, and dissemination.

At the graduate level, priorities are those of Integrative Graduate Education and Research Traineeship, Graduate Research Fellowships, and the Graduate Teaching Fellows in K-12 Education. Added support was given to several programs directed at increasing the number of underrepresented minorities in science, mathematics, and engineering. The FY2007 budget had requested the following amounts for these programs: Historically Black Colleges and Universities Programs (\$29.7 million), Tribal Colleges and Universities Program (\$12.4 million), Louis Stokes Alliances for Minority Participation (\$39.7 million), and Centers of Research Excellence in Science and Technology (\$24.9 million). As previously stated, the CR maintained FY2007 funding for the EHR at the FY2006 level, (\$19.3 million less than the request), and it has not been determined as yet what the “revised” funding levels are for any of the science education programs.

Table 8. Funding for the Title III Science Agencies
(\$ millions in budget authority)

Bureau or Agency	FY2006 Enacted	FY2007 Request	House	Senate Cmte.	FY2007 Enacted
NASA	16,596.4	16,792.2	16,709.0	17,797.2	16,247.0
National Science Foundation	5,581.2	6,020.0	6,020.0	5,991.7	5,917.2
Office of Science/Technology	5.5	5.4	5.4	5.4	6.0
Total	\$22,183.1	\$22,817.8	\$22,734.4	\$23,794.3	\$22,170.2

Sources: U.S. House of Representatives, U.S. Senate, committees on appropriations, and CRS estimates.

Policy Issues. There has been considerable debate in the academic and scientific community and in Congress about the management and oversight of major projects selected for construction and the need for prioritization of potential projects funded in the MREFC account. The NSF was directed to improve its oversight of large projects by developing an implementation plan that included comprehensive guidelines and project oversight review. One continuing question focused on the selection process for including major projects in the upcoming budget cycle. In February 2004, the National Academies released the congressionally mandated study of the process for prioritization and oversight of projects in the MREFC account. The report recommended a more open process for project selection, broadened

participation from various disciplines, and well-defined criteria for the selection process.

In September 2005, the NSB released its management report on the new guidelines for the development, review, and approval of major projects: *Setting Priorities for Large Research Facility Projects Supported by the National Science Foundation*.³⁶ The report describes facilities under construction and those being considered for future funding. Because of the changing nature of science and technology, NSF deems it essential that it have the flexibility to reconsider facilities at the various stages in their development. Also, the NSF states that it must be able to respond effectively to possible changes in interagency participation, international and cooperative agreements, or co-funding for major research facilities. The NSF encourages project planning from disciplines and fields in which scientists and engineers have not traditionally partnered or collaborated. The report notes that although some “concepts” may evolve into MREFC candidates, others may prove infeasible for major project support. The NSF has stated that the facility plan will be updated as needed.

In September 2006, the NSF released the report, *Investing in America’s Future — Strategic Plan FY2006-2011*.³⁷ NSF states that the report addresses the accelerating pace of scientific discoveries that are occurring in a more competitive international environment. The *Strategic Plan* lists several investment priorities that are targeted for increased emphasis of funding over the next five years. The investments include furthering U.S. economic competitiveness; promoting transformational, multidisciplinary research; improving k-12 teaching and learning in science and mathematics; developing a comprehensive, integrated cyberinfrastructure; and strengthening the nation’s collaborative advantage through unique networks and innovative partnerships. In addition, NSF will continue to improve management excellence, with a focus on joining such areas as resource allocation, communication strategies, award management and oversight, and the core processes of merit review.

Related CRS Products

CRS Report RS21767, *Hubble Space Telescope: Should NASA Proceed with a Servicing Mission?* by Daniel Morgan.

CRS Report RS22381, *National Aeronautics and Space Administration: Overview, FY2007 Budget in Brief, and Key Issues for Congress*, by Daniel Morgan, and Carl E. Behrens.

³⁶ National Science Board, *Setting Priorities for Large Research Projects Supported by the National Science Foundation*, NSB05-77, Arlington, VA, September 2005, 31 pp. Note: Large research facility projects are defined as those costing 10% or more of a directorate or program’s annual budget.

³⁷ National Science Foundation, *Investing in America’s Future — Strategic Plan FY2006-FY2011*, NSF06-48, Arlington, VA, September 2006, 19 pp.

CRS Report RS21267, *National Science Foundation: Major Research Equipment and Facility Construction*, by Christine Matthews.

CRS Report 95-307, *U.S. National Science Foundation: An Overview*, by Christine M. Matthews.

Department of State and International Broadcasting³⁸

Background

The State Department, established on July 27, 1789 (1 Stat.28; 22 U.S.C. 2651), has a mission to advance and protect the worldwide interests of the United States and its citizens. The State Department supports the activities of more than 50 U.S. agencies and organizations operating at 260 posts in 180 countries. Currently, the State Department employs approximately 30,000 people, about 60% of whom work overseas. As covered in Title IV of the House Science, State, Justice, and Commerce (SSJC) appropriations measure, State Department funding categories include administration of foreign affairs, international operations, international commissions, and related appropriations, such as international broadcasting. The enacted FY2006 appropriation for Title IV was \$9.56 billion (after adjusting for two rescissions), 9.4% higher than the previous year's regular appropriation, but 11% lower than the previous appropriations when including the FY2005 supplemental funds within P.L. 109-13 for Title IV. Typically, about three-fourths of State's budget is for Administration of Foreign Affairs (about 69% in FY2006), which consists of salaries and expenses, diplomatic security, diplomatic and consular programs, technology, and security/maintenance of overseas buildings.

FY2007 Funding Issues³⁹

Administration of Foreign Affairs. The Administration's FY2007 request for State's Administration of Foreign Affairs (including mandatory funding of \$125 million for Foreign Service Retirement) was \$6.93 billion, 5.5% above the FY2006 estimated level of \$6.57 billion (including rescissions). The House-passed level in H.R. 5672 was \$6.66 billion. The Senate Appropriations Committee funding level in H.R. 5522 was \$6.58 billion. The Revised Continuing Appropriations Resolution,

³⁸ This section was written by Susan B. Epstein, Specialist in Foreign Affairs and Trade, Foreign Affairs, Defense, and Trade Division.

³⁹ See CRS Report RL32885, *Science, State, Justice, Commerce and Related Agency (SSJC) Appropriations*, by Susan B. Epstein (coordinator) and Ian F. Fergusson, for a full discussion of this appropriations measure. The total funding level for State Department and related programs in this report will not match exactly the amount discussed in CRS Report RL32885. This is because the Senate bill organization for State Department and related programs included the U.S. Institute for Peace and several foreign policy-related commissions that are funded separately from the State Department in the SSJC bill.

2007 (P.L. 110-5) provided \$6.50 billion for Administration of Foreign Affairs for FY2007.

Diplomatic & Consular Programs (D&CP). D&CP covers primarily salaries and expenses, hiring, diplomatic expenditures, cost of living and foreign inflation, as well as exchange rate changes. The FY2007 request of \$4.65 billion represented an increase of 7.7%, compared with the \$4.32 billion funding level enacted for FY2006. The FY2007 funding level request included \$795.2 million for worldwide security upgrades, compared with \$680.7 million in the FY2006 appropriation. The D&CP funding request also included \$351 million, compared with \$329.7 million in the FY2006 budget, designated only for public diplomacy. The House-passed funding for D&CP was \$4.46 billion, including \$351 million for public diplomacy and \$795.2 million for worldwide security upgrades. The Senate Appropriations Committee set funding at \$4.50 billion, including \$795.2 million for worldwide security upgrades. The enacted level for FY2007 was \$4.31 billion, including \$766 million for worldwide security upgrades.

Embassy, Security, Construction, and Maintenance (ESCM). ESCM provides funding for embassy construction, repairs, and leasing of property for embassies and housing facilities at overseas posts. The FY2007 request of \$640.1 million was 12.1% above the FY2006 enacted level of \$571.1 million (including rescissions). The House agreed to a total of \$1.51 billion for ESCM, including \$605.7 million for regular funding and \$899.4 million for worldwide security upgrades. The Senate committee recommended funding for ESCM to be a total of \$1.38 billion and did not designate how much the Department should spend on regular versus worldwide security upgrades overall. The continuing resolution provided \$595.0 million for regular ESCM funding and \$897.0 million for worldwide security upgrades for a total of \$1.49 billion in FY2007.

Worldwide Security Upgrades. Ever since the bombings of two U.S. embassies in eastern Africa in August 1998, Congress has appropriated additional money within both D&CP and ESCM for increasing security. The funds in D&CP for worldwide security upgrades are primarily for ongoing expenses due to the upgrades that took place after 1998, such as maintaining computer security and bullet-proof vehicles, and ongoing salaries for perimeter guards. Worldwide security upgrades in ESCM are more on the order of bricks-and-mortar-type expenses. The FY2007 request for upgrades within D&CP totaled \$795.2 million — \$114.5 million (16.8%) above the enacted level of \$680.7 million (reflecting rescissions) for FY2006. The FY2007 request for worldwide security funding within ESCM totaled \$899.4 million, virtually the same as the FY2006 level (after rescissions). The combined total FY2007 request for State's worldwide security upgrades was \$1.69 billion. The combined enacted funding for worldwide security upgrades totaled \$1.66 billion for FY2007.

Educational and Cultural Exchanges. This line item includes programs such as the Fulbright, Muskie, and Humphrey academic exchanges, as well as the international visitor exchanges and some Freedom Support Act and SEED programs. The Administration's FY2007 request was for \$474.3 million, 11.3% more than the FY2006 estimated level of \$426.3 million. The Administration request included \$200.3 million for the Fulbright program and \$351 million within the D&CP account

for public diplomacy expenses. The House-passed funding level was \$436.3 million, while the Senate committee level was \$445.5 million. The continuing resolution (P.L. 110-5) provided \$445.3 million for exchanges in FY2007.

Capital Investment Fund (CIF). CIF was established by the Foreign Relations Authorization Act of FY1994/95 (P.L. 103-236) to provide for purchasing information technology and capital equipment that would ensure the efficient management, coordination, operation, and utilization of State's resources. The FY2007 request was for \$68.3 million, a 17.6% increase over the \$58.1 million enacted for FY2006 (after rescissions). In addition, the FY2006 appropriation included \$68.5 million for the Centralized Information Technology Modernization Program. The Administration did not request any funding for that account for either FY2006 or FY2007. The House agreed to \$58.1 million for CIF, and the Senate committee recommended the same amount. The enacted FY2007 level was \$58.1 million for CIF.

International Organizations and Conferences. The International Organizations and Conferences account consists of two line items: U.S. Contributions to International Organizations (CIO) and U.S. Contributions for International Peacekeeping Activities (CIPA). The FY2007 request totaled \$2.40 billion for the overall account, up nearly 11% over the FY2006 level of \$2.17 billion, including rescissions.

Contributions to International Organizations (CIO). The CIO supports U.S. membership in numerous international and multilateral organizations that transcends bilateral relationships and covers issues such as human rights, environment, trade, and security. The FY2007 request level for this line item was \$1.27 billion, 10.2% above the \$1.15 billion enacted level for FY2006. The request represented full funding of U.S. assessed contributions to the U.N. and other international organizations. It did not include funding for prior-year funding shortfalls. The House-passed bill provided \$1.12 billion, while the Senate committee recommendation was \$1.15 billion for CIO in FY2007. The continuing resolution enacted the FY2006 level of funding (\$1.15 billion) for FY2007.

Contributions to International Peacekeeping (CIPA). The United States supports multilateral peacekeeping efforts around the world through payment of its share of the U.N. assessed peacekeeping budget. The President's FY2007 request of \$1.14 billion represented an increase of 11.1% over the FY2006 estimated level of \$1.02 billion (including rescissions). In addition, the Administration requested an additional \$69.8 million for this account to support U.N. peacekeeping efforts in the southern Sudan. The House-passed bill set funding at \$1.14 billion, as did the Senate Appropriations Committee. The enacted FY2007 estimate was \$1.14 billion.

International Commissions. The International Commissions account includes the U.S.-Mexico Boundary and Water Commission (IBWC), the International Fisheries Commissions (IFC), the International Joint Commission (IJC), the International Boundary Commission (IBC), and the Border Environment Cooperation Commission (BECC). The IBWC's mission is to apply rights and obligations assumed by the United States and Mexico under numerous treaties and

agreements, improve water quality of border rivers, and resolve border sanitation problems. The mission of the IFC is to recommend to member governments conservation and management measures for protecting marine resources. The IJC's mission is to develop and administer programs to help the United States and Canada with water quality and air pollution issues along their common border. The IBC is obligated by the Treaty of 1925 to maintain an effective boundary line between the United States and Canada. Established by the North American Free Trade Agreement, the BECC helps local states and communities to develop solutions to environmental problems along the U.S.-Mexico border. The FY2007 funding request of \$63.9 million represented a decrease of 3.9% over the \$66.5 million enacted in FY2006. The FY2007 requested decrease was due largely to a decrease in funds for the Great Lakes Fishery Commission. The House funding level for international commissions was \$67.9 million, while the Senate committee level was \$67.4 million. The final FY2007 enacted level was \$67.0 million.

Related Appropriations. Related appropriations include those for the Asia Foundation, the National Endowment for Democracy (NED), and the East-West and North-South Centers. The Administration's FY2007 request for related appropriations totaled \$103.6 million — 8.7% less than the FY2006 enacted level of \$113.6 million, after rescissions. The House-passed level of \$68.1 million was close to half of the current level, largely because of the significant increase in funding for democracy promotion through the National Endowment for Democracy (NED) in FY2006. The Senate committee-recommended level was even lower — \$43.5 million — because the committee recommended a much lower funding level for NED, as more funding was recommended in the Democracy Fund account, elsewhere in the bill. The total funding for related agencies in FY2007 was \$108.6 million.

The Asia Foundation. The Asia Foundation (TAF) is a private, nonprofit organization that supports efforts to strengthen democratic processes and institutions in Asia, open markets, and improve U.S.-Asian cooperation. It receives government and private sector contributions. Government funds for the Foundation are appropriated and pass through the Department of State. The FY2007 request of \$10 million reflected a 27.5% reduction over the FY2006 enacted funding level of \$13.8 million. The organization stated that the \$10 million would support programs that promote tolerance within Muslim minority/majority countries such as Pakistan, Afghanistan, Nepal, and Cambodia; promote free and fair elections in Asia; and develop democratic institutions for legal reform in China, Vietnam, Indonesia, and Thailand. The Asia Foundation had said it would continue to seek private funds and expected to raise \$4 million in private funds for FY2007. The House bill set funding at \$13.8 million, and the Senate committee recommended \$14.0 million for the Asia Foundation in FY2007. The enacted level for the Asia Foundation for FY2007 was the same as the FY2006 level of \$13.8 million.

National Endowment for Democracy (NED). The National Endowment for Democracy is a private, nonprofit organization established during the Reagan Administration that supports programs to strengthen democratic institutions in more than 80 countries around the world. NED proponents assert that many of its accomplishments are possible because it is not a U.S. government agency. NED's critics claim that it duplicates government democracy promotion programs and could be eliminated or could be operated entirely through private sector funding. The

FY2007 request was for \$80 million, the same level as was requested for FY2005 and FY2006, and 8% higher than the final enacted level for FY2006 of \$74.1 million, including rescissions. The House-passed NED funding level was \$50 million for FY2007. The Senate Appropriations Committee recommended \$8.8 million, as the Committee recommended more than \$1 billion for the Democracy Fund elsewhere in the bill. The enacted FY2007 level was \$74 million.

East-West and North-South Centers. The Center for Cultural and Technical Interchange between East and West (East-West Center), located in Honolulu, Hawaii, was established in 1960 by Congress to promote understanding and cooperation among the governments and peoples of the Asia/Pacific region and the United States. The FY2007 request for the East-West Center was \$12 million, a 36.8% decline from the FY2006 enacted level of \$19 million, after rescissions. The House level was \$3 million, while the Senate committee recommended significantly more — \$19 million. The FY2007 enacted funding level was \$19 million.

The Center for Cultural and Technical interchange between North and South (North-South Center) is a national educational institution in Miami, Florida, closely affiliated with the University of Miami. It promotes better relations, commerce, and understanding among the nations of North America, South America and the Caribbean. The North-South Center began receiving a direct subsidy from the federal government in 1991; however, it has not received a direct appropriation since FY2000.

The International Center for Middle Eastern-Western Dialogue Trust Fund. The conferees added language in the FY2004 conference agreement for the Consolidated Appropriations Act, FY2004, to establish a permanent trust fund for the International Center for Middle Eastern-Western Dialogue. The act provided \$6.9 million for perpetual operations of the Center which is to be located in Istanbul, Turkey. Even though the Administration did not request any FY2005 funding for this Center, Congress provided \$7.3 million for it in FY2005. The Administration requested spending \$.8 million of interest and earnings from the Trust Fund for program funding in FY2006. Congress appropriated \$4.9 million for this account in FY2006 and \$0.9 million for the Trust. The Administration requested \$0.7 million of interest and earnings from the Trust Fund program for FY2007. The House set spending of interest and earnings at \$0.4 million, while the Senate committee set it at \$0.75 million. The final legislation (P.L. 110-5) set spending for the program at \$.9 million.

International Broadcasting. International Broadcasting, which had been a primary function of the U.S. Information Agency (USIA) prior to 1999, now falls under an independent agency referred to as the Broadcasting Board of Governors (BBG). The BBG includes the Voice of America (VOA), Radio Free Europe/Radio Liberty (RFE/RL), Cuba Broadcasting, Radio Sawa, Radio Farda, and Radio Free Asia (RFA). In addition to the ongoing international broadcasting activities, the Administration initiated a new U.S. Middle East Television Network — Alhurra.

The BBG's FY2007 funding request totaled \$671.9 million, 4.3% above the FY2006 level of \$644 million, after rescissions. The FY2007 broadcasting request included \$653.6 million for broadcasting operations, \$18.3 million for capital

improvements, and \$36.3 million for Broadcasting to Cuba. The House passed funding at \$651.3 million for broadcasting operations (including \$36.1 million for Cuba Broadcasting) and \$7.6 million for capital improvements for a total of \$658.9 million for international broadcasting. The Senate Appropriations Committee recommended \$653.6 million (including \$36.3 million for Cuba Broadcasting) for broadcasting operations and \$7.6 million for capital improvements for a total of \$661.2 million. The enacted FY2007 funding for international broadcasting in FY2007 totals \$644 million — \$636 million for broadcasting operations and \$8 million for capital improvements.

Related Legislation

S. 600 (Lugar)/H.R. 2601 (Smith, C.). A bill to authorize appropriations for the Department of State and international broadcasting activities. In addition, the Senate bill contains provisions on the Peace Corps and foreign assistance programs for fiscal years 2006 and 2007. The Senate bill was introduced March 10, 2005; referred to the Senate Foreign Relations Committee; and reported by the committee the same day. (S.Rept. 109-35). The Senate bill received floor action April 6, 2005. The House bill was introduced May 24, 2005; committee markup was held June 8, 2005. House floor action occurred on July 19 and 20. The measure was passed by the House July 20, 2005 (351-78). No further action occurred.

Related CRS Products

CRS Report RL33420, *Foreign Operations (House)/State, Foreign Operations, and Related Programs (Senate): FY2007 Appropriations*, by Larry Nowels, Connie Veillette, and Susan B. Epstein.

CRS Report RL33000, *Foreign Relations Authorization, FY2006 and FY2007: An Overview*, by Susan B. Epstein.

CRS Report RL31370, *State Department and Related Agencies: FY2006 and FY2007 Appropriations and FY2008 Request*, by Susan B. Epstein.

CRS Report RL33611, *U.N. System Funding: Congressional Issues*, by Marjorie Ann Browne.

Table 9. Funding for the Department of State and International Broadcasting
(\$ millions in budget authority)

Bureau or Agency	FY2006 Enacted ^b	FY2007 Request	House H.R. 5672	Senate H.R. 5522	FY2007 Enacted
Administration of Foreign Affairs	\$6,566.8	\$6,931.0	\$6,656.5	\$6,584.5	\$6,501.9
International Organizations and Conferences	2,173.6	2,403.9	2,257.6	2,286.6	2,286.6
International Commissions	66.5	63.9	67.9	67.4	67.0
Related Appropriations	113.6	103.6	68.1	43.5	108.6
Subtotal: State Department ^a	8,920.5	9,502.4	9,050.1	8,982.0	8,964.1
International Broadcasting	644.0	671.9	653.9	661.2	644.0
Title IV Total	\$9,564.5	\$10,174.3	\$9,704.0	\$9,643.2	\$9,608.1

Source: House Appropriations Committee.

- a. In addition to appropriations, State has authority to spend certain collected fees from machine readable visas, expedited export fees, etc. The FY2006 estimate for such authority was \$772.8 million and FY2007 estimate was \$747.6 million.
- b. FY2006 numbers reflect two rescissions: in the SSJC appropriation (Sec. 638, P.L. 109-108) and in the FY2006 emergency supplemental (P.L. 109-148).

Independent Agencies

Equal Employment Opportunity Commission (EEOC)⁴⁰

The EEOC enforces laws banning employment discrimination based on race, color, national origin, sex, age, or disability. In the past few years, appropriators have been particularly concerned about the agency's implementation of a restructuring plan. The three-phase restructuring plan includes the National Contact Center, a two-year pilot project, that began in March 2005; the January 2006 commencement of field structure and staff realignment that the Commission approved in mid-2005; and the examination of headquarters' structure and operations to streamline functions and clarify roles and responsibilities.

FY2007 Appropriations. The 110th Congress passed the Revised Continuing Appropriations Resolution, 2007, and it was signed into law (P.L. 110-5) on February 15, 2007. The enacted funding level for the EEOC for FY2007 was reported to be \$327.0 million, which is the same as the agency's budget in FY2006.

The Administration had proposed a budget of \$322.8 million for the EEOC, or \$4.2 million less than the FY2006 appropriation. (The FY2006 figure of \$327.0

⁴⁰ This section was prepared by Linda Levine, Specialist in Labor Economics, Domestic Social Policy Division.

million includes rescissions of \$0.9 million and \$3.3 million from the \$331.2 million contained in the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 [P.L. 109-108]). The budget request would have reduced staffing by 19 full-time equivalents and provided up to \$28 million for payments to state and local entities with which the agency has work-sharing agreements to address workplace discrimination within their jurisdictions (i.e., Fair Employment Practices Agencies, FEPAs, and Tribal Employment Rights Organizations, TEROs). Last year, the Administration requested up to \$33 million for FEPAs and TEROs; this is the amount to which Congress had, in prior years, raised the EEOC's request. (The agency estimated it would spend \$30.5 million on these work-sharing arrangements in FY2006.) In addition to the proposed reduction in the state and local contract maximum, the Commission anticipated offsetting its request for an additional \$4.4 million to cover the staff's total compensation with cutbacks in general operating expenses and information technology (IT) expenditures.

H.R. 5672, which the House passed in June 2006, included funding for the EEOC at the level requested by the Administration (\$322.8 million). The bill further concurred in the Administration's request that agency payments to FEPAs and TEROs not exceed \$28 million. As in the past, the House would have prohibited the Commission from implementing any workforce repositioning, restructuring, or reorganization until it notified the Committees on Appropriations of such proposals. This also was stated in H.Rept. 109-520, which further directed the EEOC to submit to the committee a comprehensive analysis of current staffing levels by department and the full impact the *headquarters* repositioning, restructuring, or reorganization will have on all core services, including the number of staff to be redeployed to the field. In addition, H.Rept. 109-520 instructed the agency to continue submitting quarterly status reports on projected and actual spending levels, by function, and highlighting any changes that result from repositioning activities. The House Appropriations Committee also expected the EEOC to use findings from the Inspector General's evaluation of the National Contact Center to improve the project's operation.

The Senate Appropriations Committee reported its bill in July 2006. S.Rept. 109-280 provided a larger appropriation of \$327.0 million to the EEOC. Most of the additional funding would have gone toward agency payments to FEPAs and TEROS — up to \$33 million rather than \$28 million. The Committee would have prohibited any sums to be used to fund the position of “chief operating officer” and to operate the National Contact Center. The Chair of the EEOC was further directed to assign at least 57 full-time permanent positions to the Commission's Baltimore office, among them a district director and regional attorney. S.Rept. 109-280 instructed the agency not to implement any workforce repositioning, restructuring, or reorganization until it notified the Senate Committee on Appropriations of such proposals.

FY2006 Appropriations. The Administration requested an FY2006 appropriation of \$331.2 million for the EEOC, an increase of \$4.4 million from the \$326.8 million (including rescissions) provided by the Consolidated Appropriations Act, 2005 (P.L. 108-447). Following the Appropriations Committees' recommendations, the House and Senate endorsed the Administration's budget proposal for the Commission. In November 2005, President Bush signed the FY2006

appropriations bill (H.R. 2862), which included a rescission of 0.28%. In December 2005, the President signed the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and the Pandemic Influenza Act, 2006 (H.R. 2863, P.L. 109-148), which contained an additional rescission of 1.0%.

The conference agreement adopted, by reference, language in H.Rept. 109-118 that requires the Commission to continue submitting quarterly reports on projected and actual spending levels by function and to highlight any changes due to repositioning activities. The conference agreement also adopted, by reference, language in S.Rept. 109-88 that (1) prohibits the agency from implementing a repositioning plan that reduces the salary of EEOC employees or reduces the number of officers or employees serving as mediators, investigators, or attorneys at any Commission office and that (2) directs the Commission to submit to Congress, before implementation of any repositioning, restructuring or reorganization plan, a comprehensive analysis (conducted for each district, field, area, and local office) of current investigations and enforcement levels and the full impact of such plan on all core services. The conference agreement further provided that the EEOC should not undertake any workforce repositioning, restructuring, or reorganizing without advance notification of the Committees on Appropriations. In addition, the conferees directed the Commission to continue working toward resolution of concerns regarding the pending repositioning plan.

Federal Communications Commission (FCC)⁴¹

The Federal Communications Commission, created in 1934, is an independent agency charged with regulating interstate and international communications by radio, television, wire, satellite, and cable. The FCC is also charged with promoting the safety of life and property through wire and radio communications. The mandate of the FCC under the Communications Act is to make available to all people of the United States a rapid, efficient, nationwide, and worldwide wire and radio communication service. The FCC performs five major functions to fulfill this charge: spectrum allocation, creating rules to promote fair competition and protect consumers where required by market conditions, authorization of service, enhancement of public safety and homeland security, and enforcement. The FCC obtains the majority of its funding through the collection of regulatory fees pursuant to Title I, Section 9, of the Communications Act of 1934; therefore, its direct appropriation is considerably less than its overall budget.

For FY2007, the Senate recommended an overall budget of \$301.500 million for the salaries and expenses of the FCC, all of which is to be collected through regulatory fees (no direct appropriation). The Senate FY2007 recommendation was \$1.042 million less than the Bush Administration request of \$302.542 million and \$11.742 million more than the FY2006 enacted appropriation of \$289.758 million. The Senate expressed its continued concern about the declining standards of broadcast television and the impact that decline is having on America's children and

⁴¹ This section was written by Patty Figliola, Specialist in Telecommunications and Internet Policy, Resources, Science, and Industry Division.

also strongly urged the FCC to act expeditiously upon the complaint filed under Section 616 of the Communications Act regarding Washington Nationals baseball.

For FY2007, the House of Representatives recommended an overall appropriation of \$294.261 million for the salaries and expenses of the FCC. Of that figure, \$293.261 million was to be collected through regulatory fees, with a direct appropriation of \$1.0 million. The House FY2007 recommendation was \$8.281 million less than the Bush Administration request of \$302.542 million and \$4.503 million more than the FY2006 enacted appropriation of \$289.758 million. The recommended FY2007 funding level would cover efforts to promote the deployment of broadband services, deregulate where competition exists, enhance public safety and homeland security, ensure the viability of the Universal Service Fund, promote the efficient use of spectrum, and review media regulation to foster competition and diversity.

The Revised Continuing Appropriations Resolution 2007 (P.L. 110-5) enacted funding level for the FCC for FY2007 was reported to be a direct appropriation of \$1.0 million, which is the same as the agency's budget in FY2006.

Federal Trade Commission (FTC)⁴²

The Federal Trade Commission (Commission or FTC) is an independent agency. It seeks to protect consumers and enhance competition by eliminating unfair or deceptive acts or practices in the marketing of goods and services and by ensuring that consumer markets function competitively.

For FY2007, the Administration had requested a program level of \$223 million for the FTC, an increase of slightly more than \$13 million, or 6.2%, over FY2006 funding. The House-passed bill provided the FTC with \$213 million for FY2007, which was \$3 million above the previous-year funding. For its part, the Senate followed the recommendation of the Appropriations Committee, which set funding for the agency for FY2007 at the \$223 million level. Of the amounts provided, \$129 was to be derived from Hart-Scott-Rodino pre-merger filing fees and \$18 million from so-called Do-Not-Call fees (more formally known as the Telemarketing Sales Rule, promulgated under the Telephone Consumer Fraud and Abuse Prevention Act). The total amount of direct appropriations for FY2007 was therefore \$76 million.

In recent years, the FTC has mostly funded its operations by means of its pre-merger filing fees collections and, to a lesser extent, from Do-Not-Call fees. By way of an historical footnote, for FY2000 through FY2002, zero (\$0) direct appropriations were required, because the entire program level was covered by a combination of fees and prior-year collections.

⁴² This section was written by Bruce Mulock, Specialist in Government and Business, Government and Finance Division.

Legal Services Corporation (LSC)⁴³

The LSC is a private, non-profit, federally funded corporation that provides grants to local offices that, in turn, provide legal assistance to low-income people in civil (non-criminal) cases. The LSC has been controversial since its incorporation in the early 1970s and has been operating without authorizing legislation since 1980. There have been ongoing debates over the adequacy of funding for the agency and the extent to which certain types of activities are appropriate for federally funded legal aid attorneys to undertake. In annual appropriations bills, Congress traditionally has included legislative provisions restricting the activities of LSC-funded grantees, such as prohibiting any lobbying activities or prohibiting representation in certain types of cases.

P.L. 109-108 (enacted on November 22, 2005) included \$330.8 million for the LSC for FY2006, the same amount that was originally passed by the House, instead of \$358.5 million as passed by the Senate. The LSC FY2006 appropriation included \$312.4 million for basic field programs and required independent audits, \$12.8 million for management and administration; \$1.3 million for client self-help and information technology, \$2.5 million for the Office of the Inspector General, and \$1.8 million in grants to offset losses stemming from the 2000 census-based reallocations. In addition, P.L. 109-108 included language that advised the LSC to reduce its rent for its office space (by eliminating some office space and negotiating a more competitive cost per square foot) and included existing provisions restricting the activities of LSC grantees. P.L. 109-108 also included a general rescission equal to 0.28% of funding for the Science, State, Justice, Commerce, and Related Agencies appropriation (which includes the LSC). Moreover, P.L. 109-148 (enacted on December 30, 2005) included a 1% government-wide rescission on discretionary programs. Thus, the LSC appropriation for FY2006 was lowered to \$326.6 million.

For FY2007, the Bush Administration requested \$310.9 million for the LSC. This amount is almost \$16 million below the FY2006 funding level for the LSC. The budget request included existing provisions restricting the activities of LSC grantees. The LSC would receive \$288.6 million for basic field programs and required independent audits; \$14.4 million for management and administration; \$3.0 million for client self-help and information technology; \$3.0 million for the Office of the Inspector General; and \$2.0 million in grants to offset losses stemming from the 2000 census-based reallocations.

The House Appropriations Committee recommended a total of \$313.860 million for the LSC (H.R. 5672; H.Rept. 109-520) and included existing provisions restricting the activities of LSC grantees. This is \$3 million above the FY2007 budget request and \$12.7 million below the FY2006 final appropriation. Since the LSC is a private, nonprofit corporation, it is not required to comply with federal laws related to employment, travel, and other administrative procedures, but the committee bill requires that the LSC submit a report to the committee no later than February 1, 2007, describing whether, in fact, LSC procedures adhere to federal law and, if

⁴³ This section was prepared by Carmen Solomon-Fears, Specialist in Social Legislation, Domestic Social Policy Division.

discrepancies exist, proposals to modify LSC procedures so that they will comply with federal law.

On June 27, 2006, the House passed a floor amendment (by Representative Obey, 337 yeas to 185 noes) that increased the LSC funding level by \$25 million, from \$313.9 million (H.R. 5672; H.Rept. 109-520) to \$338.9 million. Under the House-passed bill, the LSC would receive \$321.9 million for basic field programs and required independent audits; \$12.7 million for management and administration; \$1.2 million for client self-help and information technology; and \$3.0 million for the Office of the Inspector General.

The Senate Appropriations Committee recommended a total of \$358.527 million for the LSC (H.R. 5672; S.Rept. 109-280) and included existing provisions restricting the activities of LSC grantees. This is \$47.7 million above the FY2007 budget request, \$31.9 million above the FY2006 final appropriation, and \$19.7 million above the House-passed version of the bill. The LSC would receive \$337.8 million for basic field programs and required independent audits; \$12.8 million for management and administration; \$3.0 million for client self-help and information technology; \$3.0 million for the Office of the Inspector General; and \$2.0 million in grants to offset losses stemming from the 2000 census-based reallocations.

Congress passed a fourth continuing resolution (H.J.Res. 20), which included provisions to fund most of the government agencies, including the LSC, through FY2007. H.J.Res. 20 passed the House on January 31, 2007, and passed the Senate on February 14, 2007. The final version (P.L. 110-5) included language that specified that the LSC would be funded at \$348.6 million for FY2007. The LSC FY2007 appropriation included \$330.8 million for basic field programs and required independent audits, \$12.7 million for management and administration; \$2.1 million for client self-help and information technology, and \$3.0 million for the Office of the Inspector General.

Securities and Exchange Commission (SEC)⁴⁴

The SEC administers and enforces federal securities laws to protect investors from fraud and to maintain fair and orderly markets. The SEC's budget is set through the normal appropriations process, but funds for the agency come from fees on sales of stock, new issues of stocks and bonds, corporate mergers, and other securities market transactions. The SEC is required to adjust the fee rates periodically to make the amount collected approximately equal to the agency's budget. When the fees are collected, they go to a special offsetting account available to appropriators, not to the Treasury's general fund.

The Administration's request for FY2006 was \$888.1 million, a decrease of 2.7% from FY2005. Of that total, \$25.0 million was to be from prior-year unobligated balances, and the remaining \$863.1 would be from offsetting fee collections. The House, the Senate, and the conference all approved an amount equal

⁴⁴ This section was prepared by Mark Jickling, Specialist in Public Finance, Government and Finance Division.

to the request: \$888.1 million, of which \$25.0 million came from prior-year unobligated balances, and the remainder (\$863.1 million) from current-year fee collections. There was no direct appropriation from the general fund.

For FY2007, the Administration requested \$890.8 million, an increase of 0.3% over FY2006. The House approved \$900.5 million for the SEC, 1.4% above the FY2006 appropriation and 1.1% above the Administration's request. Of that total, \$20.0 million was to come from prior-year unobligated balances, and the remainder from current-year fee collections. The Senate committee recommended \$890.8 million for the SEC in FY2007, the amount of the Administration's request. Finally, enacted budget authority under the continuing resolution was \$892.6 million, of which \$25.0 million was prior-year unobligated balances. There was no direct appropriation from the general fund.

Small Business Administration (SBA)⁴⁵

The SBA is an independent federal agency created by the Small Business Act of 1953. Although the agency administers a number of programs intended to assist small firms, arguably its three most important functions are to guarantee — principally through the agency's Section 7(a) general business loan program — business loans made by banks and other financial institutions; to make long-term, low-interest loans to small businesses, nonprofits, and households that are victims of hurricanes, earthquakes, other physical disasters, and acts of terrorism; and to serve as an advocate for small business within the federal government.

The SBA's total budget for FY2007 increased to \$572 million from FY2006's \$456 million. The increase of \$116 million was to fund the disaster loan program. In addition, \$13.4 million of unobligated balances from previous years was rescinded.

Lending authority would stay the same for all loan programs.

State Justice Institute (SJI)⁴⁶

The State Justice Institute (SJI) is a private, nonprofit corporation that makes grants to state courts and funds research, technical assistance, and informational projects aimed at improving the quality of judicial administration in state courts across the United States. Under the terms of its enabling legislation, SJI is authorized to present its budget request directly to Congress, apart from the President's budget.

With enactment of P.L. 110-5, Congress determined that SJI would receive the same appropriation amount for FY2007, \$3.46 million, as it received for FY2006.⁴⁷

⁴⁵ This section was written by Eric Weiss, Analyst in Financial Institutions, Government and Finance Division.

⁴⁶ This section was written by D. Steven Rutkus, Specialist in American National Government, Government and Finance Division.

⁴⁷ The Science, State, Justice, Commerce appropriations act for FY2006 (P.L. 109-108) (continued...)

SJI had requested an appropriation of \$4.5 million for FY2007, a 30.2% increase. By contrast, the Bush Administration, as in its budgets for the previous four years, proposed the complete elimination of federal funding for the institute in FY2007. In its passage, on June 29, 2006, of H.R. 5672, the SSJC appropriations bill for FY2007, the House (following the recommendation of its Appropriations Committee) provided \$2 million for SJI, \$1.46 million less than the FY2006 funding amount. In its amended version of H.R. 5672, reported on July 13, 2006, the Senate Appropriations Committee recommended, as SJI had requested, \$4.5 million, \$1.05 million above FY2006 funding.

For the five fiscal years prior to FY2007, appropriations conferees in Congress had encouraged SJI to obtain funds, at least in part, from sources other than Congress. In response to a directive from House-Senate conferees for the FY2006 appropriations act, SJI, in its FY2007 request, noted that it has adopted a 50% “cash match requirement” from its grantees.⁴⁸ Also in its request, the institute stated that it continues to pursue grant-making partnerships with the Department of Justice’s Office of Justice Programs (OJP), the Legal Services Corporation (LSC), and other public and private entities, looking to “pool its resources with OJP, LSC, and others to fund innovations in areas of mutual concern.”

In the FY2006 appropriations process, the House Appropriations Committee endorsed an approach of providing some directly appropriated funds to SJI, but with the institute as well seeking additional funding from Department of Justice grant programs. The House committee (in H.Rept. 109-118, p.154) stated that it understood that SJI had “been unable to generate stable sources of non-Federal funding” and that the SJI had contacted bar associations and court organizations as possible alternative sources of funding. However, the committee noted, these groups were “not inclined to contribute to operations of the SJI beyond providing matching grant funds for individual projects.” For this reason, the committee said, it continued to recommend funding for SJI even though the President’s FY2006 request did not. The committee commended SJI for beginning to work with OJP on issues involving state courts and encouraged SJI to continue seeking funds from OJP grant programs.

The \$3.5 million approved by Congress for SJI in FY2006 marked the second fiscal year in a row in which funding for the institute had been increased — following a number of years during which appropriators in Congress considered whether to provide any funding for SJI.⁴⁹

⁴⁷ (...continued)

provided \$3.5 million for SJI, which a .28% general rescission in Title VI reduced to \$3.49 million. The funding amount was further reduced to \$3.46 million by a 1.0% across-the-board rescission provided for in the FY2006 Department of Defense Appropriations act (P.L. 109-148, at 119 Stat. 2791).

⁴⁸ Conferees for the FY2006 appropriations act (in H.Rept. 109-272, p. 206) had stated that they expected that “successful applicants for new and continuing SJI grants will provide a cash match of not less than 50 percent of the total cost of the project.”

⁴⁹ For FY1999, 2000, and 2001, SJI received an annual appropriation of \$6.85 million, after which the level of funding dropped significantly — to \$3.0 million in both FY2002 and (continued...)

For FY2007, the House Appropriations Committee recommended \$2 million for SJI in FY2007, \$1.46 million less than the institute's FY2006 appropriation. The committee, in its report on the SSJC appropriation bill for FY2007, commended SJI for "continuing to work with the Office of Justice Program (OJP) on issues involving State courts," and it encouraged SJI "to continue to seek funding from OJP grant programs." The committee also "applauded" SJI for "recent successes in obtaining dollar-for-dollar matching funds for grants awarded," adding that it expected "this goal to remain in place during fiscal year 2007."⁵⁰ For its part, the Senate Appropriations Committee recommended \$4.5 million for SJI in FY2007, \$1.05 million above the level enacted for FY2006. In its report, the committee's discussion of recommended funding for SJI simply noted that the institute had been created in 1984 to further the development and adoption of improved judicial administration in state courts.⁵¹

After the House passed (but prior to Senate passage of) the FY2007 continuing appropriations resolution, SJI's newsletter characterized the \$3.46 million approved by the House for FY2007 as a "'hard freeze' at our fiscal year (FY) 2006 funding level." It commented that although "the 'glass is half empty' crowd might lament that figure, we are very comfortable with it," adding. "We are grateful to Congress for their continued support and look forward to continuing to meet their high expectations of us."⁵²

U.S. Commission on Civil Rights⁵³

The U.S. Commission on Civil Rights (Commission), established by the Civil Rights Act of 1957, investigates allegations of citizens that they were denied the right to vote based on color, race, religion, or national origin; studies and gathers information on legal developments constituting a denial of the equal protection of the laws; assesses federal laws and policies in the area of civil rights; and submits reports on its findings to the President and Congress when the Commission or the President deems it appropriate.

For FY2007, the Revised Continuing Appropriations Resolution provided \$8.9 million for the Commission compared with President Bush's request of \$9.31 million

⁴⁹ (...continued)

FY2003 and to \$2.2 million in FY2004. In FY2005, the downward trend was reversed, with \$2.6 million approved for the institute.

⁵⁰ U.S. Congress, House Committee on Appropriations, *Science, State, Justice, Commerce, and Related Agencies Appropriations Bill, Fiscal Year 2007*, report to accompany H.R. 5672, 109th Congress, 2nd sess., H.Rept. 109-520 (Washington: GPO, 2006), p. 142.

⁵¹ U.S. Congress, Senate Committee on Appropriations, *Departments of Commerce and Justice, Science, and Related Agencies Appropriations Bill, 2007*, report to accompany H.R. 5672, 109th Congress, 2nd sess., S.Rept. 109-280 (Washington: GPO, 2006), p. 144.

⁵² "SJI Weathers Budget Storm," *SJI News*, vol.17, February 2007, p. 1, available online at [<http://www.statejustice.org/pdf/SJI%20E-News-February%202007.pdf>].

⁵³ This section was written by Garrine P. Laney, Analyst in Social Legislation, Domestic Social Policy Division.

for the agency. FY2006 funding for the Commission was \$8.9 million (including rescissions).

U.S. Commission on International Religious Freedom⁵⁴

The Commission on International Religious Freedom was created by the International Religious Freedom Act of 1998 (P.L. 105-292) as a federal government commission to monitor religious freedom abroad and to advise the President, the Secretary of State, and Congress on promoting religious freedom and combating intolerance in other countries. For FY2007, the Administration requested \$3 million, a 6.3% decline from the estimated FY2006 appropriation of \$3.2 million, after rescissions. The House-passed bill and the Senate Appropriations Committee agreed with the \$3 million funding level for FY2007. The final enacted funding for FY2007 was \$3.0 million for the Commission on International Religious Freedom.

For FY2006, the Administration requested \$3.0 million for the commission (the same as the FY2005 request). Sec. 808 of S. 600, the Foreign Relations Authorizations for FY2006 and 2007, as introduced, included \$3.0 million for the commission for FY2006 and such sums as may be necessary for FY2007. The House measure, H.R. 2601, as agreed to by the House Committee on International Relations, authorized \$3.3 million for each of fiscal years 2006 through 2011. H.R. 2862, as passed by the House, appropriated \$3.2 million for the commission for FY2006. In its report (H.Rept. 109-118), the Appropriations Committee urged the commission and the State Department to continue to work on developing an Index on Religious Freedom. The Senate recommended \$1 million for this account in FY2006.

U.S. Institute of Peace⁵⁵

The U.S. Institute of Peace (USIP) was established in 1984 by the U.S. Institute of Peace Act, Title XVII of the Defense Authorization Act of 1985 (P.L. 98-525). USIP's mission is to promote international peace through activities such as educational programs, conferences and workshops, professional training, applied research, and dialogue facilitation in the United States and abroad. Prior to the FY2005 budget, USIP funding came from the Labor, HHS appropriation. In the FY2005 budget process, it was transferred to the Commerce, Justice, State and related agencies appropriation primarily for relevancy reasons.

For the FY2007 request, the Administration request was \$26.98 million, up nearly \$5 million from the FY2006 estimated level of \$22.07 million, after rescissions. The House-passed bill (H.R. 5672) provided the requested amount, while the Senate Appropriations Committee recommended \$22.1 million in H.R. 5522. The Senate committee noted that USIP received \$5 million for programs and activities on Iraq and Afghanistan in the FY2006 Emergency Supplemental

⁵⁴ This section was written by Vita Bite, Specialist in International Relations, Foreign Affairs, Defense, and Trade Division.

⁵⁵ This section was written by Susan B. Epstein, Specialist in Foreign Affairs and Trade, Foreign Affairs, Defense, and Trade Division.

Appropriation (P.L. 109-234). The final enacted funding for FY2007 was \$22.1 million for USIP.

Related Legislation

H.R. 6101 (Cannon)

Legal Services Corporation Improvement Act. Amends the Legal Services Corporation Act to give the Board of Directors of the Legal Services Corporation (LSC) the power to appoint and remove an LSC Inspector General in accordance with the Inspector General Act of 1978. Allows the Inspector General to be removed at any time upon the written concurrence of at least nine members of the eleven-member Board. Introduced and referred to the House Committee on the Judiciary on September 19, 2006. The House Judiciary Subcommittee on Commercial and Administrative Law held a hearing on H.R. 6101 on September 26, 2006.

H.R. 230 (Sweeney)

Amends the Small Business Act to direct the Administrator of the Small Business Administration to establish a program to provide regulatory compliance assistance to small business concerns, and for other purposes. Reported by Small Business Committee (H.Rept. 109-208).

H.R. 527 (Brady)/S. 139 (Kerry)

Vocational and Technical Entrepreneurship Development Act of 2005. Amends the Small Business Act to direct the Administrator of the Small Business Administration to establish a program under which the Administrator shall make grants to, or enter into cooperative agreements with, state small business development centers to provide, on a statewide basis, technical assistance to secondary schools, or to post-secondary vocational or technical schools, for the development and implementation of curricula designed to promote vocational and technical entrepreneurship. H.R. 527 reported by the Small Business Committee on July 28, 2005 (H.Rept. 108-207).

H.R. 2982 (Wynn)

To require the Federal Communications Commission to reorganize the bureaus of the Commission in order to better carry out their regulatory functions. Introduced and referred to House Committee on Energy and Commerce on June 17, 2005.

Related CRS Products

CRS Report RL32589, *The Federal Communications Commission: Current Structure and its Role in the Changing Telecommunications Landscape*, by Patricia Moloney Figliola.

CRS Report 95-178, *Legal Services Corporation: Basic Facts and Current Status*, by Carmen Solomon-Fears.

CRS Report RS20204, *Securities Fees and SEC Pay Parity*, by Mark Jickling.

CRS Report RL33243, *Small Business Administration: A Primer on Programs*, by N. Eric Weiss.

Table 10. Funding for SSJC/CJS Related Agencies
(\$ millions in budget authority)

Bureau or Agency	FY2006 Enacted	FY2007 Request	House	Senate	FY2007 Enacted
U.S. Commission on Civil Rights	\$8.9	\$9.3	\$8.9	(\$9.0)	\$8.9
U.S. Commission on International Religious Freedom ^a	(3.2)	(3.0)	(3.0)	(3.0)	(3.0)
Equal Employment Opportunity Commission (EEOC)	327.0	322.8	322.8	327.0	327.0
Federal Communications Commission (FCC) ^b	1.0	1.0	1.0	0.0	1.0
Federal Trade Commission	71.1	76.0	61.1	76.0	76.0
Legal Services Corporation	326.6	310.9	338.9	358.5	348.6
Securities and Exchange Commission ^c	863.1	880.5	880.5	890.8	892.6
Small Business Administration ^d	1,608.6	639.0	672.8	646.0	572.0
State Justice Institute	3.5	0.0	2.0	4.5	3.5
U.S. Institute of Peace ^a	(22.1)	(27.0)	(27.0)	(22.1)	(22.1)
Other	5.4	13.0	2.5	3.7	3.7
Total Title V	\$3,215.2	\$2,252.5	\$2,290.5	\$2,315.5	\$2,233.3

Source: House Appropriations Committee.

*These funds are in H.R. 5522, State Department/Foreign Operations and Related Agencies Appropriations, FY2007 and are not included in the totals.

a. Senate funding for these agencies was through the State/Foreign Operations Appropriations bill.

b. The FCC is primarily funded by offsetting fee collections.

c. The SEC is fully funded by transaction fees and securities registration fees.

d. In addition, there were disaster loan appropriations of \$446 million in FY2006 and \$199.9 million proposed for FY2007.

e. Under the terms of its enabling legislation, the State Justice Institute (SJI) is authorized to present its budget request directly to Congress. Although the President's FY2007 budget proposed nothing for SJI, the Institute requested \$4.5 million for itself.

Table 11. SSJC/CJS Appropriations by Department, FY2007
(\$ millions in budget authority)

Bureau or Agency	FY2006 Estimate	FY2007 Request	House	Senate Cmte.	FY2007 enacted
Title I: Department of Justice					
General Administration	\$1,786.9	\$2,078.8	\$1,942.1	\$1,859.9	\$1,834.0
U.S. Parole Commission	10.9	11.9	11.5	11.5	11.4
Legal Activities	3,298.1	3,405.8	3,452.8	3,384.8	3,335.4
Interagency Law Enforcement	483.2	706.1	498.5	388.0	494.8
Federal Bureau of Investigation	5,823.4	6,040.0	6,043.4	5,974.9	6,013.6
Drug Enforcement Administration	1,689.1	1,736.5	1,751.5	1,723.7	1,737.4
Alcohol, Tobacco and Firearms	935.8	860.1	950.1	985.0	979.2
Federal Prison System	4,933.4	5,106.6	5,078.5	5,303.6	5,406.6
Office of Justice Programs	2,371.7	1,201.0	2,376.2	1,933.8	2,413.4
Violence Against Women Office	381.6	347.0	418.3	390.0	382.5
Other		0.2		0.1	195.7
Title I Total:	21,714.1	21,494.0	22,455.8	21,955.3	22,804.0
Title II: Department of Commerce and Related Agencies					
International Trade Administration	393.8	408.8	416.8	413.8	394.0
Bureau of Industry and Security	75.0	78.6	76.8	78.6	75.0
Economic Development Administration	280.4	327.2	260.4	280.4	280.0
Minority Business Development Agency	29.6	29.6	29.6	29.6	30.0
Economic and Statistical Analysis	79.2	80.5	79.9	80.5	79.0
Bureau of the Census	801.9	878.2	825.9	828.2	893.0
National Telecommunications and Information Administration	39.6	17.8	17.8	39.8	40.0
Patent and Trademark Office ^a	(1,683.1)	(1,771.0)	(1,771.0)	(1,771.0)	(1,771.0)
Technology Administration	5.9	1.5	2.0	2.5	2.0
National Institute of Standards and Technology	752.0	581.3	627.0	764.0	675.0
National Oceanic and Atmospheric Administration	4,100.0	3,678.1	3,376.9	4,431.3	3,976.0
Departmental Management	73.3	98.5	52.6	74.6	69.0
Other	—	—	—	—	4.0
<i>Department of Commerce Subtotal:</i>	<i>6,630.9</i>	<i>6,180.1</i>	<i>5,765.7</i>	<i>7,023.3</i>	<i>6,517.0</i>
U.S. Trade Representative	44.2	42.2	46.2	42.2	44.0
International Trade Commission	62.0	64.2	62.6	64.2	62.0
<i>Related Agencies Subtotal:</i>	<i>106.8</i>	<i>106.4</i>	<i>108.8</i>	<i>106.4</i>	<i>106.0</i>
Title II Total:	6,737.1	6,286.5	5,874.5	7,129.7	6,623.0

Bureau or Agency	FY2006 Estimate	FY2007 Request	House	Senate Cmte.	FY2007 enacted
Title III: Science					
NASA	16,631.4	16,792.2	16,709.0	17,797.2	16,247.0
National Science Foundation	5,581.2	6,020.2	6,020.0	5,991.7	5,917.2
Exec Office of the President	5.5	5.4	5.4	5.4	6.0
Title III Total:	22,218.1	22,817.8	22,734.4	23,794.3	22,170.2
Title IV: Department of State					
Administration of Foreign Affairs	6,566.8	6,931.0	6,656.5	6,584.5 ^c	6,501.9
International Organizations and Conferences	2,173.6	2,403.9	2,257.6	2,286.6 ^c	2,286.6
International Commissions	66.5	63.9	67.9	67.4 ^c	67.0
Related Appropriations	113.6	103.6	68.1	43.5 ^c	108.6
<i>Subtotal: State Department^b</i>	<i>8,920.5</i>	<i>9,502.4</i>	<i>9,050.1</i>	<i>8,982.0^c</i>	<i>8,964.1</i>
International Broadcasting	644.0	671.9	653.9	661.2 ^c	644.0
Title IV Total	9,572.4	10,174.3	9,704.0	9,643.2^c	9,608.1
Title V: Related Agencies					
Commission on Civil Rights	8.9	9.3	8.9	9.0	8.9
U.S. Commission on International Religious Freedom ^c	(3.2)	(3.0)	(3.0)	(3.0)	(3.0)
Equal Employment Opportunity Commission (EEOC)	327.0	322.8	322.8	327.0	327.0
Federal Communications Commission (FCC) ^d	1.0	1.0	1.0	—	1.0
Federal Trade Commission	71.1	76.0	61.1	76.0	76.0
Legal Services Corporation	326.6	310.9	338.9	358.5	348.6
Securities and Exchange Commission ^e	863.1	890.8	880.5	890.8	892.6
Small Business Administration ^f	1,608.6	639.0	672.8	646.0	572.0
State Justice Institute	3.5	0.0 ^g	2.0	4.5	3.5
U.S. Institute of Peace ^c	(22.1)	(27.0)	(27.0)	(22.0)	(22.1)
Other ^h	5.4	13.0	2.5	3.7	3.7
Total Title V	3,215.2	2,252.5	2,290.5	2,315.5	2,233.3
Title VII: Rescissions					
Total Title VII Rescissions	(403.9)	(607.4)	(518.0)	(524.8)	(112.0)
Grand Total (in Senate Bill)ⁱ	\$53,480.6	\$52,243.2	n.a.	\$54,670.0	\$53,634.8
Grand Total (in House Bill)ⁱ	\$63,070.4	\$62,447.5	\$62,571.0	n.a.	\$63,242.9

Source: House Appropriations Committee.

n.a.= not applicable

a. The Patent and Trademark Office (PTO) is fully funded by user fees. The fees collected, but not obligated *during* the current year, are available for obligation in the following fiscal year and *do*

not count toward the appropriation totals. Only newly appropriated funds count toward the annual appropriation totals.

- b. In addition to appropriations, State has authority to spend certain collected fees from machine readable visas, expedited export fees, etc. The amount for such fees for the FY2005 appropriation was \$668.1 million; the FY2006 was \$772.8 million, and the FY2007 estimate was \$747.6 million in fee collections.
- c. Senate funding for these agencies was through the State/Foreign Operations Appropriations bill.
- d. The FCC is primarily funded by fee collections.
- e. The SEC is fully funded by transaction fees and securities registration fees.
- f. In addition, there were disaster loan appropriations of \$1,042.2 million in FY2005, \$446 million in FY2006, and \$199.9 million proposed in FY2007.
- g. Under the terms of its enabling legislation, the State Justice Institute (SJI) was authorized to present its budget request directly to Congress. Although the President's FY2007 budget proposed nothing for SJI, the Institute requested \$4.5 million for itself.
- h. "Other" includes agencies receiving appropriations of \$3.0 million or less in FY2005. These agencies include the Commission for the Preservation of American Heritage Abroad; the Commission on Security and Cooperation in Europe; the Antitrust Modernization Commission; the Marine Mammal Commission; the Congressional/Executive Commission on China; the National Veterans Business Development Corp; the U.S.-China Economic and Security Review Commission; the U.S. Senate-China Interparliamentary Group, and the HELP Commission — all of which are funded by the House SSJC bill. Of these, only the Antitrust Modernization Commission, the National Veterans Business Development Corp, and the Marine Mammal Commission are funded through the Senate CJS bill and reflected in the Senate total. The others are funded by the State/Foreign Operations Appropriations bill.
- i. Totals differ between House and Senate, because the Senate bill does not include the Department of State, International broadcasting, the Commission on International Religious Freedom, and the U.S. Institute of Peace. Totals may not add up due to rounding.