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House of Representatives

EXPLANATORY STATEMENT SUBMITTED BY MR. OBEY, CHAIRMAN OF THE HOUSE COMMITTEE ON APPROPRIATIONS, REGARDING THE CONSOLIDATED APPROPRIATIONS AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO THE SENATE AMENDMENT TO H.R. 2764

Following is an explanation of the amendment of the House of Representatives (relating to consolidated appropriations for fiscal year 2008) to the amendment of the Senate to H.R. 2764, the State, Foreign Operations, and Related Programs Appropriations Act, 2008, including disclosure of congressional earmarks and congressionally directed spending items as defined in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate.

Section 4 of the House amendment specifies that this explanatory statement shall have the same effect with respect to the allocation of funds and implementation of this Consolidated Appropriations Act as if it were a joint explanatory statement of a committee of conference.

In this statement, the provisions of the House amendment to the Senate amendment are generally referred to as "the amended bill". Where comparisons are made to House and Senate action, unless otherwise stated these comparisons are to the versions of the applicable 2008 Appropriations Act as passed by the House and as passed by the Senate (or as reported by the Senate Committee on Appropriations, in the case of bills that have not been passed by the Senate).

The House amendment strikes the text of the Senate amendment and inserts a Consoli-

dated Appropriations Act covering 11 regular appropriations bills, each in a separate division, as follows:

- Division A—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008;
- Division B—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008;
- Division C—Energy and Water Development and Related Agencies Appropriations Act, 2008;
- Division D—Financial Services and General Government Appropriations Act, 2008;
- Division E—Department of Homeland Security Appropriations Act, 2008;
- Division F—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008;

NOTICE

If the 110th Congress, 1st Session, adjourns sine die on or before December 21, 2007, a final issue of the *Congressional Record* for the 110th Congress, 1st Session, will be published on Friday, December 28, 2007, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-60 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Thursday, December 27. The final issue will be dated Friday, December 28, 2007, and will be delivered on Wednesday, January 2, 2008.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong_record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at <http://clerk.house.gov/forms>. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT-60.

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By order of the Joint Committee on Printing.

ROBERT A. BRADY, *Chairman.*

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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NABECs and it is hoped that MBDA can continue to support at least eight centers nationwide.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The amended bill provides \$31,075,000 for this account, instead of \$86,500,000 as proposed by the House and \$85,000,000 as proposed by the Senate.

Expansion of Regional Data.—An additional \$1,175,000 is provided to the Bureau of Economic Analysis (BEA) to expand and improve timeliness of regional data to benefit state and local officials and economic development organizations. This funding will enable BEA to develop and publish gross metropolitan product data and accelerate the availability of county-level income data. BEA is directed to report on the status of this effort on a quarterly basis during fiscal year 2008.

Offshoring.—As stated in the House Report, there is concern with the lack of adequate statistics on the effects of offshoring and outsourcing on U.S. jobs. There is evidence that the phenomenon is growing, and increasingly is displacing jobs of U.S. workers. Recent reports have suggested that the volume of imports may be underestimated and that this may cause estimates of growth in U.S. manufacturing production to be overestimated by as much as 40 percent. The 20 to 1 gap between data from India showing \$8,700,000,000 in sales of business, professional and technical services to the U.S. and its companies and BEA data identifying only \$420,000,000 in imports of such services raises additional questions. Even if new BEA initiatives narrow the dollar gap in services trade somewhat, it will still leave unanswered key questions about the effects of imported goods and services on U.S. blue-collar and white-collar jobs. The BEA is directed to work with other agencies as appropriate, to submit a report not later than April 1, 2008, which examines the effect of both offshoring work abroad and outsourcing of imported labor in the future. The report should examine the following: (1) How best to estimate the effects of offshoring on U.S. production and jobs; and (2) how companies doing the most offshoring in either absolute or relative terms have changed (a) the size or occupational structure of their jobs in the U.S., (b) the companies' purchases from other U.S. suppliers, (c) growth of their R&D expenditures either domestically or abroad, (d) their rates of profitability, and (e) the trend in these companies' use of H-1B and L-1 visas. The report should consider the effects of offshoring on both blue-collar workers and white-collar workers.

Intangible Assets.—Within funds provided the Bureau of Economic Analysis is directed to enter into an agreement with the National Academy of Sciences to conduct a study relating to the investment of intangible assets. This study shall recommend steps to improve the measurement of intangible assets and their incorporation in the National Income and Product Accounts; identify and estimate the size of the Federal Government's investment in intangible assets; survey other countries' efforts to measure and promote investments in intangible assets; and recommend policies to increase investment in intangible assets.

Accurately Reflecting Economic Conditions.—Within funds provided the BEA is directed to enter into an agreement with the National Academy of Sciences to conduct a study on methods for collecting data regarding the status of the U.S. economy and determine whether the current data results in an overstatement of economic growth, domestic manufacturing output, and productivity.

BUREAU OF THE CENSUS

The amended bill includes a total operating level of \$1,230,244,000 for the Bureau of

the Census, instead of \$1,222,244,000 as proposed by the House and \$1,246,644,000 as proposed by the Senate.

SALARIES AND EXPENSES

The amended bill provides \$202,838,000 for this account instead of \$196,838,000 as proposed by the House and \$226,238,000 as proposed by the Senate.

The amended bill provides \$24,000,000 for the Survey of Income and Program Participation (SIPP). The amended bill does not include language contained in the Senate Report on improved direct sector measurements and instead directs the \$8,000,000 from the service sector measurements toward revitalization of the Survey of Income and Program Participation (SIPP).

PERIODIC CENSUSES AND PROGRAMS

The amended bill provides \$1,027,406,000 for this account instead of \$1,025,406,000 as proposed by the House and \$1,020,406,000 as proposed by the Senate. The amended bill includes \$797,114,000 for expenses related to the 2010 decennial census. The amended bill does not include \$5,500,000 for the American Community Survey (ACS) Methods Panel. As in the Senate Report, this funding is directed to higher priority programs because a recent review by the Government Accountability Office revealed that Census officials were not able to provide detailed action plans or costs associated with aspects of this program. The amended bill also does not include \$3,600,000 for the Master Address File (MAF). It should be noted that this reduction will have minimal impact as the Census Bureau will conduct a 100 percent address canvas in fiscal year 2009.

Partnerships.—The amended bill includes an additional \$9,100,000 for the Bureau of the Census to support partnership and outreach efforts in preparation for the 2010 Decennial Census with specific focus being placed on hard to reach populations. These funds should be used to hire additional personnel who have expertise in developing partnerships for the 2010 census, provide other support for Regional Partnership and Data Services Programs, and not less than \$1,000,000 for a national partnership program administered from Census headquarters. The census partnership program, which was not included in the budget request, is a vital component of the effort to obtain the most accurate decennial census count possible. The funding provided for the program will help enlist community leaders to encourage their constituencies to fill out their census forms, emphasizing the importance of the census to their local community and education system. This outreach is particularly important in communities that are difficult to count.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

The amended bill includes a total of \$17,466,000 for the National Telecommunications and Information Administration (NTIA), instead of \$23,581,000 as proposed by the House and \$18,581,000 as proposed by the Senate. NTIA should comply with language in the House Report on public safety communications equipment.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The amended bill includes \$18,800,000 for Public Telecommunications Facilities, Planning and Construction, instead of \$21,728,000 as proposed by the House and \$20,000,000 as proposed by the Senate.

TECHNOLOGY OPPORTUNITIES PROGRAM

The amended bill does not provide funding for the Technology Opportunities Program (TOP) as proposed by the Senate.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The amended bill includes \$1,915,500,000 for the United States Patent and Trademark Office (USPTO) as proposed by the House and the Senate.

The amended bill concurs with language in the Senate Report requiring that, 60 days after the date of enactment of this Act, the USPTO shall submit to the House and Senate Appropriations Committees a spending plan for fiscal year 2008. This spending plan shall incorporate all carryover balances from previous fiscal years, and describe any changes to the patent or trademark fee structure.

The amended bill includes language that \$1,000,000 may be transferred to the National Intellectual Property Law Enforcement Coordination Council.

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

The amended bill provides no funding for the Technology Administration as proposed by the Senate. The House had provided \$1,000,000 for close-out costs. It is the understanding of the Appropriations Committees that the Department has already begun the closing out of this organization.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The amended bill includes \$440,517,000 for the Scientific and Technical Research and Services programs of the National Institute of Standards and Technology (NIST), instead of \$500,517,000 as proposed by the House and \$502,117,000 as proposed by the Senate. NIST is directed to submit a spend plan no later than 30 days after enactment of the Act for the programs funded by this appropriation. Further, NIST is directed to develop a new budget structure for the fiscal year 2009 budget which better reflects the organizational structure of the agency.

The amended bill provides \$893,000 for the New York Center for National Competitiveness in Nanoscale Characterization.

INDUSTRIAL TECHNOLOGY SERVICES

The amended bill includes \$154,840,000 for Industrial Technology Services (ITS), instead of \$201,819,000 as proposed by the House, and \$179,155,000 as proposed by the Senate.

Hollings Manufacturing Extension Partnership (MEP).—Of the amounts provided to ITS, \$89,640,000 is provided for MEP. The amended bill does not include \$4,000,000 for a pilot project under MEP, as described in the Senate report.

Technology Innovation Program (TIP).—Of the amounts provided to ITS, \$65,200,000 is for the Technology Innovation Program as authorized by Public Law 110-69. TIP is structured to fund high-risk, high reward research focused on broad national needs such as advanced automotive batteries, aquaculture, novel lightweight materials, and other emerging technologies. The funding provided for TIP will address mortgage obligations relating to projects created under the Advanced Technology Program (ATP). The amended bill also includes language to allow the TIP immediate access to an additional \$5,000,000 from deobligations and prior-year recoveries from ATP.

CONSTRUCTION OF RESEARCH FACILITIES

The amended bill provides \$160,490,000 for construction of research facilities, instead of \$128,865,000 as proposed by the House and \$150,900,000 as proposed by the Senate. NIST is directed to submit a spend plan no later than 30 days after enactment of the Act for

activities funded by this appropriation. NIST is also directed to provide quarterly reports on the status and accounting of all construction projects.

Within the amounts provided, the amended bill includes \$51,262,000 for the following construction projects:

Biotechnology Research Park, University of Mississippi, Jackson, MS	\$7,332,000
Research, Technology and Economic Development Park, Mississippi State University, Starkville, MS	7,332,000
Innovation and Commercialization Park, Infrastructure and Building Construction and Equipment, University of Southern Mississippi, Hattiesburg, MS	1,598,000
Life Sciences Building, University of Alabama, Montgomery, AL	5,000,000

Engineering and Science Center, University of South Alabama, Mobile, AL

30,000,000

Also, within the amounts provided, the amended bill includes \$30,080,000 for competitive grants for research science buildings. The research buildings should span all the applicable sciences, as they relate to the Department of Commerce. These grants shall be awarded to colleges, universities, and other non-profit science research organizations on a competitive basis. NIST is directed to report to the Appropriations Committee the criteria it will use in reviewing and ranking grant proposals.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFERS OF FUNDS)

The amended bill includes \$2,859,277,000 for Operations, Research, and Facilities, including \$3,000,000 from the Coastal Zone Management Fund, instead of \$2,850,556,000 as pro-

posed by the House and \$3,039,888,000 as proposed by the Senate. The amended bill includes a total direct obligation level of \$2,941,277,000.

Bill language is included providing for \$5,000,000 for direct obligations from recoveries of prior year obligations; providing \$235,000 within NMFS, in no year funding subject to section 209 of P.L. 108-447; placing a limitation on the amount available for corporate services administrative support costs to \$206,484,000; placing a limitation on amounts to be paid to the Department of Commerce working capital fund, including the General Counsel to \$34,164,000; limiting grant amounts to States and placing other restrictions on Coastal Zone Management grants; and providing \$13,395,000 for the alleviation of economic impacts associated with Framework 42 on Massachusetts groundfish fishery.

Of the amounts provided, \$467,929,910 is for the National Ocean Service. These funds are distributed as follows:

NATIONAL OCEAN SERVICE OPERATIONS, RESEARCH, AND FACILITIES

(In thousands of dollars)

	Conference recommendation
Navigation Services:	\$44,371,000
Mapping & Charting	7,247,000
Joint Hydrographic Center	4,392,000
Electronic Navigational Charts	2,365,000
Shoreline Mapping	26,355,000
Address Survey Backlog/Contracts	869,500
DUNE System Assessment & Shoreline Change Analysis	21,729,000
Geodesy	5,000,000
National Height Modernization	376,000
Geodetic Survey—KY	352,500
Geodesy/Height Modernization—IL	423,000
Geospatial Data Analysis Center, AL	423,000
Alabama Statewide GIS mapping program, AL	188,000
Coastal and ocean navigation and hazards assistance, SC	26,168,000
Tide & Current Data	1,316,000
Tide & Current Data in Alaska	141,576,000
Total, Navigation Services	106,908,228
Ocean Resources Conservation and Assessment:	26,360,000
Ocean Assessment Program (OAP):	940,000
Integrated Ocean Observing System	23,426,400
Alliance for Coastal Technologies	1,464,150
Coastal Services Centers	6,502,778
Coastal Storms	2,928,300
Coop Institute for Coastal and Estuarine Enviro Tech (CICEET)	29,283,300
Ocean Health Initiative	4,880,500
Coral Reef Programs	352,500
Gulf of Mexico Regional Collaboration	1,518,100
Lake Erie Monitoring, Bowling Green State University, OH	8,000,000
Louisiana Environmental Research Center	1,316,000
Coastal Restoration & Enhancement w/Science & Tech (CREST)	5,297,000
Regional Geospatial Modeling Grants	25,278,932
Subtotal, Ocean Assessment Program (OAP)	11,518,000
Response and Restoration:	1,500,000
Response and Restoration Base	1,159,607
Suisin Bay, CA Assessment Study	3,172,325
Estuary Restoration Program	188,000
Marine Debris	1,128,000
Aquidneck Island Westside Plan	1,316,000
Aquatic Resources Environmental Initiative, Eastern KY PRIDE	5,297,000
Marine Debris Removal—Alaska	25,278,932
Pribilof Islands Cleanup and Economic Development	4,881,000
Subtotal, Response and Restoration	11,713,000
National Centers for Coastal Ocean Science (NCCOS):	13,663,000
NCCOS Headquarters	4,392,000
Competitive Research	2,635,000
Center for Coastal Environmental Health & Biomedical Research	4,474,000
Oxford Cooperative Lab	5,605,000
Center for Sponsored Coastal Research	4,474,000
Center for Coastal Monitoring & Assessment	5,605,000
Center for Coastal Fisheries and Habitat Research	4,100,000
Center for Coastal Fisheries Lab—MEHRL	51,465,000
Marine Env. Health Research Lab—MEHRL	182,752,160
Subtotal, National Centers for Coastal Ocean Science	182,752,160
Total, Ocean Resources Conservation and Assessment	64,423,000
Ocean and Coastal Management:	6,735,000
CZM Grants	3,904,000
CZM Program Administration	16,404,000
CZM Non-Point Implementation Grants	1,464,000
National Estuarine Research Reserve System	46,853,000
Marine Protected Areas	470,000
Marine Sanctuary Program Base	893,000
Maritime Museum, AL	1,562,750
Point Loma Enhanced Monitoring Program, CA	893,000
Northwest Straits Citizens Advisory Commission, WA	143,601,750
Urban Coast Institute, NJ	467,929,910
Total, Ocean and Coastal Management	467,929,910
Grand Total Nos.	467,929,910

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