

DEPARTMENT OF COMMERCE

DEPARTMENTAL MANAGEMENT

Federal Funds

General and special funds:

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed \$5,000 for official entertainment, **[\$47,289,000: Provided, That not to exceed 12 full-time equivalents and \$1,621,000 shall be expended for the legislative affairs function of the Department] \$56,021,000. (Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)**

Program and Financing (in millions of dollars)

Identification code 13-0120-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Direct program:			
00.01 Executive direction	18	18	14
00.02 Departmental staff services	31	33	42
09.01 Reimbursable program	119	211	212
10.00 Total new obligations	168	262	268
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	6	5	.....
22.00 New budget authority (gross)	168	257	268
23.90 Total budgetary resources available for obligation	174	262	268
23.95 Total new obligations	-168	-262	-268
23.98 Unobligated balance expiring or withdrawn	-1	.....	.....
24.40 Unobligated balance carried forward, end of year	5	.....	.....
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	45	47	56
42.00 Transferred from other accounts	4	.....	.....
43.00 Appropriation (total discretionary)	49	47	56
Spending authority from offsetting collections:			
Discretionary:			
68.00 Offsetting collections (cash)	113	210	212
68.10 Change in uncollected customer payments from Federal sources (unexpired)	6	.....	.....
68.90 Spending authority from offsetting collections (total discretionary)	119	210	212
70.00 Total new budget authority (gross)	168	257	268
Change in obligated balances:			
72.40 Obligated balance, start of year	51	52	6
73.10 Total new obligations	168	262	268
73.20 Total outlays (gross)	-163	-308	-268
73.40 Adjustments in expired accounts (net)	-2	.....	.....
74.00 Change in uncollected customer payments from Federal sources (unexpired)	-6	.....	.....
74.10 Change in uncollected customer payments from Federal sources (expired)	5	.....	.....
74.40 Obligated balance, end of year	52	6	7
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	115	252	261
86.93 Outlays from discretionary balances	48	56	7
87.00 Total outlays (gross)	163	308	268
Offsets:			
Against gross budget authority and outlays:			
88.00 Federal sources	-117	-210	-212
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	-6	.....	.....
88.96 Portion of offsetting collections (cash) credited to expired accounts	4	.....	.....

Net budget authority and outlays:			
89.00	Budget authority	49	47
90.00	Outlays	46	98

Executive direction.—Provides for the formulation of Department of Commerce policy on National and Governmental issues affecting programs and functions assigned to the Department.

Departmental staff services.—Provides for the formulation of internal Departmental policy establishing the framework for Departmental operations.

Performance measures.—Departmental Management performs Departmental planning, establishes Departmental policies, and provides administrative guidance and performance oversight to accomplish the Department's mission.

Several indicators are used to measure performance in human resources management, financial management, facility management and acquisition management, as represented by the following:

	2003 actual	2004 est.	2005 est.
Clean audit opinion obtained on Commerce consolidated financial statements	yes	yes	yes
Capital information technology security program maturity (on a score of 0-5)			
@ 3 or higher	79%	85%	88%
@ 4 or higher	7%	33%	40%

Reimbursable program.—Provides a centralized collection source for special tasks or costs and their billing to users. The reimbursable program includes Commerce Information Technology Solutions (COMMITTS), an information technology Government-wide Acquisition Contract set-aside exclusively for small, small disadvantaged, 8(a) and women-owned small businesses.

Object Classification (in millions of dollars)

Identification code 13-0120-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
11.1 Full-time permanent	18	19	19
12.1 Civilian personnel benefits	4	4	4
21.0 Travel and transportation of persons	1	.....	.....
23.1 Rental payments to GSA	3	4	4
23.3 Communications, utilities, and miscellaneous charges	1	1	1
25.2 Other services	12	17	18
25.3 Other purchases of goods and services from Government accounts	8	5	9
26.0 Supplies and materials	1	.....	.....
31.0 Equipment	1	1	1
99.0 Direct obligations	49	51	56
99.0 Reimbursable obligations	119	211	212
99.9 Total new obligations	168	262	268

Personnel Summary (in millions of dollars)

Identification code 13-0120-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	186	223	224
Reimbursable:			
2001 Civilian full-time equivalent employment	56	74	74

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), **[\$21,116,000] \$22,249,000. (5 U.S.C. App. 1-11, as**

General and special funds—Continued

OFFICE OF THE INSPECTOR GENERAL—Continued

amended by Public Law 100-504; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-0126-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct Program Activity	21	21	22
09.01 Reimbursable program	1	3	
10.00 Total new obligations	22	24	22
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	22	24	22
23.95 Total new obligations	-22	-24	-22
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	21	21	22
Discretionary:			
68.00 Offsetting collections (cash)	1	3	
70.00 Total new budget authority (gross)	22	24	22
Change in obligated balances:			
72.40 Obligated balance, start of year	3	2	3
73.10 Total new obligations	22	24	22
73.20 Total outlays (gross)	-22	-23	-22
74.40 Obligated balance, end of year	2	3	2
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	19	22	19
86.93 Outlays from discretionary balances	3	1	3
87.00 Total outlays (gross)	22	23	22
Offsets:			
Against gross budget authority and outlays:			
88.00 Federal sources	-1	-3	
Net budget authority and outlays:			
89.00 Budget authority	21	21	22
90.00 Outlays	21	20	22

The Office of Inspector General's (OIG) mission is to promote economy, efficiency and effectiveness and to detect and prevent waste, fraud, abuse and mismanagement in the programs and operations of the Department of Commerce. OIG's work is conducted primarily through audits, inspections, and investigations. The audit function provides for both internal and contract audits: internal audits review and evaluate all facets of agency operations; contract audits provide professional advice to agency contracting officials on accounting and financial matters related to negotiation, award, administration, repricing and settlement of contracts. Inspections provide detailed technical evaluations of agency operations. Investigations provide for the detection and scrutiny of improper and illegal activities involving Commerce programs, personnel and operations.

The OIG concentrates on programs and operations that have the greatest potential for inadvertent or deliberate fraud and recovery of funds, while at the same time precluding unnecessary outlays and improving management agency-wide. Performance measures indicate the quality of audits, inspections, and investigations conducted within the reporting period, as well as the dollar value of financial benefits identified by the OIG.

Object Classification (in millions of dollars)

Identification code 13-0126-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
11.1 Full-time permanent	13	13	15
12.1 Civilian personnel benefits	3	3	3

23.1 Rental payments to GSA	2	1	1
25.2 Other services	3	3	2
25.3 Other purchases of goods and services from Government accounts	1	1	1
99.0 Direct obligations	22	21	22
99.0 Reimbursable obligations		3	
99.9 Total new obligations	22	24	22

Personnel Summary (in millions of dollars)

Identification code 13-0126-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	137	140	147

UNDISTRIBUTED DOC REDUCTIONS

Program and Financing (in millions of dollars)

Identification code 13-7500-0-1-376	2003 actual	2004 est.	2005 est.
Budgetary resources available for obligation:			
22.00 New budget authority (gross)		-18	
New budget authority (gross), detail:			
Discretionary:			
40.36 Unobligated balance permanently reduced		-18	
Net budget authority and outlays:			
89.00 Budget authority		-18	
90.00 Outlays			

The 2004 Omnibus Appropriations Act, H.R. 2673, directs the Secretary of Commerce to identify \$100 million of unobligated prior-year funding for rescission within 30 days of enactment of the bill. Estimated amounts of this rescission are shown in other Commerce accounts; an unallocated portion of this amount is provided in an allowance account. Final determination of the sources of the rescission will be made once the bill is enacted.

Intragovernmental funds:

WORKING CAPITAL FUND

Program and Financing (in millions of dollars)

Identification code 13-4511-0-4-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
09.01 Departmental staff services	91	100	103
09.02 General Counsel	27	31	33
09.03 Public affairs	2	2	2
09.99 Total reimbursable program	120	133	138
10.00 Total new obligations	120	133	138
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	5	3	
22.00 New budget authority (gross)	118	130	138
23.90 Total budgetary resources available for obligation	123	133	138
23.95 Total new obligations	-120	-133	-138
24.40 Unobligated balance carried forward, end of year	3		
New budget authority (gross), detail:			
Mandatory:			
69.00 Offsetting collections (cash)	118	130	138
Change in obligated balances:			
72.40 Obligated balance, start of year	14	21	
73.10 Total new obligations	120	133	138
73.20 Total outlays (gross)	-113	-154	-138
74.40 Obligated balance, end of year	21		
Outlays (gross), detail:			
86.97 Outlays from new mandatory authority	99	130	138

86.98	Outlays from mandatory balances	14	24	
87.00	Total outlays (gross)	113	154	138
Offsets:				
Against gross budget authority and outlays:				
88.00	Federal sources	-118	-130	-138
Net budget authority and outlays:				
89.00	Budget authority			
90.00	Outlays	-5	24	

This fund finances, on a reimbursable basis, Department-wide administrative functions that are more efficiently and economically performed on a centralized basis.

Object Classification (in millions of dollars)

Identification code 13-4511-0-4-376	2003 actual	2004 est.	2005 est.	
Reimbursable obligations:				
11.1	Full-time permanent	47	52	54
12.1	Civilian personnel benefits	11	12	13
21.0	Travel and transportation of persons	1	1	1
23.1	Rental payments to GSA	7	7	7
23.3	Communications, utilities, and miscellaneous charges	3	4	4
25.2	Other services	30	40	41
25.3	Other purchases of goods and services from Government accounts	13	13	14
26.0	Supplies and materials	2	2	2
31.0	Equipment	6	2	2
99.9	Total new obligations	120	133	138

Personnel Summary (in millions of dollars)

Identification code 13-4511-0-4-376	2003 actual	2004 est.	2005 est.	
Reimbursable:				
2001	Civilian full-time equivalent employment	601	682	685

FRANCHISE FUND

Program and Financing (in millions of dollars)

Identification code 13-4564-0-4-376	2003 actual	2004 est.	2005 est.	
Obligations by program activity:				
09.01	Reimbursable program	6	12	10
10.00	Total new obligations	6	12	10
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	1	2	
22.00	New budget authority (gross)	7	10	10
23.90	Total budgetary resources available for obligation	8	12	10
23.95	Total new obligations	-6	-12	-10
24.40	Unobligated balance carried forward, end of year	2		
New budget authority (gross), detail:				
Mandatory:				
69.00	Offsetting collections (cash)	7	10	10
Change in obligated balances:				
72.40	Obligated balance, start of year	1	1	
73.10	Total new obligations	6	12	10
73.20	Total outlays (gross)	-5	-13	-10
74.40	Obligated balance, end of year	1		
Outlays (gross), detail:				
86.97	Outlays from new mandatory authority	4	10	10
86.98	Outlays from mandatory balances	1	3	
87.00	Total outlays (gross)	5	13	10
Offsets:				
Against gross budget authority and outlays:				
88.00	Federal sources	-7	-10	-10
Net budget authority and outlays:				
89.00	Budget authority			

90.00	Outlays	-2	3	
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This fund finances computer services and other administrative support services on a fully competitive and cost reimbursable basis to Federal customers.

Object Classification (in millions of dollars)

Identification code 13-4564-0-4-376	2003 actual	2004 est.	2005 est.	
Reimbursable obligations:				
11.1	Full-time permanent	2	2	2
23.3	Communications, utilities, and miscellaneous charges	1	2	2
25.2	Other services	3	8	6
99.9	Total new obligations	6	12	10

Personnel Summary (in millions of dollars)

Identification code 13-4564-0-4-376	2003 actual	2004 est.	2005 est.	
Reimbursable:				
2001	Civilian full-time equivalent employment	23	25	25

Credit accounts:

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-0121-0-1-376	2003 actual	2004 est.	2005 est.	
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	2		
22.00	New budget authority (gross)	-1		
23.90	Total budgetary resources available for obligation	1		
New budget authority (gross), detail:				
Discretionary:				
40.36	Unobligated balance permanently reduced	-1		
Change in obligated balances:				
73.20	Total outlays (gross)		-1	
Outlays (gross), detail:				
86.93	Outlays from discretionary balances		1	
Net budget authority and outlays:				
89.00	Budget authority	-1		
90.00	Outlays		1	

Summary of Loan Levels, Subsidy Budget Authority and Outlays by Program (in millions of dollars)

Identification code 13-0121-0-1-376	2003 actual	2004 est.	2005 est.	
Guaranteed loan levels supportable by subsidy budget authority:				
215001	Emergency Oil & Gas Loan Guarantee Program			
215901	Total loan guarantee levels			
Guaranteed loan subsidy (in percent):				
232001	Emergency Oil & Gas Loan Guarantee Program	0.00	0.00	
232901	Weighted average subsidy rate	0.00	0.00	
Guaranteed loan subsidy budget authority:				
233001	Emergency Oil & Gas Loan Guarantee Program			
233901	Total subsidy budget authority			
Guaranteed loan subsidy outlays:				
234001	Emergency Oil & Gas Loan Guarantee Program			
234901	Total subsidy outlays			
Administrative expense data:				
351001	Budget authority			
358001	Outlays from balances		1	
359001	Outlays from new authority			

As required by the Federal Credit Reform Act of 1990, this account records the administrative expenses for this pro-

Credit accounts—Continued

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM ACCOUNT—
Continued

gram, as well as the subsidy costs associated with the loan guarantees committed in 1992 and thereafter, if any. The subsidy amounts are estimated on a present value basis; the administrative expenses are estimated on a cash basis.

Consistent with the Administration's efforts to reduce corporate subsidies, Congress rescinded \$115 million in 2001 and \$5.2 million in 2002 as the economic outlook for the oil and gas industry dramatically improved since the program's inception. In light of the greatly reduced demand for oil and gas guarantees, \$0.9 million was rescinded in 2003. The authority to guarantee new loans expired on December 31, 2001.

EMERGENCY OIL AND GAS GUARANTEED LOAN FINANCING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4327-0-3-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Default		1	
10.00 Total new obligations		1	
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	2	1	
23.95 Total new obligations		-1	
24.40 Unobligated balance carried forward, end of year	1		
Change in obligated balances:			
73.10 Total new obligations		1	
73.20 Total financing disbursements (gross)		-1	
87.00 Total financing disbursements (gross)		1	
Net budget authority and outlays:			
89.00 Financing authority			
90.00 Financing disbursements		1	

Status of Guaranteed Loans (in millions of dollars)

Identification code 13-4327-0-3-376	2003 actual	2004 est.	2005 est.
Position with respect to appropriations act limitation on commitments:			
2111 Limitation on guaranteed loans made by private lenders			
2121 Limitation available from carry-forward	495		
2142 Uncommitted loan guarantee limitation	-495		
2143 Uncommitted limitation carried forward			
2150 Total guaranteed loan commitments			
2199 Guaranteed amount of guaranteed loan commitments			
Cumulative balance of guaranteed loans outstanding:			
2210 Outstanding, start of year	5	2	1
2231 Disbursements of new guaranteed loans			
2251 Repayments and prepayments	-3		-1
2262 Terminations for default that result in acquisition of property		-1	
2290 Outstanding, end of year	2	1	
Memorandum:			
2299 Guaranteed amount of guaranteed loans outstanding, end of year	2	1	

As required by the Federal Credit Reform Act of 1990, this non-budgetary account records all cash flows to and from the Government resulting from guaranteed loans obligated in 1992 and thereafter (including modifications of guaranteed loans that resulted from obligations in any year). The amounts in this account are a means of financing and are not included in the budget totals.

Balance Sheet (in millions of dollars)

Identification code 13-4327-0-3-376	2002 actual	2003 actual	2004 est.	2005 est.
ASSETS:				
1101 Fund balances with Treasury	2	2		
1999 Total assets	2	2		
LIABILITIES:				
2204 Liabilities for loan guarantees	2	2		
2999 Total liabilities	2	2		
4999 Total liabilities and net position	2	2		

Note: Consistent with Government-wide practice, information for 2004 and 2005 was not required to be collected.

EMERGENCY STEEL GUARANTEED LOAN PROGRAM ACCOUNT
(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, \$35,000,000 are cancelled.

Program and Financing (in millions of dollars)

Identification code 13-0122-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.02 Guaranteed loan subsidy	69		
00.07 Upward reestimate for loan guarantee	51		
00.08 Interest on upward reestimate	3		
00.09 Administrative expenses	1		
10.00 Total new obligations	124		
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	123	53	53
22.00 New budget authority (gross)	54		-35
23.90 Total budgetary resources available for obligation	177	53	18
23.95 Total new obligations	-124		
24.40 Unobligated balance carried forward, end of year	53	53	18
New budget authority (gross), detail:			
Discretionary:			
40.36 Unobligated balance permanently reduced			-35
Mandatory:			
60.00 Appropriation	54		
70.00 Total new budget authority (gross)	54		-35
Change in obligated balances:			
72.40 Obligated balance, start of year	1	1	
73.10 Total new obligations	124		
73.20 Total outlays (gross)	-123	-1	
74.40 Obligated balance, end of year	1		
Outlays (gross), detail:			
86.93 Outlays from discretionary balances	69	1	
86.97 Outlays from new mandatory authority	54		
87.00 Total outlays (gross)	123	1	
Net budget authority and outlays:			
89.00 Budget authority	54		-35
90.00 Outlays	123	1	

Summary of Loan Levels, Subsidy Budget Authority and Outlays by Program (in millions of dollars)

Identification code 13-0122-0-1-376	2003 actual	2004 est.	2005 est.
Guaranteed loan levels supportable by subsidy budget authority:			
215001 Emergency Steel Loan Guarantee Program	250		
215901 Total loan guarantee levels	250		
Guaranteed loan subsidy (in percent):			
232001 Emergency Steel Loan Guarantee Program	27.69	0.00	0.00
232901 Weighted average subsidy rate	27.69	0.00	0.00
Guaranteed loan subsidy budget authority:			
233001 Emergency Steel Loan Guarantee Program	69		
233901 Total subsidy budget authority	69		

Guaranteed loan subsidy outlays:			
234001	Emergency Steel Loan Guarantee Program	69	
234901	Total subsidy outlays	69	
Guaranteed loan upward reestimate subsidy budget authority:			
235001	Emergency Steel Loan Guarantee Program	54	
235901	Total upward reestimate budget authority	54	
Guaranteed loan downward reestimate subsidy budget authority:			
237001	Emergency Steel Loan Guarantee Program	-1	
237901	Total downward reestimate subsidy budget authority	-1	
Administrative expense data:			
351001	Budget authority		
358001	Outlays from balances	1	
359001	Outlays from new authority		

As required by the Federal Credit Reform Act of 1990, this account records the administrative expenses for this program, as well as the subsidy costs associated with the loan guarantees committed in 1992 and thereafter, if any. The subsidy amounts are estimated on a present value basis; the administrative expenses are estimated on a cash basis.

The proposal will cancel \$35 million in remaining unobligated balances.

Object Classification (in millions of dollars)

Identification code 13-0122-0-1-376			
		2003 actual	2004 est.
Direct obligations:			
25.3	Other purchases of goods and services from Government accounts	1	
41.0	Grants, subsidies, and contributions	123	
99.9	Total new obligations	124	

EMERGENCY STEEL GUARANTEED LOAN FINANCING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4328-0-3-376			
		2003 actual	2004 est.
Obligations by program activity:			
00.01	Default		32
00.02	Interest paid to Treasury on borrowing	2	1
00.91	Direct Program by Activities - Subtotal (1 level)	2	33
08.02	Downward reestimate	1	
10.00	Total new obligations	3	33
Budgetary resources available for obligation:			
21.40	Unobligated balance carried forward, start of year	6	81
22.00	New financing authority (gross)	128	2
22.60	Portion applied to repay debt	-50	
23.90	Total budgetary resources available for obligation	84	83
23.95	Total new obligations	-3	-33
24.40	Unobligated balance carried forward, end of year	81	50
New financing authority (gross), detail:			
Mandatory:			
69.00	Offsetting collections (cash)	128	2
Change in obligated balances:			
73.10	Total new obligations	3	33
73.20	Total financing disbursements (gross)	-3	-33
87.00	Total financing disbursements (gross)	3	33

Offsets:

Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00	Federal sources	-123	
88.25	Interest on uninvested funds	-3	-2
88.40	Non-Federal sources	-2	
88.90	Total, offsetting collections (cash)	-128	-2

Net financing authority and financing disbursements:			
89.00	Financing authority		
90.00	Financing disbursements	-125	31
			12

Status of Guaranteed Loans (in millions of dollars)

Identification code 13-4328-0-3-376			
		2003 actual	2004 est.
Position with respect to appropriations act limitation on commitments:			
2111	Limitation on guaranteed loans made by private lenders		
2121	Limitation available from carry-forward	848	598
2142	Uncommitted loan guarantee limitation		-598
2143	Uncommitted limitation carried forward	-598	
2150	Total guaranteed loan commitments	250	
2199	Guaranteed amount of guaranteed loan commitments	220	
Cumulative balance of guaranteed loans outstanding:			
2210	Outstanding, start of year	55	184
2231	Disbursements of new guaranteed loans	145	105
2251	Repayments and prepayments	-16	-28
2262	Terminations for default that result in acquisition of property		-32
2290	Outstanding, end of year	184	229
Memorandum:			
2299	Guaranteed amount of guaranteed loans outstanding, end of year	156	195
Addendum:			
Cumulative balance of defaulted guaranteed loans that result in loans receivable:			
2310	Outstanding, start of year	92	92
2390	Outstanding, end of year	92	92

As required by the Federal Credit Reform Act of 1990, this non-budgetary account records all cash flows to and from the Government resulting from guaranteed loans obligated in 1992 and thereafter (including modifications of guaranteed loans that resulted from obligations in any year). The amounts in this account are a means of financing and are not included in the budget totals.

Balance Sheet (in millions of dollars)

Identification code 13-4328-0-3-376				
		2002 actual	2003 actual	2004 est.
ASSETS:				
1101	Fund balances with Treasury	6	81	
Net value of assets related to post-1991 acquired defaulted guaranteed loans receivable:				
1501	Defaulted guaranteed loans receivable, gross		92	
1502	Interest receivable			
1505	Allowance for subsidy cost (-)		-67	
1599	Net present value of assets related to defaulted guaranteed loans		25	
1999	Total assets	6	106	
LIABILITIES:				
Non-Federal liabilities:				
2203	Debt		29	
2204	Liabilities for loan guarantees	6	77	
2999	Total liabilities	6	106	
4999	Total liabilities and net position	6	106	

Note: Consistent with Government-wide practice, information for 2004 and 2005 was not required to be collected.

Trust Funds

GIFTS AND BEQUESTS

Unavailable Receipts (in millions of dollars)

Identification code 13-8501-0-7-376			
		2003 actual	2004 est.
01.99	Balance, start of year		
Receipts:			
02.00	Gifts and bequests	1	1

Credit accounts—Continued

GIFTS AND BEQUESTS—Continued

Unavailable Receipts (in millions of dollars)—Continued

Identification code 13-8501-0-7-376	2003 actual	2004 est.	2005 est.
04.00 Total: Balances and collections	1	1	1
Appropriations:			
05.00 Gifts and bequests	-1	-1	-1
07.99 Balance, end of year			

Program and Financing (in millions of dollars)

Identification code 13-8501-0-7-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct Program Activity	1	1	1
10.00 Total new obligations (object class 25.2)	1	1	1

Budgetary resources available for obligation:

21.40 Unobligated balance carried forward, start of year	1		
22.00 New budget authority (gross)	1	1	1
23.90 Total budgetary resources available for obligation	2	1	1
23.95 Total new obligations	-1	-1	-1

New budget authority (gross), detail:

Mandatory:			
60.26 Appropriation (trust fund)	1	1	1

Change in obligated balances:

73.10 Total new obligations	1	1	1
73.20 Total outlays (gross)	-1	-1	-1

Outlays (gross), detail:

86.97 Outlays from new mandatory authority	1	1	1
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Net budget authority and outlays:

89.00 Budget authority	1	1	1
90.00 Outlays	1	1	1

The Secretary of Commerce is authorized to accept, hold, administer, and utilize gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department of Commerce. Property and the proceeds thereof are used as nearly as possible in accordance with the terms of the gift or bequest.

ECONOMIC DEVELOPMENT ADMINISTRATION

Federal Funds

General and special funds:

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$30,565,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977. (19 U.S.C. 2346(b); 42 U.S.C. 3214(c), 3231, 5184, and 6710; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-0125-0-1-452	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct program	31	30	31
09.01 Reimbursable program	2	2	2
10.00 Total new obligations	33	32	33

Budgetary resources available for obligation:

21.40 Unobligated balance carried forward, start of year	2	4	4
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22.00 New budget authority (gross)	35	32	33
22.22 Unobligated balance transferred from other accounts	1		
23.90 Total budgetary resources available for obligation	38	36	37
23.95 Total new obligations	-33	-32	-33
23.98 Unobligated balance expiring or withdrawn	-1		
24.40 Unobligated balance carried forward, end of year	4	4	4

New budget authority (gross), detail:

Discretionary:			
40.00 Appropriation	31	30	31
Spending authority from offsetting collections:			
Discretionary:			
68.00 Offsetting collections (cash)	4	2	2
68.10 Change in uncollected customer payments from Federal sources (unexpired)	-1		
68.62 Transferred from other accounts	1		
68.90 Spending authority from offsetting collections (total discretionary)	4	2	2
70.00 Total new budget authority (gross)	35	32	33

Change in obligated balances:

72.40 Obligated balance, start of year	1	3	1
73.10 Total new obligations	33	32	33
73.20 Total outlays (gross)	-32	-36	-33
74.00 Change in uncollected customer payments from Federal sources (unexpired)	1		
74.10 Change in uncollected customer payments from Federal sources (expired)	1		
74.40 Obligated balance, end of year	3	1	2

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	29	29	30
86.93 Outlays from discretionary balances	3	7	3
87.00 Total outlays (gross)	32	36	33

Offsets:

Against gross budget authority and outlays:			
88.00 Federal sources	-4	-2	-2
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	1		

Net budget authority and outlays:

89.00 Budget authority	32	30	31
90.00 Outlays	29	34	31

The administration of EDA's economic development assistance programs is carried out through a network of headquarters and regional personnel.

Direct program.—These activities include preapplication development, application processing, and project monitoring as well as general support functions such as economic development research, information dissemination, legal, civil rights, environmental compliance, budgeting and debt management.

Reimbursable program.—EDA provides grant review and processing services to other Federal agencies on a reimbursable basis. Funds received cover the cost of performing this work.

Object Classification (in millions of dollars)

Identification code 13-0125-0-1-452	2003 actual	2004 est.	2005 est.
Direct obligations:			
11.1 Full-time permanent	17	17	18
12.1 Civilian personnel benefits	4	4	4
21.0 Travel and transportation of persons	1	1	1
23.1 Rental payments to GSA	3	2	2
25.2 Other services	2	2	2
25.3 Other purchases of goods and services from Government accounts	2	2	2
25.7 Operation and maintenance of equipment	2	2	2
99.0 Direct obligations	31	30	31
99.0 Reimbursable obligations	2	2	2
99.9 Total new obligations	33	32	33

Personnel Summary (in millions of dollars)

Identification code 13-0125-0-1-452	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	229	261	261
Reimbursable:			
2001 Civilian full-time equivalent employment	7	7	7

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, [§288,115,000] \$289,762,000, to remain available until expended. (19 U.S.C. 2343, 2355; 42 U.S.C. 3121, 3141, 3143, 3145, 3147, 3149, 3171, 3173, and 3231-3233; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-2050-0-1-452	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Direct program:			
00.01 Planning grants	24	23	24
00.02 Technical assistance grants	9	8	8
00.03 Public works grants	209	196	200
00.04 Economic adjustment grants	49	40	45
00.05 Research and evaluation	1	1	1
00.07 Trade adjustment assistance	10	12	12
00.09 Tri-State floods, Upper Midwest floods, 1996 floods, S. California Earthquake	2	2	2
00.10 Alaska	2		
00.11 Norton Sound fisheries	2		
09.01 Reimbursable program	15	18	18
10.00 Total new obligations	323	300	310
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	15	15	15
22.00 New budget authority (gross)	304	298	308
22.10 Resources available from recoveries of prior year obligations	20		
22.21 Unobligated balance transferred to other accounts	-1		
23.90 Total budgetary resources available for obligation	338	313	323
23.95 Total new obligations	-323	-300	-310
24.40 Unobligated balance carried forward, end of year	15	15	15
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	290	288	290
40.35 Appropriation permanently reduced	-2	-3	
40.36 Unobligated balance permanently reduced		-5	
43.00 Appropriation (total discretionary)	288	280	290
Discretionary:			
68.00 Offsetting collections (cash)	16	18	18
70.00 Total new budget authority (gross)	304	298	308
Change in obligated balances:			
72.40 Obligated balance, start of year	1,058	958	855
73.10 Total new obligations	323	300	310
73.20 Total outlays (gross)	-390	-401	-381
73.40 Adjustments in expired accounts (net)	-13		
73.45 Recoveries of prior year obligations	-20		
74.40 Obligated balance, end of year	958	855	784
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	30	32	33
86.93 Outlays from discretionary balances	360	369	348
87.00 Total outlays (gross)	390	401	381
Offsets:			
Against gross budget authority and outlays:			
88.00 Federal sources	-16	-18	-18
Net budget authority and outlays:			
89.00 Budget authority	288	280	290
90.00 Outlays	374	383	363

The Economic Development Administration (EDA) provides investments for public works facilities, other financial assistance, and planning and coordination assistance needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions. EDA assistance stimulates job creation, increases income in distressed communities, and promotes greater national productivity and balanced economic growth.

In 2005, EDA will help States, regions, and communities across the Nation create wealth and minimize poverty by promoting a favorable business environment to attract private capital investments and higher-skill/higher-wage jobs through capacity building, planning, infrastructure investments, research grants and strategic initiatives. EDA's programs will serve as a catalyst for assisting distressed communities achieve long-term competitive economic potential through the strategic investment of resources based upon locally and regionally developed priorities.

EDA will continue to place priority on investments that drive economic growth, enhance regional competitiveness and support long-term development of the regional economy while also seeking to greater target funds to our Nation's communities of highest distress.

EDA responds to community priorities and strives to meet its objectives through the use of a broad range of program tools:

Planning investments.—Supports the design and implementation of effective economic development policies and programs by local organizations.

Technical assistance investments.—Provides for local feasibility and industry studies, and funding for a network of university centers that assist public bodies, nonprofit organizations, and businesses to plan and implement activities designed to generate jobs and income in distressed areas.

Public works investments.—Provides for infrastructure projects that enable communities to attract new, or support existing manufacturing and commercial businesses to generate new jobs in communities experiencing high unemployment, low per-capita income, or out-migration.

Economic adjustment investments.—Provides flexible assistance tools, including planning, technical assistance, revolving loan funds and infrastructure development, to help communities counteract either a gradual erosion or a sudden dislocation of their local economic structure as a result of natural disasters, international trade competition, or major plant closings. Economic adjustment funds also support Brownfields redevelopment.

Research evaluation investments.—Supports studies about the causes of economic distress and approaches to alleviating and preventing such problems, national demonstrations of innovative economic development techniques, and dissemination of economic development information.

Trade adjustment assistance.—Provides technical assistance through a national network of 12 Trade Adjustment Assistance Centers to certified U.S. manufacturing firms and industries economically injured as the result of international trade competition.

Performance measures.—All EDA program activities under this account support the Department of Commerce strategic goal to provide the information and tools to maximize U.S. competitiveness and enable economic growth for American industries, workers, and consumers. In 2005, EDA will track private investment and jobs generated by its investments. For investments made in 2003, 2004, and 2005, long-term outcome results will be reported by investment recipients over a period of nine years following award at three year intervals. For example, FY 2005 construction and revolving loan fund investments are expected to create or retain 58,500 jobs by 2014. In 2005, EDA will track its capacity-building investments to ensure that the planning, technical assistance, and

General and special funds—Continued

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS—Continued

trade adjustment assistance programs are providing market-based and value-added services. In addition, EDA will refine its targets to more closely reflect achievable performance. Below are EDA's performance goals and selected measures that demonstrate EDA's support of Commerce's strategic goals.

EDA Goal 1: Increase private enterprise and job creation in economically distressed communities.

EDA Goal 2: Improve community capacity to achieve and sustain economic growth.

For 2003, actual results have been tabulated.

A more detailed presentation of goals, performance measures and targets is found in the FY 2005 Budget Submission.

Object Classification (in millions of dollars)

Identification code 13-2050-0-1-452	2003 actual	2004 est.	2005 est.
Direct obligations:			
41.0 Grants, subsidies, and contributions	308	282	292
99.0 Reimbursable obligations	15	18	18
99.9 Total new obligations	323	300	310

Credit accounts:

ECONOMIC DEVELOPMENT REVOLVING FUND LIQUIDATING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4406-0-3-452	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Interest expense	2	2	2
00.02 Defaults and care and protection of collateral	1	2	2
10.00 Total new obligations	3	4	4

Budgetary resources available for obligation:

21.40 Unobligated balance carried forward, start of year	4		
22.00 New budget authority (gross)	8	4	4
22.40 Capital transfer to general fund	-9		
23.90 Total budgetary resources available for obligation	3	4	4
23.95 Total new obligations	-3	-4	-4

New budget authority (gross), detail:

Mandatory:			
69.00 Offsetting collections (cash)	9	4	4
69.61 Transferred to other accounts	-1		
69.90 Spending authority from offsetting collections (total mandatory)	8	4	4

Change in obligated balances:

72.40 Obligated balance, start of year	2	2	
73.10 Total new obligations	3	4	4
73.20 Total outlays (gross)	-3	-4	-4
74.40 Obligated balance, end of year	2		

Outlays (gross), detail:

86.97 Outlays from new mandatory authority	3	4	4
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Offsets:

Against gross budget authority and outlays:			
88.40 Non-Federal sources	-9	-4	-4

Net budget authority and outlays:

89.00 Budget authority	-1		
90.00 Outlays	-6		

Status of Direct Loans (in millions of dollars)

Identification code 13-4406-0-3-452	2003 actual	2004 est.	2005 est.
Cumulative balance of direct loans outstanding:			
1210 Outstanding, start of year	28	24	20

1251 Repayments and prepayments	-3	-3	-3
1263 Direct loans	-1	-1	-1
1290 Outstanding, end of year	24	20	16

As required by the Federal Credit Reform Act of 1990, this account records, for these programs, all cash flows to and from the Government resulting from direct loans obligated and loan guarantees committed prior to 1992. This includes interest on loans outstanding; principal repayments from loans made under the Area Redevelopment Act, the Public Works and Economic Development Act of 1965 as amended, and the Trade Act of 1974; and proceeds from the sale of collateral are deposited in this fund.

No new loan or guarantee activity is proposed for 2005.

Balance Sheet (in millions of dollars)

Identification code 13-4406-0-3-452	2002 actual	2003 actual	2004 est.	2005 est.
ASSETS:				
1101 Fund balances with Treasury	5	5		
1601 Direct loans, gross	29	25		
1603 Allowance for estimated uncollectible loans and interest (-)	-1	-1		
1604 Direct loans and interest receivable, net	28	24		
1699 Value of assets related to direct loans	28	24		
1999 Total assets	33	29		
LIABILITIES:				
2102 Interest payable	2	2		
2999 Total liabilities	2	2		
NET POSITION:				
3100 Appropriated capital	31	27		
3999 Total net position	31	27		
4999 Total liabilities and net position	33	29		

Note: Consistent with Government-wide practice, information for 2004 and 2005 was not required to be collected.

Object Classification (in millions of dollars)

Identification code 13-4406-0-3-452	2003 actual	2004 est.	2005 est.
Direct obligations:			
25.2 Other services	2	2	2
43.0 Interest and dividends	1	2	2
99.9 Total new obligations	3	4	4

BUREAU OF THE CENSUS**Federal Funds****General and special funds:**

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, **[\$194,811,000]** \$220,425,000. (13 U.S.C. 4, 6, 8(b), 12, 61-63, 181, 182, 301-307, 401; 15 U.S.C. 1516, 4901 et seq.; 19 U.S.C. 1484(e), 2354, 2393; 44 U.S.C. 1343; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-0401-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Current economic statistics	123	131	156
00.02 Current demographic statistics	75	78	80
00.03 Survey development and data services	4	4	4
10.00 Total new obligations	202	213	240
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	202	213	240

23.95	Total new obligations	-202	-213	-240
New budget authority (gross), detail:				
Discretionary:				
40.00	Appropriation	183	195	220
40.35	Appropriation permanently reduced	-1	-2	
43.00	Appropriation (total discretionary)	182	193	220
Mandatory:				
60.00	Appropriation	20	20	20
70.00	Total new budget authority (gross)	202	213	240
Change in obligated balances:				
72.40	Obligated balance, start of year	16	12	53
73.10	Total new obligations	202	213	240
73.20	Total outlays (gross)	-211	-172	-221
73.40	Adjustments in expired accounts (net)	5		
74.40	Obligated balance, end of year	12	53	72
Outlays (gross), detail:				
86.90	Outlays from new discretionary authority	181	143	163
86.93	Outlays from discretionary balances	12	9	38
86.97	Outlays from new mandatory authority	18	20	20
87.00	Total outlays (gross)	211	172	221
Offsets:				
Against gross budget authority and outlays:				
88.00	Federal sources	-5		
Against gross budget authority only:				
88.96	Portion of offsetting collections (cash) credited to expired accounts	5		
Net budget authority and outlays:				
89.00	Budget authority	202	213	240
90.00	Outlays	206	172	221

The activities of this appropriation provide for the collection, compilation, and publication of a broad range of current economic, demographic, and social statistics.

Current economic statistics.—The business statistics program provides current information on sales and related measures of retail and wholesale trade and selected service industries. This program will expand coverage of the new principal economic indicator of quarterly service industry activity introduced in calendar year 2004. It also will provide annual selected merchandise line data for retail and wholesale trade sectors and will expand annual coverage of service industries.

Construction statistics reports are provided on significant construction activity such as housing permits and starts, value of new construction, residential alterations and repairs, and quarterly price indexes for new single-family houses.

Manufacturing statistics survey key industrial commodities and manufacturing activities, providing current statistics on the quantity and value of industrial output.

General economic statistics provide a Business Register of all U.S. business firms and their establishments, uniform classification data based on the North American Industry Classification System (NAICS), annual county business data, corporate financial data, e-commerce estimates, and an economic research program. The E-Government increase will permit businesses to file electronically in any one of almost one hundred current economic surveys.

Foreign trade statistics provide for publication of monthly, cumulative, and annual reports on the quantity, shipping weight, and dollar value of imports and exports, by mode of transportation, detailed commodity category, customs districts, and country of origin or destination. This program covers the Census Bureau responsibilities under the Trade Act of 1974. This program will accelerate the release of trade statistics and expand the Automated Export System.

Government statistics reports provide information on the revenue, expenditures, indebtedness and debt transactions, financial assets, employment, and payrolls of State and local governments. The Census Bureau provides quarterly information on State and local tax revenue on the national level

by type of tax and governmental level, and provides information on financial assistance programs of the Federal Government.

Current demographic statistics.—Household surveys provide information on the number, geographic distribution, and the social and economic characteristics of the population.

The Census Bureau compiles statistics on the Nation's housing inventory and provides national and regional estimates of housing vacancy rates. Population and housing analyses provide current demographic reports on the geographic distribution and on the demographic, social, and economic characteristics of the population, as well as current estimates and future projections of the population of the United States, and special analyses of demographic, social and economic trends. International statistics provide estimates of population, labor force, and economic activity, including spatial distribution, and analyses concerning aspects of demographic policies, economic policies, and trends for various countries.

Survey development and data services.—The *Statistical Abstract* that the Census Bureau prepares annually summarizes Government and private statistics of the industrial, social, political, and economic activities of the United States. The Bureau conducts general research on survey methods and techniques to find ways of improving the efficiency, accuracy, and timeliness of statistical programs.

Survey of Program Dynamics.—The Personal Responsibility and Work Opportunity Act of 1996 required that the Survey of Income and Program Participation be expanded to evaluate the impact of welfare reforms made by that Act. This program will be considered as part of the re-authorization of the Temporary Assistance for Needy Families program.

The State Children's Health Insurance Program (SCHIP) was established and funded through mandatory appropriations by the Medicare, Medicaid, and State Children's Health Insurance Program Balanced Budget Refinement Act of 1999 (P.L. 106-113). Congress appropriated \$10 million to produce statistically reliable annual data from the Annual Social and Economic Supplement of the Current Population Survey on the number of low-income children who do not have health insurance coverage. Data from this enhanced survey are used in the formula to allocate funds to States under the SCHIP program.

Performance measures.—Activities under the Salaries and Expenses account support the Department of Commerce's strategic goal involving promotion of economic growth. The performance goals are to meet the needs of policymakers, businesses, nonprofit organizations, and the public for current measures of the U.S. population, economy, and governments, and to foster an environment that supports innovation, promotes data use, minimizes respondent burden, respects individual privacy, and ensures confidentiality.

A more detailed presentation of the goals, performance measures, and targets is found in the FY 2005 Budget Submission.

Object Classification (in millions of dollars)

Identification code 13-0401-0-1-376	2003 actual	2004 est.	2005 est.	
Direct obligations:				
Personnel compensation:				
11.1	Full-time permanent	97	107	117
11.3	Other than full-time permanent	11	21	22
11.5	Other personnel compensation	4	4	4
11.9	Total personnel compensation	112	132	143
12.1	Civilian personnel benefits	30	32	36
13.0	Benefits for former personnel	3	1	1
21.0	Travel and transportation of persons	4	5	7
22.0	Transportation of things	1		
23.1	Rental payments to GSA	7	8	9
23.3	Communications, utilities, and miscellaneous charges	3	2	2
24.0	Printing and reproduction	1	1	1
25.1	Advisory and assistance services	13	6	10

General and special funds—Continued

SALARIES AND EXPENSES—Continued

Object Classification (in millions of dollars)—Continued

Identification code 13-0401-0-1-376	2003 actual	2004 est.	2005 est.
25.2 Other services	4	5	6
25.3 Other purchases of goods and services from Government accounts	10	13	15
25.4 Operation and maintenance of facilities	2	1	1
25.5 Research and development contracts	1	1	1
25.7 Operation and maintenance of equipment	2	1	1
26.0 Supplies and materials	2	3	3
31.0 Equipment	7	2	4
99.9 Total new obligations	202	213	240

Personnel Summary (in millions of dollars)

Identification code 13-0401-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	2,004	2,530	2,634

PERIODIC CENSUSES AND PROGRAMS

[For necessary expenses related to the 2010 decennial census, \$255,200,000, to remain available until September 30, 2005: *Provided*, That, of the total amount available related to the 2010 decennial census, \$107,090,000 is for the Re-engineered Design Process for the Short-Form Only Census, \$64,800,000 is for the American Community Survey, and \$83,310,000 is for the Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) system.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, \$180,853,000, to remain available until September 30, 2005, of which \$80,082,000 is for economic statistics programs and \$100,771,000 is for demographic statistics programs: *Provided*, That regarding engineering and design of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That none of the funds provided in this or any other Act under the heading "Bureau of the Census, Periodic Censuses and Programs" shall be used to fund the construction and tenant build-out costs of a facility at the Suitland Federal Center.]

For necessary expenses to collect and publish statistics for periodic censuses and programs provided by law, \$608,171,000, to remain available until expended. (13 U.S.C. 4, 6, 12, 131, 141, 161, 181, 191; 15 U.S.C. 1516; 42 U.S.C. 1973aa-5; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-0450-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Economic statistics programs:			
00.01 Economic censuses	86	73	68
00.02 Census of governments	6	6	5
Demographic statistics programs:			
00.06 Intercensal demographic estimates	9	9	11
00.08 2000 decennial census	84	10	
00.09 2010 decennial census	145	265	435
00.11 Demographic surveys sample redesign	12	13	12
00.12 Electronic information collection	6	6	7
00.13 Geographic support	38	40	42
00.14 Data processing	24	31	31
00.15 Suitland Federal Center office space renovation/construction	2	26	
01.00 Total direct program	412	479	611
09.01 Reimbursable program	8		
10.00 Total new obligations	420	479	611
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	85	48	

22.00 New budget authority (gross)	377	419	608
22.10 Resources available from recoveries of prior year obligations	7	12	3
23.90 Total budgetary resources available for obligation	469	479	611
23.95 Total new obligations	-420	-479	-611
23.98 Unobligated balance expiring or withdrawn	-1		
24.40 Unobligated balance carried forward, end of year	48		

New budget authority (gross), detail:

Discretionary:			
40.00 Appropriation	371	436	608
40.35 Appropriation permanently reduced	-2	-4	
40.36 Unobligated balance permanently reduced		-13	
43.00 Appropriation (total discretionary)	369	419	608
Discretionary:			
68.00 Offsetting collections (cash)	8		
70.00 Total new budget authority (gross)	377	419	608

Change in obligated balances:

72.40 Obligated balance, start of year	167	125	101
73.10 Total new obligations	420	479	611
73.20 Total outlays (gross)	-456	-491	-580
73.40 Adjustments in expired accounts (net)	1		
73.45 Recoveries of prior year obligations	-7	-12	-3
74.40 Obligated balance, end of year	125	101	129

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	289	331	480
86.93 Outlays from discretionary balances	167	160	100
87.00 Total outlays (gross)	456	491	580

Offsets:

Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	-10		
88.40 Non-Federal sources	1		
88.90 Total, offsetting collections (cash)	-9		
Against gross budget authority only:			
88.96 Portion of offsetting collections (cash) credited to expired accounts	1		

Net budget authority and outlays:

89.00 Budget authority	369	419	608
90.00 Outlays	447	491	580

This appropriation funds legislatively mandated periodic economic and demographic censuses and other authorized activities.

Economic statistics programs:

Economic censuses.—The economic censuses provide data on manufacturers, mining, retail and wholesale trade and service industries, construction, and transportation. The censuses are taken every fifth year, covering calendar years ending in two and seven. 2005 is the sixth year in the 2002 Economic Census cycle and the first year in the 2007 Economic Census cycle. The focus in 2005 is on the publication and dissemination of information collected and processed in the previous two years. The Bureau will continue to process the data collection for the Survey of Business Owners, which presents information about the characteristics of almost 23 million businesses.

Census of governments.—The census of governments provides information on State and local governments' taxes, tax valuations, governmental receipts, expenditures, indebtedness, and number of employees. This census is taken every fifth year for calendar years ending in two and seven. 2005 is the first year in the five-year cycle of the 2007 Census of Governments. The focus for 2005 will be on planning, scheduling, and organizing activities for all three phases of the Census of Governments; Organization, Employment, and Finance.

Demographic statistics programs:

Intercensal demographic estimates.—In years between decennial censuses, this program develops annual estimates of

the population and its demographic characteristics, for the Nation, States, metropolitan areas, counties and functioning governmental units. These data are used for a variety of purposes including the allocation of nearly \$200 billion in Federal funds, as controls for a variety of federally sponsored surveys, as denominators for vital statistics and other health and economic indicators, and for a variety of Federal, State, and private program planning needs. These data will also allow for and will provide "annual estimates" for the major components of demographic change instead of the current "once a decade" estimate. In 2005, the program will continue to improve its estimates of international migration at a sub-national level.

Decennial Census.—The Census Bureau has begun the process of planning the next decennial census.

The plan for the 2010 Census features three key components which will reduce operational risks, improve accuracy, provide more relevant data, and contain cost; (1) Establishment of an early design and planning process that will allow the Census Bureau to test fully all major elements of a simplified, streamlined census designed to collect the basic ("short form") data needed to fulfill constitutional and legal mandates; (2) Implementation of the American Community Survey (ACS) to collect "long form" data on an annual basis, instead of having a long form in 2010; and (3) Enhancing the Census Bureau's geographic database and associated address list, referred to as MAF/TIGER (Master Address File/Topologically Integrated Geographic Encoding and Referencing) by replacing the internally developed MAF/TIGER system with one that uses Global Positioning System technology and aerial photography to update and improve the address and street information gathered at great expense for Census 2000. Activities in these three areas are highly integrated, complement each other, and form the basis for re-engineering the 2010 Census.

In 2005, the Census Bureau will be continuing extensive planning, testing and development activities to support the re-engineered, short form only, 2010 Census. In 2005, the Bureau also will continue implementation of the ACS. To enhance the MAF/TIGER system, the Census Bureau will continue a multi-year effort of correcting the accuracy of map feature locations in 700 of the Nation's 3,233 counties.

Demographic surveys sample redesign.—This program provides for the sample selection of monthly, quarterly and annual household surveys to conform to the redistribution of the population measured in the decennial census. This is done after each decennial census in order to select accurate samples for the major household surveys throughout the decade. Implementation of the first new samples began in 2004.

Electronic information collection (EIC).—EIC is the Census Bureau's program to transform its business processes—the collection, processing, and dissemination of information. Making the greatest possible use of automation and telecommunications, EIC seeks to provide the tools and systems to deliver to our customers accurate information quickly and efficiently, with as little burden as possible on those who provide the data to the Census Bureau.

Geographic support.—This activity's goal is to determine the correct location of every business establishment in the U.S. and its territories. The activity's major components include the TIGER data base and the MAF. TIGER provides maps and geographic information for data tabulation; MAF provides the geographically-assigned address list for the Nation. Together, they provide essential information and products critical for conducting many of the Bureau's programs.

Data processing systems.—This activity provides for the purchase or renting of hardware and software needed for the Bureau's general purpose computing facilities.

Performance measures.—Activities under the Periodic Censuses and Programs account support the Department of Com-

merce's strategic goal involving promotion of economic growth. The performance goals are to support the economic and political foundations of the United States by producing benchmark measures of the economy and population for the administration and equitable funding of Federal, State, and local programs; to meet constitutional and legislative mandates by implementing a reengineered 2010 Census that is cost-effective, provides more timely data, improves coverage, accuracy, and reduces operational risk; and, to foster an environment that supports innovation, promotes data use, minimizes respondent burden, and respects individual privacy.

A more detailed presentation of the goals, performance measures, and targets is found in the FY 2005 Budget Submission.

Object Classification (in millions of dollars)

Identification code 13-0450-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	152	158	200
11.3 Other than full-time permanent	14	25	50
11.5 Other personnel compensation	7	6	8
11.9 Total personnel compensation	173	189	258
12.1 Civilian personnel benefits	48	57	72
13.0 Benefits for former personnel	5	2	1
21.0 Travel and transportation of persons	5	7	11
22.0 Transportation of things	1	1	1
23.1 Rental payments to GSA	12	12	17
23.3 Communications, utilities, and miscellaneous charges	14	10	19
24.0 Printing and reproduction	3	3	4
25.1 Advisory and assistance services	50	87	74
25.2 Other services	23	60	84
25.3 Other purchases of goods and services from Government accounts	17	15	20
25.4 Operation and maintenance of facilities	4	14	16
25.5 Research and development contracts	26	3	4
25.7 Operation and maintenance of equipment	12	4	3
26.0 Supplies and materials	5	5	6
31.0 Equipment	14	10	21
99.0 Direct obligations	412	479	611
99.0 Reimbursable obligations	8		
99.9 Total new obligations	420	479	611

Personnel Summary (in millions of dollars)

Identification code 13-0450-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	3,076	3,313	5,114

Intragovernmental funds:

CENSUS WORKING CAPITAL FUND

Program and Financing (in millions of dollars)

Identification code 13-4512-0-4-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
09.01 Current economic statistics	165	170	168
09.02 Current demographic statistics	273	280	271
09.03 Other	24	24	23
09.04 Decennial census	92	92	93
10.00 Total new obligations	554	566	555
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	161	135	135
22.00 New budget authority (gross)	498	566	555
22.10 Resources available from recoveries of prior year obligations	30		
23.90 Total budgetary resources available for obligation	689	701	690
23.95 Total new obligations	-554	-566	-555
24.40 Unobligated balance carried forward, end of year	135	135	135

Intragovernmental funds—Continued

CENSUS WORKING CAPITAL FUND—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 13-4512-0-4-376	2003 actual	2004 est.	2005 est.	
New budget authority (gross), detail:				
Mandatory:				
69.00	Offsetting collections (cash)	550	566	555
69.10	Change in uncollected customer payments from Federal sources (unexpired)	-52		
69.90	Spending authority from offsetting collections (total mandatory)	498	566	555
Change in obligated balances:				
72.40	Obligated balance, start of year	-16	50	50
73.10	Total new obligations	554	566	555
73.20	Total outlays (gross)	-510	-566	-555
73.45	Recoveries of prior year obligations	-30		
74.00	Change in uncollected customer payments from Federal sources (unexpired)	52		
74.40	Obligated balance, end of year	50	50	50
Outlays (gross), detail:				
86.97	Outlays from new mandatory authority	498	566	555
86.98	Outlays from mandatory balances	12		
87.00	Total outlays (gross)	510	566	555
Offsets:				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources	-2	-566	-555
88.40	Non-Federal sources	-548		
88.90	Total, offsetting collections (cash)	-550	-566	-555
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired)	52		
Net budget authority and outlays:				
89.00	Budget authority			
90.00	Outlays	-40		

The Working Capital Fund finances, on a reimbursable basis, functions within the Bureau of the Census which are more efficiently and economically performed on a centralized basis. The Fund also finances reimbursable work that the Bureau performs for other public and private entities.

Object Classification (in millions of dollars)

Identification code 13-4512-0-4-376	2003 actual	2004 est.	2005 est.	
Reimbursable obligations:				
Personnel compensation:				
11.1	Full-time permanent	219	224	220
11.3	Other than full-time permanent	44	46	44
11.5	Other personnel compensation	8	8	8
11.9	Total personnel compensation	271	278	272
12.1	Civilian personnel benefits	109	110	109
13.0	Benefits for former personnel	12	12	12
21.0	Travel and transportation of persons	13	13	13
22.0	Transportation of things	2	2	2
23.1	Rental payments to GSA	9	8	5
23.3	Communications, utilities, and miscellaneous charges	30	33	34
24.0	Printing and reproduction	2	2	2
25.1	Advisory and assistance services	29	30	29
25.2	Other services	10	11	10
25.3	Other purchases of goods and services from Government accounts	32	33	32
25.4	Operation and maintenance of facilities	5	6	5
25.5	Research and development contracts	2	2	2
25.7	Operation and maintenance of equipment	7	7	7
26.0	Supplies and materials	7	4	7
31.0	Equipment	14	15	14
99.9	Total new obligations	554	566	555

Personnel Summary (in millions of dollars)

Identification code 13-4512-0-4-376	2003 actual	2004 est.	2005 est.	
Reimbursable:				
2001	Civilian full-time equivalent employment	2,649	3,086	2,755

ECONOMIC AND STATISTICAL ANALYSIS

Federal Funds

General and special funds:

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, **[\$75,000,000] \$88,400,000**, to remain available until September 30, **[2005] 2006.** (15 U.S.C. 171 et seq., 1501 et seq.; 22 U.S.C. 286f, 3101 et seq.; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-1500-0-1-376	2003 actual	2004 est.	2005 est.	
Obligations by program activity:				
Direct program:				
00.01	Bureau of Economic Analysis	64	67	82
00.02	Policy support	6	6	6
09.01	Reimbursable program	2	2	2
10.00	Total new obligations	72	75	90
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	2	3	3
22.00	New budget authority (gross)	74	75	90
23.90	Total budgetary resources available for obligation	76	78	93
23.95	Total new obligations	-72	-75	-90
24.40	Unobligated balance carried forward, end of year	3	3	5
New budget authority (gross), detail:				
Discretionary:				
40.00	Appropriation	72	75	88
40.35	Appropriation permanently reduced		-1	
40.36	Unobligated balance permanently reduced		-1	
43.00	Appropriation (total discretionary)	72	73	88
Discretionary:				
68.00	Offsetting collections (cash)	2	2	2
70.00	Total new budget authority (gross)	74	75	90
Change in obligated balances:				
72.40	Obligated balance, start of year	8	12	7
73.10	Total new obligations	72	75	90
73.20	Total outlays (gross)	-69	-81	-89
74.40	Obligated balance, end of year	12	7	10
Outlays (gross), detail:				
86.90	Outlays from new discretionary authority	60	66	79
86.93	Outlays from discretionary balances	9	15	10
87.00	Total outlays (gross)	69	81	89
Offsets:				
Against gross budget authority and outlays:				
88.00	Reimbursable projects	-2	-2	-2
Net budget authority and outlays:				
89.00	Budget authority	72	73	88
90.00	Outlays	67	79	87

Bureau of Economic Analysis.—The Bureau of Economic Analysis (BEA) is a principal Federal statistical agency. It produces the U.S. Gross Domestic Product (GDP) and associated national economic accounts that provide a comprehensive picture of the U.S. economy encompassing national, international, industry-by-industry, and regional economic activity. These statistics provide the means of comparing the U.S. with other world economies.

BEA's data are used to formulate and evaluate U.S. Government fiscal and monetary policy, including preparing the Federal budget and allocating over \$165 billion of Federal Government support to the States. The BEA data are also used regularly by State and local governments in their planning and evaluation of public policy. In addition, BEA data are important to U.S. businesses; for business planning and the tracking of the U.S. and regional economic activity and development.

To prepare the accounts, BEA assembles thousands of monthly, quarterly, and annual economic data series, ranging from national level retail sales to county level wages and salaries, and combines them into consistent and comprehensive sets of accounts.

National economic accounts.—The national accounts both detail the relationship between U.S. economic production and the incomes it generates and trace the principal economic flows among the major sectors and industries in the economy. They are best known by summary measures such as gross domestic product (GDP), corporate profits, and personal saving. In addition, the accounts provide information on the U.S. capital stock by type and industry; GDP by industry; and, through the input-output accounts, information on how industries interact, all of which are used in calculating the GDP. The accounts are regarded as the mainstays of U.S. macroeconomic analysis.

International economic accounts.—The international transactions accounts provide information on trade in goods and services, investment income, and government and private financial flows. They are best known by summary measures such as the balance of payments and the trade balance. In addition, the accounts provide information on the U.S. international investment position, which measures the value of U.S. international assets and liabilities. These accounts are critical statistical tools used in formulating and evaluating international economic policy. BEA's data on direct investment - the most detailed data set on the operations of multinational companies available - are used to assess the role these companies play in the global economy.

Regional economic accounts.—The regional accounts provide data on total and per capita personal income by region, State, metropolitan area, and county, and on gross state product. The regional accounts statistics are essential for State government revenue forecasting, the allocation of Federal funds to the States, and for private sector investment decisions.

Industry economic accounts.—The industry economic accounts, presented both in an input-output framework and as annual output by each industry, provide a detailed view of the interrelationships between U.S. producers and users and the contribution to production across industries. These accounts are used extensively by policymakers and businesses to understand industry interactions, productivity trends, and the changing structure of the U.S. economy.

Implementing BEA's strategic plan.—The dynamics of the U.S. economy, with its growing complexity, technological advances, and dramatic changes in structure, make it increasingly difficult to provide an accurate, up-to-date picture of economic activity. Add the effects of recent events related to national security and the business cycle turnaround, and it is now more important than ever that government and business leaders have the most relevant, accurate, and timely economic information possible. BEA must continually expand and improve its economic accounts to keep pace with the economy and meet the increased demand for economic information. BEA is working to overcome statistical weaknesses and close gaps in data coverage by developing such improvements as more accurate measures of services, profits, compensation, new quality-adjusted prices, new measures of international trade and finance, and accelerated release of industry and international trade estimates. In FY 2005, BEA will

build on past progress toward accelerating the release of economic indicators by also accelerating its estimates of GDP, personal income and consumer spending, gross state product, metropolitan and local income, and further acceleration of the estimates of international trade in services.

BEA will further improve the accuracy of its statistics in FY 2005 by incorporating real-time data purchased from the private sector into its measures, expanding its surveys to collect more comprehensive—and more timely—data on international trade in services, updating the U.S. international financial accounts to meet international standards, improving the accuracy of the input-output accounts, integrating the new North American Industry Classification System (NAICS) into remaining aspects of the accounts, and developing detailed annual capital flow tables to inform decisions on business investment. BEA will also work with the Census Bureau and other Federal agencies to fill large remaining gaps in data sources for services and other key components of the economy.

Improving information technology.—BEA's statistical processing systems play an essential role in the production of the economic accounts. It is critical that they be redesigned to incorporate new methodologies and modernized to take full advantage of current information technology capabilities. In FY 2005, BEA will continue its system modernization efforts to include the international accounts, industry accounts, and regional accounts. BEA will continue to upgrade its suite of software tools (e.g. econometric and database software) that are critical in supporting timely and reliable economic estimates. BEA also will expand its electronic reporting capability to more of its international surveys and will continue to develop new data dissemination features via its website.

Policy support.—The Economics and Statistics Administration's headquarters operation advises the Secretary of Commerce and other government officials on matters related to economic developments and forecasts, and the development of options and positions relating to both macroeconomic and microeconomic policy.

Reimbursable program.—ESA provides economic and statistical data and analyses on a reimbursable and advance payment basis to other Federal agencies, individuals, and firms requesting such information. Funds received for these services cover the cost of performing this work.

Activities under Economic and Statistical Analysis support the Commerce Department's strategic goal to provide the information and tools to maximize U.S. competitiveness and enable economic growth for American industries, workers, and consumers.

Performance measures.—BEA will seek to maintain delivery of all data releases on schedule, and a mean rating greater than a 4.0 (on a 5-point scale) in users' satisfaction, as determined by a customer survey. In addition, BEA will achieve specified milestones in improving the economic accounts, accelerating economic estimates, and meeting international obligations.

Goal: Provide relevant, accurate and timely economic data.

	2003 actual	2004 target	2005 target
1a. Reliability of delivery of economic data (number of scheduled releases on time)	48 of 48	54 of 54	TBD
1b. Customer satisfaction with quality of products and services (mean rating on a 5-point scale)	4.4	>4.0	>4.0
1c. Percent of GDP Estimates Correct	88%	84%	85%

A more detailed presentation of goals, performance measures, and targets is found in the FY 2005 Budget Submission.

Object Classification (in millions of dollars)

Identification code 13-1500-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	36	42	47

General and special funds—Continued

SALARIES AND EXPENSES—Continued

Object Classification (in millions of dollars)—Continued

Identification code 13-1500-0-1-376	2003 actual	2004 est.	2005 est.
11.3 Other than full-time permanent	1	1	4
11.9 Total personnel compensation	37	43	51
12.1 Civilian personnel benefits	8	9	11
23.1 Rental payments to GSA	6	6	7
23.3 Communications, utilities, and miscellaneous charges	1	1	1
25.1 Advisory and assistance services	2	2	2
25.2 Other services	10	2	5
25.3 Other purchases of goods and services from Government accounts	5	7	7
25.7 Operation and maintenance of equipment	1	1	1
26.0 Supplies and materials	1	1	1
31.0 Equipment	2	2	2
99.0 Direct obligations	70	73	88
99.0 Reimbursable obligations	2	2	2
99.9 Total new obligations	72	75	90

Personnel Summary (in millions of dollars)

Identification code 13-1500-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	471	522	554
Reimbursable:			
2001 Civilian full-time equivalent employment	13	23	17

Public enterprise funds:

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

Program and Financing (in millions of dollars)

Identification code 13-4323-0-3-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct Program Activity	2	2	2
10.00 Total new obligations	2	2	2
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	2	2	2
22.00 New budget authority (gross)	2	2	2
23.90 Total budgetary resources available for obligation	4	4	4
23.95 Total new obligations	-2	-2	-2
24.40 Unobligated balance carried forward, end of year	2	2	2
New budget authority (gross), detail:			
Discretionary:			
68.00 Offsetting collections (cash)	2	2	2
Change in obligated balances:			
73.10 Total new obligations	2	2	2
73.20 Total outlays (gross)	-2	-2	-2
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	2	2	2
Offsets:			
Against gross budget authority and outlays:			
88.40 Subscription and fee sales	-2	-2	-2
Net budget authority and outlays:			
89.00 Budget authority			
90.00 Outlays			

The Economic and Statistics Administration operates STAT-USA, a revolving fund activity that provides the public with access to key business, economic, and international trade information. STAT-USA's mission is to produce, distribute, and assist other government agencies in producing world-class business, economic, and government information products

that American businesses and the public can use to make intelligent and informed decisions. It accomplishes this goal through two primary products and services: (1) STAT-USA/Internet and (2) USA Trade Online.

STAT-USA has three ongoing objectives pursuant to the accomplishment of its mission:

Objective: Identify new markets for products and services to increase the customer base.

Objective: Increase customer involvement to improve customer satisfaction.

Objective: Increase supplier involvement.

A more detailed presentation of STAT-USA's objectives is found in the FY 2005 Budget Submission.

Object Classification (in millions of dollars)

Identification code 13-4323-0-3-376	2003 actual	2004 est.	2005 est.
Reimbursable obligations:			
11.1 Full-time permanent	1	1	1
25.2 Other services	1	1	1
99.0 Reimbursable obligations	2	2	2
99.9 Total new obligations	2	2	2

Personnel Summary (in millions of dollars)

Identification code 13-4323-0-3-376	2003 actual	2004 est.	2005 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	10	10	10

INTERNATIONAL TRADE ADMINISTRATION

Federal Funds

General and special funds:

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$30,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, [\$395,123,000] \$401,513,000, to remain available until expended, of which [\$13,000,000] \$8,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: *Provided*, That [\$46,669,000] \$47,509,000 shall be for Manufacturing and Services; [\$38,204,000] \$39,087,000 shall be for Market Access and Compliance; [\$68,160,000] \$69,044,000 shall be for the Import Administration of which \$3,000,000 is [to establish an] for the Office of China Compliance; [\$217,040,000] \$211,864,000 shall be for the United States and Foreign Commercial Service [of which \$1,500,000 is for the Advocacy Center, \$2,500,000 is for the Trade Information Center, and \$2,100,000 is for a China and Middle East Business Center] ; and [\$25,050,000] \$26,009,000 shall be for Executive Direction and Administration: *Provided further*, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961

(22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities. (15 U.S.C. 637(e), 649, 1501 et seq., 1871, 4001 et seq., 4011 et seq.; 19 U.S.C. 81a et seq., 1202nt., 1303, 1671 et seq., 1673 et seq., 1862, 2031, 2155, 2354, 2411 et seq.; 22 U.S.C. 801 et seq., 2451 et seq., 2651 et seq., 3101 et seq.; 40 U.S.C. 512; 42 U.S.C. 300j; 50 U.S.C. 98–98h, 401 et seq., 2061 et seq., 2401 et seq.; Public Law 99–64; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

[Of the appropriations made available for travel and tourism by section 210 of Public Law 108–7, \$40,000,000 are rescinded.] (Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13–1250–0–1–376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Direct program:			
00.01 Trade development	68	56	48
00.02 Market access and compliance	41	50	39
00.03 Import administration	45	68	69
00.04 U.S. and foreign commercial services	206	202	212
00.05 Administration and executive direction	21	25	26
01.00 Total direct program	381	401	394
09.01 Reimbursable program	13	36	36
10.00 Total new obligations	394	437	430
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	22	69	.....
22.00 New budget authority (gross)	430	368	430
22.10 Resources available from recoveries of prior year obligations	11	.....	.....
23.90 Total budgetary resources available for obligation	463	437	430
23.95 Total new obligations	–394	–437	–430
23.98 Unobligated balance expiring or withdrawn	–1	.....	.....
24.40 Unobligated balance carried forward, end of year	69	.....	.....
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	412	382	394
40.35 Appropriation permanently reduced	–3	–50	.....
42.00 Transferred from other accounts	8	.....	.....
43.00 Appropriation (total discretionary)	417	332	394
Discretionary:			
68.00 Offsetting collections (cash)	13	36	36
70.00 Total new budget authority (gross)	430	368	430
Change in obligated balances:			
72.40 Obligated balance, start of year	102	111	148
73.10 Total new obligations	394	437	430
73.20 Total outlays (gross)	–374	–400	–420
73.45 Recoveries of prior year obligations	–11	.....	.....
74.40 Obligated balance, end of year	111	148	157
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	282	268	312
86.93 Outlays from discretionary balances	92	132	108
87.00 Total outlays (gross)	374	400	420
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	–13	–5	–5
88.40 Non-Federal sources .....	.....	–31	–31
88.90 Total, offsetting collections (cash)	–13	–36	–36
Net budget authority and outlays:			
89.00 Budget authority	417	332	394
90.00 Outlays	360	364	384

The mission of the International Trade Administration (ITA) in the Department of Commerce is to create economic opportunity for U.S. workers and firms by promoting inter-

national trade, opening foreign markets, ensuring compliance with trade laws and agreements, and supporting U.S. commercial interests at home and abroad.

Working as a key part of the Government-wide Trade Promotion Coordinating Committee, ITA will pursue this mission through the activities of its five major subdivisions and through reimbursable programs as follows:

Manufacturing and services.—This new unit focuses on the domestic and international aspects of U.S. industrial competitiveness; works with U.S. industry to evaluate the needs of American manufacturers; assesses the economic impact of new and existing government rules and regulations on U.S. manufacturing competitiveness; and represents and advocates for the interests of the U.S. manufacturing and services sectors in the U.S. Government policy setting and regulatory programs.

Market access and compliance.—The Market Access and Compliance unit (MAC) is the U.S. Government's front-line offensive team working to unlock foreign markets for American goods and services country-by-country and region-by-region. MAC concentrates on market access issues and the development of strategies to overcome market access obstacles faced by U.S. businesses. MAC maintains in-depth knowledge of the trade policies of our trading partners. It monitors foreign country compliance with numerous multilateral and bilateral trade-related agreements, identifying compliance problems and other market access obstacles. MAC's specialists work with other Government agencies to address barriers rapidly, and to ensure that U.S. firms know how to use the market opening agreements. It provides information on foreign trade and business practices to U.S. firms and works to find opportunities and to develop market strategies in traditional markets and in the emerging markets. MAC's objective is to develop and to update continuously current and long-term market access strategies, including developing the information needed to conduct trade negotiations to open markets. MAC's specialists work hand-in-hand with U.S. business, trade associations and other business organizations, Commerce's industry and technical specialists, and the U.S. Commercial Service's domestic and overseas offices. This unit will continue to provide support for the operation of the North American Free Trade Agreement.

Import administration.—Import Administration investigates antidumping and countervailing duty cases to ensure compliance with applicable U.S. statutes and administers certain other statutory programs relating to imports and foreign trade zones.

Trade promotion and the U.S. Foreign Commercial Service.—conducts a variety of trade promotion programs intended to broaden and deepen the base of U.S. exports, particularly of small and medium-sized firms; provides American companies with reliable advice on the range of public and private assistance available and knowledgeable support for all other Federal trade promotion services; serves as the primary sales force for Federal trade finance programs for smaller firms, offers export assistance through information, referral and follow-up services through its integrated global field network; and leads interagency advocacy efforts for major overseas projects, including early involvement in project development and assistance to resolve post-transaction problems.

Administration and executive direction.—Administration and Executive Direction provide policy leadership and administration services for the other ITA subdivisions. Executive Direction includes the Office of the Under Secretary for International Trade, the Deputy Under Secretary for International Trade, and subordinate offices covering Legislative and Intergovernmental Affairs, Public Affairs, Office of the Chief Information Officer, and the Trade Promotion Coordinating Committee staff. Administration provides human resources serv-

General and special funds—Continued

OPERATIONS AND ADMINISTRATION—Continued

ices, financial management services, and general administrative assistance for the other ITA subdivisions.

Reimbursable program.—This program includes receipts for services rendered to other Federal agencies and receipts received on a cost recovery basis from private entities for trade events and export information services. ITA proposes to collect fees to offset the costs associated with services and products provided. In 2005, ITA will continue to improve existing products and services to U.S. businesses.

Performance measures.—Activities under the ITA account support Commerce's strategic plan.

	2003 actual	2004 est.	2005 est.
Ensure Fair Competition in International Trade			
Percentage of antidumping (AD)/countervailing duty (CVD) cases completed on time	100%	100%	100%
Expand U.S. Exporter Base			
Number of U.S. exporters entering a new market	6,278	6,532	7,249
Number of export transactions made as a result of ITA involvement	14,090	13,800	15,054

Object Classification (in millions of dollars)

Identification code 13-1250-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	145	147	152
11.3 Other than full-time permanent	8	8	8
11.5 Other personnel compensation	6	6	6
11.9 Total personnel compensation	159	161	166
12.1 Civilian personnel benefits	42	39	41
13.0 Benefits for former personnel	2	1	1
21.0 Travel and transportation of persons	16	15	15
22.0 Transportation of things	3	3	3
23.1 Rental payments to GSA	17	18	19
23.2 Rental payments to others	8	8	8
23.3 Communications, utilities, and miscellaneous charges	11	8	8
24.0 Printing and reproduction	2	3	3
25.1 Advisory and assistance services	1	1	1
25.2 Other services	32	49	39
25.3 Other purchases of goods and services from Government accounts	60	66	61
26.0 Supplies and materials	5	5	5
31.0 Equipment	5	9	9
41.0 Grants, subsidies, and contributions	18	15	15
99.0 Direct obligations	381	401	394
99.0 Reimbursable obligations	13	36	36
99.9 Total new obligations	394	437	430

Personnel Summary (in millions of dollars)

Identification code 13-1250-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	2,257	2,550	2,553
Reimbursable:			
2001 Civilian full-time equivalent employment	28	49	49

BUREAU OF INDUSTRY AND SECURITY**Federal Funds****General and special funds:**

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad;

awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, [\$68,203,000] \$76,516,000, to remain available until [September 30, 2005,] expended: [of which \$7,203,000 shall be for inspections and other activities related to national security:] *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments. (10 U.S.C. 7430(e); 15 U.S.C. 1501 et seq., 1531; 19 U.S.C. 1862; 22 U.S.C. 401(b), 2455(f), 2458(c), 2799aa-1(b), 3922, 6004-6005, 7201-7205; 30 U.S.C. 185(s); 185(u); 42 U.S.C. 300j; 2139a, 5195, 6212; 43 U.S.C. 1354; 46 U.S.C. app. 466c; 50 U.S.C. 82, 98-98h, 1701, app. 468, app. 2061 et seq., app. 2401 et seq., app. 2411; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-0300-0-1-999	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Direct program:			
00.01 Management and policy coordination	7	5	5
00.02 Export administration	33	33	35
00.03 Export enforcement	31	30	37
01.00 Total direct program	71	68	77
09.01 Reimbursable program	6	8	6
10.00 Total new obligations	77	76	83
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	9	4	.....
22.00 New budget authority (gross)	71	73	83
22.10 Resources available from recoveries of prior year obligations	1	.....	.....
23.90 Total budgetary resources available for obligation	81	77	83
23.95 Total new obligations	-77	-76	-83
24.40 Unobligated balance carried forward, end of year	4	.....	.....
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	67	68	77
40.35 Appropriation permanently reduced	-1	-1	.....
43.00 Appropriation (total discretionary)	66	67	77
Discretionary:			
68.00 Offsetting collections (cash)	5	6	6
70.00 Total new budget authority (gross)	71	73	83
Change in obligated balances:			
72.40 Obligated balance, start of year	13	19	15
73.10 Total new obligations	77	76	83
73.20 Total outlays (gross)	-68	-80	-85
73.45 Recoveries of prior year obligations	-1	.....	.....
74.40 Obligated balance, end of year	19	15	15
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	60	63	72
86.93 Outlays from discretionary balances	8	17	13
87.00 Total outlays (gross)	68	80	85
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	-4	-5	-5
88.40 Non-Federal sources	-1	-1	-1
88.90 Total, offsetting collections (cash)	-5	-6	-6
Net budget authority and outlays:			
89.00 Budget authority	66	67	77

90.00	Outlays	63	74	79
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The mission of the Bureau of Industry and Security (BIS) is to advance U.S. national security, foreign policy, and economic interests. BIS's activities include regulating the export of sensitive goods and technologies in an effective and efficient manner; enforcing export control, antiboycott, and public safety laws; cooperating with and assisting other countries on export control and strategic trade issues; assisting U.S. industry to comply with international arms control agreements, and monitoring the viability of the U.S. defense industrial base, and seeking to ensure that it is capable of satisfying U.S. national and homeland security needs.

Management and policy coordination.—The management and policy coordination program provides executive direction and policy guidance necessary to effectively administer U.S. export control laws and laws regarding the defense industrial and technology base.

Export administration.—The export administration program safeguards U.S. national and economic security, nonproliferation, and trade interests by effectively administering U.S. export control laws relating to dual-use technologies and weapons of mass destruction; removes outdated export controls; develops, promotes, and implements policies which ensure a strong and technologically superior defense industrial base; oversees compliance by the U.S. business community with the Chemical Weapons Convention (CWC); and implements the Nation's computer and encryption export policy.

Export enforcement.—The export enforcement program protects national security, nonproliferation, counter-terrorism, and foreign policy interests by enforcing dual-use controls to ensure that illegal exports will be detected and either prevented or the violators sanctioned.

Performance measures.—The activities under this account support the Commerce strategic goal to provide the information and tools to maximize U.S. competitiveness and enable economic growth for American industries, workers and consumers.

	2003 actual	2004 est.	2005 est.
Protect the U.S. national security by enhancing the efficiency of the export control system			
Median processing time for referrals of export licenses to other agencies (days)	4	9	9
Ensure U.S. industry compliance with the Chemical Weapons Convention (CWC) Agreement			
Number of site assistance visits conducted to assist companies prepare for international inspections	12	24	24
Prevent illegal exports and identify violators of export prohibitions and restrictions for prosecution.			
Number of cases opened that result in the prevention of a criminal violation or the prosecution of a criminal or administrative case	250	250	275
Enhance the export and transit control systems of nations that lack effective control arrangements			
Number of targeted deficiencies remedied in the export control systems of program nations	39	25	25

A more detailed presentation of goals, objectives, and performance measures is found in the FY 2005 Budget submission.

Object Classification (in millions of dollars)

Identification code 13-0300-0-1-999	2003 actual	2004 est.	2005 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	27	29	29
11.5 Other personnel compensation	2	2	2
11.9 Total personnel compensation	29	31	31
12.1 Civilian personnel benefits	8	8	8
21.0 Travel and transportation of persons	2	2	2
23.1 Rental payments to GSA	5	5	5
23.3 Communications, utilities, and miscellaneous charges	1	2	2
25.2 Other services	11	11	12

25.3	Other purchases of goods and services from Government accounts	11	4	11
26.0	Supplies and materials	3	3	3
31.0	Equipment	1	2	3
99.0	Direct obligations	71	68	77
99.0	Reimbursable obligations	6	8	6
99.9	Total new obligations	77	76	83

Personnel Summary (in millions of dollars)

Identification code 13-0300-0-1-999	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	366	447	482
Reimbursable:			
2001 Civilian full-time equivalent employment	1	4	4

MINORITY BUSINESS DEVELOPMENT AGENCY

Federal Funds

General and special funds:

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, **[\$28,859,000] \$34,461,000, of which \$17,000,000 shall remain available until September 30, 2006. (Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)**

Program and Financing (in millions of dollars)

Identification code 13-0201-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct Program Activity	29	29	34
09.01 Reimbursable program			1
10.00 Total new obligations	29	29	35
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	29	29	35
23.95 Total new obligations	-29	-29	-35

New budget authority (gross), detail:

Discretionary:			
40.00 Appropriation	29	29	34
Discretionary:			
68.00 Offsetting collections (cash)			1
70.00 Total new budget authority (gross)	29	29	35

Change in obligated balances:

72.40 Obligated balance, start of year	10	9	15
73.10 Total new obligations	29	29	35
73.20 Total outlays (gross)	-29	-22	-31
73.40 Adjustments in expired accounts (net)	-1		
74.40 Obligated balance, end of year	9	15	19

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	21	15	18
86.93 Outlays from discretionary balances	8	7	13
87.00 Total outlays (gross)	29	22	31

Offsets:

Against gross budget authority and outlays:			
88.00 Federal sources	-1		-1
Against gross budget authority only:			
88.96 Portion of offsetting collections (cash) credited to expired accounts	1		

Net budget authority and outlays:

89.00 Budget authority	29	29	34
90.00 Outlays	28	22	30

The Minority Business Development Agency (MBDA) maintains the lead role within the Federal Government providing

General and special funds—Continued

MINORITY BUSINESS DEVELOPMENT—Continued

management and technical assistance services to minority-owned businesses (MBEs). MBDA's long term mission is to achieve entrepreneurial parity and wealth creation for the minority business community.

MBDA has reengineered its organizational structure to be the frontline for support in business assistance, information and customer service and will work to promote strategic growth, job creation, and sustainable development for the rapidly expanding minority business population in the United States.

MBDA Goal and Objectives.—In FY 2005, MBDA will expand its Goal of "Increase Opportunities and Access of Minority-owned Businesses in the Marketplace and Financing." MBDA will manage its programs with an emphasis on strategic growth, focusing on minority firms with rapid growth potential and the ability to create jobs and have an economic impact in geographical areas that have a high concentration of minorities. Specifically, MBDA has developed a strategy to target its client base for firms with \$500,000 or more in annual revenues as well as firms with rapid growth potential but smaller annual revenues.

Performance Measures.—MBDA activities will support the Administration's theme to provide the information and tools to maximize U.S. competitiveness and enable economic growth for American industries, workers and consumers. MBDA will strive to maximize access to capital and procurement contract opportunities for MBEs to significantly increase gross receipts and job creation within the minority business community.

Goal: Increase opportunities and access to minority-owned businesses in the marketplace and financing.

Performance Measure:	2003 actual	2004 est.	2005 est.
Dollar value of contracts (in millions)	600	700	1000

Object Classification (in millions of dollars)

Identification code 13-0201-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
11.1 Full-time permanent	7	7	7
12.1 Civilian personnel benefits	1	1	1
23.1 Rental payments to GSA	2	2	2
25.2 Other services	4	5	5
25.3 Other purchases of goods and services from Government accounts	2	2	3
41.0 Grants, subsidies, and contributions	13	12	17
99.9 Total new obligations	29	29	35

Personnel Summary (in millions of dollars)

Identification code 13-0201-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	92	120	121

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Federal Funds

General and special funds:

OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized, **[\$2,686,520,000] \$2,377,841,000**, to remain available

until September 30, **[2005] 2006**, except for funds provided for cooperative enforcement which shall remain available until September 30, **2006**: *Provided*, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further*, That, in addition, *not to exceed \$3,000,000 shall be derived by transfer from the fund entitled "Coastal Zone Management"*; and in addition, **[\$62,000,000] \$79,000,000** shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,000,000, unless funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year: *Provided further*, That if funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year, then no State shall receive more than 5 percent or less than 1 percent of the additional funds: *Provided further*, That, of the \$2,748,520,000 provided for in direct obligations under this heading (of which \$2,686,520,000 is appropriated from the General Fund and \$62,000,000 is provided by transfer), \$513,910,000 shall be for the National Ocean Service, \$639,990,000 shall be for the National Marine Fisheries Service, \$400,813,000 shall be for Oceanic and Atmospheric Research, \$729,685,000 shall be for the National Weather Service, \$153,827,000 shall be for the National Environmental Satellite, Data, and Information Service, and \$310,295,000 shall be for Program Support: *Provided further*, That no general administrative charge shall be applied against an assigned activity included in this Act or the report accompanying this Act: *Provided further*, That deobligated balances of funds provided under this heading in previous years shall be deposited in the United States Treasury General Fund: *Provided further*, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund shall not exceed \$38,758,000: *Provided further*, That none of the funds under this heading are available to alter the existing structure, organization, function, and funding of the National Marine Fisheries Service Southwest Region and Fisheries Science Center and Northwest Region and Fisheries Science Center: *Provided further*, That, hereafter, the Secretary of Commerce may enter into cooperative agreements with the Joint and Cooperative Institutes as designated by the Secretary to use the personnel, services, or facilities of such organizations for research, education, training, and outreach: *Provided further*, That of the amounts appropriated under this heading, \$1,207,000 shall be transferred to and merged with funds appropriated under the heading, "Salaries and Expenses, Marine Mammal Commission", of which \$500,000 shall remain available until September 30, 2005: *Provided further*, That none of the funds in this Act may be used for the National Oceanic and Atmospheric Administration to implement the Department of Commerce's E-Government initiatives: *Provided further*, That the obligated balance of such sums shall remain available through September 30, 2011 for liquidating obligations made in fiscal years 2003 and 2004.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary. (15 U.S.C. ch. 9, 9A, 40, 56; 16 U.S.C. ch. 32, 32A, 33; 33 U.S.C. ch. 17, 22, 26; 42 U.S.C. ch. 97, 103; 43 U.S.C. ch. 29; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627), and the American Fisheries Promotion Act (Public Law 96-561), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$191,000, to remain available until expended.

Program and Financing (in millions of dollars)

Identification code 13-1450-0-1-306	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Direct program:			
00.01 National Ocean Service	426	521	379
00.02 National Marine Fisheries Service	714	657	623

00.03	Oceanic and Atmospheric Research	372	408	350
00.04	National Weather Service	695	725	749
00.05	National Environmental Satellite, Data, and Information Service	150	153	149
00.06	Program support	178	310	221
00.07	Planning, Program and Integration		2	2
00.09	Retired pay for NOAA Corps Officers	16	18	18
00.10	Foreign Fishing Observer Fund		1	
01.00	Total direct program	2,551	2,795	2,491
	Reimbursable program::			
09.01	National Ocean Service	14	37	28
09.02	National Marine Fisheries Service	42	58	56
09.03	Oceanic and Atmospheric Research	44	48	39
09.04	National Weather Service	52	84	75
09.05	National Environmental Satellite, Data and Information Service	28	32	26
09.06	Program support	15	22	11
09.99	Total reimbursable program	195	281	235
10.00	Total new obligations	2,746	3,076	2,726
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	182	124	
22.00	New budget authority (gross)	2,681	2,952	2,713
22.10	Resources available from recoveries of prior year obligations	17		13
23.90	Total budgetary resources available for obligation	2,880	3,076	2,726
23.95	Total new obligations	-2,746	-3,076	-2,726
23.98	Unobligated balance expiring or withdrawn	-11		
24.40	Unobligated balance carried forward, end of year	124		
New budget authority (gross), detail:				
Discretionary:				
40.00	Appropriation	2,414	2,687	2,378
40.35	Appropriation permanently reduced	-16	-29	
40.36	Unobligated balance permanently reduced		-21	
42.00	Transferred from other accounts	65	62	79
43.00	Appropriation (total discretionary)	2,463	2,699	2,457
Mandatory:				
60.00	Appropriation	16	18	18
Spending authority from offsetting collections:				
Discretionary:				
68.00	Offsetting collections (cash)	181	235	235
68.10	Change in uncollected customer payments from Federal sources (unexpired)	21		
68.62	Transferred from other accounts			3
68.90	Spending authority from offsetting collections (total discretionary)	202	235	238
70.00	Total new budget authority (gross)	2,681	2,952	2,713
Change in obligated balances:				
72.40	Obligated balance, start of year	1,148	1,342	1,586
73.10	Total new obligations	2,746	3,076	2,726
73.20	Total outlays (gross)	-2,514	-2,833	-2,749
73.45	Recoveries of prior year obligations	-17		-13
74.00	Change in uncollected customer payments from Federal sources (unexpired)	-21		
74.40	Obligated balance, end of year	1,342	1,586	1,549
Outlays (gross), detail:				
86.90	Outlays from new discretionary authority	1,642	1,909	1,762
86.93	Outlays from discretionary balances	859	906	969
86.97	Outlays from new mandatory authority	13	18	18
87.00	Total outlays (gross)	2,514	2,833	2,749
Offsets:				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources	-66	-87	-87
88.40	Non-Federal sources	-115	-148	-148
88.90	Total, offsetting collections (cash)	-181	-235	-235
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired)	-21		
Net budget authority and outlays:				
89.00	Budget authority	2,479	2,717	2,478
90.00	Outlays	2,333	2,598	2,514

National Ocean Service (NOS).—These programs provide scientific, technical, and management expertise to promote safe navigation; assess the health of coastal and marine resources and respond to natural and human induced threats; and preserve the coastal ocean and global environments. To meet 21st century challenges, NOS seeks to maintain its suite of navigation, response and restoration, and coastal resource science and management programs.

National Marine Fisheries Service.—These programs provide for the management and conservation of the Nation's living marine resources and their environment, including fish stocks, marine mammals and endangered species. Using science-based conservation, management and restoration activities, these resources can benefit the Nation on a sustained basis. Increases are proposed to carry out the legislative mandates of the Magnuson-Stevens Fishery Conservation and Management Act, the Endangered Species Act, and the Marine Mammal Protection Act and other responsibilities. These increases will allow NOAA to build sustainable fisheries, recover protected species and sustain healthy coastal ecosystems for the enjoyment of all and the communities that depend on them.

Office of Oceanic and Atmospheric Research (OAR).—These programs provide the critical environmental research and technology needed to improve NOAA services (weather and air quality warnings and forecasts, climate predictions, and marine services) to enable the Nation to balance a growing economy with effective management and prediction of our environment and natural resources. To accomplish these goals, OAR supports a network of scientists in its Federal research laboratories, universities, and joint institutes and partnership programs. OAR provides the scientific basis for national policy formulation in key environmental areas, e.g., climate change, weather research, air quality, stratospheric ozone depletion, marine biotechnology, aquaculture, and environmental observing technologies. The NOAA-wide programs also funded in OAR are Climate Change Research, Ocean Exploration, and High Performance Computing and Communications (HPCC).

National Weather Service (NWS).—These programs provide timely and accurate meteorologic, hydrologic, and oceanographic warnings, forecasts, and planning information to ensure the safety of the population, mitigate property losses, and improve the economic efficiency of the Nation. NWS is also responsible for issuing operational climate forecasts for the United States. NWS data and products form a national information database and infrastructure which can be used by other government agencies, the private sector, the public, and the global community. Funds are requested to implement air quality forecasts, to support THORPEX, a Global Atmospheric Research Program, and to meet out-year performance goals for weather warnings and forecasts.

National Environmental Satellite, Data, and Information Service.—These programs provide for operation of environmental polar-orbiting and geostationary satellites; for the collection and archiving of global environmental data and information; and services for distribution to users in commerce, industry, agriculture, science and engineering, the general public and Federal, State and local agencies.

Program support.—These programs provide for overall NOAA management including the NOAA Commissioned Corps, NOAA's share of the regional Administrative Support Centers, and aircraft and marine data acquisition.

Facilities.—This program provides for repair and maintenance to existing facilities; facilities planning and design; and environmental compliance.

Fleet maintenance and planning.—This program provides for the repair and maintenance of vessels, including related equipment to maintain the existing fleet and for the planning of future modernization.

General and special funds—Continued

OPERATIONS, RESEARCH, AND FACILITIES—Continued

Foreign Fishing Observer Fund.—This fund is financed through collections from foreign vessel owners who fish within the U.S. Exclusive Economic Zone. Collections to the Fund are used by the Secretary of Commerce to pay the salaries of observers and program support personnel, the costs of data management, and analysis of the observer program. The observers collect scientific information on the foreign catch and monitor compliance with provisions of the Magnuson-Stevens Fishery Conservation and Management Act of 1976 as amended.

Performance measures.—Activities under this account support NOAA's four goals. Each goal has key supporting performance measures as follows:

Goal: Improve accuracy and timeliness of weather and water information.

	2003 actual	2004 est.	2005 est.
Tornado Warnings:			
Lead-time (minutes)	14	12	13
Accuracy (percent)	81%	72%	73%
False Alarm Rate (percent)	76%	70%	69%

Goal: Increase understanding of climate variability and change.

	2003 actual	2004 est.	2005 est.
U.S. temperature skill score	17	21	21

Goal: Improve protection, restoration, and management of coastal and ocean resources through ecosystem-based management.

	2003 actual	2004 est.	2005 est.
Number of habitat acres restored (cumulative)	5,200	14,780	19,280

Goal: Support the Nation's commerce with information for safe, efficient, and environmentally sound transportation.

	2003 actual	2004 est.	2005 est.
Reduce the hydrographic survey backlog within navigational significant areas surveyed (sq nautical mi)	1,762	2,700	3,325

A more detailed listing of goals, performance measures, and targets is found in the FY 2005 Congressional Budget Submission.

Object Classification (in millions of dollars)

Identification code 13-1450-0-1-306	2003 actual	2004 est.	2005 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	735	744	617
11.3 Other than full-time permanent	10	11	11
11.5 Other personnel compensation	47	60	57
11.7 Military personnel	12	12	12
11.8 Special personal services payments	11	11	2
11.9 Total personnel compensation	815	838	699
12.1 Civilian personnel benefits	206	210	193
13.0 Benefits for former personnel	15	19	19
21.0 Travel and transportation of persons	43	45	38
22.0 Transportation of things	13	15	15
23.1 Rental payments to GSA	53	54	54
23.2 Rental payments to others	12	12	12
23.3 Communications, utilities, and miscellaneous charges	62	64	64
24.0 Printing and reproduction	4	4	4
25.1 Advisory and assistance services	94	100	75
25.2 Other services	322	311	281
25.3 Other purchases of goods and services from Government accounts	117	250	250
25.5 Research and development contracts	1	67	67
26.0 Supplies and materials	78	103	103
31.0 Equipment	45	78	78
32.0 Land and structures	3	6	6
41.0 Grants, subsidies, and contributions	668	619	533
99.0 Direct obligations	2,551	2,795	2,491
99.0 Reimbursable obligations	195	281	235
99.9 Total new obligations	2,746	3,076	2,726

Personnel Summary (in millions of dollars)

Identification code 13-1450-0-1-306	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	11,077	10,767	10,811
1101 Military full-time equivalent employment	348	388	388
Reimbursable:			
2001 Civilian full-time equivalent employment	769	849	849

**PROCUREMENT, ACQUISITION AND CONSTRUCTION
(INCLUDING TRANSFER OF FUNDS)**

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, **[\$990,127,000] \$898,510,000**, to remain available until **[September 30, 2006, except for funds appropriated for the National Marine Fisheries Service Honolulu Laboratory and the Marine Environmental Health Research Laboratory, which shall remain available until]** expended: **[Provided, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: *Provided further, That none of the funds provided in this Act or any other Act under the heading "National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction" shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center]* **Provided, That the obligated balance of such sums shall remain available through September 30, 2011 for liquidating obligations made in fiscal years 2003 and 2004. (Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)****

[Of the appropriations made available for coastal and ocean activities by Public Law 106-553, \$2,500,000 are rescinded.] (Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-1460-0-1-306	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Activity:			
00.01 National Ocean Service	69	149	15
00.02 National Marine Fisheries Service	14	97	2
00.03 Office of Oceanic and Atmospheric Research	10	46	10
00.04 National Weather Service	60	104	88
00.05 National Environmental Satellite, Data, and Information Service	635	676	749
00.06 Program Support	85	77	37
10.00 Total new obligations	873	1,149	901

Budgetary resources available for obligation:

21.40 Unobligated balance carried forward, start of year	239	186	
22.00 New budget authority (gross)	819	963	899
22.10 Resources available from recoveries of prior year obligations	1		2
23.90 Total budgetary resources available for obligation	1,059	1,149	901
23.95 Total new obligations	-873	-1,149	-901
24.40 Unobligated balance carried forward, end of year	186		

New budget authority (gross), detail:

Discretionary:			
40.00 Appropriation	824	996	899
40.35 Appropriation permanently reduced	-5	-10	
40.36 Unobligated balance permanently reduced		-23	
43.00 Appropriation (total discretionary)	819	963	899

Change in obligated balances:

72.40 Obligated balance, start of year	425	583	980
73.10 Total new obligations	873	1,149	901
73.20 Total outlays (gross)	-714	-752	-873
73.45 Recoveries of prior year obligations	-1		-2
74.40 Obligated balance, end of year	583	980	1,005

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	476	337	314
86.93 Outlays from discretionary balances	238	415	559

87.00	Total outlays (gross)	714	752	873
Net budget authority and outlays:				
89.00	Budget authority	819	963	899
90.00	Outlays	714	752	873

The projects included in this account support NOAA's operational mission across all line offices. Funding is proposed for the National Estuarine Research Reserves Systems Construction and the National Marine Sanctuaries Construction program. Increases are proposed for the following: to upgrade the NWS Telecommunications Gateway; to complete the acquisition of a third Fisheries Survey Vessel; to develop the GOES next generation satellite system; and, to continue the Department of Commerce's participation in the tri-agency converged polar satellite program.

Object Classification (in millions of dollars)

Identification code 13-1460-0-1-306	2003 actual	2004 est.	2005 est.	
Direct obligations:				
11.1	Full-time permanent	26	10	8
12.1	Civilian personnel benefits	7	1	1
13.0	Benefits for former personnel	1	1	1
21.0	Travel and transportation of persons	2	3	3
23.1	Rental payments to GSA	4	7	3
23.2	Rental payments to others	2	1	.....
23.3	Communications, utilities, and miscellaneous charges	9	11	12
25.1	Advisory and assistance services	36	33	35
25.2	Other services	76	261	263
25.3	Other purchases of goods and services from Government accounts	522	598	309
25.5	Research and development contracts	19	2	2
26.0	Supplies and materials	10	3	4
31.0	Equipment	85	87	144
32.0	Land and structures	3	21	9
41.0	Grants, subsidies, and contributions	72	110	107
99.9	Total new obligations	873	1,149	901

Personnel Summary (in millions of dollars)

Identification code 13-1460-0-1-306	2003 actual	2004 est.	2005 est.	
Direct:				
1001	Civilian full-time equivalent employment	355	148	174

LIMITED ACCESS SYSTEM ADMINISTRATION FUND

Program and Financing (in millions of dollars)

Identification code 13-5284-0-2-306	2003 actual	2004 est.	2005 est.	
Obligations by program activity:				
00.01	Direct program activity	2	8	4
10.00	Total new obligations (object class 41.0)	2	8	4
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	2	4	.....
22.00	New budget authority (gross)	4	4	4
23.90	Total budgetary resources available for obligation	6	8	4
23.95	Total new obligations	-2	-8	-4
24.40	Unobligated balance carried forward, end of year	4	.....	.....
New budget authority (gross), detail:				
Mandatory:				
60.20	Appropriation (special fund)	4	4	4
Change in obligated balances:				
73.10	Total new obligations	2	8	4
73.20	Total outlays (gross)	-2	-8	-4
Outlays (gross), detail:				
86.97	Outlays from new mandatory authority	4	4	4
86.98	Outlays from mandatory balances	2	4	.....
87.00	Total outlays (gross)	2	8	4

Net budget authority and outlays:				
89.00	Budget authority	4	4	4
90.00	Outlays	2	8	4

This fund was established by Title III of P.L. 104-297. Fee collections equaling no more than one-half percent of the proceeds from the sale or transfer of limited access system permits are deposited into the Fund. These deposits to the Fund are used to administer an exclusive central registry system for the limited access system permits.

Personnel Summary (in millions of dollars)

Identification code 13-5284-0-2-306	2003 actual	2004 est.	2005 est.	
Direct:				
1001	Civilian full-time equivalent employment	18

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, **[\$90,000,000] \$100,000,000.** (Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-1451-0-1-306	2003 actual	2004 est.	2005 est.	
Obligations by program activity:				
00.01	State of Washington	28	26	27
00.02	State of Alaska	22	21	16
00.03	State of Oregon	14	13	19
00.04	State of California	14	13	19
00.05	State of Idaho .....	.....	5	8
00.06	Columbia River Tribes	3	3	3
00.07	Pacific Coastal Tribes	9	8	9
00.08	Northern Transboundary Fund	25	.....	.....
00.09	Southern Transboundary Fund	15	.....	.....
10.00	Total new obligations (object class 41.0)	130	89	101
Budgetary resources available for obligation:				
22.00	New budget authority (gross)	129	89	100
23.95	Total new obligations	-130	-89	-101
New budget authority (gross), detail:				
Discretionary:				
40.00	Appropriation	130	89	100
40.35	Appropriation permanently reduced	-1	.....	.....
43.00	Appropriation (total discretionary)	129	89	100
Change in obligated balances:				
72.40	Obligated balance, start of year	219	241	.....
73.10	Total new obligations	130	89	101
73.20	Total outlays (gross)	-107	-330	-100
74.40	Obligated balance, end of year	241	.....	.....

Outlays (gross), detail:				
86.90	Outlays from new discretionary authority	107	89	100
86.93	Outlays from discretionary balances .....	.....	241	.....
87.00	Total outlays (gross)	107	330	100

Net budget authority and outlays:				
89.00	Budget authority	129	89	100
90.00	Outlays	107	330	100

This account funds Pacific Coastal Salmon Recovery for the purpose of helping share the costs of State, Tribal and local conservation initiatives. This account supports NOAA's contribution to a broad interdepartmental initiative bolstering and deploying existing and new Federal capabilities to assist in the conservation of at-risk Pacific salmon runs in the western States of California, Oregon, Idaho, Washington, and Alaska. The ratio for Federal to State and local matching for these funds is three to one. In addition, funds would be available to coastal tribes (not to exceed 10 percent) that

General and special funds—Continued

PACIFIC COASTAL SALMON RECOVERY—Continued

do not require matching dollars. The account has been established under existing authorities by the Secretary of Commerce and made available through agreements with the Governors of each of the five States for distribution to assist State, Tribal and local conservation efforts. The Secretary will establish terms and conditions for the effective use of the funds and specific reporting requirements appropriate for ensuring full accountability of the available funds to meet the purpose of the account.

COASTAL IMPACT ASSISTANCE

Program and Financing (in millions of dollars)

Identification code 13-1462-0-1-302	2003 actual	2004 est.	2005 est.
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	7		
22.00 New budget authority (gross)	-7		
23.90 Total budgetary resources available for obligation			
New budget authority (gross), detail:			
Discretionary:			
40.36 Unobligated balance permanently reduced	-7		
Change in obligated balances:			
72.40 Obligated balance, start of year	136	106	53
73.20 Total outlays (gross)	-30	-53	-42
74.40 Obligated balance, end of year	106	53	11
Outlays (gross), detail:			
86.93 Outlays from discretionary balances	30	53	42
Net budget authority and outlays:			
89.00 Budget authority	-7		
90.00 Outlays	30	53	42

No funds for this account are proposed in 2005.

**PROMOTE AND DEVELOP FISHERY PRODUCTS AND RESEARCH
PERTAINING TO AMERICAN FISHERIES**

Program and Financing (in millions of dollars)

Identification code 13-5139-0-2-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct program activity	21	19	1
10.00 Total new obligations	21	19	1
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	11	1	
22.00 New budget authority (gross)	10	18	1
23.90 Total budgetary resources available for obligation	21	19	1
23.95 Total new obligations	-21	-19	-1
24.40 Unobligated balance carried forward, end of year	1		
New budget authority (gross), detail:			
Discretionary:			
41.00 Transferred to other accounts	-65	-62	-79
Mandatory:			
62.00 Transferred from other accounts	75	80	80
70.00 Total new budget authority (gross)	10	18	1
Change in obligated balances:			
72.40 Obligated balance, start of year	4	21	12
73.10 Total new obligations	21	19	1
73.20 Total outlays (gross)	-3	-28	-10
74.40 Obligated balance, end of year	21	12	3
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	-65	-62	-79

86.97 Outlays from new mandatory authority	65	80	80
86.98 Outlays from mandatory balances	3	10	9
87.00 Total outlays (gross)	3	28	10
Net budget authority and outlays:			
89.00 Budget authority	10	18	1
90.00 Outlays	3	28	10

An amount equal to 30 percent of the gross receipts from customs duties on imported fishery products is transferred to the Department of Commerce annually from the U.S. Department of Agriculture.

The American Fisheries Promotion Act (AFPA) of 1980 authorized a grants program for fisheries research and development projects to be carried out with Saltonstall-Kennedy (S-K) funds. These funds are used to enhance the productivity and improve the sustainable yield of domestic marine fisheries resources.

Object Classification (in millions of dollars)

Identification code 13-5139-0-2-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
25.2 Other services	1	1	
41.0 Grants, subsidies, and contributions	20	18	1
99.9 Total new obligations	21	19	1

Personnel Summary (in millions of dollars)

Identification code 13-5139-0-2-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	4	4	4

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$956,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

Unavailable Receipts (in millions of dollars)

Identification code 13-5120-0-2-376	2003 actual	2004 est.	2005 est.
01.99 Balance, start of year			
Receipts:			
02.00 Fees, Fishermen's contingency fund			1
04.00 Total: Balances and collections			1
Appropriations:			
05.00 Fishermen's contingency fund			-1
07.99 Balance, end of year			

Program and Financing (in millions of dollars)

Identification code 13-5120-0-2-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct Program Activity		1	1
10.00 Total new obligations (object class 42.0)		1	1
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	2	2	
22.00 New budget authority (gross)		-1	1
23.90 Total budgetary resources available for obligation	2	1	1
23.95 Total new obligations		-1	-1
24.40 Unobligated balance carried forward, end of year	2		
New budget authority (gross), detail:			
Discretionary:			
40.20 Appropriation (special fund)			1
40.36 Unobligated balance permanently reduced		-1	
43.00 Appropriation (total discretionary)		-1	1

Change in obligated balances:			
73.10	Total new obligations	1	1
73.20	Total outlays (gross)	-1	-1
Outlays (gross), detail:			
86.90	Outlays from new discretionary authority	-1	1
86.93	Outlays from discretionary balances	2	
87.00	Total outlays (gross)	1	1
Net budget authority and outlays:			
89.00	Budget authority	-1	1
90.00	Outlays	1	1

This program provides compensation to commercial fishermen for damages to or loss of fishing gear, including economic loss, related to oil and gas exploration, development, and production on the Outer Continental Shelf. The fund is supported by assessments to holders of leases, permits, easements, and rights of way in areas of the Outer Continental Shelf.

Personnel Summary (in millions of dollars)

Identification code 13-5120-0-2-376	2003 actual	2004 est.	2005 est.	
Direct:				
1001	Civilian full-time equivalent employment	1	1	1

ENVIRONMENTAL IMPROVEMENT AND RESTORATION FUND

Unavailable Receipts (in millions of dollars)

Identification code 13-5362-0-2-302	2003 actual	2004 est.	2005 est.	
01.99	Balance, start of year			
Receipts:				
02.40	Interest earned, environmental improvement and restoration fund	3	2	4
04.00	Total: Balances and collections	3	2	4
Appropriations:				
05.00	Environmental improvement and restoration fund	-3	-2	-4
07.99	Balance, end of year			

Program and Financing (in millions of dollars)

Identification code 13-5362-0-2-302	2003 actual	2004 est.	2005 est.	
Obligations by program activity:				
00.01	Direct Program Activity	10	4	
10.00	Total new obligations (object class 41.0)	10	4	
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	5	8	
22.00	New budget authority (gross)	3	2	4
23.90	Total budgetary resources available for obligation	8	10	4
23.95	Total new obligations		-10	-4
24.40	Unobligated balance carried forward, end of year	8		

New budget authority (gross), detail:

Mandatory:				
60.20	Appropriation (special fund)	3	2	4

Change in obligated balances:

72.40	Obligated balance, start of year	12	11	
73.10	Total new obligations		10	4
73.20	Total outlays (gross)	-1	-21	-4
74.40	Obligated balance, end of year	11		

Outlays (gross), detail:

86.97	Outlays from new mandatory authority	1	2	4
86.98	Outlays from mandatory balances		19	
87.00	Total outlays (gross)	1	21	4

Net budget authority and outlays:

89.00	Budget authority	3	2	4
90.00	Outlays	1	21	4

This fund was established by Title IV of P.L. 105-83. Twenty percent of the interest earned from this fund is made available to the Department of Commerce. Funds are to be used by Federal, State, private or foreign organizations or individuals to conduct research activities on or relating to the fisheries or marine ecosystems in the north Pacific Ocean, Bering Sea, and Arctic Ocean. Research priorities and grant requests are reviewed and approved by the North Pacific Research Board with emphasis placed on cooperative research efforts designed to address pressing fishery management or marine ecosystem information needs.

Public enterprise funds:

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$3,000,000 shall be transferred to the "Operations, Research and Facilities" account to offset the costs of implementing such Act.

Program and Financing (in millions of dollars)

Identification code 13-4313-0-3-306	2003 actual	2004 est.	2005 est.	
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	28	30	30
24.40	Unobligated balance carried forward, end of year	30	30	30

New budget authority (gross), detail:

Spending authority from offsetting collections:				
Discretionary:				
68.00	Offsetting collections (cash)	1	3	3
68.45	Portion precluded from obligation (limitation on obligations)	-1	-3	
68.61	Transferred to other accounts			-3
68.90	Spending authority from offsetting collections (total discretionary)			

Offsets:

Against gross budget authority and outlays:				
88.40	Non-Federal sources	-1	-3	-3

Net budget authority and outlays:

89.00	Budget authority	-1	-3	-3
90.00	Outlays	-1	-3	-3

This fund was established by the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA). The fund consists of loan repayments from the former Coastal Energy Impact Program. The proceeds are to be used to offset the Operations, Research, and Facilities account for the costs of implementing the Coastal Zone Management Act of 1972, as amended.

DAMAGE ASSESSMENT AND RESTORATION REVOLVING FUND

Program and Financing (in millions of dollars)

Identification code 13-4316-0-3-306	2003 actual	2004 est.	2005 est.	
Obligations by program activity:				
09.01	Reimbursable program	7	28	6
10.00	Total new obligations	7	28	6

Budgetary resources available for obligation:

21.40	Unobligated balance carried forward, start of year	18	22	
22.00	New budget authority (gross)	7	3	3
22.10	Resources available from recoveries of prior year obligations	1		
22.22	Unobligated balance transferred from other accounts	4	3	3
23.90	Total budgetary resources available for obligation	30	28	6
23.95	Total new obligations	-7	-28	-6
24.40	Unobligated balance carried forward, end of year	22		

Public enterprise funds—Continued

**DAMAGE ASSESSMENT AND RESTORATION REVOLVING FUND—
Continued**

Program and Financing (in millions of dollars)—Continued

Identification code 13-4316-0-3-306	2003 actual	2004 est.	2005 est.
New budget authority (gross), detail:			
Mandatory:			
62.00 Transferred from other accounts	1	1	1
Mandatory:			
69.00 Offsetting collections (cash)	6	2	2
70.00 Total new budget authority (gross)	7	3	3
Change in obligated balances:			
72.40 Obligated balance, start of year	7	6	
73.10 Total new obligations	7	28	6
73.20 Total outlays (gross)	-7	-34	-6
73.45 Recoveries of prior year obligations	-1		
74.40 Obligated balance, end of year	6		2
Outlays (gross), detail:			
86.97 Outlays from new mandatory authority	6	3	3
86.98 Outlays from mandatory balances	1	31	3
87.00 Total outlays (gross)	7	34	6
Offsets:			
Against gross budget authority and outlays:			
88.40 Non-Federal sources	-6	-2	-2
Net budget authority and outlays:			
89.00 Budget authority	1	1	1
90.00 Outlays	1	32	4

The Oil Pollution Act of 1990 stipulates that sums recovered from awards or settlements for natural resource damages to NOAA trust resources shall be retained in a revolving trust account to permit NOAA to carry out (1) oil and hazardous materials contingency planning and response, (2) natural resource damage assessment, and (3) restoration or replacement of injured or lost natural resources. For a comprehensive description of the Prince William Sound Restoration Program, refer to the U.S. Fish and Wildlife Service's Natural Resource Damage Assessment account. The 2004 and 2005 estimates transferred from other accounts are preliminary and subject to change. NOAA will utilize funds transferred to this account to respond to hazardous materials spills in the coastal and marine environments, by conducting damage assessments, providing scientific support during litigation, and using recovered damages to restore injured resources.

Object Classification (in millions of dollars)

Identification code 13-4316-0-3-306	2003 actual	2004 est.	2005 est.
Reimbursable obligations:			
11.1 Full-time permanent	1	1	1
25.2 Other services	6	27	5
99.0 Reimbursable obligations	7	28	6
99.9 Total new obligations	7	28	6

Personnel Summary (in millions of dollars)

Identification code 13-4316-0-3-306	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment			
Reimbursable:			
2001 Civilian full-time equivalent employment	14	16	16

Credit accounts:

FISHERIES FINANCE PROGRAM ACCOUNT

For the costs of direct loans, \$287,000, as authorized by the Merchant Marine Act of 1936: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in the Federal Credit Reform Act of 1990: *Provided further*, That these funds are only available to subsidize gross obligations for the [principle] principal amount of direct loans not to exceed [\$5,000,000 for Individual Fishing Quota loans, and not to exceed \$59,000,000 for traditional direct loans, of which \$40,000,000 may be used for direct loans to the United States distant water tuna fleet, and of which \$19,000,000 may be used for direct loans to the United States menhaden fishery:] \$30,000,000 for traditional loan programs, fishing capacity reduction programs, individual fishing quotas, aquaculture facilities, reconditioning of fishing vessels for the purpose of reducing bycatch or reducing capacity in an overfished fishery, and the purchase of assets sold at foreclosure instituted by the Secretary: *Provided further*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery. (Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-1456-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct Program Activity		1	
00.05 Reestimate of direct loan subsidy	2	2	
00.07 Reestimate of guaranteed loan subsidy	3		
00.08 Interest on reestimate of guaranteed loan subsidy	2		
10.00 Total new obligations (object class 25.2)	7	3	
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	2	1	2
22.00 New budget authority (gross)	7	4	
23.90 Total budgetary resources available for obligation	9	5	2
23.95 Total new obligations	-7	-3	
24.40 Unobligated balance carried forward, end of year	1	2	2
New financing authority (gross), detail:			
Discretionary:			
40.00 Appropriation		1	
Mandatory:			
60.00 Appropriation	7	3	
70.00 Total new budget authority (gross)	7	4	
Change in obligated balances:			
72.40 Obligated balance, start of year	1	1	
73.10 Total new obligations	7	3	
73.20 Total outlays (gross)	-7	-4	
74.40 Obligated balance, end of year	1		
Outlays (gross), detail:			
86.93 Outlays from discretionary balances		1	
86.97 Outlays from new mandatory authority	7	3	
87.00 Total outlays (gross)	7	4	
Net budget authority and outlays:			
89.00 Budget authority	7	4	
90.00 Outlays	8	4	

Summary of Loan Levels, Subsidy Budget Authority and Outlays by Program (in millions of dollars)

Identification code 13-1456-0-1-376	2003 actual	2004 est.	2005 est.
Direct loan levels supportable by subsidy budget authority:			
115001 IFQ loans	5	5	5
115002 Traditional loan program	19	19	25
115003 NE Groundfish Buyback Loans	45		
115004 Pacific Groundfish Buyback Loans	36		
115005 Tuna Fleet loans	40	40	
115006 New England Lobster Buyback loans		50	
115007 Bering Sea & Aleutian Islands non-Pollack Buyback		50	
115901 Total direct loan levels	145	164	30

Direct loan subsidy (in percent):			
132001 IFQ loans	-12.03	-15.94	-18.45
132002 Traditional loan program	-11.89	-5.49	-13.71
132003 NE Groundfish Buyback Loans	-0.37	0.00	0.00
132004 Pacific Groundfish Buyback Loans	1.08	0.00	0.00
132005 Tuna Fleet loans	-11.89	-5.49	0.00
132006 New England Lobster Buyback loans	0.00	-0.04	0.00
132007 Bering Sea & Aleutian Islands non-Pollack Buyback	0.00	-0.04	0.00
132901 Weighted average subsidy rate	-5.52	-2.44	-13.33
Direct loan subsidy budget authority:			
133001 IFQ loans	-1	-1	-1
133002 Traditional loan program	-2	-1	-3
133003 NE Groundfish Buyback Loans			
133004 Pacific Groundfish Buyback Loans			
133005 Tuna Fleet loans	-5	-2	
133006 New England Lobster Buyback loans			
133007 Bering Sea & Aleutian Islands non-Pollack Buyback			
133901 Total subsidy budget authority	-8	-4	-4
Direct loan subsidy outlays:			
134001 IFQ loans			
134002 Traditional loan program	-2	-1	-3
134003 NE Groundfish Buyback Loans			
134004 Pacific Groundfish Buyback Loans			
134005 Tuna Fleet loans		-2	
134006 New England Lobster Buyback loans			
134007 Bering Sea & Aleutian Islands non-Pollack Buyback			
134008 Crab Buyback loans		-1	
134901 Total subsidy outlays	-2	-4	-3
Direct loan upward reestimate subsidy budget authority:			
135001 IFQ loans	2	1	
135002 Traditional loan program	2	1	
135901 Total upward reestimate budget authority	4	2	
Direct loan downward reestimate subsidy budget authority:			
137001 IFQ loans	-1		
137002 Traditional loan program	-2	-1	
137009 Downward reestimates subsidy budget authority (Poll)	-4	-1	
137901 Total downward reestimate budget authority	-7	-2	
Guaranteed loan upward reestimate subsidy budget authority:			
235001 Subsidy upward reestimate (Trad)	5		
235901 Total upward reestimate budget authority	5		
Administrative expense data:			
351001 Budget authority			
358001 Outlays from balances	3		
359001 Outlays from new authority			

This account covers the subsidy costs of guaranteed loans (pre-1997) and direct loans (post-1996) obligated or committed subsequent to October 1, 1991, as authorized by the Merchant Marine Act of 1936 as amended.

FISHERIES FINANCE DIRECT LOAN FINANCING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4324-0-3-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct loans	24	24	30
00.02 Tuna Fleet loans	38	40	
00.03 NE groundfish buyback loans	45		
00.04 Pacific groundfish buyback loans	36		
00.05 Interest payment to Treasury	11	13	17
00.06 New England Lobster Buyback		50	
00.07 Bering Sea and Aleutian Islands Non-Pollock Buyback		50	
00.91 Subtotal	154	177	47
08.01 Negative subsidy	8	13	4
08.02 Downward reestimate	5	2	
08.04 Interest on downward reestimate	1		
08.91 Subtotal	14	15	4
10.00 Total new obligations (object class 33.0)	168	192	51
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	1	1	

22.00 New financing authority (gross)	168	191	51
22.10 Resources available from recoveries of prior year obligations	7		
22.60 Portion applied to repay debt	-6		
22.70 Balance of authority to borrow withdrawn	-1		
23.90 Total budgetary resources available for obligation	169	192	51
23.95 Total new obligations	-168	-192	-51
24.40 Unobligated balance carried forward, end of year	1		

New financing authority (gross), detail:

Mandatory:			
67.10 Authority to borrow	156	177	34
Mandatory:			
69.00 Offsetting collections (cash)	34	31	35
69.47 Portion applied to repay debt	-22	-17	-18
69.90 Spending authority from offsetting collections (total mandatory)	12	14	17
70.00 Total new financing authority (gross)	168	191	51

Change in obligated balances:

72.40 Obligated balance, start of year	180	299	287
73.10 Total new obligations	168	192	51
73.20 Total financing disbursements (gross)	-42	-204	-37
73.45 Recoveries of prior year obligations	-7		
74.40 Obligated balance, end of year	299	287	301
87.00 Total financing disbursements (gross)	42	204	37

Offsets:

Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Payments from program account	-2	-2	
88.25 Interest on uninvested funds	-2	-3	
88.40 Repayments of principal, net	-17	-13	-12
88.40 Interest Received on loans	-13	-13	-23
88.90 Total, offsetting collections (cash)	-34	-31	-35

Net financing authority and financing disbursements:

89.00 Financing authority	134	160	16
90.00 Financing disbursements	8	173	2

Status of Direct Loans (in millions of dollars)

Identification code 13-4324-0-3-376	2003 actual	2004 est.	2005 est.
Position with respect to appropriations act limitation on obligations:			
1111 Limitation on direct loans	24	24	30
1150 Total direct loan obligations	24	24	30
Cumulative balance of direct loans outstanding:			
1210 Outstanding, start of year	139	145	313
1231 Direct loan disbursements	22	181	14
1251 Repayments and prepayments	-16	-13	-12
1264 Other adjustments, net			
1290 Outstanding, end of year	145	313	315

This account covers the financing of direct loans as authorized by the Magnuson-Stevens Fishery Conservation and Management Act. Funds are not used for purposes that would contribute to the overcapitalization of the fishing industry.

Balance Sheet (in millions of dollars)

Identification code 13-4324-0-3-376	2002 actual	2003 actual	2004 est.	2005 est.
ASSETS:				
Federal assets:				
1101 Fund balances with Treasury	14	6		
Investments in US securities:				
1106 Federal Receivables, net	2	1		
Net value of assets related to post-1991 direct loans receivable:				
1401 Direct loans receivable, gross	139	145		
1402 Interest receivable	1	1		
1405 Allowance for subsidy cost (-)	20	21		
1499 Net present value of assets related to direct loans	160	167		

Credit accounts—Continued

FISHERIES FINANCE DIRECT LOAN FINANCING ACCOUNT—Continued

Balance Sheet (in millions of dollars)—Continued

Identification code 13-4324-0-3-376	2002 actual	2003 actual	2004 est.	2005 est.
1999 Total assets	176	174		
LIABILITIES:				
Federal liabilities:				
2101 Accounts payable	6	3		
2103 Federal liabilities, debt	170	171		
2999 Total liabilities	176	174		
NET POSITION:				
3300 Cumulative results of operations				
3999 Total net position				
4999 Total liabilities and net position	176	174		

Note: Consistent with Government-wide practice, information for 2004 and 2005 was not required to be collected.

FISHERIES FINANCE GUARANTEED LOAN FINANCING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4314-0-3-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.02 Interest payments to Treasury	1	1	1
10.00 Total new obligations (object class 33.0)	1	1	1
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	2	6	7
22.00 New financing authority (gross)	5	2	2
22.60 Portion applied to repay debt	-1		
23.90 Total budgetary resources available for obligation	6	8	9
23.95 Total new obligations	-1	-1	-1
24.40 Unobligated balance carried forward, end of year	6	7	8
New financing authority (gross), detail:			
Mandatory:			
69.00 Offsetting collections (cash)	6	2	2
69.47 Portion applied to repay debt	-1		
69.90 Spending authority from offsetting collections (total mandatory)	5	2	2
Change in obligated balances:			
73.10 Total new obligations	1	1	1
73.20 Total financing disbursements (gross)	-1	-1	-1
87.00 Total financing disbursements (gross)	1	1	1
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources: Payments from program account	-5		
88.25 Interest on uninvested funds	-1	-1	-1
88.40 Interest received on loans		-1	-1
88.90 Total, offsetting collections (cash)	-6	-2	-2
Net financing authority and financing disbursements:			
89.00 Financing authority	-1		
90.00 Financing disbursements	-5	-1	-1

Status of Guaranteed Loans (in millions of dollars)

Identification code 13-4314-0-3-376	2003 actual	2004 est.	2005 est.
Position with respect to appropriations act limitation on commitments:			
2111 Limitation on guaranteed loans made by private lenders			
2150 Total guaranteed loan commitments			
Cumulative balance of guaranteed loans outstanding:			
2210 Outstanding, start of year	37	32	27
2251 Repayments and prepayments	-5	-5	-5

2290 Outstanding, end of year	32	27	22
Memorandum:			
2299 Guaranteed amount of guaranteed loans outstanding, end of year	32	27	22
Addendum:			
Cumulative balance of defaulted guaranteed loans that result in loans receivable:			
2310 Outstanding, start of year	13	13	13
2331 Disbursements for guaranteed loan claims			
2390 Outstanding, end of year	13	13	13

This account covers the financing of guaranteed loans obligated or committed subsequent to October 1, 1991 as authorized by the Merchant Marine Act of 1936 as amended. Funds are not used for purposes which would contribute to the overcapitalization of the fishing industry.

Balance Sheet (in millions of dollars)

Identification code 13-4314-0-3-376	2002 actual	2003 actual	2004 est.	2005 est.
ASSETS:				
Federal assets:				
1101 Fund balances with Treasury	2	6		
Investments in US securities:				
1106 Receivables, net	5			
Net value of assets related to post-1991 acquired defaulted guaranteed loans receivable:				
1501 Defaulted guaranteed loans receivable, gross	13	13		
1504 Foreclosed property related to default guarantee	3	3		
1505 Allowance for subsidy cost (-)	-7	-7		
1599 Net present value of assets related to defaulted guaranteed loans	9	9		
1999 Total assets	16	15		
LIABILITIES:				
2103 Debt	13	12		
2204 Liabilities for loan guarantees	3	3		
2999 Total liabilities	16	15		
4999 Total liabilities and net position	16	15		

Note: Consistent with Government-wide practice, information for 2004 and 2005 was not required to be collected.

FEDERAL SHIP FINANCING FUND FISHING VESSELS LIQUIDATING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4417-0-3-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Obligations by program activity		1	1
10.00 Total new obligations (object class 33.0)		1	1
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	3	2	
22.00 New budget authority (gross)	2	5	5
22.40 Capital transfer to general fund		-2	
22.60 Portion applied to repay debt	-3	-4	-4
23.90 Total budgetary resources available for obligation	2	1	1
23.95 Total new obligations		-1	-1
24.40 Unobligated balance carried forward, end of year	2		
New budget authority (gross), detail:			
Mandatory:			
69.00 Offsetting collections (cash)	2	5	5
Change in obligated balances:			
73.10 Total new obligations		1	1
73.20 Total outlays (gross)		-1	-1
Outlays (gross), detail:			
86.97 Outlays from new mandatory authority		1	1

Offsets:				
Against gross budget authority and outlays:				
88.40	Non-Federal sources	-2	-5	-5
Net budget authority and outlays:				
89.00	Budget authority			
90.00	Outlays	-2	-4	-4

Status of Guaranteed Loans (in millions of dollars)

Identification code 13-4417-0-3-376	2003 actual	2004 est.	2005 est.	
Cumulative balance of guaranteed loans outstanding:				
2210	Outstanding, start of year	31	23	18
2251	Repayments and prepayments	-8	-5	-4
2290	Outstanding, end of year	23	18	14
Memorandum:				
2299	Guaranteed amount of guaranteed loans outstanding, end of year	23	18	13
Addendum:				
Cumulative balance of defaulted guaranteed loans that result in loans receivable:				
2310	Outstanding, start of year	40	26	25
2351	Repayments of loans receivable	-1	-1	-2
2361	Write-offs of loans receivable	-13		
2390	Outstanding, end of year	26	25	23

Premiums and fees collected under the Fishing Vessel Obligations Guarantee program for loan commitments made prior to October 1, 1991 are deposited in this fund for operations of this program, loans, and for use in case of default. Proceeds from the sale of collateral also are deposited in the Fund for defaults on loans committed prior to October 1, 1991 (46 U.S.C. 1272, 1273(f), and 1274).

Balance Sheet (in millions of dollars)

Identification code 13-4417-0-3-376	2002 actual	2003 actual	2004 est.	2005 est.
ASSETS:				
Federal assets:				
1101	Fund balances with Treasury	3	2	
Investments in US securities:				
1102	Investments, Net			
1701	Defaulted guaranteed loans, gross	41	26	
1703	Allowance for estimated uncollectible loans and interest (-)	-30	-16	
1704	Defaulted guaranteed loans and interest receivable, net	11	10	
1706	Foreclosed property	1		
1799	Value of assets related to loan guarantees	12	10	
1999	Total assets	15	12	
LIABILITIES:				
2104	Resources payable to Treasury	15	12	
2999	Total liabilities	15	12	
NET POSITION:				
3100	Unexpended appropriations			
3999	Total net position			
4999	Total liabilities and net position	15	12	

Note: Consistent with Government-wide practice, information for 2004 and 2005 was not required to be collected.

Trust Funds

NORTH PACIFIC MARINE RESEARCH INSTITUTE FUND

Program and Financing (in millions of dollars)

Identification code 13-8220-0-7-306	2003 actual	2004 est.	2005 est.	
Change in obligated balances:				
72.40	Obligated balance, start of year	2	1	
73.20	Total outlays (gross)	-1	-1	
74.40	Obligated balance, end of year	1		

Outlays (gross), detail:				
86.93	Outlays from discretionary balances	1	1	
Net budget authority and outlays:				
89.00	Budget authority			
90.00	Outlays	1	1	

The North Pacific Marine Research Institute Fund was created by Section 2204 of P.L. 106-246. Funds are to be administered by the North Pacific Research Board to conduct research and carry out education and demonstration projects relating to the North Pacific main ecosystem. The emphasis of these projects is on marine mammals, sea birds, fish and shellfish populations in the Bering Sea and Gulf of Alaska and near the Alaska Marine National Wildlife Refuge. These funds are being used to cover the lease, maintenance, and operation costs and to upgrade research equipment for the Alaska Sea Life Center.

U.S. PATENT AND TRADEMARK OFFICE

Federal Funds

General and special funds:

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, **[\$1,222,460,000] \$1,314,653,000**, to remain available until expended, which amount shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: *Provided*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year **[2004] 2005**, so as to result in a fiscal year **[2004] 2005** appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year **[2004] 2005**, should the **[total]** amount of offsetting **[fee] fees [collections] collected under this paragraph** be less than **[\$1,222,460,000] \$1,314,653,000**, **[the total amounts available to the United States Patent and Trademark Office] this amount of \$1,314,653,000** shall be reduced accordingly: *Provided further*, That from amounts provided herein, not to exceed \$1,000 shall be made available in fiscal year **[2004] 2005** for official reception and representation expenses: *Provided further*, That, notwithstanding section 1353 of title 31, United States Code, no employee of the United States Patent and Trademark Office may accept payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an employee to attend and participate in a convention, conference, or meeting when the entity offering payment or reimbursement is a person or corporation subject to regulation by the Office, or represents a person or corporation subject to regulation by the Office, unless the person or corporation is an organization exempt from taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986. *(Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)*

Program and Financing (in millions of dollars)

Identification code 13-1006-0-1-376	2003 actual	2004 est.	2005 est.	
Obligations by program activity:				
Reimbursable program:				
09.01	Patents	1,062	1,097	1,148
09.02	Trademarks	129	133	166
09.09	Reimbursable program - subtotal line	1,191	1,230	1,314
10.00	Total new obligations	1,191	1,230	1,314
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	6	3	
22.00	New budget authority (gross)	1,182	1,221	1,314
22.10	Resources available from recoveries of prior year obligations	6	5	
23.90	Total budgetary resources available for obligation	1,194	1,229	1,314

General and special funds—Continued

SALARIES AND EXPENSES—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 13–1006–0–1–376	2003 actual	2004 est.	2005 est.
23.95 Total new obligations	–1,191	–1,230	–1,314
24.40 Unobligated balance carried forward, end of year	3		
New budget authority (gross), detail:			
Discretionary:			
40.38 Unobligated balance temporarily reduced		–1	
Spending authority from offsetting collections:			
Discretionary:			
68.00 Offsetting collections (cash)	1,194	1,271	1,314
68.26 Offsetting collections (PY available balances)	167		
68.45 Portion precluded from obligation (limitation on obligations) CY	–179	–49	
68.90 Spending authority from offsetting collections (total discretionary)	1,182	1,222	1,314
70.00 Total new budget authority (gross)	1,182	1,221	1,314
Change in obligated balances:			
72.40 Obligated balance, start of year	288	328	457
73.10 Total new obligations	1,191	1,230	1,314
73.20 Total outlays (gross)	–1,145	–1,096	–1,339
73.45 Recoveries of prior year obligations	–6	–5	
74.40 Obligated balance, end of year	328	457	432
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	860	917	986
86.93 Outlays from discretionary balances	285	179	353
87.00 Total outlays (gross)	1,145	1,096	1,339
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	–6	–7	–7
88.40 Non-Federal sources	–1,188	–1,264	–1,307
88.90 Total, offsetting collections (cash)	–1,194	–1,271	–1,314
Net budget authority and outlays:			
89.00 Budget authority	–12	–50	
90.00 Outlays	–49	–175	25

The United States Patent and Trademark Office (USPTO) administers the patent and trademark laws, which provide protection to inventors and businesses for their inventions and corporate and product identifications, and encourages innovation and the scientific and technical advancement of American industry through the preservation, classification, and dissemination of patent and trademark information. In addition to the examination of applications for patent grants and trademark registrations, the USPTO provides technical advice and information to other Executive Branch agencies on intellectual property matters and the trade-related aspects of intellectual property rights.

Under the Administration's proposal, the USPTO would have a program level of \$1,533 million in 2005 and fees of \$1,533 million. The \$1,533 million fee level assumes enactment of legislation, proposed with the 2004 Budget, to restructure statutory fees in support of the goals and objectives of the USPTO's 21st Century Strategic Plan, including proposed quality initiatives, E-Government initiatives, and acceleration of patent processing.

During 2005, the Office will continue to operate through two distinct business lines:

Patent business.—The Patent Business grants exclusive rights, for limited times, to inventors for their discoveries. The activities under this business include all functions in the patent application processing pipeline, including the initial administrative examination of patent applications, the processing of patent applications filed under the Patent Co-

operation Treaty, the formal examination of patent applications to determine the patentability of a claimed invention, the post-examination processing and printing of allowed patents, the review for quality, and the quasi-judicial review in appeal and interference proceedings. Other ancillary functions of the Patent Business are the classification, documentation and search systems, and the maintenance of a scientific and technical library.

Resources requested in 2005 are to continue with the implementation of E-Government in Patents. Funds are also requested to begin competitively sourcing classification and search functions currently performed by patent examiners, thereby redirecting patent examiner expertise to the core government function of examination. Additional resources will be used to expand bilateral and multilateral agreements to strengthen intellectual property rights globally and reduce duplication of effort among intellectual property offices.

Key Patent Business performance measures follow. These measures apply to the President's request of \$1,533,407,000.

	2003 actual	2004 est.	2005 est.
Applications received (UPR)	333,452	336,785	346,890
Application total disposals (UPR)	284,470	271,287	287,580
Patents issued (UPR)	173,072	181,875	187,821
Average total pendency (months)	26.7	29.8	31.1
Improve quality of patents by reducing the error rate	4.4%	4.0%	3.7%
Average first action pendency	18.3	20.2	21.1
Patent efficiency (cost per patent disposed)	\$3,329	\$3,502	\$4,052
Patent applications filed electronically	1.3%	2.0%	4.0%

Trademark business.—The Trademark Business enhances the protection of trademarks through Federal registration. The activities under this business include the examination of trademark applications to determine whether the statutory criteria for the Federal registration of a trade or service mark are met. The Office issues notices of allowance and certificates of registration based on a trademark attorney's determination. Trademark application examination activities also include *inter parte* proceedings involving oppositions, cancellations and *ex parte* proceedings.

The 2005 program level provides resources to fund 2005 trademark programs and staff levels, including inflationary adjustments. Additional funding is provided in 2005 to continue work focused on achieving a fully electronic workplace to be completed in 2005 that will improve timeliness and productivity in the trademark business.

Key Trademark Business quantity and quality performance measures follow. These measures apply to the President's request of \$1,533,407,000.

	2003 actual	2004 est.	2005 est.
Applications received (includes additional classes)	267,218	272,000	278,000
Trademark office disposals	305,040	226,700	232,000
Trademark registrations including additional classes	185,182	124,800	129,400
Pending time to first action (in months)	5.4	5.4	5.8
Pending time to registration/abandonment (in months)	19.8	21.6	23.5
Improved quality of trademarks by reducing the error rate	5.3%	5.0%	4.5%
Trademark efficiency (cost per trademark registered)	\$433	\$583	\$701
Trademark applications files electronically	57.5%	65%	70%

Object Classification (in millions of dollars)

Identification code 13–1006–0–1–376	2003 actual	2004 est.	2005 est.
99.0 Reimbursable obligations	1,191	1,230	1,314
99.9 Total new obligations	1,191	1,230	1,314

Personnel Summary (in millions of dollars)

Identification code 13–1006–0–1–376	2003 actual	2004 est.	2005 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	6,581	6,673	6,678

SALARIES AND EXPENSES

(Legislative proposal, not subject to PAYGO)

Upon enactment of authorization to increase fees collected pursuant to 35 U.S.C. 41, any resulting increased receipts may be collected and credited to this account as offsetting collections: Provided, That not to exceed \$218,754,000 derived from such offsetting collections shall be available until expended for authorized purposes: Provided, That the total amount appropriated from fees collected in fiscal year 2005, including such increased fees, shall not exceed \$1,533,407,000: Provided, That beginning in fiscal year 2005 and thereafter, from the amounts made available for "Salaries and Expenses" for the United States Patent and Trademark Office (PTO), the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the PTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all PTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts.

Program and Financing (in millions of dollars)

Identification code 13-1006-2-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Reimbursable program:			
09.01 Patents			188
09.02 Trademarks			-7
09.03 Accruing Indirect Cost Transfer to OPM			38
09.09 Reimbursable program - subtotal line			219
10.00 Total new obligations			219
Budgetary resources available for obligation:			
22.00 New budget authority (gross)			219
23.95 Total new obligations			-219
New budget authority (gross), detail:			
Discretionary:			
68.00 Offsetting collections (cash)			219
Change in obligated balances:			
73.10 Total new obligations			219
73.20 Total outlays (gross)			-174
74.40 Obligated balance, end of year			45
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority			174
Offsets:			
Against gross budget authority and outlays:			
88.40 Non-Federal sources			-219
Net budget authority and outlays:			
89.00 Budget authority			
90.00 Outlays			-45

The Administration proposed legislation with the 2004 Budget to restructure USPTO's statutory fees charged for its products and services. This legislation was proposed as part of USPTO's strategic plan, developed in 2002, to address the growing backlogs, increasing pendency, and need to improve the quality of its products. The Agency determined that, in addition to improving the use of its current resources, significant new investments were needed in automation and examiner resources to address these concerns and meet current and future requirements of the intellectual property community.

Relative to current law, the legislation is expected to raise fee collections by \$219 million in FY 2005. These additional funds will provide sufficient resources to both allow the agency to implement its strategic plan initiatives and transfer

to the Office of Personnel Management the accruing indirect personnel costs associated with post-retirement health insurance, life insurance, and retirement benefits of USPTO employees.

Object Classification (in millions of dollars)

Identification code 13-1006-2-1-376	2003 actual	2004 est.	2005 est.
99.0 Reimbursable obligations			181
99.9 Total new obligations			219

Personnel Summary (in millions of dollars)

Identification code 13-1006-2-1-376	2003 actual	2004 est.	2005 est.
Reimbursable:			
2001 Civilian full-time equivalent employment			463

TECHNOLOGY ADMINISTRATION

Federal Funds

General and special funds:

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology Office of Technology Policy, **[\$6,411,000] \$8,294,000.** (15 U.S.C. 1511(e), 1533, 3704, 3711a; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-1100-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct program	10	6	8
10.00 Total new obligations	10	6	8
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	10	6	8
23.95 Total new obligations	-10	-6	-8
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	10	6	8
Change in obligated balances:			
72.40 Obligated balance, start of year	4	4	1
73.10 Total new obligations	10	6	8
73.20 Total outlays (gross)	-9	-9	-7
74.40 Obligated balance, end of year	4	1	2
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	5	4	5
86.93 Outlays from discretionary balances	4	5	2
87.00 Total outlays (gross)	9	9	7
Net budget authority and outlays:			
89.00 Budget authority	10	6	8
90.00 Outlays	9	9	7

The Technology Administration (TA) is the principal civilian technology agency working with industry to improve U.S. industrial competitiveness and serves as an advocate for U.S. industry in the Executive Branch, before Congress, and in international fora. It discharges this role through the leadership of the Under Secretary for Technology; through the Office of Technology Policy's analysis, formulation, and advocacy of policies to maximize the contribution of technology to economic growth; through the technology development, diffusion, and commercialization programs of the National Institute of Standards and Technology; and through the dissemination of technological information by the National Technical Information Service.

General and special funds—Continued

SALARIES AND EXPENSES—Continued

Performance measures.—The activities under the Under Secretary for Technology/Office of Technology Policy account support Commerce’s strategic goal of fostering science and technological leadership by protecting intellectual property, enhancing technical standards, and advancing measurement science.

Performance goal: Provide leadership in promoting national technology policies that facilitate U.S. pre-eminence in key areas of science and technology.

Performance measures are milestone accomplishments in four key action areas: 1) support and improve the American innovation system; 2) advance the role technology plays in U.S. economic growth and homeland security; 3) strengthen the competitive position of American technology industries; and 4) strengthen US/OTP’s organization, capabilities and resources to maximize the effectiveness of its activities and services.

Object Classification (in millions of dollars)

Identification code 13–1100–0–1–376	2003 actual	2004 est.	2005 est.
Direct obligations:			
11.1 Full-time permanent	4	4	5
12.1 Civilian personnel benefits	1	1	1
23.1 Rental payments to GSA	1		1
25.3 Other purchases of goods and services from Government accounts	1	1	1
41.0 Grants, subsidies, and contributions	2		
99.0 Direct obligations	9	6	8
99.5 Below reporting threshold	1		
99.9 Total new obligations	10	6	8

Personnel Summary (in millions of dollars)

Identification code 13–1100–0–1–376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	41	43	49
Reimbursable:			
2001 Civilian full-time equivalent employment	1	1	1

NATIONAL TECHNICAL INFORMATION SERVICE

Federal Funds

Public enterprise funds:

NTIS REVOLVING FUND

Program and Financing (in millions of dollars)

Identification code 13–4295–0–3–376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
09.01 Reimbursable program	28	51	40
10.00 Total new obligations	28	51	40
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	10	10	
22.00 New budget authority (gross)	28	42	40
23.90 Total budgetary resources available for obligation	38	52	40
23.95 Total new obligations	–28	–51	–40
24.40 Unobligated balance carried forward, end of year	10		
New budget authority (gross), detail:			
Discretionary:			
68.00 Offsetting collections (cash)	28	42	40
Change in obligated balances:			
72.40 Obligated balance, start of year	29	29	18

73.10 Total new obligations	28	51	40
73.20 Total outlays (gross)	–29	–62	–41
74.40 Obligated balance, end of year	29	18	17

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	13	23	22
86.93 Outlays from discretionary balances	16	39	19
87.00 Total outlays (gross)	29	62	41

Offsets:

Against gross budget authority and outlays:

Offsetting collections (cash) from:			
88.00 Federal sources	–13	–22	–20
88.40 Non-Federal sources	–15	–20	–20
88.90 Total, offsetting collections (cash)	–28	–42	–40

Net budget authority and outlays:

89.00 Budget authority			
90.00 Outlays	1	20	1

The National Technical Information Service (NTIS), a component of the Technology Administration, operates this revolving fund for the payment of all expenses incurred in performing the activities of the NTIS, which include the acquisition and public sale of domestic and foreign federally funded research, development, and engineering reports and associated business information.

Performance measures.—The activities under this account support Commerce’s strategic goal of fostering science and technological leadership by protecting intellectual property, enhancing technical standards, and advancing measurement science.

Balance Sheet (in millions of dollars)

Identification code 13–4295–0–3–376	2002 actual	2003 actual	2004 est.	2005 est.
ASSETS:				
1101 Fund balances with Treasury	39	39		
1206 Receivables, net	1	1		
Other Federal assets:				
1803 Property, plant and equipment, net	1	1		
1901 Other assets	6	5		
1999 Total assets	47	46		
LIABILITIES:				
Federal liabilities:				
2101 Accounts payable	5	6		
2105 Other	13	16		
Non-Federal liabilities:				
2201 Accounts payable	2	2		
2207 Other	12	7		
2999 Total liabilities	32	31		
NET POSITION:				
3300 Cumulative results of operations	15	15		
3999 Total net position	15	15		
4999 Total liabilities and net position	47	46		

Note: Consistent with Government-wide practice, information for 2004 and 2005 was not required to be collected.

Object Classification (in millions of dollars)

Identification code 13–4295–0–3–376	2003 actual	2004 est.	2005 est.
Reimbursable obligations:			
11.1 Full-time permanent	11	12	13
12.1 Civilian personnel benefits	3	3	3
22.0 Transportation of things	1	1	1
23.1 Rental payments to GSA	2	2	2
23.2 Rental payments to others	1	1	1
23.3 Communications, utilities, and miscellaneous charges	1	2	2
24.0 Printing and reproduction	1	2	2
25.2 Other services	6	21	9
25.3 Other purchases of goods and services from Government accounts	1	2	2
25.7 Operation and maintenance of equipment	1	1	1
26.0 Supplies and materials	1	2	2
31.0 Equipment		2	2
99.0 Reimbursable obligations	28	51	40

99.9	Total new obligations	28	51	40
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Personnel Summary (in millions of dollars)

Identification code 13-4295-0-3-376	2003 actual	2004 est.	2005 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	181	260	260

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Federal Funds

General and special funds:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, **[\$344,366,000] \$422,868,000**, to remain available until expended, of which not to exceed **[\$282,000] \$8,982,000** may be transferred to the "Working Capital Fund". (15 U.S.C. 272, 273, 278b-j; p, 290b-f, 1151-52, 1454(d), 1454(e), 1511, 1512, 3711; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-0500-0-1-376	2003 actual	2004 est.	2005 est.	
Obligations by program activity:				
Operating expenses:				
Measurement and engineering research and standards:				
00.01	Electronics and electrical engineering	44	45	53
00.02	Manufacturing engineering	21	22	30
00.03	Chemical science and technology	38	42	49
00.04	Physics	36	38	41
00.05	Materials science and engineering	60	54	63
00.06	Building and fire research	22	22	24
00.07	Computer science and applied mathematics	53	50	58
00.08	Technology assistance	19	15	18
00.09	National quality program	6	6	5
00.11	Research support activities	60	55	74
10.00	Total new obligations	359	349	415
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	10	11	
22.00	New budget authority (gross)	357	337	414
22.10	Resources available from recoveries of prior year obligations	3	1	1
23.90	Total budgetary resources available for obligation	370	349	415
23.95	Total new obligations	-359	-349	-415
24.40	Unobligated balance carried forward, end of year	11		
New budget authority (gross), detail:				
Discretionary:				
40.00	Appropriation	359	344	423
40.35	Appropriation permanently reduced	-2	-3	
40.36	Unobligated balance permanently reduced		-4	
41.00	Transferred to other accounts			-9
43.00	Appropriation (total discretionary)	357	337	414
Change in obligated balances:				
72.40	Obligated balance, start of year	107	123	90
73.10	Total new obligations	359	349	415
73.20	Total outlays (gross)	-339	-381	-401
73.45	Recoveries of prior year obligations	-3	-1	-1
74.40	Obligated balance, end of year	123	90	102
Outlays (gross), detail:				
86.90	Outlays from new discretionary authority	275	259	318
86.93	Outlays from discretionary balances	64	122	83
87.00	Total outlays (gross)	339	381	401
Net budget authority and outlays:				
89.00	Budget authority	357	337	414
90.00	Outlays	339	381	401

The National Institute of Standards and Technology (NIST) is responsible for the measurement foundation that supports

U.S. industry, Government, and scientific establishments. NIST's intramural research program is funded by the Scientific and Technical Research and Services appropriation.

Measurement and engineering research and standards:

Electronics and electrical engineering.—Conducts research, provides measurement services and helps set standards in support of the fundamental electronic technologies of semiconductors, magnetics, and superconductors; information and communications technologies, such as fiber optics, photonics, microwaves, electronic displays, and electronics manufacturing supply chain collaboration; forensics and security screening through radar, x-ray and terahertz sensor technologies; electronic measurement instrumentation; fundamental and practical physical standards and measurement services for electrical quantities; maintaining the quality and integrity of electrical power systems; and the development of nanoscale and microelectromechanical devices.

Manufacturing engineering.—Encompasses research, measurements, standards development and support in the areas of high-precision dimensional and mechanical measurements including length, mass, force, acoustics, and vibration; measurements, test methods, and interface standards for automated production technology and intelligent systems including advanced sensor systems for manufacturing and open-system architectures for intelligent manufacturing systems; interoperability standards, information models, and measurements and test methods for integrating manufacturing systems.

Chemical science and technology.—Conducts research in measurement science and develops the chemical, biochemical, and chemical engineering measurements, data, models, and reference standards that are required to enhance U.S. industrial competitiveness in the world market, and to improve public health, safety, and environmental quality. This research includes chemical characterization of materials, process metrology, chemical and biochemical sensing, nanotechnology, health care measurements, environmental measurements, microelectronics, chemical and physical property data, biomolecules and materials, DNA technologies, and international measurement standards.

Physics.—Investigates the structure and dynamics of atoms, molecules, and micro- and nanoscale structures for quantum computing, information storage, and electronic and optical applications; covers the development of high performance sensors, instrumentation, measurement methods, and standards for time, frequency, and optical and ionizing radiation. This includes measurements and standards to support provision of safe and effective applications of radiation in medical diagnostics and treatment, energy production, and radioactivity monitoring.

Materials science and engineering.—Conducts research in materials characterization and the relationships between materials structure and properties in metals, polymers, ceramics, and composite materials; develops the measurements, standards, test methods, reference data and reference materials for the use of materials for applications including health care, automotive transport, and microelectronics, and for understanding materials at the nanoscale.

Building and fire research.—Includes research and development of technologies to predict, measure, and test the performance of construction materials, components, systems, and practices, including support of nanoscale technologies to develop new building materials, including support of homeland security, and to investigate the scientific principles that govern the phenomena of fire initiation, propagation, and suppression.

Computer science and applied mathematics.—Includes development and demonstration of evaluation techniques, testing methods, and standards to enable usable, reliable, and interoperable computer and telecommunications systems and

General and special funds—Continued

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES—Continued

software and biometrics recognition systems; provides leadership and collaborative research in the application and use of advanced mathematics, statistics, and computer science, and support of computing and telecommunications services; and provides leadership and guidance for information security issues for Federal agencies and for public and private sectors in the advancement of critical infrastructure protection.

Technology assistance.—Provides a central source of information and assistance for U.S. industry, academia, and Government regarding national and international standardization, conformity assessment activities, and legal metrology (weights and measures) services; and provides, on a reimbursable basis, centralized access to critically needed services, including Standard Reference Materials, Standard Reference Data, calibration, and laboratory accreditation programs.

National quality program.—Extends U.S. competitiveness in business, health care, and education, through performance excellence criteria and other information transfer, and administration of the Malcolm Baldrige National Quality Award.

Research support activities.—Includes centrally managed activities that provide support to all other NIST programs. This support includes advanced capabilities development in NIST mission-oriented areas of research, high caliber postdoctoral scientists and engineers, computing support for research programs, business systems activities, and support for the Advanced Measurement Laboratory facility.

Performance measures.—The activities under this account support Commerce's strategic goal of fostering science and technological leadership by protecting intellectual property, enhancing technical standards and advancing measurement science.

Performance goals:

1. The NIST laboratories pursue two overarching goals: (1) provide technical leadership for the Nation's measurement and standards infrastructure; and (2) assure the availability and efficient transfer of measurement and standards capabilities essential to established industries. NIST evaluates its performance toward these goals through a combination of evaluation methods, including external peer review (conducted by the National Research Council), economic impact studies, and evaluation of numerous scientific and technical outputs (key outputs listed below).

2. Catalyze, recognize and reward quality and performance improvement practices in U.S. businesses and other organizations.

	2003 actual	2004 est.	2005 est.
Number of peer-reviewed technical publications	1,267	1,300	1,300
Number of items calibrated	3,194	2,800	2,700
Number of NIST-maintained data sets downloaded	55,653,972	56,000,000	56,000,000
Number of Baldrige Criteria disseminated	948,832	1,032,486	1,129,735

Object Classification (in millions of dollars)

Identification code 13-0500-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	138	145	157
11.3 Other than full-time permanent	12	13	13
11.5 Other personnel compensation	5	5	5
11.9 Total personnel compensation	155	163	175
12.1 Civilian personnel benefits	36	39	43
21.0 Travel and transportation of persons	7	6	8
22.0 Transportation of things	1	1	2
23.2 Rental payments to others	3	3	3
23.3 Communications, utilities, and miscellaneous charges	12	10	13
24.0 Printing and reproduction	1		1
25.1 Advisory and assistance services	5	5	5
25.2 Other services	37	32	35
25.3 Other purchases of goods and services from Government accounts	15	12	19

25.5 Research and development contracts	1	1	5
25.7 Operation and maintenance of equipment	4	4	5
26.0 Supplies and materials	18	16	24
31.0 Equipment	38	27	59
41.0 Grants, subsidies, and contributions	26	27	18
99.0 Direct obligations	359	346	415
99.5 Below reporting threshold		3	
99.9 Total new obligations	359	349	415

Personnel Summary (in millions of dollars)

Identification code 13-0500-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	1,938	1,943	2,022

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, **[\$39,607,000] \$39,190,000**, to remain available until expended.

[In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, \$179,175,000, to remain available until expended, of which \$60,700,000 shall be expended for the award of new grants before September 30, 2004.] (15 U.S.C. 271, 278b, 278k, 278l, 278n; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13-0525-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Extramural programs:			
00.01 Advanced technology program	196	195	
00.02 Manufacturing extension partnership	111	40	39
01.00 Total direct program	307	235	39
09.00 Reimbursable program	3		
10.00 Total new obligations	310	235	39
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	40	22	
22.00 New budget authority (gross)	282	209	39
22.10 Resources available from recoveries of prior year obligations	10	4	
23.90 Total budgetary resources available for obligation	332	235	39
23.95 Total new obligations	-310	-235	-39
24.40 Unobligated balance carried forward, end of year	22		

New budget authority (gross), detail:

Discretionary:			
40.00 Appropriation	287	218	39
40.35 Appropriation permanently reduced	-2	-2	
40.36 Unobligated balance permanently reduced		-7	
41.00 Transferred to other accounts	-6		
43.00 Appropriation (total discretionary)	279	209	39
Discretionary:			
68.00 Offsetting collections (cash)	3		
70.00 Total new budget authority (gross)	282	209	39

Change in obligated balances:

72.40 Obligated balance, start of year	388	379	383
73.10 Total new obligations	310	235	39
73.20 Total outlays (gross)	-309	-227	-233
73.45 Recoveries of prior year obligations	-10	-4	
74.40 Obligated balance, end of year	379	383	189

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	53	36	7
86.93 Outlays from discretionary balances	256	191	226
87.00 Total outlays (gross)	309	227	233

Offsets:

88.00 Against gross budget authority and outlays:			
Federal sources	-3		

Net budget authority and outlays:				
89.00	Budget authority	279	209	39
90.00	Outlays	306	227	233

This appropriation supports the extension of technology to American industry and fosters the development of broad-based, high-risk technology by industry.

Extramural programs:

Advanced technology program (ATP).—The ATP endeavors to help accelerate the commercialization of high-risk, broad-benefit enabling technologies with significant commercial potential. ATP is a merit-based, rigorously competitive, cost-shared partnership program that provides assistance to U.S. businesses and joint R&D ventures to help them improve their competitive position. The President's 2005 Budget proposes to eliminate the program and, therefore, no funds are requested for FY 2005.

Manufacturing extension partnership (MEP).—As a nationwide system of centers serving clients in all 50 states and Puerto Rico, MEP's goal is to improve the competitiveness of U.S.-based small manufacturers. MEP does this by providing information, decision support, and implementation assistance to small manufacturers in adopting advanced manufacturing technologies and business best practices. The centers are created through a partnership among State, Federal, and local governments, educational institutions, and private industry, and they tailor services to meet the needs of the local manufacturing base in the area.

Performance measures.—The activities under this account support the Commerce strategic goal to foster science and technological leadership by protecting intellectual property, enhancing technical standards and advancing measurement science. The performance of these activities is evaluated through a combination of external review, economic impact studies, and evaluation of numerous quantitative outcomes and outputs.

Performance goals:

1. Accelerate private investment in and development of high-risk, broad-impact technologies.
2. Raise the productivity and competitiveness of small manufacturers.

	2003 est.	2004 est.	2005 est.
Cumulative number of technologies under commercialization ..	210	250	270
Increased sales attributed to MEP centers receiving Federal funding (in millions)	522	NA*	NA*

*MEP performance evaluation system will be reevaluated.

Object Classification (in millions of dollars)

Identification code 13-0525-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	25	21	3
11.3 Other than full-time permanent	2	2	1
11.5 Other personnel compensation	1	1	
11.9 Total personnel compensation	28	24	4
12.1 Civilian personnel benefits	6	6	1
21.0 Travel and transportation of persons	1	1	
23.2 Rental payments to others	1	1	
23.3 Communications, utilities, and miscellaneous charges	3	2	
25.1 Advisory and assistance services	1		
25.2 Other services	12	5	4
25.3 Other purchases of goods and services from Government accounts	2	2	1
25.5 Research and development contracts	4	4	
26.0 Supplies and materials	1		
31.0 Equipment	3	2	
41.0 Grants, subsidies, and contributions	245	188	29
99.0 Direct obligations	307	235	39
99.0 Reimbursable obligations	3		
99.9 Total new obligations	310	235	39

Personnel Summary (in millions of dollars)

Identification code 13-0525-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	336	275	41

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, **[\$64,954,000] \$59,411,000**, to remain available until expended. (*Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.*)

Program and Financing (in millions of dollars)

Identification code 13-0515-0-1-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Direct Program Activity	77	75	59
10.00 Total new obligations	77	75	59
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	16	11	
22.00 New budget authority (gross)	72	64	59
23.90 Total budgetary resources available for obligation	88	75	59
23.95 Total new obligations	-77	-75	-59
24.40 Unobligated balance carried forward, end of year	11		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	66	65	59
40.35 Appropriation permanently reduced		-1	
42.00 Transferred from other accounts	6		
43.00 Appropriation (total discretionary)	72	64	59
Change in obligated balances:			
72.40 Obligated balance, start of year	128	115	142
73.10 Total new obligations	77	75	59
73.20 Total outlays (gross)	-89	-48	-51
74.40 Obligated balance, end of year	115	142	150
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	9	8	7
86.93 Outlays from discretionary balances	80	40	44
87.00 Total outlays (gross)	89	48	51
Net budget authority and outlays:			
89.00 Budget authority	72	64	59
90.00 Outlays	89	48	51

This appropriation supports the construction of new facilities and the renovation and maintenance of NIST's current buildings and laboratories to comply with more stringent science and engineering requirements and to keep pace with tightening Federal, State, and local health and safety regulations.

In 2005, the request improves the safety and performance of existing NIST facilities by addressing the highest priority repair projects. In addition, the request includes funds for design and renovation of existing facilities and the construction of new facilities.

Object Classification (in millions of dollars)

Identification code 13-0515-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
11.1 Full-time permanent	3	4	4
12.1 Civilian personnel benefits	1	1	1
25.2 Other services	30	28	43
26.0 Supplies and materials	1	1	
31.0 Equipment	1	1	1
32.0 Land and structures	13	19	10

General and special funds—Continued**CONSTRUCTION OF RESEARCH FACILITIES—Continued****Object Classification** (in millions of dollars)—Continued

Identification code 13-0515-0-1-376	2003 actual	2004 est.	2005 est.
41.0 Grants, subsidies, and contributions	28	21	
99.9 Total new obligations	77	75	59

Personnel Summary (in millions of dollars)

Identification code 13-0515-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	53	53	54

Intragovernmental funds:**WORKING CAPITAL FUND****Program and Financing** (in millions of dollars)

Identification code 13-4650-0-4-376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Measurement and engineering research and standards:			
09.01 Electronics and electrical engineering	36	48	50
09.02 Manufacturing engineering	9	10	10
09.03 Chemical science and technology	16	17	18
09.04 Physics	20	27	27
09.05 Material science and engineering	12	13	11
09.06 Building and fire research	18	21	12
09.07 Computer science and applied mathematics	14	19	7
09.08 Technology assistance	17	17	18
09.11 National quality program	3	2	2
09.12 Research support activities	24	13	17
09.13 Manufacturing extension partnership		1	
10.00 Total new obligations	169	188	172
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	94	112	50
22.00 New budget authority (gross)	187	126	172
23.90 Total budgetary resources available for obligation	281	238	222
23.95 Total new obligations	-169	-188	-172
24.40 Unobligated balance carried forward, end of year	112	50	50

New budget authority (gross), detail:

Discretionary:			
42.00 Transferred from other accounts			9
Spending authority from offsetting collections:			
Discretionary:			
68.00 Offsetting collections (cash)	194	126	163
68.10 Change in uncollected customer payments from Federal sources (unexpired)	-7		
68.90 Spending authority from offsetting collections (total discretionary)	187	126	163
70.00 Total new budget authority (gross)	187	126	172

Change in obligated balances:

72.40 Obligated balance, start of year	-13	-20	42
73.10 Total new obligations	169	188	172
73.20 Total outlays (gross)	-184	-126	-168
74.00 Change in uncollected customer payments from Federal sources (unexpired)	7		
74.40 Obligated balance, end of year	-20	42	46

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	109	97	131
86.93 Outlays from discretionary balances	75	29	37
87.00 Total outlays (gross)	184	126	168

Offsets:

Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	-120	-86	-124

88.40 Non-Federal sources	-74	-40	-39
88.90 Total, offsetting collections (cash)	-194	-126	-163
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	7		

Net budget authority and outlays:

89.00 Budget authority			9
90.00 Outlays	-10		5

The Working Capital Fund finances research and technical services performed for other Government agencies and the public. These activities are funded through advances and reimbursements. The Fund also finances the acquisition of equipment, standard reference materials, and storeroom inventories until issued or sold.

Object Classification (in millions of dollars)

Identification code 13-4650-0-4-376	2003 actual	2004 est.	2005 est.
Reimbursable obligations:			
Personnel compensation:			
11.1 Full-time permanent	48	54	58
11.3 Other than full-time permanent	4	4	4
11.5 Other personnel compensation	1	1	1
11.9 Total personnel compensation	53	59	63
12.1 Civilian personnel benefits	14	14	15
21.0 Travel and transportation of persons	2	3	2
22.0 Transportation of things	1	1	1
23.2 Rental payments to others	1	1	2
23.3 Communications, utilities, and miscellaneous charges	6	5	4
25.1 Advisory and assistance services	2	2	1
25.2 Other services	23	24	17
25.3 Other purchases of goods and services from Government accounts	21	26	18
25.5 Research and development contracts	1	1	1
25.7 Operation and maintenance of equipment	1	1	1
26.0 Supplies and materials	7	10	7
31.0 Equipment	32	37	38
32.0 Land and structures	1		
41.0 Grants, subsidies, and contributions	4	3	2
99.0 Reimbursable obligations	169	187	172
99.5 Below reporting threshold		1	
99.9 Total new obligations	169	188	172

Personnel Summary (in millions of dollars)

Identification code 13-4650-0-4-376	2003 actual	2004 est.	2005 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	692	741	773

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION**Federal Funds****General and special funds:****SALARIES AND EXPENSES**

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), [\$14,604,000] \$22,101,000, to remain available until September 30, [2005] 2006: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies

shall remain available until expended. (15 U.S.C. 1512, 1532; 47 U.S.C. §§ 305, 606, 901 et seq.; Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)

Program and Financing (in millions of dollars)

Identification code 13–0550–0–1–376	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
Direct program:			
00.01 Domestic and international policy	4	4	5
00.02 Spectrum management	4	5	7
00.03 Telecommunication sciences research	6	6	10
01.00 Total, direct program	14	15	22
Reimbursable program:			
09.01 Spectrum management	17	19	27
09.02 Telecommunication sciences research	4	17	8
09.99 Total reimbursable program	21	36	35
10.00 Total new obligations	35	51	57
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	7	12	.....
22.00 New budget authority (gross)	40	39	57
23.90 Total budgetary resources available for obligation	47	51	57
23.95 Total new obligations	–35	–51	–57
24.40 Unobligated balance carried forward, end of year	12	.....	.....
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	15	14	22
Discretionary:			
68.00 Offsetting collections (cash)	25	25	35
70.00 Total new budget authority (gross)	40	39	57
Change in obligated balances:			
72.40 Obligated balance, start of year	6	7	7
73.10 Total new obligations	35	51	57
73.20 Total outlays (gross)	–34	–51	–58
74.40 Obligated balance, end of year	7	7	6
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	24	36	53
86.93 Outlays from discretionary balances	10	15	5
87.00 Total outlays (gross)	34	51	58
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	–12	–25	–35
88.40 Non-Federal sources	–13	.....	.....
88.90 Total, offsetting collections (cash)	–25	–25	–35
Net budget authority and outlays:			
89.00 Budget authority	15	14	22
90.00 Outlays	8	26	23

The National Telecommunications and Information Administration (NTIA) is the principal executive branch adviser to the President on domestic and international telecommunications policy. Additionally, it manages the Federal Government's use of the radio frequency spectrum and performs extensive research in telecommunication sciences.

Domestic and international policies.—NTIA develops and advocates policies to improve and expand domestic telecommunications services and markets. NTIA provides advice to White House officials, coordinates with other Executive Branch agencies, and participates in relevant Congressional actions and interagency and Federal Communications Commission (FCC) proceedings on a host of issues. NTIA's focus is on current and emerging issues such as the deployment of broadband networks and services. NTIA develops policies promoting universal service to all Americans, competition in telecommunications and information markets, and development of new technologies. NTIA makes policy recommenda-

tions in such areas as traditional common carrier networks, wireless services and products, the mass media (including advanced television), as well as issues arising from the Internet and electronic commerce.

NTIA advocates the advancement of U.S. priorities in the international telecommunications policy and regulatory areas. NTIA will continue to encourage forcefully the broad liberalization of telecommunication regulations now taking hold across the globe that create significant opportunities for U.S. telecommunications interests and enterprises, including emphasis on the international development of electronic commerce as an essential element of today's information society. NTIA supports U.S. interests in international and regional fora affecting telecommunications standards, infrastructure development and market access. NTIA also represents Executive Branch concerns related to international telecommunication regulation before the FCC. In coordination with the Department of State and the FCC, the agency also discharges statutory responsibilities with respect to international satellite organizations.

Spectrum management.—NTIA manages the Federal Government's use of the radio frequency spectrum, both domestically and internationally. In coordination with the FCC and with the advice of the Interdepartment Radio Advisory Committee (IRAC), NTIA supports the spectrum requirements of the Federal Government, makes plans to satisfy the Government's future spectrum needs, coordinates Federal spectrum requirements in shared spectrum bands, and develops and implements policy to use the spectrum effectively and efficiently. NTIA prepares for, participates in, and implements the results of regional, national, and international conferences on spectrum use and allocations. NTIA also is responsible for emergency communications and Federal Government continuity of operations planning for communications during emergency conditions. NTIA coordinates its activities with the private sector through its spectrum openness program and its Internet web site and appraises private sector entities of Government spectrum use and rules and regulations governing this use. NTIA reviews major Federal communications systems to certify that spectrum will be available; conducts frequency band studies to define spectrum issues and makes plans to prevent future interference; and processes approximately 90,000 annual requests for frequency assignments to meet the communications needs of the Federal Government and support analysis and engineering aspects of spectrum management. NTIA also strives to identify and apply new spectrum saving technologies, identify adjacent band effects for use by designers of future communications, and address the public safety community's need for spectrum and interoperability at the Federal, State, and local levels.

Telecommunication sciences research.—NTIA develops improved spectrum measurement techniques to address the increasing use of broadband technologies, including digital signals, spread-spectrum, and frequency agile systems. NTIA supports the development of wireless technologies by studying the behavior of broadband radio waves in indoor and outdoor environments in order to create more accurate modeling of radio propagation that will lead to improved methods of spectrum sharing among users. Additionally, NTIA prepares and coordinates proposed domestic and international telecommunications standards, develops and demonstrates user-friendly ways to assess the performance of industry and Government telecommunications networks, evaluates future technologies that may facilitate competition in the U.S. telecommunications industry, promotes international trade opportunities for U.S. telecommunications firms and improves the cost effectiveness of Government telecommunications use.

Performance measures.—Activities under this account support Commerce's strategic goal of fostering science and technological leadership by protecting intellectual property, en-

General and special funds—Continued

SALARIES AND EXPENSES—Continued

hancing technical standards, and advancing measurement science.

Goal: Ensure that allocation of radio spectrum provides the greatest benefit to all people.

	2003 actual	2004 est.	2005 est.
Timeliness of processing (number of business days)	15	12	12

Object Classification (in millions of dollars)

Identification code 13-0550-0-1-376	2003 actual	2004 est.	2005 est.
Direct obligations:			
11.1 Full-time permanent	8	9	10
12.1 Civilian personnel benefits	2	2	2
23.1 Rental payments to GSA	1	1	1
25.2 Other services	2	2	3
31.0 Equipment	1	1	4
99.0 Direct obligations	13	15	20
99.0 Reimbursable obligations	20	36	35
99.5 Below reporting threshold	2	2	2
99.9 Total new obligations	35	51	57

Personnel Summary (in millions of dollars)

Identification code 13-0550-0-1-376	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	93	111	122
Reimbursable:			
2001 Civilian full-time equivalent employment	127	155	171

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of grants authorized by section 392 of the Communications Act of 1934, **[\$22,000,000]** \$2,538,000, to remain available until expended as authorized by section 391 of the Act: *Provided*, [That not to exceed \$2,000,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further*,] That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year. (*Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.*)

Program and Financing (in millions of dollars)

Identification code 13-0551-0-1-503	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Grants	44	24	3
00.02 Program management	2	2	3
10.00 Total new obligations	46	26	3
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	7	6	3
22.00 New budget authority (gross)	44	20	3
22.10 Resources available from recoveries of prior year obligations	2	2	2
23.90 Total budgetary resources available for obligation	53	26	3
23.95 Total new obligations	-46	-26	-3
24.40 Unobligated balance carried forward, end of year	6	6	6
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	44	22	3
40.36 Unobligated balance permanently reduced	-2	-2	-2
43.00 Appropriation (total discretionary)	44	20	3
Change in obligated balances:			
72.40 Obligated balance, start of year	87	72	53

73.10 Total new obligations	46	26	3
73.20 Total outlays (gross)	-59	-45	-32
73.45 Recoveries of prior year obligations	-2	-2	-2
74.40 Obligated balance, end of year	72	53	24

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	8	2	3
86.93 Outlays from discretionary balances	51	43	32
87.00 Total outlays (gross)	59	45	32

Net budget authority and outlays:

89.00 Budget authority	44	20	3
90.00 Outlays	59	45	32

Public Telecommunications Facilities, Planning and Construction grant awards are being terminated in FY 2005. Funds for FY 2005 are requested for monitoring existing grants and administrative costs.

Performance measures.—Activities under this account support Commerce's strategic goal of fostering science and technological leadership by protecting intellectual property, enhancing technical standards, and advancing measurement science. Funds are not requested in FY 2005 for awarding grants.

	2003 actual	2004 est.	2005 est.
Digital broadcasting conversion (number of grants)	79	0	0

Object Classification (in millions of dollars)

Identification code 13-0551-0-1-503	2003 actual	2004 est.	2005 est.
Direct obligations:			
11.1 Full-time permanent	1	1	1
25.2 Other services	1	1	1
41.0 Grants - Public facilities	43	23	23
99.0 Direct obligations	45	24	1
99.5 Below reporting threshold	1	2	2
99.9 Total new obligations	46	26	3

Personnel Summary (in millions of dollars)

Identification code 13-0551-0-1-503	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	13	13	3

INFORMATION INFRASTRUCTURE GRANTS

[For grants authorized by section 392 of the Communications Act of 1934, \$15,000,000, to remain available until expended as authorized by section 391 of the Act: *Provided*, That not to exceed \$3,000,000 shall be available for program administration and other support activities as authorized by section 391: *Provided further*, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: *Provided further*, That, notwithstanding the requirements of sections 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, health care, or public information: *Provided further*, That, notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.] *For the administration of prior year grants, recoveries and unobligated balances of funds previously appropriated for grants are available only for the administration of all open grants until their expiration. (Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.)*

Program and Financing (in millions of dollars)

Identification code 13-0552-0-1-503	2003 actual	2004 est.	2005 est.
Obligations by program activity:			
00.01 Grants	14	12	
00.02 Program management	3	4	
10.00 Total new obligations	17	16	
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	4	2	
22.00 New budget authority (gross)	16	14	
22.10 Resources available from recoveries of prior year obligations	1		
23.90 Total budgetary resources available for obligation	21	16	
23.95 Total new obligations	-17	-16	
24.40 Unobligated balance carried forward, end of year	2		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	16	15	
40.36 Unobligated balance permanently reduced		-1	
43.00 Appropriation (total discretionary)	16	14	
Change in obligated balances:			
72.40 Obligated balance, start of year	65	55	38
73.10 Total new obligations	17	16	
73.20 Total outlays (gross)	-27	-33	-23
73.45 Recoveries of prior year obligations	-1		
74.40 Obligated balance, end of year	55	38	15
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	1	1	
86.93 Outlays from discretionary balances	26	32	23
87.00 Total outlays (gross)	27	33	23
Net budget authority and outlays:			
89.00 Budget authority	16	14	
90.00 Outlays	27	33	23

Technology Opportunities Program grants have demonstrated the use of advanced telecommunications technologies to enhance the delivery of social services, such as education, health care, and public safety. This program has fulfilled its mission and is proposed for termination. The use of deobligations and unobligated balances are requested for monitoring existing grants and close-out costs.

Performance measures.—Activities under this account support Commerce’s strategic goal of fostering science and technological leadership by protecting intellectual property, enhancing technical standards, and advancing measurement science.

Object Classification (in millions of dollars)

Identification code 13-0552-0-1-503	2003 actual	2004 est.	2005 est.
Direct obligations:			
11.1 Full-time permanent	2	1	
25.2 Other services	1	1	
41.0 Grants, subsidies, and contributions	14	12	
99.0 Direct obligations	17	14	
99.5 Below reporting threshold		2	
99.9 Total new obligations	17	16	

Personnel Summary (in millions of dollars)

Identification code 13-0552-0-1-503	2003 actual	2004 est.	2005 est.
Direct:			
1001 Civilian full-time equivalent employment	18	17	

SPECTRUM RELOCATION FUND

The Administration will again propose legislation to streamline the current process for reimbursing Federal agencies that must relocate from Federal spectrum which has been reallocated for auction to commercial users. Under current law, winning bidders must negotiate with Federal entities upon the close of an auction and reimburse the agencies directly for their relocation costs. The Administration proposes to streamline this process by creating a central spectrum relocation fund. Auction receipts associated with the reallocated spectrum would be paid into the Fund and Federal agencies would be paid for their relocation costs out of the Fund. To expedite the clearing of the auctioned spectrum, the legislation would provide agencies mandatory spending authority for the relocation payments. The estimated mandatory spending is \$2.5 billion from 2006 to 2011. The budget includes a Government-wide allowance for the estimated aggregated collections and outlays for agencies’ relocation costs.

GENERAL FUND RECEIPT ACCOUNTS

(in millions of dollars)

	2003 actual	2004 est.	2005 est.
Offsetting receipts from the public			
13-271710 Fisheries finance, Negative subsidies	3	4	4
13-271730 Fisheries finance, Downward reestimates of subsidies	6	2	
General Fund Offsetting receipts from the public	9	6	4

GENERAL PROVISIONS, DEPARTMENT OF COMMERCE

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

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901-5902).

SEC. 203. Hereafter, none of the funds made available by this or any other Act for the National Oceanic and Atmospheric Administration may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.]

SEC. [204] 203. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act.]

SEC. [205] 204. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions

taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

[SEC. 206. Hereafter, the Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103-356: *Provided*, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: *Provided further*, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: *Provided further*, That such fund shall provide services on a competitive basis: *Provided further*, That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2004 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, automated data processing, and other support systems: *Provided further*, That such amounts retained in the fund for fiscal year 2004 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: *Provided further*, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury.]

[SEC. 207. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the "National Institute of Standards and Technology, Construction of Research Facilities", \$14,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, \$5,000,000 is appropriated to the Thayer School of Engineering, of which \$1,000,000 is for research relating to intelligent control of distributed systems, \$2,000,000 is for a smart laser beam project, and \$2,000,000 is for research relating to nanomagnetism, \$500,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security and Technology Studies, \$1,000,000 is appropriated for the Institute of Politics, and \$500,000 is appropriated for the Coastal Conservation Center.]

[SEC. 208. Of the amount available from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", \$10,000,000 shall be provided to the Alaska Fisheries Marketing Board, \$2,000,000 shall be available to the Gulf and South Atlantic Fisheries Foundation, \$2,000,000 shall be available to the South Carolina Seafood Alliance, \$1,500,000 shall be available to the Oregon Trawl Commission, and \$1,500,000 shall be available to the Oregon State University Seafood Laboratory: *Provided*, That (1) the Alaska Fisheries Marketing Board (hereinafter "the Board") shall be a nonprofit organization and not an agency or establishment of the United States, (2) the Secretary may appoint, assign, or otherwise designate as Executive Director an employee of the Department of Commerce, who may serve in an official capacity in such position, with or without reimbursement, and such appointment or assignment shall be without interruption or loss of civil service status or privilege, and (3) the Board may adopt bylaws consistent with the purposes of this section, and may undertake other acts necessary to carry out the provisions of this section.]

[SEC. 209. (a) Notwithstanding the provisions of the Public Works and Economic Development Act as amended (42 U.S.C. 3121, et seq.) or any other provision of law, the Economic Development Administration shall approve the sale, transfer, or conveyance, without compensation to the agency, of any land on the former Charleston Naval Base, located north of Viaduct Road which was improved by EDA project numbers 04-49-04196, 04-49-04280, 04-49-04462, and 04-

49-04461 and funds obligated but not yet disbursed in connection with EDA project number 04-49-04347 shall remain available until expended and, as of September 30, 2003, shall be exempt from the application of section 1552 of title 31, United States Code.

(b) Notwithstanding any other provision of law, the Secretary of Commerce shall approve, without compensation to the Agency, a lease to be entered into by the city of Florence, Alabama, and Alabama Real Estate Holdings, Inc., containing such terms and conditions as the city of Florence determines appropriate, for use of the parcel of land (including improvements thereon) located in Florence, Alabama, that was improved using assistance from the Economic Development Administration under EDA project number 04-01-03963.]

[SEC. 210. (a) The Secretary of Commerce is authorized to operate a marine laboratory in South Carolina in accordance with a memorandum of agreement, including any future amendments, among the National Oceanic and Atmospheric Administration, the National Institute of Standards and Technology, the State of South Carolina, the Medical University of South Carolina, and the College of Charleston as a partnership for collaborative, interdisciplinary marine scientific research.

(b) To carry out subsection (a), the agencies that are partners in the Laboratory may accept, apply for, use, and spend Federal, State, private and grant funds as necessary to further the mission of the Laboratory without regard to the source or of the period of availability of these funds and may apply for and hold patents, as well as share personnel, facilities, and property. Any funds collected or accepted by any partner may be used to offset all or portions of its costs, including overhead, without regard to 31 U.S.C. section 143302(b); to reimburse other participating agencies for all or portions of their costs; and to fund research and facilities expansion. Funds for management and operation of the Laboratory may be used to sustain basic laboratory operations for all participating entities. The Secretary of Commerce is authorized to charge fees and enter into contracts, grants, cooperative agreements and other arrangements with Federal, State, private entities, and other entities, domestic and foreign, to further the mission of the Laboratory. Any funds collected from such fees or arrangements shall be used to support cooperative research, basic operations, and facilities enhancement at the Laboratory.]

[SEC. 211. Extension of Guarantee Authority.

(a) In General.-101(k) of the Emergency Steel Loan Guarantee Act of 1999 (Public Law 106-51; 15 U.S.C. 1841 note) is amended by striking "2003" and inserting "2005".

(b) Salaries and Expenses.-In addition to funds made available under section 101(j) of Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note), up to \$2,000,000 in funds made available under section 101(f) of such Act may be used for salaries and administrative expenses to administer the Emergency Steel Loan Guarantee Program.]

[SEC. 212. In addition to amounts made available under the heading "Procurement, Acquisition and Construction, National Oceanic and Atmospheric Administration" \$1,500,000 shall be available for the Western Carolina University, \$1,000,000 shall be available for the South Florida Museum, \$140,000 shall be available for the French and Indian War Foundation, \$1,000,000 shall be available for the City of Chattanooga, Tennessee, \$1,000,000 shall be available for the University of Mississippi, \$1,000,000 shall be available for the City of Charlotte, North Carolina, and \$489,000 shall be available for a public safety marine docking facility for Hampton, New Hampshire.]

[SEC. 213. In addition to amounts appropriated or otherwise made available by this Act or any other Act, \$500,000 shall be provided until expended for the Federal Credit Reform Act cost of a reduction loan under sections 1111 and 1112 of title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f, 1279g), not to exceed \$50,000,000 in principal, that:

(1) notwithstanding 46 U.S.C. App. 1279f(b), shall have a term of not less than 30 years;

(2) carries out a New England lobster fishing capacity reduction program which may include fewer than all management areas of the fishery;

(3) permanently revokes all fishery licenses, fishery permits, area and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program; and

(4) ensures that all vessels removed from the fishery under the program are made permanently ineligible to participate in any

fishery worldwide, and that the owners of such vessels will operate only under the United States flag or such vessels shall be scrapped as a reduction vessel pursuant to section 600.1011(c) of title 50, Code of Federal Regulations.】

【SEC. 214. In addition to amounts appropriated or otherwise made available by this Act or any other Act, \$500,000 shall be provided until expended for the Federal Credit Reform Act cost of a reduction loan under sections 1111 and 1112 of title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f, 1279g), not to exceed \$50,000,000 in principal, that:

(1) notwithstanding 46 U.S.C. App. 1279f(b), shall have a term of not less than 30 years;

(2) carries out a Bering Sea and Aleutian Islands non-pollock groundfish capacity reduction program which may include fewer than all management areas of the fishery;

(3) permanently revokes all fishery licenses, fishery permits, area and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program; and

(4) ensures that all vessels removed from the fishery under the program are made permanently ineligible to participate in any fishery worldwide, and that the owners of such vessels will operate only under the United States flag or such vessels shall be scrapped as a reduction vessel pursuant to section 600.1011(c) of title 50, Code of Federal Regulations.】

【SEC. 215. Of the unobligated balances available to the Department of Commerce from prior year appropriations with the exception of funds provided for coral reef activities, fisheries enforcement, the Ocean Health Initiative, land acquisition, and lab construction, \$100,000,000 are rescinded: *Provided*, That within 30 days after the date of enactment of this section the Secretary of Commerce shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the amount of each rescission made pursuant to this section.】 (*Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.*)

【SEC. 801. BERING SEA AND ALEUTIAN ISLANDS CRAB RATIONALIZATION. Section 313 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), as amended, is further amended by adding at the end thereof the following:

“(j) BERING SEA AND ALEUTIAN ISLANDS CRAB RATIONALIZATION.—

“(1) By not later than January 1, 2005, the Secretary shall approve and hereafter implement by regulation the Voluntary Three-Pie Cooperative Program for crab fisheries of the Bering Sea and Aleutian Islands approved by the North Pacific Fishery Management Council between June 2002 and April 2003, and all trailing amendments including those reported to Congress on May 6, 2003. This section shall not preclude the Secretary from approving by January 1, 2005, and implementing any subsequent program amendments approved by the Council.

“(2) Notwithstanding any other provision of this Act, in carrying out paragraph (1) the Secretary shall approve all parts of the Program referred to in such paragraph. Further, no part of such Program may be implemented if, as approved by the North Pacific Fishery Management Council, individual fishing quotas, processing quotas, community development quota allocation, voluntary cooperatives, binding arbitration, regional landing and processing requirements, community protections, economic data collection, or the loan program for crab fishing vessel captains and crew members, is invalidated subject to a judicial determination not subject to judicial appeal. If the Secretary determines that a processor has leveraged its Individual Processor Quota shares to acquire a harvesters open-delivery “B shares”, the processor’s Individual Processor Quota shares shall be forfeited.

“(3) Subsequent to implementation pursuant to paragraph (1), the Council may submit and the Secretary may implement changes to or repeal of conservation and management measures, including measures authorized in this section, for crab fisheries of the Bering Sea and Aleutian Islands in accordance with applicable law, including this Act as amended by this subsection, to achieve on a continuing basis the purposes identified by the Council.

“(4) The loan program referred to in paragraph (2) shall be carried out pursuant to the authority of sections 1111 and 1112 of title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f, 1279g).

“(5) For purposes of implementing this section \$1,000,000 shall be made available each year until fully implemented from funds otherwise made available to the National Marine Fisheries Service for Alaska fisheries activities.

“(6) Nothing in this Act shall constitute a waiver, either express or implied, of the antitrust laws of the United States. The Secretary, in consultation with the Department of Justice and the Federal Trade Commission, shall develop and implement a mandatory information collection and review process to provide any and all information necessary for the Department of Justice and the Federal Trade Commission to determine whether any illegal acts of anti-competition, anti-trust, or price collusion have occurred among persons receiving individual processing quotas under the Program. The Secretary may revoke any individual processing quota held by any person found to have violated a provision of the antitrust laws of the United States.

“(7) An individual processing quota issued under the Program shall be considered a permit for the purposes of sections 307, 308, and 309, and may be revoked or limited at any time in accordance with this Act. Issuance of an individual processing quota under the program shall not confer any right of compensation to the holder of such individual processing quota if it is revoked or limited and shall not create, or be construed to create, any right, title, or interest in or to any fish before the fish is purchased from an individual fishing quota holder.

“(8) The restriction on the collection of economic data in section 303 shall not apply with respect to any fish processor who is eligible for, or who has received, individual processing quota under the Program. The restriction on the disclosure of information in section 402(b)(1) shall not apply when the information is used to determine eligibility for or compliance with an individual processing quota program.

“(9) The provisions of sections 308, 310, and 311 shall apply to the processing facilities and fish products of any person holding individual processing quota, and the provisions of subparagraphs (D), (E), and (L) of section 307(l) shall apply to any facility owned or controlled by a person holding individual processing quota.”】

【SEC. 802. GULF OF ALASKA ROCKFISH DEMONSTRATION PROGRAM. The Secretary of Commerce, in consultation with the North Pacific Fishery Management Council, shall establish a pilot program that recognizes the historic participation of fishing vessels (1996 to 2002, best 5 of 7 years) and historic participation of fish processors (1996 to 2000, best 4 of 5 years) for Pacific ocean perch, northern rockfish, and pelagic shelf rockfish harvested in Central Gulf of Alaska. Such a pilot program shall (1) provide for a set-aside of up to 5 percent for the total allowable catch of such fisheries for catcher vessels not eligible to participate in the pilot program, which shall be delivered to shore-based fish processors not eligible to participate in the pilot program; (2) establish catch limits for non-rockfish species and non-target rockfish species currently harvested with pacific ocean perch, northern rockfish, and pelagic shelf rockfish, which shall be based on historical harvesting of such bycatch species. The pilot program will sunset when a Gulf of Alaska Groundfish comprehensive rationalization plan is authorized by the Council and implemented by the Secretary, or 2 years from date of implementation, whichever is earlier.】

【SEC. 803. ALEUTIAN ISLANDS FISHERIES DEVELOPMENT.

(a) ALEUTIAN ISLANDS POLLOCK ALLOCATION.—Effective January 1, 2004 and thereafter, the directed pollock fishery in the Aleutian Islands Subarea [AI] of the BSAI (as defined in 50 CFR 679.2) shall be allocated to the Aleut Corporation (incorporated pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)). Except with the permission of the Aleut Corporation or its authorized agent, the fishing or processing of any part of such allocation shall be prohibited by section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857), subject to the penalties and sanctions under section 308 of such Act (16 U.S.C. 1858), and subject to the forfeiture of any fish harvested or processed.

(b) ELIGIBLE VESSELS.—Only vessels that are 60 feet or less in length overall and have a valid fishery endorsement, or vessels that are eligible to harvest pollock under section 208 of Title II of Division C of Public Law 105277, shall be eligible to form partnerships with the Aleut Corporation (or its authorized agents) to harvest the allocation under subsection (a). During the years 2004 through 2008, up to 25 percent of such allocation may be harvested by vessels 60 feet or less in length overall. During the years 2009 through 2013, up to 50 percent of such allocation may be harvested by vessels 60 feet or less in length overall. After the year 2012, 50 percent

of such allocation shall be harvested by vessels 60 feet or less in length overall, and 50 percent shall be harvested by vessels eligible under such section of Public Law 105277.

(c) **GROUND FISH OPTIMUM YIELD LIMITATION.**—The optimum yield for groundfish in the Bering Sea and Aleutian Islands Management Area shall not exceed 2 million metric tons. For the purposes of implementing subsections (a) and (b) without adversely affecting current fishery participants, the allocation under subsection (a) may be in addition to such optimum yield during the years 2004 through 2008 upon recommendation by the North Pacific Council and approval by the Secretary of Commerce (if consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)).

(d) **MANAGEMENT AND ALLOCATION.**—For the purposes of this section, the North Pacific Fishery Management Council shall recommend and the Secretary shall approve an allocation under subsection (a) to the Aleut Corporation for the purposes of economic development in Adak, Alaska pursuant to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

[SEC. 804. A Council or the Secretary may not consider or establish any program to allocate or issue an individual processing quota or processor share in any fishery of the United States other than the crab fisheries of the Bering Sea and Aleutian Islands.] (*Division B, H.R. 2673, Consolidated Appropriations Bill, 2004.*)

[SEC. 105. (a) None of the funds made available under this Act may be obligated or expended to implement any measures to reduce overfishing and promote rebuilding of fish stocks managed under the Management Plan other than such measures set out in the final rule.

(b) In this section:

(1) The term “final rule” means the final rule of the National Oceanic and Atmospheric Administration relating to the Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multi-species Fishery that was published on June 27, 2003 (68 Fed. Reg. 38234).

(2) The term “Management Plan” means the Northeast Multispecies Fishery Management Plan prepared pursuant to section 303 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853). **[**(*Division H, H.R. 2673, Consolidated Appropriations Bill, 2004.*)

TITLE VI—GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

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

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

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year **[2004] 2005**, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes **[or renames] offices**; (6) reorganizes, programs or activities; or **[(7)] (6)** contracts out or privatizes any functions

or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year **[2004] 2005**, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of **[\$500,000] \$1,000,000** or 10 percent, whichever is less, that: (1) augments existing programs, projects (including construction projects), or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607.(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS. *It is the sense of Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in the Act should be American-made.*

(b) **NOTICE REQUIREMENT.**—*In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.*

(c) **PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.**—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

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

SEC. 609. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce, or otherwise abide by the Memorandum of Agreement signed by the Federal Trade Commission and the Antitrust Division of the Department of Justice on March 5, 2002.

[SEC. 610. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds that: (1) the United Nations undertaking is a peacekeeping mission; (2) such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) the President’s military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.]

[SEC. 611. The Departments of Commerce, Justice, and State, the Judiciary and the Small Business Administration shall provide to the Committees on Appropriations of the Senate and of the House of Representatives a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.]

[SEC. 612. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2004.】

SEC. 【613】 610. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

【SEC. 614. Of the funds appropriated in this Act under the heading “Office of Justice Programs—State and Local Law Enforcement Assistance”, not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.】

【SEC. 615. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.】

SEC. 【616】 611. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 【2004】 2005.

SEC. 【617】 612. (a) None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

(b) Subsection (a)(2) shall take effect not later than 180 days after enactment of this Act.

SEC. 【618】 613. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of 【\$625,000,000】 \$675,000,000 shall not be available for obligation until the following fiscal year of which up to \$50,000,000 may be for the *Antiterrorism Emergency Reserve authorized by Public Law 107-56*.

SEC. 【619】 614. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

【SEC. 620. None of the funds appropriated or otherwise made available to the Department of State shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the determination of the Secretary of State under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Secretary of Homeland Security has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section.】

【SEC. 621. For additional amounts under the heading “Small Business Administration, Salaries and Expenses”, \$1,592,000 shall be available for the Advanced and Applied Polymer Processing Institute; \$500,000 shall be available for Northeast South Dakota Tech-Based Skills Development; \$750,000 shall be available for the Southern Methodist University Law School Rule of Law; \$1,000,000 shall be available for the Accelerated Entrepreneur “Ace” Program; \$500,000 shall be available for the National Mass Fatalities Institute; \$1,000,000 shall be available for the Textile Tracers Program; \$500,000 shall be available for the Maryland Technology-Based Rural Business Incubation Initiative; \$1,000,000 shall be available for the Northeast Indiana Innovation Center; \$750,000 shall be available for the Lewis and Clark Bicentennial Bi-State Safety Project; \$1,000,000 shall be available for the Greenville Automotive Research Park; \$1,000,000 shall be available for the Indiana University Kokomo Business Incubator; \$1,593,000 shall be available for the Tuck School of Business for its partnership with the Minority Business Development Administration; \$500,000 shall be available for Project Restore; \$325,000 shall be available for the School of the Building Arts Trade Program; \$500,000 shall be available for the South Carolina Export Consortium; \$500,000 shall be available for the Freewoods Farm Living Farm Museum in Horry County, South Carolina; \$1,590,000 shall be available for the Alaska InvestNet/Technology Venture Center and Tech Ranch in Montana; \$1,000,000 shall be available for Youth and Family with Promises; \$500,000 shall be available for the Wisconsin Procurement Institute; \$1,000,000 shall be available for the Next Generation Economy Initiative; \$1,000,000 shall be available for the Westside Intercept Project; \$250,000 shall be available for the International Trade Data Network; \$1,000,000 shall be available for the University of Missouri-St. Louis Information Technology Incubator Project; \$750,000 shall be available for the Idaho Virtual Incubator/Lewis-Clark State College; \$850,000 shall be available for the UNI Student Business Incubator; \$1,500,000 shall be available for the promotion and operation of the grant to the Adelante Development Center, Inc., in Albuquerque, New Mexico; \$250,000 shall be available for the Mississippi Delta Technology Council; \$2,250,000 shall be available for a grant to the Virginia Community College System (VCCS) for improvement of distance learning programs; \$175,000 shall be available for a grant to the Loudoun Convention and Visitors Association in Virginia; \$100,000 shall be available for a grant to The Cedar Creek Battlefield Foundation; \$100,000 shall be available for a grant to Belle Grove Plantation; \$750,000 shall be available for a grant to Shenandoah University to develop a historical and tourism development facility; \$1,000,000 shall be available for a grant to the Northern Virginia Technology Council for a technology entrepreneurship development and resource center; \$100,000 shall be available for a grant to the Washington Airports Task Force to promote small business growth of passenger, cargo and other aviation services; \$100,000 shall be available for a grant to Team Northeast Ohio; \$500,000 shall be available for a grant to Wilberforce University for a technology initiative; \$250,000 shall be available for a grant for REI Rural Business Resources Center in Seminole, Oklahoma; \$1,100,000 shall be available for a grant to Iowa State University for the development of a research park biologics facility; \$200,000 shall be available for a grant to the Clarion County Economic Development Corporation; \$200,000 shall be available for a grant to the Venango Economic Development Corporation; \$900,000 shall be available for a grant to the Illinois Institute of Technology to examine and assess advancements in biotechnologies; \$1,000,000 shall be available for the Illinois Coalition for technology development assistance activities; \$200,000 shall be available for a grant for the Port of Benton for the planning of a science and technology park in Richland, Washington; \$1,500,000 shall be available for a grant to Rockford Area Ventures, Rockford, Illinois, to establish a small manufacturing business incubator and technology research and development center; \$100,000 shall be available for a grant to Western Kentucky University for a business incubator; \$200,000 shall be available for a grant for the Chicago Field Museum for a collections resource center; \$100,000 shall be available for a grant for the Purdue University School of Pharmacy for the development of a national center for pharmaceutical technology; \$100,000 shall be available for a grant to the Cedarbridge Development Urban Renewal Corporation for facilities development; \$100,000 shall be available for a grant for Concourse Village in the Bronx, New York; \$500,000 shall be available for a grant to Pro Co Technology Computer Training Center in the Bronx, New York, for a computer learning center; \$200,000 shall be available for a grant for the Promesa Foundation in South Bronx, New York, to provide

(INCLUDING RESCISSIONS)—Continued

community growth funding; \$560,000 shall be available for a grant to Bronx Shepherds for a community resource center; \$200,000 shall be available for a grant to HOGAR, Inc. in the Bronx, New York; \$100,000 shall be available for a grant to the Alliance for Community Services for economic development in the Bronx, New York; \$300,000 shall be available for a grant to Promesa Enterprises to provide services and support to community based organizations in the Bronx, New York; \$300,000 shall be available for a grant to Bronx Overall Economic Development Corporation for technical assistance opportunities for businesses; \$250,000 shall be available for a grant to St. Mary's College for a telecommunications initiative; \$1,200,000 shall be available for a grant to the MountainMade Foundation to fulfill its charter purposes and to continue the initiative developed by the NTTC for outreach and promotion, business and sites development, the education of artists and craftspeople, and to promote small businesses, artisans and their products through market development, advertisement, commercial sale and other promotional means; \$1,000,000 shall be available for the Providence, Rhode Island Center for Women and Enterprise for infrastructure development; \$1,200,000 shall be available for a grant for Northwest Shoals Community College to establish a Center for Business and Industry; \$950,000 shall be available for a grant to the Family and Children's Service in Minneapolis, Minnesota for community support and development programs; \$1,000,000 shall be available for a grant to the Wisconsin Procurement Institute to develop an electronic based system to provide access and opportunity to Federal funding; \$200,000 shall be for a grant to the National Association of Development Organizations Research Foundation to provide training and education assistance to small business development finance professionals; \$750,000 shall be for a grant to the North Carolina Rural Economic Development Center for expenses and activities in support of the Capital Access Program; \$500,000 shall be for a grant for the Women's Initiative for Self Employment in San Francisco, California; \$400,000 shall be for a grant to Johnstown Area Regional Industries in Pennsylvania for workforce development training programs and Small Business Technology Centers; \$400,000 shall be for a grant to Seton Hill University for expenses in support of the Virtual Entrepreneurial Center; \$200,000 shall be for a grant to the Economic Growth Connection Paperless Procurement Program; \$200,000 shall be for a grant for the Ridgewood Myrtle Avenue Business Improvement District to conduct a redevelopment study; \$400,000 shall be for a grant to Progress, Inc. to establish a Community Technology Center; \$150,000 shall be for a grant for UPROSE for the "Sunset Youth Industries" project; \$415,000 shall be available for a grant to the Southern and Eastern Kentucky Tourism Development Association for continuation of a regional tourism promotion initiative; and \$300,000 shall be for the Arthur Avenue Retail Market in the Bronx, New York, for facility, improvement, and maintenance needs to meet the Market's business requirements: *Provided*, That Section 625 of Title I of Division B of Public Law 108-7 is amended with respect to a grant of: (1) \$450,000 to the Bronx Council on the Arts by deleting the words "help promote stabilization of small arts organizations" and inserting the words "provide financial assistance to small arts organizations to help promote stabilization" in its place; and (2) \$500,000 to the City of Merrill, Wisconsin by deleting all of the language following Wisconsin and replacing it with "for the capitalization of a business development fund.".]

SEC. [622] 615. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

[SEC. 623. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.]

[SEC. 624. A Deputy Assistant Administrator for non-contiguous states and territories shall, through the Senior Executive Service, administer Small Business Administration programs in Alaska, Hawaii, and the territories, including disaster loans to fishermen, pro-

grams benefitting Alaska Native Corporations and Native Hawaiians, including but not limited to Section 8(a) and Historically Underutilized Business Zones, and all other programs serving Alaska Natives and Native Hawaiians. All disaster loans issued in Alaska shall be administered by the Small Business Administration and shall not be sold during fiscal year 2004.]

[SEC. 625. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.]

[SEC. 626. The Secretary of Commerce shall negotiate or reevaluate, with the consent of the President, international agreements affecting international ocean policy.]

[SEC. 627. The Departments of Commerce, Justice, State, the Judiciary, and the Small Business Administration shall each establish a policy under which eligible employees may participate in telecommuting to the maximum extent possible without diminished employee performance: *Provided*, That, not later than six months after the date of the enactment of this Act, each of the aforementioned entities shall provide that the requirements of this section are applied to 100 percent of the workforce: *Provided further*, That, of the funds appropriated in this Act for the Departments of Commerce, Justice, and State, the Judiciary, and the Small Business Administration, \$200,000 shall be available to each Department or agency only to implement telecommuting programs: *Provided further*, That, every six months, each Department or agency shall provide a report to the Committees on Appropriations on the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs, and uses of funds designated under this section: *Provided further*, That each Department or agency shall designate a "Telework Coordinator" to be responsible for overseeing the implementation of telecommuting programs and serve as a point of contact on such programs for the Committees on Appropriations.]

[SEC. 628. The paragraph under the heading "Small Business Administration—Disaster Loans Program Account" in chapter 2 of division B of Public Law 107-117 is amended by inserting "or section 7(b) of the Small Business Act" after "September 11, 2001".]

[SEC. 629. The Telecommunications Act of 1996 is amended as follows—

(1) in section 202(c)(1)(B) by striking "35 percent" and inserting "39 percent";

(2) in section 202(c) by adding the following new paragraph at the end:

"(3) DIVESTITURE.—A person or entity that exceeds the 39 percent national audience reach limitation for television stations in paragraph (1)(B) through grant, transfer, or assignment of an additional license for a commercial television broadcast station shall have not more than 2 years after exceeding such limitation to come into compliance with such limitation. This divestiture requirement shall not apply to persons or entities that exceed the 39 percent national audience reach limitation through population growth.

"(4) FORBEARANCE.—Section 10 of the Communications Act of 1934 (47 U.S.C. 160) shall not apply to any person or entity that exceeds the 39 percent national audience reach limitation for television stations in paragraph (1)(B);" and

(3) in section 202(h) by striking "biennially" and inserting "quadrennially" and by adding the following new flush sentence at the end:

"This subsection does not apply to any rules relating to the 39 percent national audience reach limitation in subsection (c)(1)(B)."

SEC. [630] 616. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms, and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes or models of firearms are used for illicit purposes. The firearms selected do not constitute a ran-

dom sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

[SEC. 631. Section 503(f) of the Small Business Investment Act of 1958 (15 U.S.C. 697(f)) shall be amended by substituting “March 15, 2004” for the last date that appears in the subsection.]

SEC. [632] 617. In addition to amounts otherwise appropriated in this Act, the unobligated balances previously made available by section 507(g) of Public Law 105–135 shall be available until expended for the cost of general business loans under section 7(a) of the Small Business Act.

[SEC. 633. (a) There is established in the Treasury of the United States a trust fund to be known as the International Center for Middle Eastern-Western Dialogue Trust Fund. The income from the fund shall be used for operations of the International Center for Middle Eastern-Western Dialogue to promote dialogue and scholarship in the Middle East. The fund may accept contributions and gifts from public and private sources.

(b) It shall be the duty of the Secretary of the Treasury to invest in full amounts made available to the fund. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. The interest on, and the proceeds from the sale or redemption of, any obligations held in the fund shall be credited to and form a part of the fund and shall remain available without fiscal year limitation.

(c) For each fiscal year, there is authorized to be appropriated from the fund for the operations of the International Center for Middle Eastern-Western Dialogue the total amount of the interest and earnings credited to the fund under subsection (b).

(d) There are authorized to be appropriated to the International Center for Middle Eastern-Western Dialogue Trust Fund, without fiscal year limitation, such sums as may be necessary to carry out the provisions of this section and to provide for the permanent endowment for the International Center for Middle Eastern-Western Dialogue established under this section.

(e) The United States, through the Department of State, shall retain ownership of the Palazzo Corpi building in Istanbul, Turkey, and the Secretary of State shall be responsible for maintaining the International Center for Middle Eastern-Western Dialogue at such location.

(f) Section 1321(a) of title 31, United States Code, is amended by inserting after “(58) Inmates’ fund, workhouse and reformatory, District of Columbia.” the following new paragraph:

“(59) International Center for Middle Eastern-Western Dialogue Trust Fund.”.]

SEC. [634] 618. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

[SEC. 635. None of the funds made available in this Act may be used to pay expenses for any United States delegation to the United Nations Human Rights Commission if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has repeatedly provided support for acts of international terrorism.]

[SEC. 636. None of the funds made available in this Act may be used in violation of section 212(a)(10)(C) of the Immigration and Nationality Act.]

[SEC. 637. (a) This section may be cited as the “HELP Commission Act”.

(b)(1) The Congress finds that, despite the long-standing efforts and resources of the United States dedicated to helping needy people around the world, despair remains and in many areas is growing.

(2) Therefore, a commission should be established to bring together the best minds associated with development and humanitarian assistance to make a comprehensive review of—

(A) policy decisions, including why certain development projects are funded and others are not, successes, and best practices, including their applicability to other existing programs and projects;

(B) delivery obstacles, including the roles of United States agencies and other governmental and nongovernmental organizations;

(C) methodology, including whether the delivery of United States development assistance always represents best practices and whether it can be improved; and

(D) results, including measuring improvements in human capacity instead of in purely economic terms.

(3) An examination of these issues should present new approaches and ideas to ensure that United States development assistance reaches and benefits its intended recipients.

(c)(1) There is established the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission (in this section referred to as the “Commission”).

(2) The Commission shall—

(A) identify the past and present objectives of United States development assistance, identify cases in which those objectives have been met, identify the beneficiaries of such assistance, and what percentage of the funds provided actually reached the intended beneficiaries;

(B) identify cases in which United States development assistance has been most successful, and analyze how such successes may be transferable to other countries or areas;

(C) study ways to expand educational opportunities and investments in people, and assess infrastructure needs;

(D) analyze how the United States could place conditions on governments in countries receiving United States development assistance, in light of and notwithstanding the objectives of the Millennium Challenge Account;

(E) analyze ways in which the United States can coordinate its development assistance programs with those of other donor countries and international organizations;

(F) analyze ways in which the safety of development assistance workers can be ensured, particularly in the midst of conflicts;

(G) compare the effectiveness of increased and open trade with development assistance, and analyze the advantages and disadvantages of such trade and whether such trade could be a more effective alternative to United States development assistance;

(H) analyze ways in which the United States can strengthen the capacity of indigenous nongovernmental organizations to be more effective in grassroots development;

(I) analyze ways in which decisions on providing development assistance can involve more of the people of the recipient countries;

(J) analyze ways in which results can be measured if United States development assistance is targeted to the least developed countries;

(K) recommend standards that should be set for “graduating” recipient countries from United States development assistance;

(L) analyze whether United States development assistance should be used as a means to achieve United States foreign policy objectives;

(M) analyze how the United States can evaluate the performance of its development assistance programs not only against economic indicators, but in other ways, including how to measure the success of United States development assistance in democratization efforts; and evaluate the existing foreign assistance framework to ascertain the degree of coordination, or lack thereof, of the disparate foreign development programs as administered by the various Federal agencies, to identify and assess the redundancies of programs and organizational structures engaged in foreign assistance, and to recommend revisions to authorizing legislation for foreign assistance that would seek to reconcile competing foreign policy and foreign aid goals; and

(N) study any other areas that the Commission considers necessary relating to United States development assistance.

(d)(1) The Commission shall be composed of 21 members as follows:

(A) Six members shall be appointed by the President, of whom at least two shall be representatives of nongovernmental organizations.

(B) Four members shall be appointed by the majority leader of the Senate, and three members shall be appointed by the minority leader of the Senate.

(C) Four members shall be appointed by the Speaker of the House of Representatives, and three members shall be appointed by the minority leader of the House of Representatives.

(D) The Administrator of the United States Agency for International Development shall serve as a member of the Commission, ex officio.

(2) Members under subparagraphs (A) through (C) of paragraph (1) shall be appointed for the life of the Commission.

(3) Members of the Commission shall be selected from among individuals noted for their knowledge and experience in foreign assistance, particularly development and humanitarian assistance.

(INCLUDING RESCISSIONS)—Continued

(4) The appointments under paragraph (1) shall be made not later than 60 days after the date of the enactment of this section.

(5) The President shall designate one of the members of the Commission not currently in government service as the Chair of the Commission.

(6) In order to facilitate the workload of the Commission, the Commission shall divide the membership of the Commission into three subcommittees representing the different regions of the world to which the United States provides development assistance, the membership of each subcommittee to be proportional to the percentage of United States development assistance provided to the region represented by the subcommittee. Each subcommittee shall elect one of its members as Chair of the subcommittee.

(7)(A) Eleven members of the Commission shall constitute a quorum for purposes of transacting the business of the Commission. The Commission shall meet at the call of the Chair.

(B) A majority of the members of each regional subcommittee shall constitute a quorum for purposes of transacting the business of the subcommittee. Each subcommittee shall meet at the call of the Chair of the subcommittee.

(8) Any vacancy of the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(9) The Administrator of General Services shall provide to the Commission on a reimbursable basis (or, in the discretion of the Administrator, on a nonreimbursable basis) such administrative support services as the Commission may request to carry out this section.

(10)(A) Subject to subparagraph (B), members of the Commission shall serve without pay.

(B) Members of the Commission who are full-time officers or employees of the United States or Members of Congress may not receive additional pay, allowances, or benefits by reason of their service on the Commission.

(11) Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(12)(A) The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) To the extent or in the amounts provided in advance in appropriations Acts—

(i) the executive director shall be compensated at the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code; and

(ii) the Chairman of the Commission may fix the compensation of other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(e)(1) The Commission may, for the purpose of carrying out its functions under this section, hold hearings, sit and act at times and places in the United States and in countries that receive United States development assistance, take testimony, and receive evidence as the Commission considers advisable to carry out the purposes of this section.

(2) The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this section. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission, subject to applicable law.

(3) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(4) The Commission may adopt such rules and regulations, relating to administrative procedure, as may be reasonably necessary to enable it to carry out the provisions of this section.

(5) The Members of the Commission may, with the approval of the Commission, conduct such travel as is necessary to carry out

the purposes of this section. Each trip must be approved by a majority of the Commission.

(6) Upon the request of the Commission, the head of any Federal department or agency may detail, on a reimbursable or nonreimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its functions under this section. The detail of any such personnel shall be without interruption or loss of civil service or Foreign Service status or privilege.

(f)(1) Not later than 2 years after the members of the Commission are appointed under subsection (d)(1), the Commission shall submit a report to the President, the Secretary of State, the Committee on Appropriations and the Committee on International Relations of the House of Representatives, and the Committee on Appropriations and the Committee on Foreign Relations of the Senate, setting forth its findings and recommendations under section (c)(2).

(2) The report may be submitted in classified form, together with a public summary of recommendations, if the classification of information would further the purposes of this section.

(3) Each member of the Commission may include the individual or dissenting views of the member.

(g) The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(h) In this section, the term “United States development assistance” means—

(1) assistance provided by the United States under chapters 1, 10, 11, and 12 of part I of the Foreign Assistance Act of 1961; and

(2) assistance provided under any other provision of law to carry out purposes comparable to those set forth in the provisions referred to in paragraph (1).

(i)(1) There are authorized to be appropriated to the Commission such sums as may be necessary to carry out this section.

(2) Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended, but not later than the date of termination of the Commission.

(j) The Commission shall terminate 30 days after the submission of its report under subsection (f).

(k)(1) Not later than April 1, 2004, and April 1 of each third year thereafter, the President shall transmit to the Congress a report that analyzes, on a country-by-country basis, the impact and effectiveness of United States economic assistance furnished to each country during the preceding three fiscal years. The report shall include the following for each recipient country:

(A) An analysis of the impact of United States economic assistance during the preceding three fiscal years on economic development in that country, with a discussion of the United States interests that were served by the assistance. The analysis shall be done on a sector-by-sector basis to the extent possible and shall identify any economic policy reforms that were promoted by the assistance. The analysis shall—

(i) include a description, quantified to the extent practicable, of the specific objectives the United States sought to achieve in providing economic assistance for that country; and

(ii) specify the extent to which those objectives were not achieved, with an explanation of why they were not achieved.

(B) A description of the amount and nature of economic assistance provided by other donors during the preceding three fiscal years, set forth by development sector to the extent possible.

(C) A discussion of the commitment of the host government to addressing the country's needs in each development sector, including a description of the resources devoted by that government to each development sector during the preceding three fiscal years.

(D) A description of the trends, both favorable and unfavorable, in each development sector.

(E) Statistical and other information necessary to evaluate the impact and effectiveness of United States economic assistance on development in the country.

(F) A comparison of the analysis provided in the report with relevant analyses by international financial institutions, other international organizations, other donor countries, or nongovernmental organizations.

(2) The report required by this section shall identify—

(A) each country in which United States economic assistance has been most successful, as indicated by the extent to which the specific objectives the United States sought to achieve in providing the assistance for the country, as referred to in paragraph (1)(A)(i), were achieved; and

(B) each country in which United States economic assistance has been least successful, as indicated by the extent to which the specific objectives the United States sought to achieve in providing the assistance for the country, as referred to in paragraph (1)(A)(i), were not achieved; and, for each such country, an explanation of why the assistance was not more successful and a specification of what the United States has done as a result.

(3) Information under paragraphs (1) and (2) for a fiscal year shall not be required with respect to a country for which United States economic assistance for the country for the fiscal year is less than \$5,000,000.

(4) In this subsection, the term “United States economic assistance” means any bilateral economic assistance, from any budget functional category, that is provided by any department or agency of the United States to a foreign country, including such assistance that is intended—

(A) to assist the development and economic advancement of friendly foreign countries and peoples;

(B) to promote the freedom, aspirations, or sustenance of friendly peoples under oppressive rule by unfriendly governments;

(C) to promote international trade and foreign direct investment as a means of aiding economic growth;

(D) to save lives and alleviate suffering of foreign peoples during or following wars, natural disasters, or complex crises;

(E) to assist in recovery and rehabilitation of countries or peoples following disaster or war;

(F) to protect refugees and promote durable solutions to aid refugees;

(G) to promote sound environmental practices;

(H) to assist in development of democratic institutions and good governance by the people of foreign countries;

(I) to promote peace and reconciliation or prevention of conflict;

(J) to improve the technical capacities of governments to reduce production of and demand for illicit narcotics; and

(K) to otherwise promote through bilateral foreign economic assistance the national objectives of the United States.】

【SEC. 638. (a) There is hereby rescinded an amount equal to 0.465 percent of the budget authority provided for fiscal year 2004 for any discretionary account in this Act.

(b) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in subsection (a); and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President’s budget).】

SEC. 619. *Section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (Title VI, Division A of H.R. 3427, enacted by sec. 1000(7) of P.L. 106–113), is amended by adding the following new subsection at the end:*

“(e) *CAPITAL SECURITY COST SHARING.—Notwithstanding any other provision of law, all agencies with personnel overseas subject to Chief of Mission Authority shall participate and provide funding in advance for their share of costs, without offsets, on the basis of the total overseas presence of each agency as determined annually by the Secretary of State in consultation with such agency. Amounts advanced by such agencies to the Department of State shall be credited to the Embassy Security, Construction and Maintenance account, and remain available until expended.*”

SEC. 620. *Notwithstanding 40 U.S.C. 524, 571, and 572, the Federal Communications Commission may sell the monitoring facilities in Honolulu, Hawaii, and Livermore, California, including all real property, and credit the proceeds of such sales as offsetting collections to its Salaries and Expenses account. Such funds shall be available until September 30, 2007, to be used to replace these facilities and to improve other FCC-owned facilities. (Division B, H.R. 2673, Consolidated Appropriations Bill, FY 2004.)*