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SPECIAL REPORT: **Commerce-Justice-State** **Appropriations Conference Report** **and California Implications --** *January 15, 2002*

H. Rpt. 107-278 is the conference report to accompany the FY02 Appropriations for the Departments of Commerce, Justice, State, and Related Agencies (H.R. 2500). The House and Senate respectively passed the report by recorded votes of 411-15 and 98-1 on November 14 and 15, 2001. By a vote of 97-0 on September 13, 2001, the Senate had previously passed its version of the initial bill, H.R. 1215, and the House had passed its version on July 18, 2001, by a vote of 408 to 19.

The following represents a quick analysis of the bill from a California perspective as prepared by the California Institute. We apologize for any errors or omissions in our discussion of these documents, and would appreciate any input/feedback on how to make improving corrections. The ordering of items generally reflects their presence in the bill and does not mean to imply any relative importance.

This appropriations analysis is available on the California Institute web site at <http://www.calinst.org/pubs/cjs02c.htm>. A printable version in Adobe Acrobat ("pdf") format is also available at <http://www.calinst.org/pubs/cjs02c.pdf>.

DEPARTMENT OF JUSTICE

U.S. MARSHALL'S SERVICE

Construction

For the El Centro facility, \$32,000 is provided for planning, design, and relocation.

IMMIGRATION AND NATURALIZATION SERVICE

The INS is funded at \$3.371 billion for salaries and expenses, as proposed by the House, rather than the \$3.176 billion proposed by the Senate. When fee collections are included, the total operating budget of the INS will be \$5.642 billion, instead of the \$5.64 billion proposed by the House, and the \$5.5 billion proposed by the Senate. The FY02 funding level represents an 18 percent increase over FY01 funding.

Border Patrol Agents and Land Border Inspectors

The conference agreement includes funding for an additional 570 border patrol agents and 348 land border ports-of-entry inspectors. The conferees note, however, that INS is expected to pay particular attention to the Northern Border when assigning new land border inspectors.

Immigration Services

Funding is increased by \$45,000,000, for a total of \$100,000,000 to be spent to reach the goal of a universal six-month processing standard for all immigration applications and petitions.

The report retains language prohibiting the operation of the San Clemente and Temecula traffic checkpoints unless certain conditions are met.

FEDERAL PRISON SYSTEM

Construction - \$813.5 million is included for construction and maintenance of prison and detention facilities, including \$147,000 for the Western USP/California.

Contract Confinement - The conference report includes \$47.4 million in funding to fund an additional 1,500 contract beds to accommodate the increasing number of criminal aliens. Of that amount, the conference agreement earmarks \$11,554,000 for the activation of the Atwater, CA facility.

OFFICE OF JUSTICE PROGRAMS

Justice Assistance

The conference agreement includes \$437 million for Justice Assistance, instead of \$408.3 million proposed by the House and \$574.5 million proposed by the Senate. Report language instructs the National Institute of Justice to consider installing the SECURES gunshot detection system in San Bernardino in the next phase of its evaluation of the system.

State and Local Law Enforcement Assistance

Funding of \$2,403,354,000 is included for State and Local Law Enforcement Assistance, instead of \$2.519 billion in the House bill and \$2.094 billion in the Senate bill. The funding includes the following programs:

Local law Enforcement Block Grant	\$400,000,000
State Criminal Alien Assistance	\$565,000,000
Byrne Grants (Discretionary)	\$94,489,000
Byrne Grants (Formula)	\$500,000,000

Byrne Discretionary Grants

Under the discretionary Byrne Grants, the following California programs are funded:

- \$1 million for the Julian Dixon Courtroom and Advocacy Center at the Southwestern University School of Law in Los Angeles;
- \$1 million for the Night Lights Program expansion in San Bernardino;
- \$2 million for the San Joaquin Valley Rural Agricultural Crime Prevention Program; and
- \$50,000 for the City of San Luis Obispo for a gang prevention project.

Community Oriented Policing Services

The bill provides \$1.050 billion for the Community Oriented Policing Services (COPS), instead of the \$1.013 billion in the House bill and the \$1.049 billion in the Senate.

The funding in the measure includes \$70,473,000 for **Methamphetamine Enforcement & Clean Up**, including:

- \$3 million for the California Methamphetamine Strategy (CALMS) program.

Under the bill's provisions funding the **Law Enforcement Technology Program**, the following earmarks are included:

- \$750,000 for the Ventura County Integrated Justice Information System (VCIJIS);
- \$1 million to the City of Citrus Heights for technological improvements to centralize the police force;
- \$1 million to the Sacramento Sheriff's Department for law enforcement technology systems;
- \$1 million for the City of Escondido for communications technology upgrades;
- \$1 million for Placer County for public safety communications upgrades;
- \$300,000 for the City of Sierra Madre for law enforcement equipment for the Emergency Operations Center;
- \$900,000 for the Arcadia Police Department for the conversion to narrowband radios;
- \$781,000 for the Long Beach Police Department for imaging technology;

- \$735,000 for the Redlands East Valley Community Justice Center to study and identify new technologies;
- \$750,000 for Inyo County for public safety radio communications;
- \$750,000 for the City of Fresno Police Department for a law enforcement communications system;
- \$300,000 for the East Palo Alto Police Department for communications and computer equipment;
- \$500,000 for the Solano County Regional Law Enforcement Training Center for technology infrastructure;
- \$1.5 million for the City of San Francisco for a geographic information crime mapping system;
- \$500,000 for the Santa Ana Police Department Crime Analysis Unit for equipment purchases;
- \$500,000 for the City of Inglewood Police Department for digital records management and equipment;
- \$500,000 for the City of Gardena for technology equipment for patrol cars;
- \$1 million for Los Angeles County for law enforcement communications upgrade;
- \$1.549 million for the San Bernardino County Probation Department for a case management system;
- \$1.5 million for the Orange County Strategic Integrated Justice System for the electronic linking of law enforcement communities;
- \$500,000 for Orange County District Attorney's Task Force for Catching Killers, Rapists and Sexual Offenders (TracKERS);
- \$750,000 for a grant to the Fresno Police Department for technology upgrades.

Crime Identification Technology Act

The conference agreement includes \$87.29 million. The report language instructs the Office of Justice Programs to consider the following proposals and provide grants, if warranted:

- \$5 million for the Squad Car Unit Identification (SQUID) program for remote fingerprint identification programs in Ontario, Rialto, and Redlands; and
- \$500,000 for the San Diego Police for the Criminal Record Management System.

Southwest Border Prosecutions

The bill includes \$50 million to provide assistance to southwest border states, including California, for prosecutors, and integration and automation of court management systems.

Safe Schools Initiative

- \$23,338,000 is provided for programs aimed at preventing violence in public schools. The report language instructs the COPS office to fund the following proposal, if warranted:

- \$500,000 for the Para Los Niños collaborative program with the LA County Probation Department.

Discretionary Grants for National Programs and Special Emphasis Programs

The agreement includes \$58.5 million for this discretionary grant program. The conference report instructs to the Office of Justice Programs to review and fund, if warranted, the following programs:

- \$250,000 for Project Juvenile Assistance Diversion Effort (JADE) in Los Angeles for a juvenile delinquency prevention program;
- \$2 million for the L.A.'s BEST youth program; and
- \$90,000 for the Glendale YMCA for "Your House" shelter and case management program for at-risk youth.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

The conference agreement includes #347.5 million in new budget resources for the operation and administration of the International Trade Administration (ITA). The House bill proposed \$347.6 million, and the Senate bill proposed \$347.1 million.

EXPORT ADMINISTRATION

The conference report provides \$68.9 million in funding for the Bureau of Export Administration, as proposed in both the House and Senate bills.

ECONOMIC DEVELOPMENT ADMINISTRATION

The agreement provides \$335 million for the Economic Development Administration (EDA) grant programs as proposed in the House bill, rather than the \$341 million proposed in the Senate bill.

BUREAU OF THE CENSUS

The report provides \$169,424,000 for the Bureau of the Census, as proposed in the House bill, rather than the \$168,561,000 proposed in the Senate bill.

ADVANCED TECHNOLOGY PROGRAM

The conference report includes \$184,500,000 for the Advanced Technology Program (ATP), instead of \$13 million proposed in the House bill and \$204 million proposed in the Senate bill. The amount of carryover funding from FY01 is \$33.1 million, providing total funding of \$217.6 million.

NATIONAL OCEAN SERVICE

Geodesy - \$1 million is provided for the California Spatial Reference Height Modernization Study.

NATIONAL MARINE FISHERIES SERVICE

Conservation and Management -

- \$5.6 million is provided in base funding for the Pacific Salmon Treaty;
- \$1.84 million is provided for the Chinook Salmon Agreement under the Pacific Salmon Treaty;
- \$17.45 million is included under Science and Technology Programs for Pacific Salmon Recovery efforts under the Endangered Species Act.
- \$20.5 million is provided for Pacific Salmon Recovery under the Protected Resources Research and Management Services; and
- \$750,000 is also included under the Protected Species Management program for California Sea Lions.
- Of the amounts provided for the Pacific Salmon Recovery Fund, \$17 million is for the State of California.

Construction

- \$550,000 is provided for construction of the Santa Cruz laboratory.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Construction and Acquisition

- \$500,000 is included under the account for the Elkhorn Slough in California;
- \$350,000 is included for Orange County;
- \$1.25 million for the Monterey Bay National Marine Sanctuary; and
- \$350,000 is included for San Pablo Bay.

Other Partnership Programs - \$250,000 is provided for the Central California Ozone Study.

GENERAL PROVISIONS

The conference report extends the authority of the States of Washington, Oregon, and California to adopt and enforce State laws and regulations governing fishing and processing in the exclusive economic zone adjacent to that State in any Dungeness crab fishery for which there is no fishery management plan in effect under of the Magnuson-Stevens Fishery Conservation and Management Act.

The report also directs the Pacific State Marine Fisheries Commission to submit a report to Congress every two years on the health and management of the Dungeness Crab fishery located off the coasts of those three states. The provision extends the sunset of this authority to September 30, 2006. The House bill did not include a provision on this matter.