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112TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
112–331

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

CONFERENCE REPORT

TO ACCOMPANY

H.R. 2055

DECEMBER 15, 2011.—Ordered to be printed

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Mr. ROGERS of Kentucky, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 2055]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2055), making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consolidated Appropriations Act, 2012".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Statement of appropriations.
Sec. 5. Availability of funds.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

Title I—Military Personnel
Title II—Operation and Maintenance
Title III—Procurement
Title IV—Research, Development, Test and Evaluation
Title V—Revolving and Management Funds
Title VI—Other Department of Defense Programs

Title VII—Related agencies
Title VIII—General provisions
Title IX—Overseas contingency operations

DIVISION B—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2012

Title I—Corps of Engineers—Civil
Title II—Department of the Interior
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DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012

Title I—Department of the Treasury
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Title III—The Judiciary
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Title VI—General provisions—This Act
Title VII—General provisions—Government-wide
Title VIII—General provisions—District of Columbia

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2012

Title I—Departmental management and operations
Title II—Security, enforcement, and investigations
Title III—Protection, preparedness, response, and recovery
Title IV—Research and development, training, and services
Title V—General provisions

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Title I—Department of the Interior
Title II—Environmental Protection Agency
Title III—Related agencies
Title IV—General provisions

DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Title I—Department of Labor
Title II—Department of Health and Human Services
Title III—Department of Education
Title IV—Related agencies
Title V—General provisions

DIVISION G—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

Title I—Legislative branch
Title II—General provisions

DIVISION H—MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Title I—Department of Defense
Title II—Department of Veterans Affairs
Title III—Related agencies
Title IV—Overseas contingency operations
Title V—General provisions

DIVISION I—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2012

Title I—Department of State and related agency
Title II—United States Agency for International Development
Title III—Bilateral economic assistance
Title IV—International security assistance
Title V—Multilateral assistance
Title VI—Export and investment assistance
Title VII—General provisions

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2012.

SEC. 5. AVAILABILITY OF FUNDS.

Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

TITLE I

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $43,298,409,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $26,803,334,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of

the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $13,635,136,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $28,096,708,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,289,407,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,935,544,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $644,722,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,712,705,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,585,645,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,088,929,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $31,072,902,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as au-

thorized by law; and not to exceed $14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $38,120,821,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,542,937,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $34,985,486,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $30,152,008,000: Provided, That not more than $47,026,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than $34,311,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That $8,420,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That the transfer author-

ity provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,071,733,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,305,134,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $271,443,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,274,359,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $6,924,932,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and re-

lated expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,098,780,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,861,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $346,031,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $308,668,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the

transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $525,453,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $10,716,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $326,495,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations

to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $107,662,000, to remain available until September 30, 2013.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $508,219,000, to remain available until September 30, 2014: Provided, That of the amounts provided under this heading, not less than $13,500,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East and North.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $105,501,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses

necessary for the foregoing purposes, $5,360,334,000, to remain available for obligation until September 30, 2014.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,461,223,000, to remain available for obligation until September 30, 2014.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,070,405,000, to remain available for obligation until September 30, 2014.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,884,424,000, to remain available for obligation until September 30, 2014.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants,

including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $7,924,214,000, to remain available for obligation until September 30, 2014.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $17,675,734,000, to remain available for obligation until September 30, 2014.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,224,432,000, to remain available for obligation until September 30, 2014.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $626,848,000, to remain available for obligation until September 30, 2014.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement

of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program (AP), $554,798,000;
Virginia Class Submarine, $3,221,314,000;
Virginia Class Submarine (AP), $1,461,361,000;
CVN Refuelings (AP), $529,652,000;
DDG–1000 Program, $453,727,000;
DDG–51 Destroyer, $1,980,709,000;
DDG–51 Destroyer (AP), $100,723,000;
Littoral Combat Ship, $1,755,093,000;
LPD–17, $1,837,444,000;
LHA–Replacement, $1,999,191,000;
Joint High Speed Vessel, $372,332,000;
Oceanographic Ships, $89,000,000;
Moored Training Ship, $131,200,000;
LCAC Service Life Extension Program, $84,076,000;
Service Craft, $3,863,000; and
For outfitting, post delivery, conversions, and first destination transportation, $270,639,000.
Completion of Prior Year Shipbuilding Programs, $73,992,000.

In all: $14,919,114,000, to remain available for obligation until September 30, 2016: Provided, That additional obligations may be incurred after September 30, 2016, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

Other Procurement, Navy

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $6,013,385,000, to remain available for obligation until September 30, 2014.

Procurement, Marine Corps

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and

machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,422,570,000, to remain available for obligation until September 30, 2014.

AIRCRAFT PROCUREMENT, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $12,950,000,000, to remain available for obligation until September 30, 2014: Provided, That of the amount made available under this heading, $63,500,000 made available for C–130J aircraft shall be transferred to the Department of Homeland Security, Coast Guard, "Acquisition, Construction, and Improvements": Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $6,080,877,000, to remain available for obligation until September 30, 2014.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine

tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $499,185,000, to remain available for obligation until September 30, 2014.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,403,564,000, to remain available for obligation until September 30, 2014.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,893,428,000, to remain available for obligation until September 30, 2014.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $169,964,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $8,745,492,000, to remain available for obligation until September 30, 2013.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,753,940,000, to remain available for obligation until September 30, 2013: Provided, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $26,535,996,000, to remain available for obligation until September 30, 2013.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $19,193,955,000, to remain available for obligation until September 30, 2013: Provided, That of the funds made available in this paragraph, $200,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: Provided further, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection

therewith, $191,292,000, to remain available for obligation until September 30, 2013.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,575,010,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $1,100,519,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $32,482,059,000; of which $30,582,235,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2013, and of which up to $16,512,141,000 may be available for contracts entered into under the TRICARE program; of which $632,518,000, to remain available for obligation until September 30, 2014, shall be for procurement; and of which $1,267,306,000, to remain available for obligation until September 30, 2013, shall be for research, development, test and evaluation: Provided, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises,

and humanitarian assistance activities conducted primarily in African nations.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,554,422,000, of which $1,147,691,000 shall be for operation and maintenance, of which no less than $71,211,000, shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $19,211,000 for activities on military installations and $52,000,000, to remain available until September 30, 2013, to assist State and local governments and $406,731,000, to remain available until September 30, 2013, shall be for research, development, test and evaluation, of which $401,768,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,209,620,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act: Provided further, That $23,000,000 may not be obligated or expended until the Secretary of Defense submits an implementation plan for the expansion of prescription drug testing to the congressional defense committees.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $346,919,000, of which $341,419,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; of which $1,000,000, to remain available until September 30, 2014, shall be for procurement; and of which $4,500,000, to remain available until September 30, 2013, shall be for research, development, testing, and evaluation.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $513,700,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $547,891,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. 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. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $3,750,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department

of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2012: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: Provided, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2012: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or trans-

fer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through

the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

UH–60M/HH–60M and MH–60R/MH–60S Helicopter Airframes; and MH–60R/S Mission Avionics and Common Cockpits.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2012, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2013 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2013 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2013.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal

year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than $37,745,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $27,838,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $8,990,000 shall be available from "Aircraft Procurement, Air Force"; and

(3) $917,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2012 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2012, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2013 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $150,245,000.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet

Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2012. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Min-

nesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2013 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2013 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2013 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2013: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the

Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2013.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is

in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading "Operation and Maintenance, Defense-Wide" to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement regarding this Act.

SEC. 8039. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"National Defense Sealift Fund, 2002/XXXX", $20,444,000;

"National Defense Sealift Fund, 2003/XXXX", $8,500,000;

"National Defense Sealift Fund, 2004/XXXX", $6,500,000;

"Aircraft Procurement, Army, 2010/2012", $5,100,000;

"Procurement of Weapons and Tracked Combat Vehicles, Army, 2010/2012", $4,353,000;

"Procurement of Ammunition, Army, 2010/2012", $21,674,000;

"Other Procurement, Army, 2010/2012", $58,647,000;

"Aircraft Procurement, Navy, 2010/2012", $90,000,000;

"Aircraft Procurement, Air Force, 2010/2012", $32,897,000;

"Missile Procurement, Air Force, 2010/2012", $3,889,000;

"Other Procurement, Air Force, 2010/2012", $12,200,000;

"Procurement, Defense-Wide, 2010/2012", $716,000;

"Aircraft Procurement, Army, 2011/2013", $21,500,000;

"Missile Procurement, Army, 2011/2013", $99,800,000;

"Procurement of Weapons and Tracked Combat Vehicles, Army, 2011/2013", $18,834,000;

"Procurement of Ammunition, Army, 2011/2013", $15,000,000;

"Other Procurement, Army, 2011/2013", $438,436,000;

"Aircraft Procurement, Navy, 2011/2013", $78,000,000;

"Weapons Procurement, Navy, 2011/2013", $34,276,000;

"Procurement of Ammunition, Navy and Marine Corps, 2011/2013", $28,262,000;

"Other Procurement, Navy, 2011/2013", $59,598,000;

Under the heading, "Shipbuilding and Conversion, Navy, 2011/2015": Littoral Combat Ship Advance Procurement: $110,351,000;

"Aircraft Procurement, Air Force, 2011/2013", $220,213,000;

"Missile Procurement, Air Force, 2011/2013", $193,900,000;

"Other Procurement, Air Force, 2011/2013", $52,868,000;

"Procurement, Defense-Wide, 2011/2013", $4,312,000;

"Research, Development, Test and Evaluation, Army, 2011/2012", $356,625,000;

"Research, Development, Test and Evaluation, Navy, 2011/2012", $65,687,000;

"Research, Development, Test and Evaluation, Air Force, 2011/2012", $258,094,000;

"Research, Development, Test and Evaluation, Defense-Wide, 2011/2012", $254,284,000;

"Defense Health Program, 2011/2012", $257,000:

Provided, That the funds rescinded from the National Defense Sealift accounts are those described under the heading "National Defense Sealift Fund" in Public Law 107–117, Public Law 107–248, and Public Law 108–87, or for the purposes described in section 115 of division H of Public Law 108–199, as amended by section 1017 of division A of Public Law 109–13.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any

program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in

development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government: Provided, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F–22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8059. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8060. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8061. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8062. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8063. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8064. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or

"armor-piercing incendiary tracer (API–T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8065. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8066. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8067. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", $124,493,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8068. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under sub-

section 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2012.

SEC. 8069. In addition to amounts provided elsewhere in this Act, $4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: Provided, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

SEC. 8070. (a) IN GENERAL.—Subchapter I of chapter 88 of title 10, United States Code, is amended by adding the following new section at its end—

"§ 1790. MILITARY PERSONNEL CITIZENSHIP PROCESSING.

"AUTHORIZATION OF PAYMENTS.—Using funds provided for operation and maintenance and notwithstanding section 2215 of title 10, United States Code, the Secretary of Defense may reimburse the Secretary of Homeland Security for costs associated with the processing and adjudication by the United States Citizenship and Immigration Services (USCIS) of applications for naturalization described in sections 328(b)(4) and 329(b)(4) of the Immigration and Nationality Act (8 U.S.C. §§ 1439(b)(4) and 1440(b)(4)). Such reimbursements shall be deposited and remain available as provided by sections 286(m) and (n) of such Act (8 U.S.C. § 1356(m)). Such reimbursements shall be based on actual costs incurred by USCIS for processing applications for naturalization, and shall not exceed $7,500,000 per fiscal year.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after the item relating to section 1789 the following new item:

"1790. Military personnel citizenship processing.".

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide", $235,700,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, $110,525,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $15,000,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, $66,220,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $58,955,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weap-

ons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8072. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C–130 and KC–135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", $73,992,000 shall be available until September 30, 2012, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy, 2005/2012": LPD–17 Amphibious Transport Dock Program $18,627,000;

(2) Under the heading "Shipbuilding and Conversion, Navy, 2006/2012": LPD–17 Amphibious Transport Dock Program $23,437,000; and

(3) Under the heading "Shipbuilding and Conversion, Navy, 2008/2012": LPD–17 Amphibious Transport Dock Program $31,928,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8074. (a) Of the amounts appropriated in title IV of this Act under the heading "Research, Development, Test and Evaluation, Army", for Budget Activities 4, 5 and 7, $50,000,000 shall be transferred to Program Element 0605601A: Provided, That no funds may be transferred until 30 days after the Secretary of the Army provides to the congressional defense committees a report including the details of any such transfer: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(b) Of the amounts appropriated in title IV of this Act under the heading "Research, Development, Test and Evaluation, Air Force", for Budget Activities 4, 5 and 7, $34,000,000 shall be transferred to Program Element 0605807F: Provided, That no funds may be transferred until 30 days after the Secretary of the Air Force provides to the congressional defense committees a report including the details of any such transfer: Provided further, That the transfer au-

thority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8075. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2012 until the enactment of the Intelligence Authorization Act for Fiscal Year 2012.

SEC. 8076. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8077. The budget of the President for fiscal year 2013 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8078. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8079. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $44,000,000 is hereby appropriated to the Department of Defense: Provided, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations and $24,000,000 to the Red Cross.

SEC. 8080. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8081. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless

the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8082. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8083. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: Provided, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: Provided further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: Provided further, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8084. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8085. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8086. Up to $15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exer-

cising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8087. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2013.

SEC. 8088. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. During the current fiscal year, not to exceed $200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": Provided, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

SEC. 8090. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than $10,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $5,000,000 in any fiscal year, the R–1, Research, Development, Test and Evaluation Program; R–2, Research, Development, Test and Evaluation Budget Item Justification; R–3, Research, Development, Test and Evaluation Project Cost Analysis; and R–4, Research, Development, Test and Evaluation Program Schedule Profile.

SEC. 8091. The amounts appropriated in title II of this Act are hereby reduced by $515,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows: From "Operation and Maintenance, Army", $515,000,000.

SEC. 8092. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the

baseline for application of reprogramming and transfer authorities for fiscal year 2012: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8093. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403–1(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of $10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations,

unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8094. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8095. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8096. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8097. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: Provided, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: Provided further, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8099. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8100. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8101. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual

assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8102. (a)(1) No National Intelligence Program funds appropriated in this Act may be used for a mission critical or mission essential business management information technology system that is not registered with the Director of National Intelligence. A system shall be considered to be registered with that officer upon the furnishing notice of the system, together with such information concerning the system as the Director of the Business Transformation Office may prescribe.

(2) During the fiscal year 2012 no funds may be obligated or expended for a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a business system improvement of more than $3,000,000, within the Intelligence Community without the approval of the Business Transformation Investment Review Board.

(b) This section shall not apply to any programmatic or analytic systems or programmatic or analytic system improvements.

SEC. 8103. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $135,631,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: Provided, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: Provided further, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8105. Section 310(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 124 Stat. 1871), as amended by Public Law 112–10, is amended by striking "2 years" both places it appears and inserting "3 years".

SEC. 8106. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex: Provided, That not later than 90 days after the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees the Office of the Director of National Intelligence strategic human capital plan and the Office of Director of National Intelligence current and future grade structure, to include General Schedule 15 positions.

SEC. 8107. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8108. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8109. The Inspector General of the Department of Defense shall conduct a review of Anti-deficiency Act violations and their causes in the Department of Defense Military Personnel accounts. Based on the findings of the review, the Inspector General shall sub-

mit to the congressional defense committees a report containing the results of the review and recommendations for corrective actions to be implemented.

SEC. 8110. Of the amounts appropriated for "Operation and Maintenance, Defense-Wide", $33,000,000 shall be available to the Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam, to include addressing the need for vehicles and supplies for civilian student transportation, preservation and repository of artifacts unearthed during military construction, and construction of a mental health and substance abuse facility: Provided, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for this purpose, notify the congressional defense committees in writing of the details of any such obligation.

SEC. 8111. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,000 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: Provided, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available: Provided further, That the Secretary of Defense shall implement the Department of Defense Inspector General recommendations outlined in report number DODIG–2012–024, and certify to Congress not later than 180 days after enactment of this Act that the recommendations have been implemented.

SEC. 8112. (a) None of the funds provided in this title for Operation and Maintenance may be available for obligation or expenditure to relocate Air Force program offices, or acquisition management functions of major weapons systems, to a central location, or to any location other than the Air Force Material Command site where they are currently located until 30 days after the Secretary of the Air Force submits the initial report under subsection (b).

(b) The Secretary of the Air Force shall submit to the congressional defense committees a report which includes the following: a listing of all Air Force Material Command functions to be transferred and an identification of the locations where these functions will be transferred from and to; a listing of all Air Force Material Command personnel positions to be transferred and an identification of the locations these positions will be transferred from and to; and the cost benefit analysis and the life-cycle cost analysis underpinning the Secretary of the Air Force's decision to relocate Air Force Material Command functions and personnel.

SEC. 8113. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall resume quarterly reporting of the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

SEC. 8114. In addition to amounts provided elsewhere in this Act, $10,000,000 is hereby appropriated, for an additional amount for "Research, Development, Test and Evaluation, Army", to remain available until September 30, 2013. Such funds may be available for the Secretary of the Army to conduct research on alternative energy resources for deployed forces.

SEC. 8115. The Secretary of Defense shall study and report to the Congressional Defense Committees the feasibility of using commercially available telecommunications expense management solutions across the Department of Defense by March 1, 2012.

SEC. 8116. None of the funds appropriated in this or any other Act may be used to plan, prepare for, or otherwise take any action to undertake or implement the separation of the National Intelligence Program budget from the Department of Defense budget.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8117. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of the funds made available in this Act for the National Intelligence Program: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2012.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8118. In addition to amounts provided elsewhere in this Act, there is appropriated $250,000,000, for an additional amount for "Operation and Maintenance, Defense-Wide", to be available until expended: Provided, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: Provided further, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense.

SEC. 8119. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release,

or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 8120. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applica-

ble) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to

certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term "individual detained at Guantanamo" means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term "foreign terrorist organization" means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8121. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 8122. Of the funds made available to the Department of Defense under "Operation and Maintenance, Defense-Wide" in title II, $1,000,000 may be available to the Department to competitively commission an independent assessment of the current and prospective situation on the ground in Afghanistan and Pakistan, including the strategic environment in and around Afghanistan and Pakistan; the security, political, and economic and reconstruction developments in those two countries; and relevant policy recommendations relating thereto.

SEC. 8123. Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the approximately $100,000,000,000 in efficiency savings identified by the military departments in the defense budget covering fiscal years 2012 through 2016 that are to be reinvested in the priorities of the military departments. Such report shall include an analysis of—

(1) each savings identified by the military departments, including—

(A) the budget account from which such savings will be derived;

(B) the number of military personnel and full-time civilian employees of the Federal Government affected by such savings;

(C) the estimated reductions in the number and funding of contractor personnel caused by such savings; and

(D) a specific description of activities or services that will be affected by such savings, including the locations of such activities or services; and

(2) each reinvestment planned to be funded with such savings, including—

(A) with respect to such reinvestment in procurement and research, development, test and evaluation accounts, the budget account to which such savings will be reinvested, including, by line item, the number of items to be procured, as shown in annual P–1 and R–1 documents;

(B) with respect to such reinvestment in military personnel and operation and maintenance accounts, the budget account and the subactivity (as shown in annual–1 and O–1 budget documents) to which such savings will be reinvested;

(C) the number of military personnel and full-time civilian employees of the Federal Government affected by such reinvestment;

(D) the estimated number and funding of contractor personnel affected by such reinvestment; and

(E) a specific description of activities or services that will be affected by such reinvestment, including the locations of such activities or services.

SEC. 8124. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8125. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony

criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8126. There is hereby established in the Treasury of the United States the "Military Intelligence Program Transfer Fund". In addition to amounts provided elsewhere in this Act, there is appropriated $310,758,000 for the "Military Intelligence Program Transfer Fund": Provided, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to "Operation and Maintenance, Defense-Wide" or "Research, Development, Test and Evaluation, Defense-Wide" and only for the purposes described in the classified annex accompanying this Act: Provided further, That the Secretary shall notify the congressional defense committees in writing of the details of any such transfer not fewer than 15 days prior to making such transfers: Provided further, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriations to which the funds are transferred: Provided further, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8127. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

SEC. 8128. None of the funds made available by this Act for international military education and training, foreign military financing, excess defense articles, assistance under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), issuance for direct commercial sales of military equipment, or peacekeeping operations for the countries of Chad, Yemen, Somalia, Sudan, Democratic Republic of the Congo, and Burma may be used to support any military training or operations that include child soldiers, as defined by the Child Soldiers Prevention Act of 2008, and except if such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1).

SEC. 8129. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", $7,195,335,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/

Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", $1,259,234,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", $714,360,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", $1,492,381,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", $207,162,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", $44,530,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", $25,421,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force" $26,815,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", $664,579,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", $9,435,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", $44,794,156,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", $7,674,026,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", $3,935,210,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", $10,879,347,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", $9,252,211,000: Provided, That each amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That of the funds provided under this heading:

Not to exceed $1,690,000,000, to remain available until September 30, 2013, for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom, Operation New Dawn, and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: Provided further, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That the requirement to provide notification shall not apply with respect to a reimbursement for access based on an international agreement: Provided further, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", $217,500,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", $74,148,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", $36,084,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", $142,050,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", $377,544,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", $34,050,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Afghanistan Infrastructure Fund", $400,000,000, to remain available until September 30, 2013: Provided, That such sums shall be available for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: Provided further, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, requiring funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: Provided further, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: Provided further, That any projects funded by this appropriation shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: Provided further, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: Provided further, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: Provided further, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordi-

nation with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: Provided further, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: Provided further, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: Provided further, That the "appropriate committees of Congress" are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: Provided further, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", $11,200,000,000, to remain available until September 30, 2013: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: Provided further, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", $1,137,381,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", $126,556,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", $37,117,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", $208,381,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", $1,334,345,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", $480,935,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", $41,070,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", $317,100,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", $236,125,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", $1,233,996,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", $1,235,777,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", $41,220,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", $109,010,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by

the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", $3,088,510,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", $405,768,000, to remain available until September 30, 2014: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $1,000,000,000, to remain available for obligation until September 30, 2014: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For the Mine Resistant Ambush Protected Vehicle Fund, $2,600,170,000, to remain available until September 30, 2013: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: Provided further, That the Secretary shall transfer such funds only to appropriations made available in this or any other Act for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That such transferred funds shall be merged with and be available for the same purposes and the same time period as the appropriation to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of

any such transfer: Provided further, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", $18,513,000, to remain available until September 30, 2013: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", $53,884,000, to remain available until September 30, 2013: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", $259,600,000, to remain available until September 30, 2013: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", $194,361,000, to remain available until September 30, 2013: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", $435,013,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", $1,228,288,000, which shall be for operation and maintenance, to remain available until September 30, 2012: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", $456,458,000, to remain available until September 30, 2013: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", $2,441,984,000, to remain available until September 30, 2014: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", $11,055,000: Provided, That such amounts in this paragraph are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2012.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2012.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, "Afghanistan Infrastructure Fund", or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $400,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: Provided further, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: Provided further, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Re-

sponse Program in Afghanistan: Provided further, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes

in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: Provided, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: Provided further, That the AROC must approve all projects and the execution plan under the "Afghanistan Infrastructure Fund" (AIF) and any project in excess of $5,000,000 from the Commanders Emergency Response Program (CERP): Provided further, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. (a) FUNDING FOR OUTREACH AND REINTEGRATION SERVICES UNDER YELLOW RIBBON REINTEGRATION PROGRAM.—Of the amounts appropriated or otherwise made available by title IX, up to $20,000,000 may be available for outreach and reintegration services under the Yellow Ribbon Reintegration Program under section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 125; 10 U.S.C. 10101 note).

(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the services described in that subsection is in addition to any other amounts available in this Act for such services.

SEC. 9011. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: Provided, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 9012. Notwithstanding any other provision of law, up to $150,000,000 of funds made available in this title under the heading "Operation and Maintenance, Army" may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: Provided, That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9013. From funds made available to the Department of Defense in this title under the heading "Operation and Maintenance, Air Force" up to $524,000,000 may be used by the Secretary

of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: Provided, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed site.

SEC. 9014. The amounts appropriated in title IX of this Act are hereby reduced by $4,042,500,000 to reflect reduced troop strength in theater: Provided, That the reductions shall be applied to the military personnel and operation and maintenance appropriations only: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to reducing funds for this purpose, notify the congressional defense committees in writing of the details of any such reduction by appropriation and budget line item.

SEC. 9015. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985:

"Overseas Contingency Operations Transfer Fund, 2010", $356,810,000;

"Procurement of Ammunition, Army, 2010/2012", $21,000,000;

"Other Procurement, Air Force, 2010/2012", $2,250,000.

This division may be cited as the "Department of Defense Appropriations Act, 2012".

DIVISION B—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2012

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed stud-

ies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $125,000,000, to remain available until expended.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $1,694,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects (including only Olmsted Lock and Dam, Ohio River, Illinois and Kentucky; Emsworth Locks and Dam, Ohio River, Pennsylvania; Lock and Dams 2, 3, and 4, Monongahela River, Pennsylvania; and Lock and Dam 27, Mississippi River, Illinois) shall be derived from the Inland Waterways Trust Fund.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $252,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $2,412,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance

Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a(i)) shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $193,000,000, to remain available until September 30, 2013.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $109,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $27,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $185,000,000, to remain available until September 30, 2013, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division

offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $5,000,000, to remain available until September 30, 2013.

ADMINISTRATIVE PROVISION

The Revolving Fund, Corps of Engineers, shall be available during the current fiscal year for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles for the civil works program.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2012, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects or activities in excess of the amounts contained in subsections 6 through 10, unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over $100,000, reprogramming of 25 percent of the base amount up to a limit of $150,000 per project, study or activity is allowed: Provided, That for a base level less than $100,000, the reprogramming limit is $25,000: Provided further, That up to $25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over $2,000,000, reprogramming of 15 percent of the base amount up to a limit of $3,000,000 per project, study or activity is allowed: Provided, That for a base level less than $2,000,000, the reprogramming limit is $300,000: Provided further, That up to $3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: Provided further,

That up to $300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted in order for the Corps to be able to respond to emergencies: Provided, That the Chief of Engineers must notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: Provided further, That for a base level over $1,000,000, reprogramming of 15 percent of the base amount a limit of $5,000,000 per project, study or activity is allowed: Provided further, That for a base level less than $1,000,000, the reprogramming limit is $150,000: Provided further, That $150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The same reprogramming guidelines for the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account as listed above; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than $50,000 be submitted to the House and Senate Committees on Appropriations.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Corps of Engineers shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided, That the report shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to award any continuing contract that commits additional funding from the Inland Waterways Trust Fund unless or until such time that a long-term mechanism to enhance revenues in this Fund sufficient to meet the cost-sharing authorized in the Water Resources Development Act of 1986 (Public Law 99–662) is enacted.

SEC. 104. Within 120 days of the date of the Chief of Engineers Report on a water resource matter, the Assistant Secretary of the Army (Civil Works) shall submit the report to the appropriate authorizing and appropriating committees of the Congress.

SEC. 105. During the fiscal year period covered by this Act, the Secretary of the Army is authorized to implement measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (121 Stat. 1121) or in interim reports, with such modifications or emergency measures as the Secretary of the Army determines to be appropriate, to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

SEC. 106. The Secretary is authorized to transfer to "Corps of Engineers—Civil—Construction" up to $100,000,000 of the funds provided for reinforcing or replacing flood walls under the heading "Corps of Engineers—Civil—Flood Control and Coastal Emergencies" in Public Law 109–234 and Public Law 110–252 and up to $75,000,000 of the funds provided for projects and measures for the West Bank and Vicinity and Lake Ponchartrain and Vicinity projects under the heading "Corps of Engineers—Civil—Flood Control and Coastal Emergencies" in Public Law 110–28, to be used with funds provided for the West Bank and Vicinity project under the heading "Corps of Engineers—Civil—Construction" in Public Law 110–252 and Public Law 110–329, consistent with 65 percent Federal and 35 percent non-Federal cost share and the financing of, and payment terms for, the non-Federal cash contribution associated with the West Bank and Vicinity project.

SEC. 107. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $3,800,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 108. The Secretary of the Army may authorize a member of the Armed Forces under the Secretary's jurisdiction and employees of the Department of the Army to serve without compensation as director, officer, or otherwise in the management of the organization established to support and maintain the participation of the United States in the permanent international commission of the congresses of navigation, or any successor entity.

SEC. 109. (a) ACQUISITION.—The Secretary is authorized to acquire any real property and associated real property interests in the vicinity of Hanover, New Hampshire as may be needed for the Engineer Research and Development Center laboratory facilities at the Cold Regions Research and Engineering Laboratory. This real property to be acquired consists of 18.5 acres more or less, identified as Tracts 101–1 and 101–2, together with all necessary easements located entirely within the Town of Hanover, New Hampshire. The real property is generally bounded to the east by state route 10-Lyme Road, to the north by the vacant property of the Trustees of the Dartmouth College, to the south by Fletcher Circle graduate student housing owned by the Trustees of Dartmouth College, and to the west by approximately 9 acres of real property acquired in fee through condemnation in 1981 by the Secretary of the Army.

(b) REVOLVING FUND.—The Secretary is authorized to use the Revolving Fund (33 U.S.C. 576) through the Plant Replacement and Improvement Program to acquire the real property and associated real property interests in subsection (a). The Secretary shall ensure that the Revolving Fund is appropriately reimbursed from the benefitting appropriations.

(c) RIGHT OF FIRST REFUSAL.—The Secretary may provide the Seller of any real property and associated property interests identified in subsection (a)—

(1) a right of first refusal to acquire such property, or any portion thereof, in the event the property, or any portion thereof, is no longer needed by the Department of the Army.

(2) a right of first refusal to acquire any real property or associated real property interests acquired by condemnation in Civil Action No. 81–360–L, in the event the property, or any portion thereof, is no longer needed by the Department of the Army.

(3) the purchase of any property by the Seller exercising either right of first refusal authorized in this section shall be for consideration acceptable to the Secretary and shall be for not less than fair market value at the time the property becomes available for purchase. The right of first refusal authorized in this section shall not inure to the benefit of the Sellers successors or assigns.

(d) DISPOSAL.—The Secretary of the Army is authorized to dispose of any property or associated real property interests that are subject to the exercise of the right of first refusal as set forth herein.

SEC. 110. None of the funds made available in this Act may be used by the Corps of Engineers to relocate, or study the relocation of, any regional division headquarters of the Corps located at a military installation or any permanent employees of such headquarters.

SEC. 111. (a) Section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 22, 1936, (33 U.S.C. 701h), is amended by—

(1) inserting "for work, which includes planning and design," before "to be expended";

(2) striking "flood control or environmental restoration work" and inserting "water resources development study or project"; and

(3) inserting ": Provided further, That the term 'States' means the several States, the District of Columbia, the commonwealths, territories, and possessions of the United States, and Federally recognized Indian tribes" before the period.

(b) The Secretary shall notify the appropriate committees of Congress prior to initiation of negotiations for accepting contributed funds under 33 U.S.C. 701h.

SEC. 112. With respect to the property covered by the deed described in Auditor's instrument No. 2006–014428 of Benton County, Washington, approximately 1.5 acres, the following deed restrictions are hereby extinguished and of no further force and effect:

(1) The reversionary interest and use restrictions related to port and industrial purposes;

(2) The right for the District Engineer to review all pre-construction plans and/or specifications pertaining to construction and/or maintenance of any structure intended for human habitation, if the elevation of the property is above the standard project flood elevation; and

(3) The right of the District Engineer to object to, and thereby prevent, in his/her discretion, such activity.

SEC. 113. That portion of the project for navigation, Block Island Harbor of Refuge, Rhode Island adopted by the Rivers and Harbors Act of July 11, 1870, consisting of the cut-stone breakwater lining the west side of the Inner Basin; beginning at a point with coordinates N32579.55, E312625.53, thence running northerly about 76.59 feet to a point with coordinates N32655.92, E312631.32, thence running northerly about 206.81 feet to a point with coordinates N32858.33, E312673.74, thence running easterly about 109.00 feet to a point with coordinates N32832.15, E312779.54, shall no longer be authorized after the date of enactment.

SEC. 114. The Secretary of the Army, acting through the Chief of Engineers, is authorized, using amounts available in the Revolving Fund established by section 101 of the Act of July 27, 1953, chap. 245 (33 U.S.C. 576), to construct a Consolidated Infrastructure Research Equipment Facility, an Environmental Processes and Risk Lab, a Hydraulic Research Facility, an Engineer Research and Development Center headquarters building, a Modular Hydraulic Flume building, and to purchase real estate, perform construction, and make facility, utility, street, road, and infrastructure improvements to the Engineer Research and Development Center's installations and facilities. The Secretary shall ensure that the Revolving Fund is appropriately reimbursed from the benefitting appropriations.

SEC. 115. Section 1148 of the Water Resources Development Act of 1986 (100 Stat. 4254; 110 Stat. 3718; 114 Stat. 2609) is amended by striking subsection (b) and inserting the following:

"(b) DISPOSITION OF ACQUIRED LAND.—The Secretary may transfer land acquired under this section to the non-Federal sponsor by quitclaim deed subject to such terms and conditions as the Secretary determines to be in the public interest.".

SEC. 116. The New London Disposal Site and the Cornfield Shoals Disposal Site in Long Island Sound selected by the Department of the Army as alternative dredged material disposal sites under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, shall remain open for 5 years after enactment of this Act to allow for completion of a Supplemental Environmental Impact Statement to support final designation of an Ocean Dredged Material Disposal Site in eastern Long Island Sound under section 102(c) of the Marine Protection, Research, and Sanctuaries Act of 1972.

SEC. 117. (a) That portion of the project for navigation, Newport Harbor, Rhode Island adopted by the Rivers and Harbors Acts of March 2, 1907 (34 Stat. 1075); June 25, 1910 (36 Stat. 632); August 26, 1937 (50 Stat. 845); and, modified by the Consolidated Appropriations Act, 2000, Public Law 106–113, appendix E, title II, section 221 (113 Stat. 1501A–298); consisting of a 13-foot anchorage, an 18-foot anchorage, a 21-foot channel, and 18-foot channels described by the following shall no longer be authorized after the

date of enactment of this Act: the 21-Foot Entrance Channel, beginning at a point (1) with coordinates 374986.03, 150611.01; thence running south 46 degrees 54 minutes 30.7 seconds east 900.01 feet to a point (2) with coordinates 375643.27, 149996.16; thence running south 8 degrees 4 minutes 58.3 east 2,376.87 feet to a point (3) with coordinates 375977.47, 147643.00; thence running south 4 degrees 28 minutes 20.4 seconds west 738.56 feet to a point (4) with coordinates 375919.88, 146906.60; thence running south 6 degrees 2 minutes 42.4 seconds east 1,144.00 feet to a point (5) with coordinates 376040.35, 145768.96; thence running south 34 degrees 5 minutes 51.7 seconds west 707.11 feet to a point (6) with coordinates 375643.94, 145183.41; thence running south 73 degrees 11 minutes 42.9 seconds west 1,300.00 feet to the end point (7) with coordinates 374399.46, 144807.57; Returning at a point with coordinates (8) with coordinates 374500.64, 144472.51; thence running north 73 degrees 11 minutes 42.9 seconds east 1,582.85 feet to a point (9) with coordinates 376015.90, 144930.13; thence running north 34 degrees 5 minutes 51.7 seconds east 615.54 feet to a point (10) with coordinates 376360.97, 145439.85; thence running north 2 degrees 10 minutes 43.3 seconds west 2,236.21 feet to a point (11) with coordinates 376275.96, 147674.45; thence running north 8 degrees 4 minutes 55.6 seconds west 2,652.83 feet to a point (12) with coordinates 375902.99, 150300.93; thence running north 46 degrees 54 minutes 30.7 seconds west 881.47 feet to an end point (13) with coordinates 375259.29, 150903.12; and the 18-Foot South Goat Island Channel beginning at a point (14) with coordinates 375509.09, 149444.83; thence running south 25 degrees 44 minutes 0.5 second east 430.71 feet to a point (15) with coordinates 375696.10, 149056.84; thence running south 10 degrees 13 minutes 27.4 seconds east 1,540.89 feet to a point (16) with coordinates 375969.61, 147540.41; thence running south 4 degrees 29 minutes 11.3 seconds west 1,662.92 feet to a point (17) with coordinates 375839.53, 145882.59; thence running south 34 degrees 5 minutes 51.7 seconds west 547.37 feet to a point (18) with coordinates 375532.67, 145429.32; thence running south 86 degrees 47 minutes 37.7 seconds west 600.01 feet to an end point (19) with coordinates 374933.60, 145395.76; and the 18-Foot Entrance Channel beginning at a point (20) with coordinates 374567.14, 144252.33; thence running north 73 degrees 11 minutes 42.9 seconds east 1,899.22 feet to a point (21) with coordinates 376385.26, 144801.42; thence running north 2 degrees 10 minutes 41.5 seconds west 638.89 feet to an end point (10) with coordinates 376360.97, 145439.85; and the 18-Foot South Anchorage beginning at a point (22) with coordinates 376286.81, 147389.37; thence running north 78 degrees 56 minutes 15.6 seconds east 404.86 feet to a point (23) with coordinates 376684.14, 147467.05; thence running north 78 degrees 56 minutes 15.6 seconds east 1,444.33 feet to a point (24) with coordinates 378101.63, 147744.18; thence running south 5 degrees 18 minutes 43.8 seconds west 1,228.20 feet to a point (25) with coordinates 377987.92, 146521.26; thence running south 3 degrees 50 minutes 3.4 seconds east 577.84 feet to a point (26) with coordinates 378026.56, 145944.71; thence running south 44 degrees 32 minutes 14.7 seconds west 2,314.09 feet to a point (27) with coordinates 376403.52, 144295.24 thence running south 60 degrees 5 minutes 58.2 seconds west 255.02 feet to an end point (28) with coordinates 376182.45, 144168.12; and the 13-Foot Anchorage

beginning at a point (29) with coordinates 376363.39, 143666.99; thence running north 63 degrees 34 minutes 19.3 seconds east 1,962.37 feet to a point (30) with coordinates 378120.68, 144540.38; thence running north 3 degrees 50 minutes 3.1 seconds west 1,407.47 feet to an end point (26) with coordinates 378026.56, 145944.71; and the 18-Foot East Channel beginning at a point (23) with coordinates 376684.14, 147467.05; thence running north 2 degrees 10 minutes 43.3 seconds west 262.95 feet to a point (31) with coordinates 376674.14, 147729.81; thence running north 9 degrees 42 minutes 20.3 seconds west 301.35 feet to a point (32) with coordinates 376623.34, 148026.85; thence running south 80 degrees 17 minutes 42.4 seconds west 313.6 feet to a point (33) with coordinates 376314.23, 147973.99; thence running north 7 degrees 47 minutes 21.9 seconds west 776.24 feet to an end point (34) with coordinates 376209.02, 148743.06; and the 18-Foot North Anchorage beginning at a point (35) with coordinates 376123.98, 148744.69; thence running south 88 degrees 54 minutes 16.2 seconds east 377.90 feet to a point (36) with coordinates 376501.82, 148737.47; thence running north 9 degrees 42 minutes 19.0 seconds west 500.01 feet to a point (37) with coordinates 376417.52, 149230.32; thence running north 6 degrees 9 minutes 53.2 seconds west 1,300.01 feet to an end point (38) with coordinates 376277.92, 150522.81.

(b) The area described by the following shall be redesignated as an eighteen-foot channel and turning basin: Beginning at a point (1) with coordinates N144759.41, E374413.16; thence running north 73 degrees 11 minutes 42.9 seconds east 1,252.88 feet to a point (2) with coordinates N145121.63, E375612.53; thence running north 26 degrees 29 minutes 48.1 seconds east 778.89 feet to a point (3) with coordinates N145818.71, E375960.04; thence running north 0 degrees 3 minutes 38.1 seconds west 1,200.24 feet to a point (4) with coordinates N147018.94, E375958.77; thence running north 2 degrees 22 minutes 45.2 seconds east 854.35 feet to a point (5) with coordinates N147872.56, E375994.23; thence running north 7 degrees 47 minutes 21.9 seconds west 753.83 feet to a point (6) with coordinates N148619.44, E375892.06; thence running north 88 degrees 46 minutes 16.7 seconds east 281.85 feet to a point (7) with coordinates N148625.48, E376173.85; thence running south 7 degrees 47 minutes 21.9 seconds east 716.4 feet to a point (8) with coordinates N147915.69, E376270.94; thence running north 80 degrees 17 minutes 42.3 seconds east 315.3 feet to a point (9) with coordinates N147968.85, E.76581.73; thence running south 9 degrees 42 minutes 20.3 seconds east 248.07 feet to a point (10) with coordinates N147724.33, E376623.55; thence running south 2 degrees 10 minutes 43.3 seconds east 318.09 feet to a point (11) with coordinates N147406.47, E376635.64; thence running north 78 degrees 56 minutes 15.6 seconds east 571.11 feet to a point (12) with coordinates N147516.06, E377196.15; thence running south 88 degrees 57 minutes 2.3 seconds east 755.09 feet to a point (13) with coordinates N147502.23, E377951.11; thence running south 1 degree 2 minutes 57.7 seconds west 100.00 feet to a point (14) with coordinates N147402.25, E377949.28; thence running north 88 degrees 57 minutes 2.3 seconds west 744.48 feet to a point (15) with coordinates N147415.88, E377204.92; thence running south 78 degrees 56 minutes 15.6 seconds west 931.17 feet to a point (16) with coordinates N147237.21, E376291.06; thence running south 39 degrees 26 min-

utes 18.7 seconds west 208.34 feet to a point (17) with coordinates N147076.31, E376158.71; thence running south 0 degrees 3 minutes 38.1 seconds east 1,528.26 feet to a point (18) with coordinates N145548.05, E376160.32; thence running south 26 degrees 29 minutes 48.1 seconds west 686.83 feet to a point (19) with coordinates N144933.37, E375853.90; thence running south 73 degrees 11 minutes 42.9 seconds west 1,429.51 feet to end at a point (20) with coordinates N144520.08, E374485.44.

SEC. 118. None of the funds made available to the Corps of Engineers by this Act may be used for the removal or associated mitigation of Federal Energy Regulatory Commission Project number 2342.

SEC. 119. None of the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111–8).

SEC. 120. None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $27,154,000, to remain available until expended, of which $2,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission. In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,550,000. For fiscal year 2012, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $895,000,000, to remain available until expended, of which $10,698,000 shall be available for transfer to the Upper Colorado River Basin Fund and $6,136,000 shall be available for transfer to the Lower Colorado River Basin Develop-

ment Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l-6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That of the amounts provided herein, funds may be used for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $53,068,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $39,651,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: Provided, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: Provided further, That the use of any funds provided to the California Bay-Delta Authority for program-wide management and oversight activities shall be subject to the approval of the Secretary of the Interior: Provided further, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and

offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2013, $60,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2012, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate:

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term "transfer" means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program-Alternative Repayment Plan" and the "SJVDP-Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Section 529(b)(3) of Public Law 106–541, as amended by section 115 of Public Law 109–103, is further amended by striking "$20,000,000" and inserting "$30,000,000" in lieu thereof.

SEC. 204. Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) in subsection (a), in the first sentence, by striking "2011" and inserting "2013"; and

(2) in subsection (b), by striking "$25,000,000 for fiscal years 1997 through 2011" and inserting "$3,000,000 for each of fiscal years 2012 through 2013".

SEC. 205. The Federal policy for addressing California's water supply and environmental issues related to the Bay-Delta shall be consistent with State law, including the co-equal goals of providing a more reliable water supply for the State of California and protecting, restoring, and enhancing the Delta ecosystem. The Secretary of the Interior, the Secretary of Commerce, the Army Corps of Engineers and the Environmental Protection Agency Administrator shall jointly coordinate the efforts of the relevant agencies and work with the State of California and other stakeholders to complete and issue the Bay Delta Conservation Plan Final Environmental Impact Statement no later than February 15, 2013. Nothing herein modifies existing requirements of Federal law.

SEC. 206. The Secretary of the Interior may participate in non-Federal groundwater banking programs to increase the operational flexibility, reliability, and efficient use of water in the State of California, and this participation may include making payment for the

storage of Central Valley Project water supplies, the purchase of stored water, the purchase of shares or an interest in ground banking facilities, or the use of Central Valley Project water as a medium of payment for groundwater banking services: Provided, That the Secretary of the Interior shall participate in groundwater banking programs only to the extent allowed under State law and consistent with water rights applicable to the Central Valley Project: Provided further, That any water user to which banked water is delivered shall pay for such water in the same manner provided by that water user's then-current Central Valley Project water service, repayment, or water rights settlement contract at the rate provided by the then-current Central-Valley Project Irrigation or Municipal and Industrial Rate Setting Policies; and: Provided further, That in implementing this section, the Secretary of the Interior shall comply with applicable environmental laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) Nothing herein shall alter or limit the Secretary's existing authority to use groundwater banking to meet existing fish and wildlife obligations.

SEC. 207. (a) Subject to compliance with all applicable Federal and State laws, a transfer of irrigation water among Central Valley Project contractors from the Friant, San Felipe, West San Joaquin, and Delta divisions, and a transfer from a long-term Friant Division water service or repayment contractor to a temporary or prior temporary service contractors within the place of use in existence on the date of the transfer, as identified in the Bureau of Reclamation water rights permits for the Friant Division, shall be considered to meet the conditions described in subparagraphs (A) and (I) of section 3405(a)(1) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4709).

(b) The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service and the Commissioner of the Bureau of Reclamation shall initiate and complete, on the most expedited basis practicable, programmatic environmental compliance so as to facilitate voluntary water transfers within the Central Valley Project, consistent with all applicable Federal and State law.

(c) Not later than 180 days after the date of enactment of this Act and each of the 4 years thereafter, the Commissioner of the Bureau of Reclamation shall submit to the committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate a report that describes the status of efforts to help facilitate and improve the water transfers within the Central Valley Project and water transfers between the Central Valley Project and other water projects in the State of California; evaluates potential effects of this Act on Federal programs, Indian tribes, Central Valley Project operations, the environment, groundwater aquifers, refuges, and communities; and provides recommendations on ways to facilitate and improve the process for these transfers.

SEC. 208. (a) PERMITTED USES.—Section 2507(b) of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171) is amended—

(1) in the matter preceding paragraph (1), by striking "In any case in which there are willing sellers" and inserting "For the benefit of at-risk natural desert terminal lakes and associ-

ated riparian and watershed resources, in any case in which there are willing sellers or willing participants";

(2) in paragraph (2), by striking "in the Walker River" and all that follows through "119 Stat. 2268)"; and

(3) in paragraph (3), by striking "in the Walker River Basin".

(b) WALKER BASIN RESTORATION PROGRAM.—Section 208(b) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85; 123 Stat. 2858) is amended—

(1) in paragraph (1)(B)(iv), by striking "exercise water rights" and inserting "manage land, water appurtenant to the land, and related interests"; and

(2) in paragraph (2)(A), by striking "The amount made available under subsection (a)(1) shall be provided to the National Fish and Wildlife Foundation" and inserting "Any amount made available to the National Fish and Wildlife Foundation under subsection (a) shall be provided".

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,825,000,000, to remain available until expended: Provided, That $165,000,000 shall be available until September 30, 2013 for program direction: Provided further, That for the purposes of allocating weatherization assistance funds appropriated by this Act to States and tribes, the Secretary of Energy may waive the allocation formula established pursuant to section 414(a) of the Energy Conservation and Production Act (42 U.S.C. 6864(a)): Provided further, That of the unobligated balances available under this heading, $9,909,000 are hereby rescinded: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the ac-

quisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $139,500,000, to remain available until expended: Provided, That $27,010,000 shall be available until September 30, 2013 for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 10 buses, all for replacement only, $768,663,000, to remain available until expended: Provided, That $91,000,000 shall be available until September 30, 2013 for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $534,000,000, to remain available until expended: Provided, That $120,000,000 shall be available until September 30, 2013 for program direction: Provided further, That for all programs funded under Fossil Energy appropriations in this Act or any other Act, the Secretary may vest fee title or other property interests acquired under projects in any entity, including the United States: Provided further, That of prior-year balances, $187,000,000 are hereby rescinded: Provided further, That no rescission made by the previous proviso shall apply to any amount previously appropriated in Public Law 111–5 or designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, $14,909,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as

amended (42 U.S.C. 6201 et seq.), $192,704,000, to remain available until expended.

SPR PETROLEUM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

Of the amounts deposited in the SPR Petroleum Account established under section 167 of the Energy Policy and Conservation Act (42 U.S.C. 6247) in fiscal year 2011 which remain available for obligation under that section, $500,000,000 are hereby permanently rescinded.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act, $10,119,000, to remain available until expended: Provided, That amounts net of the purchase of 1 million barrels of petroleum distillates in fiscal year 2012; costs related to transportation, delivery, and storage; and sales of petroleum distillate from the Reserve under section 182 of the Energy Policy and Conservation Act (42 U.S.C. 6250a) are hereby permanently rescinded: Provided further, That notwithstanding section 181 of the Energy Policy and Conservation Act (42 U.S.C. 6250), for fiscal year 2012 and hereafter, the Reserve shall contain no more than 1 million barrels of petroleum distillate.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $105,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $235,721,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $472,930,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 49 passenger motor vehicles for replacement only, including one ambulance and one bus, $4,889,000,000, to remain available until expended: Provided, That $185,000,000 shall be available until September 30, 2013 for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For necessary expenses in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), as amended, $275,000,000: Provided, That $20,000,000 shall be available until September 30, 2013 for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b)(2) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That for necessary administrative expenses to carry out this Loan Guarantee program, $38,000,000 is appropriated, to remain available until expended: Provided further, That $38,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than $0: Provided further, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $6,000,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, $237,623,000, to remain available until September 30, 2013, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases

of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $111,623,000 in fiscal year 2012 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during 2012, and any related appropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than $126,000,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $42,000,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, the purchase of not to exceed one ambulance and one aircraft; $7,233,997,000, to remain available until expended: Provided, That of such amount not more than $89,425,000 may be made available for the B–61 Life Extension Program until the Administrator of the National Nuclear Security Administration submits to the Committees on Appropriations of the House of Representatives and the Senate a final report on the Phase 6.2a design definition and cost study.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one passenger motor vehicle for replacement only, $2,324,303,000, to remain available until expended: Provided, That of the unobligated balances available under this heading, $21,000,000 are hereby rescinded: Provided further, That no amounts may be rescinded from amounts that were designated by

the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,080,000,000, to remain available until expended: Provided, That $40,000,000 shall be available until September 30, 2013 for program direction.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses not to exceed $12,000, $410,000,000, to remain available until September 30, 2013.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one ambulance and one fire truck for replacement only, $5,023,000,000, to remain available until expended: Provided, That $321,628,000 shall be available until September 30, 2013 for program direction.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 10 passenger motor vehicles for replacement only, $823,364,000: Provided, That $114,086,000 shall be available until September 30, 2013 for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Kootenai River Native Fish Conservation Aquaculture Program,

Lolo Creek Permanent Weir Facility, and Improving Anadromous Fish production on the Warm Springs Reservation, and, in addition, for official reception and representation expenses in an amount not to exceed $7,000. During fiscal year 2012, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $8,428,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $8,428,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $0: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $100,162,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $45,010,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $33,118,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than

$11,892,000: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $40,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500; $285,900,000, to remain available until expended, of which $278,856,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $189,932,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $95,968,000, of which $88,924,000 is derived from the Reclamation Fund: Provided further, That of the amount herein appropriated, not more than $3,375,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That notwithstanding 31 U.S.C. 3302, up to $306,541,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,169,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June

18, 1954 (68 Stat. 255) as amended: Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $3,949,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $220,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed $3,000, $304,600,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $304,600,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2012 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading "Department of Energy—Energy Programs", enter into a multi-year contract, award a multi-year grant, or enter into a multi-year cooperative agreement unless the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future-year budget authority and the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 14 days in advance.

(c) Except as provided in this section, the amounts made available by this title shall be expended as authorized by law for the projects and activities specified in the "Conference" column in the "Department of Energy" table included under the heading "Title III—Department of Energy" in the joint explanatory statement accompanying this Act.

(d) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 30 days prior to the use of any proposed reprogramming which would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(e) Notwithstanding subsection (c), none of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity,

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act, or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(f)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2012 until the enactment of the Intelligence Authorization Act for fiscal year 2012.

SEC. 304. (a) SUBMISSION TO CONGRESS.—The Secretary of Energy shall submit to Congress each year, at the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years energy program reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years energy program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years. A future-

years energy program shall be included in the fiscal year 2014 budget submission to Congress and every fiscal year thereafter.

(b) ELEMENTS.—Each future-years energy program shall contain the following:

(1) The estimated expenditures and proposed appropriations necessary to support programs, projects, and activities of the Secretary of Energy during the 5-fiscal year period covered by the program, expressed in a level of detail comparable to that contained in the budget submitted by the President to Congress under section 1105 of title 31, United States Code.

(2) The estimated expenditures and proposed appropriations shaped by high-level, prioritized program and budgetary guidance that is consistent with the administration's policies and out year budget projections and reviewed by the Department of Energy's (DOE) senior leadership to ensure that the future-years energy program is consistent and congruent with previously established program and budgetary guidance.

(3) A description of the anticipated workload requirements for each DOE national laboratory during the 5-fiscal year period.

(c) CONSISTENCY IN BUDGETING.—

(1) The Secretary of Energy shall ensure that amounts described in subparagraph (A) of paragraph (2) for any fiscal year are consistent with amounts described in subparagraph (B) of paragraph (2) for that fiscal year.

(2) Amounts referred to in paragraph (1) are the following:

(A) The amounts specified in program and budget information submitted to Congress by the Secretary of Energy in support of expenditure estimates and proposed appropriations in the budget submitted to Congress by the President under section 1105(a) of title 31, United States Code, for any fiscal year, as shown in the future-years energy program submitted pursuant to subsection (a).

(B) The total amounts of estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the administration included pursuant to paragraph (5) of section 1105(a) of such title in the budget submitted to Congress under that section for any fiscal year.

SEC. 305. Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended—

(1) by striking subsection (b) and inserting the following:

"(b) SPECIFIC APPROPRIATION OR CONTRIBUTION.—

"(1) IN GENERAL.—No guarantee shall be made unless—

"(A) an appropriation for the cost of the guarantee has been made;

"(B) the Secretary has received from the borrower a payment in full for the cost of the guarantee and deposited the payment into the Treasury; or

"(C) a combination of one or more appropriations under subparagraph (A) and one or more payments from the borrower under subparagraph (B) has been made that is sufficient to cover the cost of the guarantee.".

SEC. 306. Plant or construction projects for which amounts are made available under this and subsequent appropriation Acts with

a current estimated cost of less than $10,000,000 are considered for purposes of section 4703 of Public Law 107–314 as a plant project for which the approved total estimated cost does not exceed the minor construction threshold and for purposes of section 4704 of Public Law 107–314 as a construction project with a current estimated cost of less than a minor construction threshold.

SEC. 307. In section 839b(h)(10)(B) of title 16, United States Code, strike "$1,000,000" and insert "$2,500,000".

SEC. 308. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Health, Safety, and Security to ensure the project is in compliance with nuclear safety requirements.

SEC. 309. Of the amounts appropriated in this title, $73,300,000 are hereby rescinded, to reflect savings from the contractor pay freeze instituted by the Department. The Department shall allocate the rescission among the appropriations made in this title.

SEC. 310. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 311. None of the funds made available in this title may be used to make a grant allocation, discretionary grant award, discretionary contract award, or Other Transaction Agreement, or to issue a letter of intent, totaling in excess of $1,000,000, or to announce publicly the intention to make such an allocation, award, or Agreement, or to issue such a letter, including a contract covered by the Federal Acquisition Regulation, unless the Secretary of Energy notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making such an allocation, award, or Agreement, or issuing such a letter: Provided, That if the Secretary of Energy determines that compliance with this section would pose a substantial risk to human life, health, or safety, an allocation, award, or Agreement may be made, or a letter may be issued, without advance notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after the date on which such an allocation, award, or Agreement is made or letter issued: Provided further, That the notification shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, and the account and program from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

SEC. 312. (a) Any determination (including a determination made prior to the date of enactment of this Act) by the Secretary pursuant to section 3112(d)(2)(B) of the USEC Privatization Act (110 Stat. 1321–335), as amended, that the sale or transfer of uranium will not have an adverse material impact on the domestic uranium mining, conversion, or enrichment industry shall be valid for not more than 2 calendar years subsequent to such determination.

(b) Not less than 30 days prior to the transfer, sale, barter, distribution, or other provision of uranium in any form for the purpose of accelerating cleanup at a Federal site, the Secretary shall notify the House and Senate Committees on Appropriations of the following:

(1) the amount of uranium to be transferred, sold, bartered, distributed, or otherwise provided;

(2) an estimate by the Secretary of the gross market value of the uranium on the expected date of the transfer, sale, barter, distribution, or other provision of the uranium;

(3) the expected date of transfer, sale, barter, distribution, or other provision of the uranium;

(4) the recipient of the uranium; and

(5) the value of the services the Secretary expects to receive in exchange for the uranium, including any reductions to the gross value of the uranium by the recipient.

(c) Not later than June 30, 2012, the Secretary shall submit to the House and Senate Committees on Appropriations a revised excess uranium inventory management plan for fiscal years 2013 through 2018.

(d) Not later than December 31, 2011 the Secretary shall submit to the House and Senate Committees on Appropriations a report evaluating the economic feasibility of re-enriching depleted uranium located at Federal sites.

SEC. 313. None of the funds made available by this Act may be used to pay the salaries of Department of Energy employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009.

SEC. 314. (a) The Secretary of Energy may openly compete and issue an award to allow a third party, on a fee-for-service basis, to operate and maintain a metering station of the Strategic Petroleum Reserve that is underutilized (as defined in section 102–75.50 of title 41, Code of Federal Regulations (or successor regulations)) and related equipment.

(b) Not later than 30 days before the issuance of such award, the Secretary of Energy shall certify to the Committees on Appropriations of the House of Representatives and the Senate that the award will not reduce the reliability or accessibility of the Strategic Petroleum Reserve, raise costs of oil in the local market, or negatively impact the supply of oil to current users.

(c) Funds collected under subsection (a) shall be deposited in the general fund of the Treasury.

SEC. 315. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

SEC. 316. Recipients of grants awarded by the Department in excess of $1,000,000 shall certify that they will, by the end of the fiscal year, upgrade the efficiency of their facilities by replacing any lighting that does not meet or exceed the energy efficiency standard

for incandescent light bulbs set forth in section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295).

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $68,263,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $29,130,000, to remain available until September 30, 2013: Provided, That within 90 days of enactment of this Act, the Defense Nuclear Facilities Safety Board shall enter into an agreement for inspector general services with the Office of Inspector General for the Nuclear Regulatory Commission for fiscal years 2012 and 2013: Provided further, That at the expiration of such agreement, the Defense Nuclear Facilities Safety Board shall procure inspector general services annually thereafter.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $11,677,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $10,679,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

NORTHERN BORDER REGIONAL COMMISSION

For necessary expenses of the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $1,497,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For necessary expenses of the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $25,000), $1,027,240,000, to remain available until expended: Provided, That of the amount appropriated herein, not more than $9,000,000 may be made available for salaries and other support costs for the Office of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $899,726,000 in fiscal year 2012 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation estimated at not more than $127,514,000: Provided further, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to their respective organization's mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $10,860,000, to remain available until September 30, 2013: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $9,774,000 in fiscal year 2012 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation estimated at not more than $1,086,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,400,000 to be derived from the Nuclear Waste Fund, and to remain available until expended.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

For necessary expenses for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects pursuant to the Alaska Natural Gas Pipeline Act of 2004, $1,000,000.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. (a) None of the funds provided in this title for "Nuclear Regulatory Commission—Salaries and Expenses" shall be available for obligation or expenditure through a reprogramming of funds that—

(1) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(2) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(b) The Chairman of the Nuclear Regulatory Commission may not terminate any program, project, or activity without the approval of a majority vote of the Commissioners of the Nuclear Regulatory Commission approving such action.

(c) The Nuclear Regulatory Commission may waive the restriction on reprogramming under subsection (a) on a case-by-case basis by certifying to the Committees on Appropriations of the House of Representatives and the Senate that such action is required to address national security or imminent risks to public safety. Each such waiver certification shall include a letter from the Chairman of the Commission that a majority of Commissioners of the Nuclear Regulatory Commission have voted and approved the reprogramming waiver certification.

SEC. 402. The Nuclear Regulatory Commission shall require reactor licensees to re-evaluate the seismic, tsunami, flooding, and other external hazards at their sites against current applicable Commission requirements and guidance for such licenses as expeditiously as possible, and thereafter when appropriate, as determined by the Commission, and require each licensee to respond to the Commission that the design basis for each reactor meets the requirements of its license, current applicable Commission requirements and guidance for such license. Based upon the evaluations conducted pursuant to this section and other information it deems relevant, the Commission shall require licensees to update the design basis for each reactor, if necessary.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. 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. 503. None of the funds made available under this Act may be expended for any new hire by any Federal agency funded in this Act that is not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 504. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 505. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 506. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 ("Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations").

This division may be cited as the "Energy and Water Development and Related Agencies Appropriations Act, 2012".

DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; terrorism and financial intelligence activities; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities; and Treasury-wide management policies and programs activities, $308,388,000: Provided, That of the amount appropriated under this heading, $100,000,000 is for the Office of Terrorism and Financial Intelligence, of which not to exceed $26,608,000 is available for administrative expenses: Provided further, That of the amount appropriated under this heading, not to exceed $3,000,000, to remain available until September 30, 2013, is for information technology modernization requirements; not to exceed $350,000 is for official reception and representation expenses; and not to exceed $258,000 is for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: Provided further, That of the amount appropriated under this heading, $6,787,000, to remain available until September 30, 2013, is for the Treasury-wide Financial Statement Audit and Internal Control Program: Provided further, That of the amount appropriated under this heading, $500,000, to remain available until September 30, 2013, is for secure space requirements: Provided further, That of the amount appropriated under this heading, up to $3,400,000, to remain available until September 30, 2014, is to develop and implement programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements: Provided further, That notwithstanding any other provision of law, of the amount appropriated under this heading, up to $1,000,000 may be contributed to the Organization for Economic Cooperation and Development for the Department's participation in programs related to global tax administration.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $29,641,000, including hire of passenger motor vehicles; of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; and of which not

to exceed $2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $151,696,000, of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), $41,800,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses, including for course development, of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $110,788,000, of which not to exceed $34,335,000 shall remain available until September 30, 2014: Provided, That funds appropriated in this account may be used to procure personal services contracts.

TREASURY FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $950,000,000 are rescinded.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $217,805,000, of which not to exceed $4,210,000 shall remain available until September 30, 2014, for information systems moderniza-

tion initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $99,878,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: Provided, That of the amount appropriated under this heading, $2,000,000 shall be for the costs of special law enforcement agents to target tobacco smuggling and other criminal diversion activities.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2012 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $20,000,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $173,635,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $10,000,000 shall remain available until September 30, 2014 to reduce improper payments: Provided, That the sum appropriated herein from the general fund for fiscal year 2012 shall be reduced by not more than $8,000,000 as definitive security issue fees and Legacy Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at $165,635,000. In addition, $165,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994 (Public Law 103–325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, notwith-

standing section 4707(e) of title 12, United States Code with regard to Small and/or Emerging Community Development Financial Institutions Assistance awards, $221,000,000, to remain available until September 30, 2013; of which $12,000,000, notwithstanding section 4707(e) of title 12, United States Code, shall be for financial assistance, technical assistance, training and outreach programs, designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations and other suitable providers; of which, notwithstanding section 108(d) of such Act, up to $22,000,000 shall be for a Healthy Food Financing Initiative to provide grants and loans to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities; of which $18,000,000 shall be for the Bank Enterprise Awards program; and of which up to $22,965,000 may be used for administrative expenses, including administration of the New Markets Tax Credit; of which up to $10,315,000 may be used for the cost of direct loans; and of which up to $250,000 may be used for administrative expenses to carry out the direct loan program: Provided, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000: Provided further, That of the funds awarded under this heading, not less than 10 percent shall be used for projects that serve populations living in persistent poverty counties (where such term is defined as any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990, 2000, and 2010 decennial censuses).

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,239,703,000, of which not less than $5,600,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $9,750,000 shall be available for low-income taxpayer clinic grants, of which not less than $12,000,000, to remain available until September 30, 2013, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, of which not less than $205,000,000 shall be available for operating expenses of the Taxpayer Advocate Service, and of which $15,481,000 shall be for expenses necessary to implement the tax credit in title II of division A of the Trade Act of 2002 (Public Law 107–210).

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase (for police-type use, not to exceed 850) and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $5,299,367,000, of which not less than $60,257,000 shall be for the Interagency Crime and Drug Enforcement program.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,947,416,000, of which up to $250,000,000 shall remain available until September 30, 2013, for information technology support; of which up to $65,000,000 shall remain available until expended for acquisition of real property, equipment, construction and renovation of facilities; of which not to exceed $1,000,000 shall remain available until September 30, 2014, for research; of which not less than $2,000,000 shall be for the Internal Revenue Service Oversight Board; of which not to exceed $25,000 shall be for official reception and representation expenses: Provided, That not later than 14 days after the end of each quarter of each fiscal year, the Internal Revenue Service shall submit a report to the House and Senate Committees on Appropriations and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: Provided further, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2013, a summary of cost and schedule performance information for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $330,210,000, to remain available until September 30, 2014, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That not later than 14 days after the end of each quarter of each fiscal year,

the Internal Revenue Service shall submit a report to the House and Senate Committees on Appropriations and the Comptroller General of the United States detailing the cost and schedule performance for CADE2 and Modernized e-File information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading "Enforcement" may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1–800 help line service.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 105. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 106. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Special Inspector General for the Troubled Asset Relief Program, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of

the Committees on Appropriations: Provided, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 107. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations: Provided, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 108. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with departmental vehicle management principles: Provided, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 109. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 110. The Secretary of the Treasury may transfer funds from Financial Management Service, Salaries and Expenses to the Debt Collection Fund as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 111. Section 122(g)(1) of Public Law 105–119 (5 U.S.C. 3104 note), is further amended by striking "12 years" and inserting "14 years".

SEC. 112. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing and Urban Affairs.

SEC. 113. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 114. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2012 until the enactment of the Intelligence Authorization Act for Fiscal Year 2012.

SEC. 115. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 116. Section 5114(c) of title 31, United States Code (relating to engraving and printing currency and security documents), is amended by striking "for a period of not more than 4 years".

SEC. 117. In the current fiscal year and each fiscal year hereafter, any person who forwards to the Bureau of Engraving and Printing a mutilated paper currency claim equal to or exceeding $10,000 for redemption will be required to provide the Bureau their taxpayer identification number.

SEC. 118. Section 5318(g)(2)(A) of title 31, United States Code, is amended—

(1) by striking clause (i) and inserting the following:

"(i) neither the financial institution, director, officer, employee, or agent of such institution (whether or not any such person is still employed by the institution), nor any other current or former director, officer, or employee of, or contractor for, the financial institution or other reporting person, may notify any person involved in the transaction that the transaction has been reported; and"; and

(2) in clause (ii)—

(A) by striking "no officer or employee of" and inserting "no current or former officer or employee of or contractor for"; and

(B) by inserting "or for" before "any State".

SEC. 119. Section 5319 of title 31, United States Code (relating to availability of reports), is amended by inserting after "title 5" the following: ", and may not be disclosed under any State, local, tribal, or territorial 'freedom of information', 'open government', or similar law".

SEC. 120. Section 5331(a) of title 31, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following: "(1)(A) who is engaged in a trade or business, and";

(2) by redesignating paragraph (2) as subparagraph (B);

(3) in subparagraph (B), as so redesignated, by adding "or" at the end; and

(4) by inserting after subparagraph (B), as so redesignated, the following new paragraph:

"(2) who is required to file a report under section 6050I(g) of the Internal Revenue Code of 1986,".

SEC. 121. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget for the Administration submitted by the President: Provided, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, the Working Capital Fund account, and the Treasury Forfeiture Fund account: Provided further, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

This title may be cited as the "Department of the Treasury Appropriations Act, 2012".

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to 31 U.S.C. 1552.

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $56,974,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $13,425,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for

expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $750,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,192,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, $13,048,000.

Office of Administration

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $112,952,000, of which $10,403,000 shall remain available until expended for continued modernization of the information technology infrastructure within the Executive Office of the President.

Office of Management and Budget

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, $89,456,000, of which not to exceed $3,000 shall be available for official representation expenses: Provided, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: Provided further, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: Provided further, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: Provided further, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: Provided further, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

Office of National Drug Control Policy

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation

expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $24,500,000: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $238,522,000, to remain available until September 30, 2013, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas ("HIDTAs"), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: Provided, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities (including up to $500,000 to ensure the continued operation and maintenance of the Performance Management System): Provided further, That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2010 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: Provided further, That each HIDTA designated as of September 30, 2011, shall be funded at not less than the fiscal year 2011 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: Provided further, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2012 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $105,550,000, to remain available until expended, which shall be available as follows: $92,000,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $1,400,000 for drug court training and technical assistance; $9,000,000 for anti-doping activi-

ties; $1,900,000 for the United States membership dues to the World Anti-Doping Agency; and $1,250,000 shall be made available as directed by section 1105 of Public Law 109–469.

INTEGRATED, EFFICIENT AND EFFECTIVE USES OF INFORMATION TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient and effective uses of information technology in the Federal Government, $5,000,000, to remain available until expended: Provided, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes: Provided further, That the Director of the Office of Management and Budget shall submit quarterly reports to the Committees on Appropriations of the House and the Senate identifying the savings achieved by the Office of Management and Budget's government-wide information technology reform efforts: Provided further, That such report shall include savings identified by fiscal year, agency and appropriation.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $988,000, to remain available until September 30, 2013.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,328,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $307,000: Provided, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFERS OF FUNDS AND RESCISSIONS)

SEC. 201. From funds made available in this Act under the headings "The White House", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisers", "National Security Council and Homeland Security Council", "Office of Administration", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, 15 days after giving notice to the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: Provided, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: Provided further, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

SEC. 202. The Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House and the Senate a report on the implementation of Executive Order 13563 (76 Fed. Reg. 3821; relating to Improving Regulation and Regulatory Review) by April 2, 2012. The report shall include information on—

(a) increasing public participation in the rulemaking process and reducing uncertainty;

(b) improving coordination across Federal agencies to eliminate redundant, inconsistent, and overlapping regulations; and

(c) identifying existing regulations that have been reviewed and determined to be outmoded, ineffective, or excessively burdensome.

SEC. 203. Within 120 days after the date of enactment of this section, the Director of the Office of Management and Budget shall submit a report to the Committees on Appropriations of the House and the Senate on the costs of implementing the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203). Such report shall include—

(1) the estimated mandatory and discretionary obligations of funds through fiscal year 2014, by Federal agency and by fiscal year, including—

(A) the estimated obligations by cost inputs such as rent, information technology, contracts, and personnel;

(B) the methodology and data sources used to calculate such estimated obligations; and

(C) the specific section of such Act that requires the obligation of funds; and

(2) the estimated receipts through fiscal year 2014 from assessments, user fees, and other fees by the Federal agency making the collections, by fiscal year, including—

(A) the methodology and data sources used to calculate such estimated collections; and

(B) the specific section of such Act that authorizes the collection of funds.

SEC. 204. The Director of the Office of National Drug Control Policy shall submit to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act, and prior to the initial obligation of more than 20 percent of the funds appropriated in any account under the heading "Office of National Drug Control Policy", a detailed narrative and financial plan on the proposed uses of all funds under the account by program, project, and activity: Provided, That the reports required by this section shall be updated and submitted to the Committees on Appropriations every 6 months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: Provided further, That any new projects and changes in funding of ongoing projects shall be subject to the prior approval of the Committees on Appropriations.

SEC. 205. Not to exceed 2 percent of any appropriations in this Act made available to the Office of National Drug Control Policy may be transferred between appropriated programs upon the advance approval of the Committees on Appropriations: Provided, That no transfer may increase or decrease any such appropriation by more than 3 percent.

SEC. 206. Not to exceed $1,000,000 of any appropriations in this Act made available to the Office of National Drug Control Policy may be reprogrammed within a program, project, or activity upon the advance approval of the Committees on Appropriations.

SEC. 207. From the unobligated balances of prior year appropriations made available for the Counterdrug Technology Assessment Center, $5,244,639 are rescinded.

SEC. 208. From the unobligated balances of prior year appropriations made available for Other Federal Drug Control Programs, $359,958 for a chronic users study and $5,723,403 for the National Anti-Drug Youth Media Campaign are rescinded.

SEC. 209. Of the unobligated balances available under the heading "Executive Office of the President and Funds Appropriated to the President—Partnership Fund for Program Integrity Innovation" in title II of division C of the Consolidated Appropriations Act, 2010 (Public Law 111–117), $10,000,000 are rescinded. In addition to the amounts made available under such heading in this Act, $10,000,000 are appropriated, to remain available until September 30, 2013.

This title may be cited as the "Executive Office of the President Appropriations Act, 2012".

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an

automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $74,819,000, of which $2,000,000 shall remain available until expended.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, $8,159,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $32,511,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $21,447,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, $5,015,000,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $5,000,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to

represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,031,000,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $51,908,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $500,000,000, of which not to exceed $15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as au-

thorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $82,909,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $27,000,000; of which $1,800,000 shall remain available through September 30, 2013, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $86,968,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $12,600,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $4,200,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $16,500,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", 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 sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for "Courts of Appeals, District Courts, and Other Judicial Services" shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not ex-

ceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3314(a) of title 40, United States Code, shall be applied by substituting "Federal" for "executive" each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended—

(1) in the third sentence (relating to the District of Kansas), by striking "20 years" and inserting "21 years"; and

(2) in the seventh sentence (related to the District of Hawaii), by striking "17 years" and inserting "18 years".

This title may be cited as the "Judiciary Appropriations Act, 2012".

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $30,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Office of the Chief Financial Officer shall provide

a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $14,900,000, to remain available until expended and in addition any funds that remain available from prior year appropriations under this heading for the District of Columbia Government, for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia, including support requested by the Director of the United States Secret Service Division in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $232,841,000 to be allocated as follows: for the District of Columbia Court of Appeals, $12,830,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $114,209,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $66,712,000, of which not to exceed $2,500 is for official reception and representation expenses; and $39,090,000, to remain available until September 30, 2013, for capital improvements for District of Columbia courthouse facilities: Provided, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and building evaluation report: Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $3,000,000 of the funds provided under this heading among the items and entities funded under this heading but no such allocation shall be increased by more than 10 percent.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

(INCLUDING TRANSFER OF FUNDS)

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior

Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $55,000,000, to remain available until expended: Provided, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies: Provided further, That not more than $10,000,000 of the funds provided in this account may be transferred to, and merged with, funds made available under the heading "Federal Payment to the District of Columbia Courts" for District of Columbia courthouse facilities.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $212,983,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which $1,000,000 shall remain available until September 30, 2014 for relocation of the Pretrial Services Agency drug testing laboratory; of which $153,548,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which $59,435,000 shall be available to the Pretrial Services Agency: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That not less than $1,500,000 shall be available for re-entrant housing in the District of Columbia: Provided further, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: Provided further, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: Provided further, That the Court Services and Offender

Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost reimbursable basis.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $37,241,000: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $15,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: Provided, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,800,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2013, to the Commission on Judicial Disabilities and Tenure, $295,000, and for the Judicial Nomination Commission, $205,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $60,000,000, to remain available until expended, for payments authorized under the Scholarship for Opportunity and Results Act (division C of Public Law 112–10).

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $375,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $5,000,000.

DISTRICT OF COLUMBIA FUNDS

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia ("General Fund"), except as otherwise specifically provided: Provided, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act, (114 Stat. 2440; D.C. Official Code, section 1–204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2012 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $10,916,966,000 (of which $6,208,646,000 shall be from local funds, (including $526,594,000 from dedicated taxes), $1,015,449,000 shall be from Federal grant funds, $1,499,115,000 from Medicaid payments, $2,040,504,000 shall be from other funds, and $25,677,000 shall be from private funds, and $127,575,000 shall be from funds previously appropriated in this Act as Federal payments: Provided further, That of the local funds, such amounts as may be necessary may be derived from the District's General Fund balance: Provided further, That of these funds the District's intra-District authority shall be $619,632,000: in addition, for capital construction projects, an increase of $4,007,501,000, of which $2,934,011,000 shall be from local funds, $223,858,000 from the District of Columbia Highway Trust Fund, $33,140,000 from the Local Transportation Fund, $816,492,000 from Federal grant funds, and a rescission of $2,849,882,000 of which $1,796,345,000 shall be from local funds, $749,426,000 from Federal grant funds, $252,694,000 from the District of Columbia Highway Trust Fund, and $51,416,000 from the Local Transportation Fund appropriated under this heading in prior fiscal years, for a net amount of $1,157,619,000, to remain available until expended: Provided further, That the amounts provided under this heading are to be available, allocated, and expended as proposed under title III of the Fiscal Year 2012 Budget Request Act of 2011, at the rate set forth under "District of Columbia Funds Division of Expenses" as included in the Fiscal Year 2012 Proposed Budget and Financial Plan submitted to the Congress by the District of Columbia: Provided further, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2012, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the "District of Columbia Appropriations Act, 2012".

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $2,900,000, to remain available until September 30, 2013, of which not to exceed $1,000 is for official reception and representation expenses.

CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Christopher Columbus Fellowship Foundation, established by section 423 of Public Law 102–281, $450,000, to remain available until expended.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $114,500,000, of which $500,000 shall remain available until September 30, 2013, to implement the Virginia Graeme Baker Pool and Spa Safety Act grant program as provided by section 1405 of Public Law 100–140 (15 U.S.C. 8004).

ADMINISTRATIVE PROVISIONS—CONSUMER PRODUCT SAFETY COMMISSION

SEC. 501. Section 4(g) of the Consumer Product Safety Act (15 U.S.C. 2053(g)) is amended by adding at the end the following:

> *"(5) The Chairman may provide to officers and employees of the Commission who are appointed or assigned by the Commission to serve abroad (as defined in section 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902)) travel benefits similar to those authorized for members of the Foreign Service of the United Service under chapter 9 of such Act (22 U.S.C. 4081 et seq.).".*

SEC. 502. (a) EXTENSION OF GRANT PROGRAM.—Section 1405(e) of the Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. 8004(e)) is amended by striking "2011" and inserting "2012".

(b) NEW SWIMMING POOLS.—Section 1405(b) of the Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. 8004(b)) is amended by inserting "constructed after the date that is 6 months after the date of enactment of the Financial Services and General Government Appropriations Act, 2012" after "swimming pools".

SEC. 503. Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an analysis of the potential safety risks associated with new and emerging consumer products, including chemicals and other materials used in their manufacture, taking into account the ability and authority of the Consumer Product Safety Commission—

(1) to identify, assess, and address such risks in a timely manner; and

(2) to keep abreast of the effects of new and emerging consumer products on public health and safety.

SEC. 504. Not later than 150 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an analysis of—

(1) the extent to which manufacturers comply with voluntary industry standards for consumer products, particularly with respect to inexpensive, imported products;

(2) whether there are consequences for such manufacturers for failing to comply with such standards;

(3) whether the Consumer Product Safety Commission has the authority and the ability to require compliance with such standards; and

(4) whether there are patterns of non-compliance with such standards among certain types of products or certain types of manufacturers.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $11,500,000, of which $2,750,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002, and of which $1,250,000 shall be for the Office of Inspector General.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $339,844,000: Provided, That $339,844,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation estimated at $0: Provided further, That any offsetting collections received in excess of $339,844,000 in fiscal year 2012 shall not be available for obligation: Provided further, That re-

maining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2011, shall not be available for obligation: Provided further, That notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $85,000,000 for fiscal year 2012: Provided further, That of the amount appropriated under this heading, not less than $9,750,000 shall be for the salaries and expenses of the Office of Inspector General.

ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS COMMISSION

SEC. 510. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking "December 31, 2011", each place it appears and inserting "December 31, 2013".

SEC. 511. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

FEDERAL DEPOSIT INSURANCE CORPORATION

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, $45,261,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $66,367,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500) and rental of conference rooms in the District of Columbia and elsewhere, $24,723,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That

notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $311,563,000, to remain available until expended: Provided, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: Provided further, That, notwithstanding any other provision of law, not to exceed $108,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: Provided further, That, notwithstanding any other provision of law, not to exceed $21,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2012, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than $182,563,000: Provided further, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

Amounts in the Fund, including revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances;

care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $8,017,967,000, of which: (1) $50,000,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services): Provided, That the General Services Administration shall submit a detailed plan, by project, regarding the use of funds to the Committees on Appropriations of the House of Representatives and the Senate within 30 days of enactment of this section and will provide notification to the Committees within 15 days prior to any changes regarding the use of these funds; (2) $280,000,000 shall remain available until expended for repairs and alterations, which includes associated design and construction services, of which $260,000,000 is for Basic Repairs and Alterations and $20,000,000 is for a Judiciary Capital Security program: Provided further, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: Provided further, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2013 and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects; (3) $126,801,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $5,210,198,000 for rental of space which shall remain available until expended; and (5) $2,350,968,000 for building operations which shall remain available until expended: Provided fur-

ther, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2012, excluding reimbursements under 40 U.S.C. 592(b)(2) in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $61,115,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; the Civilian Board of Contract Appeals; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses; $69,500,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $58,000,000: Provided, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $12,400,000, to remain available until expended: Provided, That these funds may be transferred to Federal agencies to carry out the purpose of the Fund: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That such transfers may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken has been submitted to the Committees on Appropriations of the House of Representatives and the Senate.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $3,671,000.

FEDERAL CITIZEN SERVICES FUND

For necessary expenses of the Office of Citizen Services and Innovative Technologies, including services authorized by 5 U.S.C. 3109, $34,100,000, to be deposited into the Federal Citizen Services Fund: Provided, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Services activities in the aggregate amount not to exceed $90,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2012 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS AND RESCISSION)

SEC. 520. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 521. Funds in the Federal Buildings Fund made available for fiscal year 2012 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 522. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2013 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 523. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 524. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 525. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and the Senate prior to exercising any lease authority provided in the resolution.

SEC. 526. Section 1703 of title 41 U.S.C. is amended in paragraph (i)(6) by:

(1) deleting "for training"; and

(2) deleting "paragraph (2)" and inserting in lieu thereof "subparagraphs (A) and (C) to (J) of section 1122(a)(5) of this title".

SEC. 527. Of the amounts made available under the heading "Policy and Operations" for the maintenance, protection, and disposal of the U.S. Coast Guard Service Center at Governor's Island, New York and the Lorton Correctional Facility in Lorton, Virginia in prior years whether appropriated directly to the General Services Administration (GSA) or to any other agency of the Government and received by GSA for such purpose, $4,600,000 are rescinded.

SEC. 528. Within 120 days of enactment, the General Services Administration shall submit a detailed report to the Committees on Appropriations of the House of Representatives and the Senate that describes each program, project, or activity that is funded by appropriations to General Services Administration but is not under the control or direction, in statute or in practice, of the Administrator of General Services.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $748,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $40,258,000, to remain available until September 30, 2013, together with not to exceed $2,345,000, to remain available until September 30, 2013, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

For payment to the Morris K. Udall and Stewart L. Udall Trust Fund, pursuant to the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.), $2,200,000, to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act: (1) up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289); and (2) up to $1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102–259 (20 U.S.C. 5604(7)).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,792,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records

and related activities, as provided by law, and for expenses necessary for the review and declassification of documents and the activities of the Public Interest Declassification Board, and for necessary expenses in connection with the operations and maintenance of the electronic records archives to include all direct project costs associated with research, program management, and corrective and adaptive software maintenance, and for the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901 et seq.), including maintenance, repairs, and cleaning, $373,300,000: Provided, That all remaining balances appropriated in prior fiscal years under the heading "Electronic Records Archives" shall be transferred to this account.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,100,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $9,100,000, to remain available until expended: Provided, That from amounts made available for the Military Personnel Records Center requirement study under this heading in Public Law 108–199, the remaining unobligated balances shall be available to implement the National Archives and Records Administration Capital Improvement Plan: Provided further, That from amounts made available under this heading in Public Law 111–8 for construction costs and related services for building the addition to the John F. Kennedy Presidential Library and Museum and other necessary expenses, including renovating the Library as needed in constructing the addition, the remaining unobligated balances shall be available to implement the National Archives and Records Administration Capital Improvement Plan.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $5,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2012, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall be the amount authorized by section 307(a)(4)(A) of the Federal Credit Union Act (12 U.S.C. 1795f(a)(4)(A)): Provided, That administrative expenses of the Central Liquidity Facility in fiscal year 2012 shall not exceed $1,250,000.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $1,247,000 shall be available until September 30, 2013 for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $13,664,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $97,774,000, of which $6,004,000 shall remain available until expended for the Enterprise Human Resources Integration project, of which $642,000 may be for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management, and of which $1,416,000 shall remain available until expended for the Human Resources Line of Business project; and in addition $112,516,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: Provided, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM es-

tablished pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2012, accept donations of money, property, and personal services: Provided further, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $3,142,000, and in addition, not to exceed $21,174,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: Provided, That annuities authorized by the Act of May 29, 1944, and the Act of August 19, 1950 (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 107–304, and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $18,972,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), $14,304,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (5 U.S.C. 601 note), $900,000, to remain available until September 30, 2013.

RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Recovery Accountability and Transparency Board to carry out the provisions of title XV of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), and to develop and test information technology resources and oversight mechanisms to enhance transparency of and detect and remediate waste, fraud, and abuse in Federal spending, $28,350,000, to remain available until September 30, 2013.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,321,000,000, to remain available until expended; of which not less than $6,795,000 shall be for the Office of Inspector General; of which not to exceed $45,000 shall be available for a permanent secretariat for the International Organi-

zation of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence: Provided, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: Provided further, That not to exceed $1,321,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2012 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2012 appropriation from the general fund estimated at not more than $0.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $23,984,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: Provided further, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 108–447, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $417,348,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: Provided further, That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–

447, during fiscal year 2012: Provided further, That $112,500,000 shall be available to fund grants for performance in fiscal year 2012 or fiscal year 2013 as authorized by section 21 of the Small Business Act, to remain available until September 30, 2013: Provided further, That $20,000,000 shall remain available until September 30, 2013 for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: Provided further, That $7,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2013: Provided further, That $2,000,000 shall be for the Federal and State Technology Partnership Program under section 34 of the Small Business Act (15 U.S.C. 657d).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $16,267,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94–305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), $9,120,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $3,678,000, to remain available until expended, and for the cost of guaranteed loans as authorized by section 7(a) of the Small Business Act (Public Law 85–536) and section 503 of the Small Business Investment Act of 1958 (Public Law 85–699), $207,100,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2012 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: Provided further, That during fiscal year 2012 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $17,500,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: Provided further, That during fiscal year 2012 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $3,000,000,000: Provided further, That during fiscal year 2012, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $147,958,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, $117,300,000, to be available until expended, of which $1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which $110,300,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which $6,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 530. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration 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 paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 531. Section 7(d)(5)(D) of the Small Business Act (15 U.S.C. 636(d)(5)(D)) is amended by striking "three years" and inserting "7 years".

SEC. 532. Beginning in fiscal year 2013 and each fiscal year thereafter, the budget request for the Small Business Administration shall provided a detailed justification of any proposed changes from the enacted level by individual appropriation. The detailed justification shall include at a minimum a description of each credit and non-credit program including amount of funding and costs by appropriation account and fiscal year. For activities funded in multiple appropriations, the budget justification shall specify the amount included in each enacted appropriation, the amount proposed in the budget year and a justification for any proposed changes.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $78,153,000, which shall not be available for obligation until October 1, 2012: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided fur-

ther, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2012.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $241,468,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $51,079,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSIONS)

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, 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. 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 appropriations Act.

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Govern-

ment employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

SEC. 607. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2012, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: Provided, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2012 from appropriations made available for salaries and expenses for fiscal year 2012 in this Act, shall remain

available through September 30, 2013, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 612. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office of Personnel Management pursuant to court approval.

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 614. The provision of section 613 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Rev-

enue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 617. The Public Company Accounting Oversight Board shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board as of December 31, 2011, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2012 shall remain available until expended.

SEC. 618. From the unobligated balances of prior year appropriations made available for the Privacy and Civil Liberties Oversight Board, $998,000 are rescinded.

SEC. 619. Section 1107 of title 31, United States Code, is amended by adding to the end thereof the following: "The President shall transmit promptly to Congress without change, proposed deficiency and supplemental appropriations submitted to the President by the legislative branch and the judicial branch.".

SEC. 620. Notwithstanding section 708 of this Act, funds made available to the Commodity Futures Trading Commission and the Securities and Exchange Commission by this or any other Act may be used for the interagency funding and sponsorship of a joint advisory committee to advise on emerging regulatory issues.

SEC. 621. For purposes of Public Law 109–285, the period described in section 5134(f)(1)(B) of title 31, United States Code, shall be treated as a 2-year, 9-month period.

SEC. 622. The Help America Vote Act of 2002 (Public Law 107–252) is amended by:

(1) inserting in section 255(b)(42 U.S.C. 15405) "posted on the Commission's website with a notice" after "cause to have the plan";

(2) inserting in section 253(d)(42 U.S.C. 15403) "notice of" prior to "the State plan";

(3) inserting in section 254(a)(11)(42 U.S.C. 15404) "notice of" prior to "the change"; and

(4) inserting in section 254(a)(11)(C)(42 U.S.C. 15404) "notice of" prior to "the change".

SEC. 623. From the unobligated balances available in the Securities and Exchange Commission Reserve Fund established by section 991 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203), $25,000,000 are rescinded.

SEC. 624. The Department of the Treasury, the Executive Office of the President, the Judiciary, the Federal Communications Commission, the Federal Trade Commission, the General Services Administration, the National Archives and Records Administration, the Securities and Exchange Commission, and the Small Business Administration shall provide the Committees on Appropriations of the House and the Senate a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

SEC. 625. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property for office, meeting, storage, or other space must consult with the General Services Administration before issuing a solicita-

tion for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term "Executive agency covered by this Act" means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 626. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled "Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts" unless the Interagency Working Group on Food Marketed to Children complies with Executive Order 13563.

SEC. 627. None of the funds made available by this Act may be used to pay the salaries and expenses for the following positions:

(1) Director, White House Office of Health Reform.

(2) Assistant to the President for Energy and Climate Change.

(3) Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy.

(4) White House Director of Urban Affairs.

SEC. 628. None of the funds made available in this Act may be used by the Federal Communications Commission to remove the conditions imposed on commercial terrestrial operations in the Order and Authorization adopted by the Commission on January 26, 2011 (DA 11–133), or otherwise permit such operations, until the Commission has resolved concerns of potential widespread harmful interference by such commercial terrestrial operations to commercially available Global Positioning System devices.

SEC. 629. None of the funds made available by this Act may be expended for any new hire by any Federal agency funded in this Act that is not verified through the E-Verify Program established under section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 630. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 631. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted or had an officer or agent of such corporation acting on behalf of the corporation

convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 632. Section 8909a(d)(3)(A)(v) of title 5, United States Code, is amended by striking the date specified in such section and inserting "August 1, 2012".

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2012 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $13,197 except station wagons for which the maximum shall be $13,631: Provided, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: Provided further, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on emerging motor vehicle technology, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United

States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: Provided, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: Provided further, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: Provided further, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: Provided further, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: Provided further, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13423 (January 24, 2007), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding section 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 712. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to 5 U.S.C. 3302, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the National Geospatial-Intelligence Agency;

(5) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(6) the Bureau of Intelligence and Research of the Department of State;

(7) any agency, office, or unit of the Army, Navy, Air Force, or Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation or the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, or the Department of Energy performing intelligence functions; or

(8) the Director of National Intelligence or the Office of the Director of National Intelligence.

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 715. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act of 1989 (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.": Provided, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) Effective 180 days after enactment of this Act, subsection (a) is amended by—

(1) striking "Executive Order No. 12958" and inserting "Executive Order No. 13526 (75 Fed. Reg. 707), or any successor thereto";

(2) after "the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents);" inserting "sections 7(c) and 8H of the Inspector General Act of 1978 (5 U.S.C. App.) (relating to disclosures to an inspector general, the inspectors general

of the Intelligence Community, and Congress); section 103H(g)(3) of the National Security Act of 1947 (50 U.S.C. 403–3h(g)(3) (relating to disclosures to the inspector general of the Intelligence Community); sections 17(d)(5) and 17(e)(3) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q(d)(5) and 403q(e)(3)) (relating to disclosures to the Inspector General of the Central Intelligence Agency and Congress);"; and

(3) after "Subversive Activities" inserting "Control".

(c) A nondisclosure agreement entered into before the effective date of the amendment in subsection (b) may continue to be implemented and enforced after that effective date if it complies with the requirements of subsection (a) that were in effect prior to the effective date of the amendment in subsection (b).

SEC. 716. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 717. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 718. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 719. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 720. (a) In this section, the term "agency"—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the Postal Service, and the Postal Regulatory Commission.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

(TRANSFER OF FUNDS)

SEC. 722. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: Provided, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): Provided further, That the total funds transferred or reimbursed shall not exceed $17,000,000 for Government-Wide innovations, initiatives, and activities: Provided further, That the funds transferred to or for reimbursement of "General Services Administration, Government-wide Policy" during fiscal year 2012 shall remain available for obligation through September 30, 2013: Provided further, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 723. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 724. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 725. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: Provided, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 726. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 727. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 728. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through test-

ing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 729. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 730. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 731. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 732. (a) For fiscal year 2012, no funds shall be available for transfers or reimbursements to the E-Government initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget and receipt of approval to transfer funds by the Committees on Appropriations of the House of Representatives and the Senate.

(b) The report in subsection (a) and other required justification materials shall include at a minimum—

(1) a description of each initiative including but not limited to its objectives, benefits, development status, risks, cost effectiveness (including estimated net costs or savings to the government), and the estimated date of full operational capability;

(2) the total development cost of each initiative by fiscal year including costs to date, the estimated costs to complete its development to full operational capability, and estimated annual operations and maintenance costs; and

(3) the sources and distribution of funding by fiscal year and by agency and bureau for each initiative including agency contributions to date and estimated future contributions by agency.

(c) No funds shall be available for obligation or expenditure for new E-Government initiatives without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 733. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 734. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 735. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) and regulations implementing that section.

SEC. 736. Each executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. Such evaluations for individually billed travel charge cards shall include an assessment of the individual's consumer report from a consumer reporting agency as those terms are defined in section 603 of the Fair Credit Reporting Act (Public Law 91–508): Provided, That the department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: Provided further, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

SEC. 737. (a) DEFINITIONS.—For purposes of this section the following definitions apply:

(1) GREAT LAKES.—The terms "Great Lakes" and "Great Lakes State" have the same meanings as such terms have in section 506 of the Water Resources Development Act of 2000 (42 U.S.C. 1962d–22).

(2) GREAT LAKES RESTORATION ACTIVITIES.—The term "Great Lakes restoration activities" means any Federal or State activity primarily or entirely within the Great Lakes watershed that seeks to improve the overall health of the Great Lakes ecosystem.

(b) REPORT.—Not later than 45 days after submission of the budget of the President to Congress, the Director of the Office of Management and Budget, in coordination with the Governor of each Great Lakes State and the Great Lakes Interagency Task Force,

shall submit to the appropriate authorizing and appropriating committees of the Senate and the House of Representatives a financial report, certified by the Secretary of each agency that has budget authority for Great Lakes restoration activities, containing—

(1) an interagency budget crosscut report that—

(A) displays the budget proposed, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carries out Great Lakes restoration activities in the upcoming fiscal year, separately reporting the amount of funding to be provided under existing laws pertaining to the Great Lakes ecosystem; and

(B) identifies all expenditures since fiscal year 2004 by the Federal Government and State governments for Great Lakes restoration activities;

(2) a detailed accounting of all funds received and obligated by all Federal agencies and, to the extent available, State agencies using Federal funds, for Great Lakes restoration activities during the current and previous fiscal years;

(3) a budget for the proposed projects (including a description of the project, authorization level, and project status) to be carried out in the upcoming fiscal year with the Federal portion of funds for activities; and

(4) a listing of all projects to be undertaken in the upcoming fiscal year with the Federal portion of funds for activities.

SEC. 738. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 739. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled "Competitive Area" published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 740. Section 743 of the Consolidated Appropriations Act, 2010 (Public Law 111–117; 31 U.S.C. 501 note) is amended in subsection (a)(3), by inserting after "exercise of an option" the following: ", and task orders issued under any such contract,".

SEC. 741. During fiscal year 2012, for each employee who—

(1) retires under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code, or

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit

to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 742. Except as expressly provided otherwise, any reference to "this Act" contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

SEC. 743. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract to disclose any of the following information as a condition of submitting the offer:

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any person with the intent or the reasonable expectation that the person will use the funds to make a payment described in paragraph (1).

(b) In this section, each of the terms "contribution", "expenditure", "independent expenditure", "electioneering communication", "candidate", "election", and "Federal office" has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

SEC. 744. Notwithstanding any other provision of law, until September 30, 2013, of the amounts made available for information technology investments under the heading "Independent Agencies, Commodity Futures Trading Commission" in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012 (division A of Public Law 112–55), the Chairman of the Commodity Futures Trading Commission may transfer not to exceed $10,000,000 under such heading for salaries and expenses of such Commission: Provided, That any transfer pursuant to this section shall be subject to the notification procedures set forth in section 730 of such Act with respect to a reprogramming of funds and shall not be available for obligation or expenditure except in compliance with such procedures.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

SEC. 801. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 802. None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of

any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2012, 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 expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

unless the Committees on Appropriations of the House of Representatives and the Senate are notified in writing 15 days in advance of the reprogramming.

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 1, 2012.

SEC. 804. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or a District of Columbia government employee as may otherwise be designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia

Department of Corrections who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Director;

(4) the Mayor of the District of Columbia; and

(5) the Chairman of the Council of the District of Columbia.

SEC. 806. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 807. None of the Federal funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution.

SEC. 808. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 809. Hereafter, as part of the submission of the annual budget justification, the Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report addressing—

(1) crime, including the homicide rate, implementation of community policing, and the number of police officers on local beats;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs, the retention rates in treatment programs, and the recidivism/re-arrest rates for treatment participants;

(3) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools, repeated grade rates, high school graduation rates, and post-secondary education attendance rates;

(4) improvement in basic District services, including rat control and abatement; and

(5) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received.

SEC. 810. None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

SEC. 811. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 812. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2012 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency for which the Chief Financial Officer for the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 813. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, Sec. 1–204.42).

SEC. 814. Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

SEC. 815. Notwithstanding any other laws, for this and succeeding fiscal years, the Director of the District of Columbia Public Defender Service shall, to the extent the Director considers appropriate, provide representation for and hold harmless, or provide liability insurance for, any person who is an employee, member of the Board of Trustees, or officer of the District of Columbia Public Defender Service for money damages arising out of any claim, proceeding, or case at law relating to the furnishing of representational services or management services or related services while acting within the scope of that person's office or employment, including, but not limited to such claims, proceedings, or cases at law involving employment actions, injury, loss of liberty, property damage, loss of property, or personal injury, or death arising from malpractice or negligence of any such officer or employee.

SEC. 816. Section 346 of the District of Columbia Appropriations Act, 2005 (Public Law 108–335) is amended—

(1) in the title, by striking "BIENNIAL";

(2) in subsection (a), by striking "Biennial management" and inserting "Management";

(3) in subsection (a), by striking "States." and inserting "States every five years."; and

(4) in subsection (b)(6), by striking "2" and inserting "5".

SEC. 817. Except as expressly provided otherwise, any reference to "this Act" contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

This division may be cited as the "Financial Services and General Government Appropriations Act, 2012".

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2012

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $133,159,000: Provided, That not to exceed $51,000 shall be for official reception and representation expenses, of which $17,000 shall be made available to the Office of Policy for Visa Waiver Program negotiations in Washington, DC, and for other international activities: Provided further, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: Provided further, That of the total amount made available under this heading, $1,800,000 shall remain available until March 30, 2012, for the Office of Counternarcotics Enforcement, of which up to $1,800,000 may, notwithstanding section 503 of this Act, be transferred to the Office of Policy: Provided further, That amounts transferred pursuant to the preceding proviso shall remain available until September 30, 2012: Provided further, That the Assistant Secretary for Policy shall submit to the Committees on Appropriations of the Senate and the House of Representatives not later than March 30, 2012, an expenditure plan for the Office of Policy which includes a detailed description of any funds transferred to the Office for counternarcotics enforcement and activities related to risk management and analysis: Provided further, That $30,000,000 shall not be available for obligation until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives a comprehensive plan for implementation of the biometric air exit system, as mandated in Public Law 110–53, including the estimated costs of implementation.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $235,587,000, of which not to exceed $2,500 shall be for official reception and representation expenses: Provided, That of the total amount made available under this heading, $5,000,000 shall remain available until September 30, 2016, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and $14,172,000 shall remain available until September 30, 2014, for the Human Resources Information Technology program: Provided further, That the Under Secretary for Management shall, pursuant to the requirements contained in the joint statement of managers accompanying this Act, provide to the Committees on Appropriations of the Senate and the House of Representatives a Comprehensive Acquisition Status Report with the President's budget for fiscal year 2013 as submitted under section 1105(a) of title 31, United States Code, and quarterly updates to such report not later than 30 days after the completion of each quarter.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $50,860,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $257,300,000; of which $105,500,000 shall be available for salaries and expenses; and of which $151,800,000, to remain available until September 30, 2014, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security: Provided, That the Department of Homeland Security Chief Information Officer shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan, to include each of fiscal years 2012 through 2015, for all information technology acquisition projects funded under this heading or funded by multiple components of the Department of Homeland Security through reimbursable agreements, that includes—

(1) the proposed appropriations included for each project and activity tied to mission requirements, program management capabilities, performance levels, and specific capabilities and services to be delivered;

(2) the total estimated cost and projected timeline of completion for all multi-year enhancements, modernizations, and new capabilities that are proposed in such budget or underway;

(3) a detailed accounting of operations and maintenance and contractor services costs; and

(4) a current acquisition program baseline for each project, that—

(A) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline;

(B) aligns the acquisition programs covered by the baseline to mission requirements by defining existing capabilities, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how each increment will address such known capability gaps; and

(C) defines life-cycle costs for such programs.

ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $338,068,000; of which not to exceed $4,250 shall be for official reception and representation expenses; and of which $141,521,000 shall remain available until September 30, 2013.

OFFICE OF 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.), $117,000,000, of which not to exceed $300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $8,680,118,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed $38,250 shall be for official reception and representation expenses; of which not less than $287,901,000 shall be for Air and Marine Operations; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed

$150,000 shall be available for payment for rental space in connection with preclearance operations; of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: Provided, That for fiscal year 2012, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act may be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: Provided further, That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year: Provided further, That the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the Senate and the House of Representatives, with the congressional budget justification, a multi-year investment and management plan, to include each fiscal year starting with the current fiscal year and the 3 subsequent fiscal years, for inspection and detection technology supporting operations under this heading, including all non-intrusive inspection and radiation detection technology, that provides—

(1) the funding level for all inspection and detection technology equipment by source;

(2) the inventory of inspection and detection technology equipment by type and age;

(3) the proposed appropriations for procurement of inspection and detection technology equipment by type, including quantity, for deployment, and for operations and maintenance;

(4) projected funding levels for procurement of inspection and detection technology equipment by type, including quantity, for deployment, and for operations and maintenance for each of the 3 subsequent fiscal years; and

(5) a current acquisition program baseline that—

(A) aligns the acquisition of each technology to mission requirements by defining existing capabilities of comparable legacy technology assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each technology will address such known capability gaps;

(B) defines life-cycle costs for each technology, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the technology; and

(C) includes a phase-out and decommissioning schedule delineated by fiscal year for existing legacy technology assets that each technology is intended to replace or recapitalize.

AUTOMATION MODERNIZATION

For expenses for U.S. Customs and Border Protection automated systems, $334,275,000, to remain available until September 30, 2014, of which not less than $140,000,000 shall be for the development of the Automated Commercial Environment: Provided, That of the total amount made available under this heading, $25,000,000 may not be obligated for the Automated Commercial Environment program until the Commissioner of U.S. Customs and Border Protection submits to the Committees on Appropriations of the Senate and the House of Representatives, not later than 60 days after the date of enactment of this Act, an expenditure plan for the Automated Commercial Environment program including results to date, plans for the program, and a list of projects with associated funding from prior appropriations and provided by this Act.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, $400,000,000, to remain available until September 30, 2014: Provided, That of the total amount made available under this heading, $60,000,000 shall not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive a detailed plan for expenditure, prepared by the Commissioner of U.S. Customs and Border Protection, and submitted not later than 90 days after the date of enactment of this Act, for a program to establish and maintain a security barrier along the borders of the United States of fencing and vehicle barriers, where practicable, and of other forms of tactical infrastructure and technology: Provided further, That the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan for the Border Security Fencing, Infrastructure, and Technology account, that includes for each tactical infrastructure and technology deployment—

(1) the funding level in that budget and projected funding levels for each of the next 3 fiscal years, including a description of the purpose of such funds;

(2) the deployment plan, by border segment, that aligns each deployment to mission requirements by defining existing capabilities, identifying known capability gaps between such existing capabilities and stated mission requirements related to achieving operational control, and explaining how each tactical infrastructure or technology deployment will address such known capability gaps; and

(3) a current acquisition program baseline that—

(A) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the most recent acquisition program baseline approved by the Department of Homeland Security Acquisition Review Board;

(B) includes a phase-out and life-cycle recapitalization schedule delineated by fiscal year for existing and new tac-

tical infrastructure and technology deployments that each deployment is intended to replace or recapitalize; and

(C) includes qualitative performance metrics that assess the effectiveness of new and existing tactical infrastructure and technology deployments and inform the next multi-year investment and management plan related to achieving operational control of the Northern and Southwest borders of the United States.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, and other related equipment of the air and marine program, including operational training and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $503,966,000, to remain available until September 30, 2014: Provided, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2012 without the prior approval of the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, on the update to the 5-year strategic plan for the air and marine program directed in conference report 109–241 accompanying Public Law 109–90 that addresses missions, structure, operations, equipment, facilities, and resources including deployment and command and control requirements, and includes a recapitalization plan with milestones and funding, and a detailed staffing plan with associated costs to achieve full staffing to meet all mission requirements.

CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, $236,596,000, to remain available until September 30, 2016: Provided, That for fiscal year 2012 and thereafter, the annual budget submission of U.S. Customs and Border Protection for "Construction and Facilities Management" shall, in consultation with the General Services Administration, include a detailed 5-year plan for all Federal land border port of entry projects with a yearly update of total projected future funding needs delineated by land port

of entry: Provided further, That the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, an inventory of the real property of U.S. Customs and Border Protection and a plan for each activity and project proposed for funding under this heading that includes the full cost by fiscal year of each activity and project proposed and underway in fiscal year 2013.

U.S. Immigration and Customs Enforcement

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; $5,528,874,000; of which not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed $12,750 shall be for official reception and representation expenses; of which not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than $305,000 shall be for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; of which not less than $5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: Provided, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: Provided further, That of the total amount provided, $15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed $6,000,000 shall remain available until expended: Provided further, That of the total amount available, not less than $1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable, of which $189,064,000 shall remain available until September 30, 2013: Provided further, That the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 45 days after the end of each quarter of the fiscal year, on progress in implementing the preceding proviso and the funds obligated during that quarter to make such progress: Provided further, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: Provided further, That funding made available under this heading shall

maintain a level of not less than 34,000 detention beds through September 30, 2012: Provided further, That of the total amount provided, not less than $2,750,843,000 is for detention and removal operations, including transportation of unaccompanied minor aliens: Provided further, That of the total amount provided, $10,300,000 shall remain available until September 30, 2013, for the Visa Security Program: Provided further, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been violated: Provided further, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system: Provided further, That nothing under this heading shall prevent U.S. Immigration and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime.

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, $21,710,000, to remain available until September 30, 2016.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $5,253,956,000, to remain available until September 30, 2013, of which not to exceed $8,500 shall be for official reception and representation expenses: Provided, That of the total amount made available under this heading, not to exceed $4,167,631,000 shall be for screening operations, of which $543,103,000 shall be available for explosives detection systems; $204,768,000 shall be for checkpoint support; and not to exceed $1,086,325,000 shall be for aviation security direction and enforcement: Provided further, That of the amount made available in the preceding proviso for explosives detection systems, $222,738,000 shall be available for the purchase and installation of these systems, of which not less than 10 percent shall be available for the purchase and installation of certified explosives detection systems at medium- and small-sized airports: Provided further, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: Provided further, That security service fees authorized under section 44940 of title 49,

United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: Provided further, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2012 so as to result in a final fiscal year appropriation from the general fund estimated at not more than $3,223,956,000: Provided further, That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2013: Provided further, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2012, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a): Provided further, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 46,000 full-time equivalent screeners: Provided further, That the preceding proviso shall not apply to personnel hired as part-time employees: Provided further, That not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed report on—

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

Provided further, That Members of the United States House of Representatives and United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, $134,748,000, to remain available until September 30, 2013.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, $163,954,000, to remain available until September 30, 2013.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $1,031,926,000, to remain available until September 30, 2013: Provided, That of the funds appropriated under this heading, $20,000,000 may not be obligated for headquarters administration until the Administrator of the Transportation Security Administration submits to the Committees on Appropriations of the Senate and the House of Representatives detailed expenditure plans for air cargo security, checkpoint support, and explosives detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2012: Provided further, That these plans shall be submitted not later than 60 days after the date of enactment of this Act.

FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshals, $966,115,000.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than $700,000) and repairs and service-life replacements, not to exceed a total of $31,000,000; purchase or lease of boats necessary for overseas deployments and activities; minor shore construction projects not exceeding $1,000,000 in total cost at any location; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $7,051,054,000, of which $598,000,000 shall be for defense-related activities, of which $258,000,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed $17,000 shall be for official reception and representation expenses: Provided, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: Provided further, That the Coast Guard shall

comply with the requirements of section 527 of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 4331 note) with respect to the Coast Guard Academy: Provided further, That of the funds provided under this heading, $75,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a revised future-years capital investment plan for fiscal years 2013 through 2017, as specified under the heading Coast Guard "Acquisition, Construction, and Improvements" of this Act is submitted to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $13,500,000, to remain available until September 30, 2016.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; $134,278,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment; as authorized by law; $1,403,924,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which $20,000,000 shall remain available until September 30, 2016, for military family housing, of which not more than $14,000,000 shall be derived from the Coast Guard Housing Fund, established pursuant to 14 U.S.C. 687; of which $642,000,000 shall be available until September 30, 2016, to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; of which $289,900,000 shall be available until September 30, 2016, to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; of which $161,140,000 shall be available until September 30, 2016, for other acquisition programs; of which $180,692,000 shall be available until September 30, 2016, for shore facilities and aids to navigation, including waterfront facilities at Navy installations used by the Coast Guard; of which $110,192,000 shall be available for personnel compensation and benefits and related costs: Provided, That the funds provided by this Act shall be immediately available and allotted to contract for long lead time materials, components, and designs for the sixth National Security Cutter notwithstanding the availability of funds for production costs or post-production costs: Provided further, That the Secretary of Homeland Security shall

submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each requested capital asset—

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until acquisition program baseline or project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(A) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year funds requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(B) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline and the most recent baseline approved by the Department of Homeland Security's Acquisition Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing capabilities of comparable legacy assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(F) includes the earned value management system summary schedule performance index and cost performance index for each asset, if applicable; and

(G) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

Provided further, That the Secretary of Homeland Security shall ensure that amounts specified in the future-years capital investment

plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget as submitted under section 1105(a) of title 31, United States Code, for that fiscal year: Provided further, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: Provided further, That subsections (a) and (b) of section 6402 of Public Law 110–28 shall apply with respect to the amounts made available under this heading.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $27,779,000, to remain available until September 30, 2016, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,440,157,000, to remain available until expended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants

to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; $1,661,237,000, of which not to exceed $21,250 shall be for official reception and representation expenses; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which $2,366,000 shall be for forensic and related support of investigations of missing and exploited children; and of which $6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2013: Provided, That up to $18,000,000 for protective travel shall remain available until September 30, 2013: Provided further, That up to $19,307,000 for National Special Security Events shall remain available until September 30, 2013: Provided further, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: Provided further, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: Provided further, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: Provided further, That the Director of the United States Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: Provided further, That of the total amount made available under this heading, $43,843,000, to remain available until September 30, 2014, is for information integration and technology transformation: Provided further, That $20,000,000 made available in the preceding proviso shall not be obligated to purchase or install information technology equipment until the Department of Homeland Security Chief Information Officer submits a report to the Committees on Appropriations of the Senate and the House of Representatives certifying that all plans for integration and transformation are consistent with Department of Homeland Security data center migration and enterprise architecture requirements: Provided further, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of facilities, $5,380,000, to remain available until September 30, 2016.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for the National Protection and Programs Directorate, support for operations, information technology, and the Office of Risk Management and Analysis, $50,695,000: Provided, That not to exceed $4,250 shall be for official reception and representation expenses: Provided further, That, subject to section 503 of this Act, the Secretary of Homeland Security may transfer up to $4,241,000 to the Office of Policy under the heading Departmental Management and Operations "Office of the Secretary and Executive Management" for activities related to risk management and analysis: Provided further, That in the preceding proviso notification shall take place not later than 90 days after the date of enactment of this Act: Provided further, That any funds not transferred pursuant to the penultimate proviso shall be available solely to close out the Office of Risk Management and Analysis not later than September 30, 2012, and shall not be available for further transfer or reprogramming pursuant to section 503 of this Act.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $888,243,000, of which $200,000,000 shall remain available until September 30, 2013: Provided, That the Under Secretary for the National Protection and Programs Directorate shall submit a plan for expenditure for the National Cyber Security Division and the Office of Infrastructure Protection, to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service: Provided, That the Secretary of Homeland Security and the Director of the Office of Management and Budget shall certify in writing to the Committees on Appropriations of the Senate and the House of Representatives not later than December 31, 2011, that the operations of the Federal Protective Service will be fully funded in fiscal year 2012 through revenues and collection of security fees, and shall adjust the

fees to ensure fee collections are sufficient to ensure that the Federal Protective Service maintains not fewer than 1,371 full-time equivalent staff and 1,007 full-time equivalent Police Officers, Inspectors, Area Commanders, and Special Agents who, while working, are directly engaged on a daily basis protecting and enforcing laws at Federal buildings (referred to as "in-service field staff"): Provided further, That an expenditure plan for fiscal year 2012 shall be provided to the Committees on Appropriations of the Senate and the House of Representatives not later than 60 days after the date of enactment of this Act: Provided further, That the Director of the Federal Protective Service shall include with the submission of the President's fiscal year 2013 budget a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY

For necessary expenses for the United States Visitor and Immigrant Status Indicator Technology program, as authorized by section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a), $306,802,000, of which $9,400,000 is for development of a comprehensive plan for implementation of biometric air exit and improvements to biographic entry-exit capabilities: Provided, That of the total amount made available under this heading, $194,295,000 is to remain available until September 30, 2014: Provided further, That of the total amount provided, $50,000,000 may not be obligated for the United States Visitor and Immigrant Status Indicator Technology program until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan, to include each fiscal year starting with the current fiscal year, and the following 3 fiscal years, for the United States Visitor and Immigrant Status Indicator Technology program that includes—

(1) the proposed appropriations for each activity tied to mission requirements and outcomes, program management capabilities, performance levels, and specific capabilities and services to be delivered, noting any deviations in cost or performance from the prior fiscal year expenditure or investment and management plan;

(2) the total estimated cost, projected funding by fiscal year, and projected timeline of completion for all enhancements, modernizations, and new capabilities proposed in such budget and underway, including and clearly delineating associated efforts and funds requested by other agencies within the Department of Homeland Security and in the Federal Government, and detailing any deviations in cost, performance, schedule, or estimated date of completion provided in the prior fiscal year expenditure or investment and management plan; and

(3) a detailed accounting of operations and maintenance, contractor services, and program costs associated with the management of identity services.

OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, $167,449,000; of which $29,671,000 is for salaries and expenses and $90,164,000 is for BioWatch operations: Provided, That $47,614,000 shall remain available until September 30, 2013, for biosurveillance, BioWatch Generation 3, chemical defense, medical and health planning and coordination, and workforce health protection: Provided further, That not to exceed $2,500 shall be for official reception and representation expenses: Provided further, That the Assistant Secretary for the Office of Health Affairs shall submit an expenditure plan for fiscal year 2012 to the Committees on Appropriations of the Senate and the House of Representatives not later than 60 days after the date of enactment of this Act.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, $895,350,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), and the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394): Provided, That not to exceed $2,500 shall be for official reception and representation expenses: Provided further, That the Administrator of the Federal Emergency Management Agency may reprogram funds made available under this heading between programs, projects, and activities prior to April 16, 2012, notwithstanding section 503 of this Act: Provided further, That $1,400,000 of the funds available for the Office of the Administrator of the Federal Emergency Management Agency shall not be available for obligation until the Administrator of the Federal Emergency Management Agency submits to the Committees on Appropriations of the Senate and the House of Representatives the National Preparedness Report required by Public Law 109–295 and a comprehensive plan to implement a system to measure the effectiveness of grants to State and local communities in fiscal year 2012: Provided further, That for purposes of planning, coordination, execution, and decision making related to mass evacuation during a disaster, the Governors of the State of West Virginia and the Commonwealth of Pennsylvania, or their designees, shall be incorporated into efforts to integrate the activities of Federal, State, and local governments in the National Capital Region, as defined in section 882 of the Homeland Security Act of 2002 (Public Law 107–296): Provided further, That of the total amount made available under this heading, $41,250,000 shall be for the Urban Search and Rescue Response System, of which not to exceed $1,600,000 may be made available for administrative costs; $5,493,000 shall be for the Office of National Capital Region

Coordination; not to exceed $12,000,000 shall remain available until September 30, 2013, for capital improvements at the Mount Weather Emergency Operations Center; and not less than $13,662,000 shall be for expenses related to modernization of automated systems: Provided further, That the Administrator of the Federal Emergency Management Agency, in consultation with the Department of Homeland Security Chief Information Officer, shall submit to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan, not later than 180 days after the date of enactment of this Act, for the funds specified in the preceding proviso related to modernization of automated systems, that includes—

(1) a comprehensive plan to automate and modernize information systems to resolve current inefficiencies, integrate data, and aid in better performance of executing the Agency-wide mission;

(2) a description of the appropriations for each project and activity tied to mission requirements and outcomes, program management capabilities, performance levels, and specific capabilities and services to be delivered;

(3) the total estimated cost and projected timeline of completion for all multi-year enhancements, modernizations, and new capabilities proposed and underway covering a period of no less than 3 years;

(4) a detailed accounting of operations and maintenance and contractor services costs; and

(5) the current or planned acquisition programs including—

(A) how the programs align to mission requirements by defining existing capabilities, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how each increment will address a known capability gap;

(B) how programs provide quantifiable information that aids in understanding national emergency management capabilities;

(C) how programs ensure information sharing among homeland security partners; and

(D) life-cycle costs for all acquisitions.

STATE AND LOCAL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other activities, $1,349,681,000, which shall be distributed, according to threat, vulnerability, and consequence, at the discretion of the Secretary of Homeland Security based on the following authorities:

(1) The State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605): Provided, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2012, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) The Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604).

(3) The Metropolitan Medical Response System under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

(4) The Citizen Corps Program.

(5) Public Transportation Security Assistance and Railroad Security Assistance, under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135 and 1163), including Amtrak security: Provided, That such public transportation security assistance shall be provided directly to public transportation agencies.

(6) Over-the-Road Bus Security Assistance under section 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1182).

(7) Port Security Grants in accordance with 46 U.S.C. 70107.

(8) The Driver's License Security Grants Program in accordance with section 204 of the REAL ID Act of 2005 (49 U.S.C. 30301 note).

(9) The Interoperable Emergency Communications Grant Program under section 1809 of the Homeland Security Act of 2002 (6 U.S.C. 579).

(10) Emergency Operations Centers under section 614 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c).

(11) Buffer Zone Protection Program Grants.

(12) Organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary to be at high risk of a terrorist attack:

Provided, That of the amount provided under this heading, $50,000,000 shall be for Operation Stonegarden and no less than $100,000,000 shall be for areas at the highest threat of a terrorist attack: Provided further, That $231,681,000 shall be for training, exercises, technical assistance, and other programs, of which $155,500,000 shall be for training of State, local, and tribal emergency response providers: Provided further, That for grants under paragraphs (1) through (12), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application: Provided further, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)), or any other provision of law, a grantee may use not more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: Provided further, That 6.8 percent of the amounts provided under this heading shall be transferred to the Federal Emergency Management Agency "Salaries and Expenses" account for program administration: Provided further, That for grants under paragraphs (1) and (2), the installation of communication towers is not considered construction of a building or other physical facility: Provided further, That grantees shall pro-

vide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: Provided further, That in fiscal year 2012: (a) the Center for Domestic Preparedness may provide training to emergency response providers from the Federal Government, foreign governments, or private entities, if the Center for Domestic Preparedness is reimbursed for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure being reimbursed was made and shall be available, without fiscal year limitation, for the purposes for which amounts in the account may be expended; (b) the head of the Center for Domestic Preparedness shall ensure that any training provided under (a) does not interfere with the primary mission of the Center to train state and local emergency response providers; and (c) subject to (b), nothing in (a) prohibits the Center for Domestic Preparedness from providing training to employees of the Federal Emergency Management Agency in existing chemical, biological, radiological, nuclear, explosives, mass casualty, and medical surge courses pursuant to 5 U.S.C. 4103 without reimbursement for the cost of such training.

FIREFIGHTER ASSISTANCE GRANTS

For necessary expenses for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $675,000,000, to remain available until September 30, 2013, of which $337,500,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and $337,500,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a): Provided, That not to exceed 5 percent of the amount available under this heading shall be available for program administration.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For necessary expenses for emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), $350,000,000: Provided, That total administrative costs shall not exceed 3 percent of the total amount appropriated under this heading.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2012, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: Provided, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: Provided further, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2012, and remain available until expended.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), $44,038,000.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $700,000,000, to remain available until expended, of which $24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: Provided, That the Administrator of the Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds made available in this or any other Act for disaster readiness and support not later than 60 days after the date of enactment of this Act: Provided further, That the Administrator of the Federal Emergency Management Agency shall submit to such Committees a quarterly report detailing obligations against the expenditure plan and a justification for any changes from the initial plan: Provided further, That the matter under this heading in title III of division E of Public Law 110–161 is amended by striking the fourth proviso: Provided further, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code:

(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

(C) the amount of obligations for non-catastrophic events for the budget year;

(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond;

(F) the amount of previously obligated funds that will be recovered for the budget year;

(G) the amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section

102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), surge activities, and disaster readiness and support activities;

(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii); Public Law 99–177);

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month beginning with the first full month after the date of enactment of this Act:

(A) a summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made;

(B) a table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered;

(C) a summary of allocations, obligations, and expenditures for catastrophic events delineated by event; and

(D) the date on which funds appropriated will be exhausted.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For activities under section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162), $295,000 is for the cost of direct loans: Provided, That gross obligations for the principal amount of direct loans shall not exceed $25,000,000: Provided further, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), $97,712,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), $171,000,000, which shall be derived

from offsetting collections assessed and collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which not to exceed $22,000,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than $149,000,000 shall be available for flood plain management and flood mapping, which shall remain available until September 30, 2013: Provided, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: Provided further, That in fiscal year 2012, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017) in excess of:

(1) $132,000,000 for operating expenses;

(2) $1,007,571,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $60,000,000, which shall remain available until expended for flood mitigation actions; of which not less than $10,000,000 is for severe repetitive loss properties under section 1361A of the National Flood Insurance Act of 1968 (42 U.S.C. 4102a); of which $10,000,000 shall be for repetitive insurance claims properties under section 1323 of the National Flood Insurance Act of 1968 (42 U.S.C. 4030); and of which $40,000,000 shall be for flood mitigation assistance under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), notwithstanding subparagraphs (B) and (C) of subsection (b)(3) and subsection (f) of section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) and notwithstanding subsection (a)(7) of section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017):

Provided further, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(i) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Insurance Act of 1968, notwithstanding subsection (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8) and subsection 1366(i) and paragraphs (2) and (3) of section 1367(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(i), 4104d(b)(2)–(3)): Provided further, That total administrative costs shall not exceed 4 percent of the total appropriation.

NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), $35,500,000, to remain available until expended: Provided, That the total administrative costs associated with such grants shall not exceed $3,000,000 of the total amount made available under this heading.

EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), $120,000,000, to remain available until expended: Provided, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $102,424,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: Provided, That notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: Provided further, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $238,957,000; of which up to $48,978,000 shall remain available until September 30, 2013, for materials and support costs of Federal law enforcement basic training; of which $300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed $10,200 shall be for official reception and representation expenses: Provided, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That section 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as amended by Public Law 111–83 (123 Stat. 2166), is further amended by striking "December 31,

2012" and inserting "December 31, 2014": Provided further, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: Provided further, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $32,456,000, to remain available until September 30, 2016: Provided, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $135,000,000: Provided, That not to exceed $8,500 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, $533,000,000, of which $356,500,000, to remain available until September 30, 2014; and of which $176,500,000, to remain available until September 30, 2016, solely for operation and construction of laboratory facilities.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, $38,000,000: Provided, That not to exceed $2,500 shall be for official reception and representation expenses: Provided further, That not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall sub-

mit to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan of investments necessary to implement the Department of Homeland Security's responsibilities under the domestic component of the global nuclear detection architecture that shall:

(1) define each Departmental entity's roles and responsibilities in support of the domestic detection architecture, including any existing or planned programs to pre-screen cargo or conveyances overseas;

(2) identify and describe the specific investments being made by Departmental organizations in fiscal year 2012, and planned for fiscal year 2013, to support the domestic architecture and the security of sea, land, and air pathways into the United States;

(3) describe the investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and

(4) explain how the Department's research and development funding is furthering the implementation of the domestic nuclear detection architecture, including specific investments planned for each of fiscal years 2012 and 2013.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, $215,000,000, to remain available until September 30, 2014.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $37,000,000, to remain available until September 30, 2014.

TITLE V

GENERAL PROVISIONS

SEC. 501. 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. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2012, 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 a new program, project, or activity;

(2) eliminates a program, project, office, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2012 Budget Appendix for the Department of Homeland Security, as modified by the joint explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2012, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or reduces the numbers of personnel by 10 percent as approved by the Congress; or

(3) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: Provided, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103–

356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2012: Provided, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2012 budget: Provided further, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: Provided further, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: Provided further, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: Provided further, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: Provided further, That the Working Capital Fund shall be subject to the requirements of section 503 of this Act.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2012 from appropriations for salaries and expenses for fiscal year 2012 in this Act shall remain available through September 30, 2013, in the account and for the purposes for which the appropriations were provided: Provided, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2012 until the enactment of an Act authorizing intelligence activities for fiscal year 2012.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

(1) make or award a grant allocation, grant, contract, other transaction agreement, task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of $1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Department of Homeland Security funds or a task or delivery order that would cause cumulative obligations of multi-year funds in a single account to exceed 50 percent of the total amount appropriated; or

(3) announce publicly the intention to make or award items under paragraph (1) or (2), including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of

the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award, the fiscal year for which the funds for the award were appropriated, and the account from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under "State and Local Programs".

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. Sections 520, 522, and 530, of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act (41 U.S.C. 10a et seq.).

SEC. 512. None of the funds made available in this Act may be used by any person other than the Privacy Officer appointed under subsection (a) of section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142(a)) to alter, direct that changes be made to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such subsection.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 514. Within 45 days after the end of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees for each office of the Department.

SEC. 515. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Manage-

ment and Budget Circular A–76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SEC. 516. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration "Aviation Security", "Administration", and "Transportation Security Support" for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: Provided, That quarterly reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 517. Any funds appropriated to Coast Guard "Acquisition, Construction, and Improvements" for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 518. Section 532(a) of Public Law 109–295 (120 Stat. 1384) is amended by striking "2011" and inserting "2012".

SEC. 519. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 520. (a) Except as provided in subsection (b), none of the funds appropriated in this or any other Act to the "Office of the Secretary and Executive Management", the "Office of the Under Secretary for Management", or the "Office of the Chief Financial Officer", may be obligated for a grant or contract funded under such headings by any means other than full and open competition.

(b) Subsection (a) does not apply to obligation of funds for a contract awarded—

(1) by a means that is required by a Federal statute, including obligation for a purchase made under a mandated preferential program, including the AbilityOne Program, that is authorized under the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.);

(2) pursuant to the Small Business Act (15 U.S.C. 631 et seq.);

(3) in an amount less than the simplified acquisition threshold described under section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a)); or

(4) by another Federal agency using funds provided through an interagency agreement.

(c)(1) Subject to paragraph (2), the Secretary of Homeland Security may waive the application of this section for the award of a contract in the interest of national security or if failure to do so would pose a substantial risk to human health or welfare.

(2) Not later than 5 days after the date on which the Secretary of Homeland Security issues a waiver under this subsection, the

Secretary shall submit notification of that waiver to the Committees on Appropriations of the Senate and the House of Representatives, including a description of the applicable contract to which the waiver applies and an explanation of why the waiver authority was used: Provided, That the Secretary may not delegate the authority to grant such a waiver.

(d) In addition to the requirements established by subsections (a), (b), and (c) of this section, the Inspector General of the Department of Homeland Security shall review departmental contracts awarded through means other than a full and open competition to assess departmental compliance with applicable laws and regulations: Provided, That the Inspector General shall review selected contracts awarded in the previous fiscal year through means other than a full and open competition: Provided further, That in selecting which contracts to review, the Inspector General shall consider the cost and complexity of the goods and services to be provided under the contract, the criticality of the contract to fulfilling Department missions, past performance problems on similar contracts or by the selected vendor, complaints received about the award process or contractor performance, and such other factors as the Inspector General deems relevant: Provided further, That the Inspector General shall report the results of the reviews to the Committees on Appropriations of the Senate and the House of Representatives no later than February 6, 2012.

SEC. 521. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) The responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of subsection 509(c) and subsections 503(c)(3) and (c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and (c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) Not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Transportation and Infrastructure Committee of the House of Representatives, and the Homeland Security and Governmental Affairs Committee of the Senate; and

(3) Not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, plan-

ning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 522. None of the funds made available in this or any other Act for fiscal years 2012 and thereafter may be used to enforce section 4025(1) of Public Law 108–458 unless the Administrator of the Transportation Security Administration reverses the determination of July 19, 2007, that butane lighters are not a significant threat to civil aviation security.

SEC. 523. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 524. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 525. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 526. None of the funds made available in this or any other Act for fiscal year 2012 and thereafter may be used to destroy or put out to pasture any horse or other equine belonging to any component or agency of the Department of Homeland Security that has become unfit for service, unless the trainer or handler is first given the option to take possession of the equine through an adoption program that has safeguards against slaughter and inhumane treatment.

SEC. 527. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking "Until September 30, 2011," and inserting "Until September 30, 2012,";

(2) by striking subsection (b);

(3) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively; and

(4) in subsection (c)(1) (as redesignated by paragraph (3) of this section), by striking "September 30, 2011," and inserting "September 30, 2012,".

SEC. 528. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 529. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b) for the transportation of crude oil distributed from the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United

States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 48 hours of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

SEC. 530. None of the funds made available to the Office of the Secretary and Executive Management under this Act may be expended for any new hires by the Department of Homeland Security that are not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 531. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 532. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: Provided, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: Provided further, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 533. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 534. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1 (g)(4)(B) of title 31, United States Code (as added by Public Law 102–393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: Provided, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 535. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 536. If the Administrator of the Transportation Security Administration determines that an airport does not need to participate in the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Administrator shall certify to the Committees on Appropriations of the Senate and the House of Rep-

resentatives that no security risks will result from such non-participation.

SEC. 537. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to declare a major disaster because of an event and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

(c) In this section—

(1) the term "Administrator" means the Administrator of the Federal Emergency Management Agency; and

(2) the term "major disaster" has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 538. (a) Notwithstanding any other provision of law during fiscal year 2012 or any subsequent fiscal year, if the Secretary of Homeland Security determines that the National Bio- and Agro-defense Facility should be located at a site other than Plum Island, New York, the Secretary shall ensure that the Administrator of General Services sells through public sale all real and related personal property and transportation assets which support Plum Island operations, subject to such terms and conditions as may be necessary to protect Government interests and meet program requirements.

(b) The proceeds of such sale described in subsection (a) shall be deposited as offsetting collections into the Department of Homeland Security Science and Technology "Research, Development, Acquisition, and Operations" account and, subject to appropriation, shall be available until expended, for site acquisition, construction, and costs related to the construction of the National Bio- and Agro-defense Facility, including the costs associated with the sale, including due diligence requirements, necessary environmental remediation at Plum Island, and reimbursement of expenses incurred by the General Services Administration.

SEC. 539. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 540. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note), as amended by section 550 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83), is further amended by striking "on October 4, 2011" and inserting "on October 4, 2012".

SEC. 541. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 542. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301.10–124 of title 41, Code of Federal Regulations.

SEC. 543. None of the funds made available in this Act may be used to propose or effect a disciplinary or adverse action, with respect to any Department of Homeland Security employee who engages regularly with the public in the performance of his or her official duties solely because that employee elects to utilize protective equipment or measures, including but not limited to surgical masks, N95 respirators, gloves, or hand-sanitizers, where use of such equipment or measures is in accord with Department of Homeland Security policy, and Centers for Disease Control and Prevention and Office of Personnel Management guidance.

SEC. 544. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 545. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler program of the Transportation Security Administration shall safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled "Risk Management Guide for Information Technology Systems";

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled "Recommended Security Controls for Federal Information Systems and Organizations,"; and

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the "Administrator").

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall be known as the Sponsoring Entity.

(c) The Administrator shall require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a). Such certification shall include a description of the procedures used by the company to comply with such requirements.

SEC. 546. For fiscal year 2012 and thereafter, for purposes of section 210C of the Homeland Security Act of 2002 (6 U.S.C. 124j), a rural area shall also include any area that is located in a metropolitan statistical area and a county, borough, parish, or area under the jurisdiction of an Indian tribe with a population of not more than 50,000.

SEC. 547. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor perform-

ance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 548. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report that either—

(1) certifies that the requirement for screening all air cargo on passenger aircraft by the deadline under section 44901(g) of title 49, United States Code, has been met; or

(2) includes a strategy to comply with the requirements under title 44901(g) of title 49, United States Code, including—

(A) a plan to meet the requirement under section 44901(g) of title 49, United States Code, to screen 100 percent of air cargo transported on passenger aircraft arriving in the United States in foreign air transportation (as that term is defined in section 40102 of that title); and

(B) specification of—

(i) the percentage of such air cargo that is being screened; and

(ii) the schedule for achieving screening of 100 percent of such air cargo.

(b) The Administrator shall continue to submit reports described in subsection (a)(2) every 180 days thereafter until the Administrator certifies that the Transportation Security Administration has achieved screening of 100 percent of such air cargo.

SEC. 549. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers' and crews' privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 550. (a) None of the funds made available in this Act may be obligated for construction of the National Bio- and Agro-defense Facility until the Department of Homeland Security—

(1) completes 50 percent of design planning for the National Bio- and Agro-defense Facility;

(2) submits to the Committees on Appropriations of the Senate and the House of Representatives a revised site-specific biosafety and biosecurity mitigation risk assessment that describes how to significantly reduce risks of conducting essential research and diagnostic testing at the National Bio- and Agro-defense Facility and addresses shortcomings identified in the National Academy of Sciences' evaluation of the initial site-specific biosafety and biosecurity mitigation risk assessment; and

(3) submits to the Committees on Appropriations of the Senate and the House of Representatives the results of the National Academy of Sciences' review of the risk assessment as described in subsection (c).

(b) The revised site-specific biosafety and biosecurity mitigation risk assessment required by subsection (a) shall—

(1) include a quantitative risk assessment for foot-and-mouth disease virus, in particular epidemiological and economic impact modeling to determine the overall risk of operating the facility for its expected 50-year life span, taking into account strategies to mitigate risk of foot-and-mouth disease

virus release from the laboratory and ensure safe operations at the approved National Bio- and Agro-defense Facility site;

(2) address the impact of surveillance, response, and mitigation plans (developed in consultation with local, State, and Federal authorities and appropriate stakeholders) if a release occurs, to detect and control the spread of disease; and

(3) include overall risks of the most dangerous pathogens the Department of Homeland Security expects to hold in the National Bio- and Agro-defense Facility's biosafety level 4 facility, and effectiveness of mitigation strategies to reduce those risks.

(c) The Department of Homeland Security shall enter into a contract with the National Academy of Sciences to evaluate the adequacy and validity of the risk assessment required by subsection (a). The National Academy of Sciences shall submit a report on such evaluation within four months after the date the Department of Homeland Security concludes its risk assessment.

SEC. 551. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, $10,000,000 shall be available to United States Citizenship and Immigration Services in fiscal year 2012 for the purpose of providing an immigrant integration grants program.

(b) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 552. For an additional amount for necessary expenses for reimbursement of the actual costs to State and local governments for providing emergency management, public safety, and security at events, as determined by the Administrator of the Federal Emergency Management Agency, related to the presence of a National Special Security Event, $7,500,000, to remain available until September 30, 2013.

SEC. 553. Notwithstanding the 10 percent limitation contained in section 503(c) of this Act, the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to $20,000,000 from appropriations available to the Department of Homeland Security: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 5 days in advance of such transfer.

SEC. 554. The administrative law judge annuitants participating in the Senior Administrative Law Judge Program managed by the Director of the Office of Personnel Management under section 3323 of title 5, United States Code, shall be available on a temporary re-employment basis to conduct arbitrations of disputes as part of the arbitration panel established by the President under section 601 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 164).

SEC. 555. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any federal contract unless such contract is entered into in accordance with the requirements of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized

by statute to be entered into without regard to the above referenced statutes.

SEC. 556. (a) For an additional amount for data center migration, $70,000,000.

(b) Funds made available in subsection (a) for data center migration may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 557. For fiscal year 2012 and thereafter, U.S. Customs and Border Protection's Advanced Training Center is authorized to charge fees for any service and/or thing of value it provides to Federal Government or non-government entities or individuals, so long as the fees charged do not exceed the full costs associated with the service or thing of value provided: Provided, That notwithstanding 31 U.S.C. 3302(b), fees collected by the Advanced Training Center are to be deposited into a separate account entitled "Advanced Training Center Revolving Fund", and be available, without further appropriations, for necessary expenses of the Advanced Training Center program, and are to remain available until expended.

SEC. 558. Section 559(e) of Public Law 111–83 is amended—

(a) in the matter preceding the first proviso, by striking "law, sell" and inserting "law, hereafter sell"; and

(b) in the first proviso—

(1) by striking "shall be deposited" and inserting "shall hereafter be deposited"; and

(2) by striking "subject to appropriation," and inserting "without further appropriations,".

SEC. 559. Notwithstanding any other provision of law, should the Secretary of Homeland Security determine that specific U.S. Immigration and Customs Enforcement Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: Provided, That the proceeds, net of the costs of sale incurred by the General Services Administration and U.S. Immigration and Customs Enforcement, shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: Provided further, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: Provided further, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

SEC. 560. For an additional amount for the "Office of the Under Secretary for Management", $55,979,000, to remain available until expended, for necessary expenses to plan, acquire, construct, renovate, remediate, equip, furnish, and occupy buildings and facilities for the consolidation of department headquarters at St. Elizabeths and associated mission support consolidation: Provided, That the Committees on Appropriations of the Senate and the House of Representatives shall receive an expenditure plan not later than 90 days after the date of enactment of this Act detailing the allocation of these funds.

SEC. 561. None of the funds made available by this Act may be used to enforce the requirements in—

(1) section 34(a)(1)(A) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(a)(1)(A));

(2) section 34(a)(1)(B) of such Act;

(3) section 34(c)(1) of such Act;

(4) section 34(c)(2) of such Act;

(5) section 34(c)(4)(A) of such Act; and

(6) section 34(a)(1)(E) of such Act.

SEC. 562. Notwithstanding the requirement under section 34(a)(1)(A) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(a)(1)(A)) that grants must be used to increase the number of firefighters in fire departments, the Secretary of Homeland Security, in making grants under section 34 of such Act using the funds appropriated for fiscal year 2011, shall grant waivers from the requirements of subsections (a)(1)(B), (c)(1), (c)(2), and (c)(4)(A) of such section: Provided, That section 34(a)(1)(E) of such Act shall not apply with respect to funds appropriated for fiscal year 2011 for grants under section 34 of such Act: Provided further, That the Secretary of Homeland Security, in making grants under section 34 of such Act, shall ensure that funds appropriated for fiscal year 2011 are made available for the hiring, rehiring, or retention of firefighters.

SEC. 563. For fiscal year 2012 and thereafter, notwithstanding section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)) and 31 U.S.C. 3302, in the event that a spill of national significance occurs, any payment of amounts from the Oil Spill Liability Trust Fund pursuant to section 1012(a)(1) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(1)) for the removal costs incurred by the Coast Guard for such spill, shall be credited directly to the accounts of the Coast Guard current at the time such removal costs were incurred or when reimbursement is received: Provided, That such amounts shall be merged with and, without further appropriations, made available for the same time period and the same purpose as the appropriation to which it is credited.

SEC. 564. (a) CIVIL PENALTIES FOR CIRCUMVENTING SECURITY SCREENING.—Section 46301(a)(5)(A)(i) of title 49, United States Code, is amended—

(1) by striking "or chapter 449" and inserting "chapter 449"; and

(2) by inserting ", or section 46314(a)" after "44909)".

(b) CRIMINAL PENALTIES FOR CIRCUMVENTING SECURITY SCREENING.—Section 46314(b)(2) of title 49, United States Code, is amended by inserting "with intent to evade security procedures or restrictions or" after "of this section".

(c) NOTICE OF PENALTIES.—Section 46314 of title 49, United States Code, is amended by adding at the end the following new subsection:

"(c) NOTICE OF PENALTIES.—

"(1) IN GENERAL.—Each operator of an airport in the United States that is required to establish an air transportation security program pursuant to section 44903(c) shall ensure that signs that meet such requirements as the Secretary of Homeland Security may prescribe providing notice of the penalties imposed under section 46301(a)(5)(A)(i) and subsection (b) of this section are displayed near all screening locations, all locations where passengers exit the sterile area, and such other locations at the airport as the Secretary of Homeland Security determines appropriate.

"(2) EFFECT OF SIGNS ON PENALTIES.—An individual shall be subject to a penalty imposed under section 46301(a)(5)(A)(i) or subsection (b) of this section without regard to whether signs are displayed at an airport as required by paragraph (1).".

SEC. 565. (a) SHORT TITLE.—This section may be cited as the "Disaster Assistance Recoupment Fairness Act of 2011".

(b) DEBTS SINCE 2005.—

(1) DEFINITION.—In this section, the term "covered assistance" means assistance provided—

(A) under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(B) in relation to a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) during the period beginning on August 28, 2005, and ending on December 31, 2010.

(2) WAIVER AUTHORITY.—The Administrator of the Federal Emergency Management Agency—

(A) subject to subparagraph (B) and paragraph (3), may waive a debt owed to the United States related to covered assistance provided to an individual or household if—

(i) the covered assistance was distributed based on an error by the Federal Emergency Management Agency;

(ii) there was no fault on behalf of the debtor; and

(iii) the collection of the debt would be against equity and good conscience; and

(B) may not waive a debt under subparagraph (A) if the debt involves fraud, the presentation of a false claim, or misrepresentation by the debtor or any party having an interest in the claim.

(3) PRESUMPTION OF REPAYMENT.—In determining whether to waive a debt under paragraph (2), the Administrator of the Federal Emergency Management Agency shall presume that, if the adjusted gross income (as defined under section 62 of the Internal Revenue Code of 1986) of the household of the debtor for the last taxable year ending in or with the calendar year preceding the date on which the income is determined exceeds $90,000, the debtor should be required to make at least a partial payment on the debt.

(4) REPORTING.—Not later than 3 months after the date of enactment of this Act, and every 3 months thereafter until the date that is 18 months after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall submit a report that assesses the cost-effectiveness of the efforts of the Federal Emergency Management Agency to recoup improper payments under the Individuals and Household Program under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) to—

(A) the Committee on Homeland Security and Governmental Affairs and the Subcommittee on Homeland Security of the Committee on Appropriations of the Senate; and

(B) the Committee on Homeland Security, the Committee on Transportation and Infrastructure, and the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives.

SEC. 566. (a) Notwithstanding section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act and subject to subsection (b), recipients of Small Business Administration Disaster loans for disaster-related damage to their homes may be eligible for reimbursement at the discretion of the state, under Section 404 of that Act, for documented and eligible mitigation work performed on their home.

(b) LIMITATIONS.—

(1) Any reimbursement provided to or on behalf of a homeowner pursuant to subsection (a) shall not exceed the amount of the disaster loan that may be used and was used for disaster mitigation activities; and

(2) Subsection (a) shall only apply if the disaster loan and assistance provided under section 404 were made available in response to the same disaster declaration.

(3) Shall be applicable only to disasters declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) during the period beginning on August 28, 2005 and ending on August 28, 2006.

(c) If a state chooses to use funds under section 404 to reimburse homeowners as provided in subsection (a), it shall make payments in the following order:

(1) First, to the Small Business Administration on behalf of the eligible homeowner for the purpose of reducing, but not below zero, the homeowner's outstanding debt obligation to the Small Business Administration for the disaster loan; and

(2) Second, any remaining reimbursement shall be paid directly to the homeowner.

SEC. 567. None of the funds made available under this Act or any prior appropriations Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 568. The Commissioner of U.S. Customs and Border Protection and the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement each shall submit to the Committees on Appropriations of the Senate and the House of Representatives with the congressional budget justification, a multi-year investment and management plan, to include each year starting

with the current fiscal year and the 3 subsequent fiscal years, for their respective Offices of Information Technology to include for that office—

(1) the funding level by source for all funds to be executed;

(2) the funding included for each project and activity tied to mission requirements, program management capabilities, performance levels, and specific capabilities and services to be delivered;

(3) the total estimated cost and projected timeline of completion for all multi-year enhancements, modernizations, and new capabilities proposed in the current fiscal year or underway; and

(4) a detailed accounting of operation and maintenance costs.

SEC. 569. The Secretary of Homeland Security shall ensure enforcement of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

(RESCISSIONS)

SEC. 570. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $2,577,000 from Coast Guard "Acquisition, Construction, and Improvements";

(2) $5,355,296 from U.S. Immigration and Customs Enforcement "Salaries and Expenses";

(3) $99,012 from U.S. Immigration and Customs Enforcement "Violent Crime Reduction Programs";

(4) $3,332,541 from U.S. Customs and Border Protection "Salaries and Expenses";

(5) $3,121,248 from Department of Homeland Security "Office for Domestic Preparedness";

(6) $678,213 from Federal Emergency Management Agency "National Predisaster Mitigation Fund";

(7) $5,201,000 from "Working Capital Fund";

(8) $95,998 from "Counterterrorism Fund";

(9) $41,091 from U.S. Customs and Border Protection "Violent Crime Reduction Fund"; and

(10) $153,095 from U.S. Immigration and Customs Enforcement "Violent Crime Reduction Trust Fund".

(RESCISSIONS)

SEC. 571. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of Department of Homeland Security Appropriations Act, 2011 (Public Law 112–10; 125 Stat. 147) are rescinded:

(1) $178,783 from "Analysis and Operations";

(2) $1,619,907 from U.S. Customs and Border Protection "Salaries and Expenses";

(3) $296,022 from Transportation Security Administration "Federal Air Marshals";

(4) $37,800,412 from Coast Guard "Operating Expenses";

(5) $879,153 from Coast Guard "Acquisition, Construction, and Improvements";

(6) $1,104,347 from United States Secret Service "Salaries and Expenses";

(7) $97,046 from National Protection and Programs Directorate "Management and Administration";

(8) $78,764 from National Protection and Programs Directorate "Infrastructure Protection and Information Security";

(9) $117,133 from Office of Health Affairs "Salaries and Expenses";

(10) $1,301,581 from "United States Citizenship and Immigration Services";

(11) $369,032 from Federal Law Enforcement Training Center "Salaries and Expenses";

(12) $279,098 from Science and Technology "Management and Administration";

(13) $1,072,938 from Domestic Nuclear Detection Office "Management and Administration"; and

(14) $216,744 from Federal Emergency Management Agency "Management and Administration".

(RESCISSIONS)

SEC. 572. Of the funds appropriated to the Department of Homeland Security, the following unobligated balances are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $10,000,000 from U.S. Immigration and Customs Enforcement "Salaries and Expenses";

(2) $10,000,000 from U.S. Immigration and Customs Enforcement "Automation Modernization";

(3) $5,000,000 from U.S. Customs and Border Protection "Automation Modernization": Provided, That no funds shall be rescinded from prior year appropriations provided for the TECS modernization program;

(4) $71,300,000 from Transportation Security Administration "Aviation Security" account 70x0550;

(5) $7,000,000 from U.S. Customs and Border Protection "Border Security Fencing, Infrastructure, and Technology";

(6) $2,427,336 from Coast Guard "Acquisition, Construction, and Improvements";

(7) $5,000,000 from the "Office of the Chief Information Officer" related to Emerge2; and

(8) $27,400,000 from National Protection and Programs Directorate "United States Visitor and Immigrant Indicator Technology".

SEC. 573. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) are each amended by striking "September 30, 2011" and inserting "the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012".

This division may be cited as the "Department of Homeland Security Appropriations Act, 2012".

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $961,900,000, to remain available until expended; of which $3,000,000 shall be available in fiscal year 2012 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.

In addition, $32,500,000 is for the processing of applications for permit to drill and related use authorizations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from $6,500 per new application for permit to drill that the Bureau shall collect upon submission of each new application, and in addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2012 so as to result in a final appropriation estimated at not more than $961,900,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $3,576,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $22,380,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $112,043,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to re-

pair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: Provided, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: Provided further, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,228,142,000, to remain available until September 30, 2013 except as otherwise provided herein: Provided, That not to exceed $20,902,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection

(c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $7,472,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2010; of which not to exceed $1,500,000 shall be used for any activity regarding petitions to list species that are indigenous to the United States pursuant to subsections (b)(3)(A) and (b)(3)(B); and, of which not to exceed $1,500,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are not indigenous to the United States: Provided further, That, in fiscal year 2012 and hereafter of the amount available for law enforcement, up to $400,000, to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate: Provided further, That in fiscal year 2012 and hereafter, of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; $23,088,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $54,720,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding 16 U.S.C. 460l–9, not more than $5,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed $160,000 for administrative expenses: Provided, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), $47,757,000, to remain available until expended, of which $22,757,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $25,000,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,980,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, as amended (16 U.S.C. 4401 et seq.), $35,554,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act, as amended, (16 U.S.C. 6101 et seq.), $3,792,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $9,481,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $61,421,000, to remain available until expended: Provided, That of the amount provided herein, $4,275,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That $5,741,000 is for a competitive grant program for States, territories, and other jurisdictions with approved plans, not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting $10,016,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount avail-

able for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects may not be derived from Federal grant programs: Provided further, That any amount apportioned in 2012 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2013, shall be reapportioned, together with funds appropriated in 2014, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That the Service may accept donated aircraft as replacements for existing aircraft.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,240,152,000, of which $9,832,000 for planning and interagency coordination in support of Everglades restoration and $97,883,000 for maintenance, repair, or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments shall remain available until September 30, 2013.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs,

and grant administration, not otherwise provided for, $59,975,000: Provided, That section 502(c) of the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; Public Law 105–312) is amended by striking "2011" and inserting "2013".

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $56,000,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2013.

CONSTRUCTION

(INCLUDING RESCISSION OF FUNDS)

For construction, improvements, repair, or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8), $159,621,000, to remain available until expended: Provided, That notwithstanding any other provision of law, a single procurement for the project to repair damage to the Washington Monument may be issued that includes the full scope of the project, so long as the solicitation and contract shall contain the clause "availability of appropriated funds" found in CFR section 52.232.18 of title 48.

From funds previously made available under this heading, $4,000,000 are rescinded.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2012 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $102,060,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $45,000,000 is for the State assistance program and of which $9,000,000 shall be for the American Battlefield Protection Program grants as authorized by section 7301 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11).

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to ex-

tinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,069,744,000, to remain available until September 30, 2013; of which $51,569,700 shall remain available until expended for satellite operations; and of which $7,292,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost: Provided, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other spe-

cialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: Provided further, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $59,792,000, to remain available until September 30, 2013; and an amount not to exceed $101,082,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, that are collected and disbursed by the Secretary, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided, That notwithstanding 31 U.S.C. 3302, in fiscal year 2012, such amounts as are assessed under 31 U.S.C. 9701 shall be collected and credited to this account and shall be available until expended for necessary expenses: Provided further, That to the extent $101,082,000 in addition to receipts are not realized from the sources of receipts stated above, the amount needed to reach $101,082,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That for fiscal year 2012 and each fiscal year thereafter, the term "qualified Outer Continental Shelf revenues", as defined in section 102(9)(A) of the Gulf of Mexico Energy Security Act, division C of Public Law 109–432, shall include only the portion or rental revenues that would have been collected by the Secretary at the rental rates in effect before August 5, 1993: Provided further, That not to exceed $3,000 shall be

available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $61,473,000, to remain available until September 30, 2013; and an amount not to exceed $59,081,000 to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, that are collected and disbursed by the Secretary, from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided, That notwithstanding 31 U.S.C. 3302, in fiscal year 2012, such amounts as are assessed under 31 U.S.C. 9701 shall be collected and credited to this account and shall be available until expended for necessary expenses: Provided further, That to the extent $59,081,000 in addition to receipts are not realized from the sources of receipts stated above, the amount needed to reach $59,081,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That for fiscal year 2012 and each fiscal year thereafter, the term "qualified Outer Continental Shelf revenues", as defined in section 102(9)(A) of the Gulf of Mexico Energy Security Act, division C of Public Law 109–432, shall include only the portion of rental revenues that would have been collected by the Secretary at the rental rates in effect before August 5, 1993.

For an additional amount, $62,000,000, to remain available until expended, which shall be derived from non-refundable inspection fees collected in fiscal year 2012, as provided in this Act: Provided, That to the extent that such amounts are not realized from such fees, the amount needed to reach $62,000,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That to the extent that amounts realized from such fees exceed $62,000,000, the amounts realized in excess of $62,000,000 shall be credited to this appropriation and remain available until expended: Provided further, That for fiscal year 2012, not less than 50 percent of the inspection fees collected by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,923,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $122,950,000, to remain available until September 30, 2013: Provided, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training: Provided further, That, in fiscal year 2012, up to $40,000 collected by the Office of Surface Mining from permit fees pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257) shall be credited to this account as discretionary offsetting collections, to remain available until expended: Provided further, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $122,910,000: Provided further, That, in subsequent fiscal years, all amounts collected by the Office of Surface Mining from permit fees pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257) shall be credited to this account as discretionary offsetting collections, to remain available until expended.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $27,443,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: Provided, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

With funds available for the Technical Innovation and Professional Services program in this Act, the Secretary may transfer title

for computer hardware, software and other technical equipment to State and tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $2,371,532,000, to remain available until September 30, 2013 except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $74,911,000 shall be for welfare assistance payments: Provided, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster; of which, notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $219,560,000 shall be available for payments for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2012, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; of which not to exceed $590,484,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2012, and shall remain available until September 30, 2013; and of which not to exceed $48,049,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: Provided further, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $46,327,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2011 for the operation of Bureau-funded schools, and up to $500,000 within and only from such amounts made available for administrative cost grants shall be available for the transitional costs of initial administrative cost grants to grantees that assume operation on or after July 1, 2011, of Bureau-funded schools: Provided further, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2013, may be transferred during fiscal year 2014 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2014: Provided further, That in order to enhance

the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $123,828,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2012, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Provided further, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): Provided further, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: Provided further, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 108–447, and 111–11, and for implementation of other land and water rights settlements, $32,855,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $7,114,000, of which $964,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $73,365,796.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the Revolving Fund for Loans Liquidating Account, Indian Loan Guaranty and Insurance Fund Liquidating Account, Indian Guaranteed Loan Financing Account, Indian Direct Loan Financing Account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools

in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995, except that any school or school program that was closed and removed from the Bureau school system between 1951 and 1972, and its respective tribe's relationship with the Federal Government was terminated, shall be reinstated to the Bureau system and supported at a level based on its grade structure and average student enrollment for the 2009–2010, 2010–2011 and 2011–2012 school years. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

For necessary expenses for management of the Department of the Interior, including the collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law, $262,317,000, to remain available until September 30, 2013; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $12,712,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $38,300,000 shall remain available until expended for the purpose of mineral revenue management activities: Provided, That, for fiscal year 2012, up to $400,000 of the payments

authorized by the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907) may be retained for administrative expenses of the Payments in Lieu of Taxes Program: Provided further, That no payment shall be made pursuant to that Act to otherwise eligible units of local government if the computed amount of the payment is less than $100: Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: Provided further, That, notwithstanding the provisions of section 35(b) of the Mineral Leasing Act, as amended (30 U.S.C. 191(b)), the Secretary shall deduct 2 percent from the amount payable to each State in fiscal year 2012 and deposit the amount deducted to miscellaneous receipts of the Treasury.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108–188, $87,997,000, of which: (1) $78,517,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,480,000 shall be available until September 30, 2013 for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants pro-

vided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,318,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: Provided further, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $66,296,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $49,471,000.

Office of the Special Trustee for American Indians

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $152,319,000, to remain available until expended, of which not to exceed $31,171,000 from this or any other Act, shall be available for historical accounting: Provided, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Office of the Secretary, "Salaries and Expenses" account: Provided further, That funds made available through contracts or grants obligated during fiscal year 2012, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $15 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: Provided further, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

Department-wide Programs

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $566,495,000, to remain available until expended, of which not to exceed $6,137,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds avail-

able from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: Provided further, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: Provided further, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: Provided further, That the Secretary of the Interior may use wildland fire appropriations to enter into noncompetitive sole-source leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: Provided further, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: Provided further, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its

territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations: Provided further, That before obligating any of the funds provided herein for wildland fire suppression, the Secretary of the Interior shall obligate all unobligated balances previously made available under this heading that, when appropriated, were designated by Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985 and notify the Committees on Appropriations of the House of Representatives and the Senate in writing of the imminent need to begin obligating funds provided herein for wildland fire suppression: Provided further, That of the funds made available under this heading for wildland fire suppression in fiscal year 2011, $82,000,000 are rescinded.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of the Interior and as a reserve fund for suppression and Federal emergency response activities, $92,000,000, to remain available until expended: Provided, That such amounts are available only for transfer to the "Wildland Fire Management" account and only following a declaration by the Secretary that either (1) a wildland fire suppression event meets certain previously established risk-based written criteria for significant complexity, severity, or threat posed by the fire or (2) funds in the "Wildland Fire Management" account will be exhausted within 30 days.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,149,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $6,263,000, to remain available until expended.

WORKING CAPITAL FUND

For the acquisition of a departmental financial and business management system, information technology improvements of general benefit to the Department, strengthening the Department's acquisition workforce capacity and capabilities, and consolidation of

facilities and operations throughout the Department, $62,019,000, to remain available until expended: Provided, That such funds shall be available for training, recruitment, retention, and hiring members of the acquisition workforce as defined by the Office of Federal Procurement Policy Act as amended (41 U.S.C. 401 et seq.): Provided further, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the House of Representatives and Senate Committees on Appropriations: Provided further, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: Provided further, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: Provided further, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" and "FLAME Wildfire Suppression Reserve Fund" shall be exhausted within 30 days: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2012. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

PAYMENT OF FEES

SEC. 106. The Secretary of the Interior may use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Salazar to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Salazar.

EVERGLADES ECOSYSTEM RESTORATION

SEC. 107. This and any subsequent fiscal year, the National Park Service is authorized to implement modifications to the Tamiami Trail as described in, and in accordance with, the preferred alternative identified in the final environmental impact statement noticed in the Federal Register on December 14, 2010, (75 Fed. Reg. 77896), relating to restoration efforts of the Everglades ecosystem.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 108. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of

such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 109. (a) In fiscal year 2012, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the "Ocean Energy Management" account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2012 shall be:

(1) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2012. Fees for fiscal year 2012 shall be:

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

OIL AND GAS LEASING INTERNET PROGRAM

SEC. 110. Notwithstanding section 17(b)(1)(A) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)(A)), the Secretary of the Interior shall have the authority to establish an oil and gas leasing Internet program, under which the Secretary may conduct lease sales through methods other than oral bidding.

INDIAN PROBATE JUDGES

SEC. 111. Section 108 of Public Law 109–54 (the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006) is amended by striking "in fiscal years 2006 through 2010, for the purpose of reducing the backlog of" and inserting "for fiscal year 2006 and each fiscal year thereafter, for the purpose of adjudicating".

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 112. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may establish accounts and transfer funds among and between the offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the report accompanying this Act.

AUTHORIZED USE OF INDIAN EDUCATION FUNDS

SEC. 113. Beginning July 1, 2008, any funds (including investments and interest earned, except for construction funds) held by a Public Law 100–297 grant or a Public Law 93–638 contract school shall, upon retrocession to or re-assumption by the Bureau of Indian Education, remain available to the Bureau of Indian Education for a period of 5 years from the date of retrocession or re-assumption for the benefit of the programs approved for the school on October 1, 1995.

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 114. (a) Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c) (except that the 5-year term restriction in subsection (d) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

(b) During fiscal year 2012 and subsequent fiscal years, in carrying out work involving cooperation with any State or political subdivision thereof, the Bureau of Land Management may record obligations against accounts receivable from any such entities.

BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS

SEC. 115. (a)(1) Notwithstanding any other provision of law or Federal regulation, including section 586(c) of title 40, United States Code, the Director of the BIE, or the Director's designee, is authorized to enter into agreements with public and private persons and entities that provide for such persons and entities to rent or lease the land or facilities of a Bureau-operated school for such periods of time as the school is Bureau operated, in exchange for a consideration (in the form of funds) that benefits the school, as determined by the head of the school.

(2) Funds received under paragraph (1) shall be retained by the school and used for school purposes otherwise authorized by law. Any funds received under paragraph (1) are hereby made available until expended for such purposes, notwithstanding section 3302 of title 31, United States Code.

(3) Nothing in this section shall be construed to allow for the diminishment of, or otherwise affect, the appropriation of funds to the budget accounts for the operation and maintenance of Bureau-operated schools. No funds shall be withheld from the distribution to the budget of any Bureau-operated school due to the receipt by the school of a benefit in accordance with this section.

(b) Notwithstanding any provision of title 5, United States Code, or any regulation promulgated under such title, education personnel who are under the direction and supervision of the Secretary of the Interior may participate in a fundraising activity for the benefit of a Bureau-operated school in an official capacity as

part of their official duties. When participating in such an official capacity, the employee may use the employee's official title, position, and authority. Nothing in this subsection shall be construed to authorize participation in political activity (as such term is used in section 7324 of title 5, United States Code) otherwise prohibited by law.

(c) The Secretary of the Interior shall promulgate regulations to carry out this section not later than 16 months after the date of the enactment of this Act. Such regulations shall include—

(1) standards for the appropriate use of Bureau-operated school lands and facilities by third parties under a rental or lease agreement;

(2) provisions for the establishment and administration of mechanisms for the acceptance of consideration for the use and benefit of a school in accordance with this section (including, in appropriate cases, the establishment and administration of trust funds);

(3) accountability standards to ensure ethical conduct; and

(4) provisions for monitoring the amount and terms of consideration received, the manner in which the consideration is used, and any results achieved by such use.

(d) Provisions of this section shall apply to fiscal years 2012 through 2014.

AUTHORIZED USE OF FUNDS

SEC. 116. Section 3006 of Public Law 111–212 is amended by striking "For fiscal years 2010 and 2011" and inserting "For fiscal years 2010 through 2012".

MASS MARKING OF SALMONIDS

SEC. 117. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

PROHIBITION ON USE OF FUNDS

SEC. 118. (a) Any proposed new use of the Arizona & California Railroad Company's Right of Way for conveyance of water shall not proceed unless the Secretary of the Interior certifies that the proposed new use is within the scope of the Right of Way.

(b) No funds appropriated or otherwise made available to the Department of the Interior may be used, in relation to any proposal to store water underground for the purpose of export, for approval of any right-of-way or similar authorization on the Mojave National Preserve or lands managed by the Needles Field Office of the Bureau of Land Management, or for carrying out any activities associated with such right-of-way or similar approval.

YUKON-CHARLEY NATIONAL PRESERVE

SEC. 119. None of the funds made available by this Act may be used by the Secretary of the Interior to implement or enforce regulations concerning boating within Yukon-Charley National Preserve, including waters subject to the jurisdiction of the United States, pursuant to section 3(h) of Public Law 91–383 (16 U.S.C. 1a–2(h)) or any other authority. This section does not affect the authority of the Coast Guard to regulate the use of waters subject to the jurisdiction of the United States within the Yukon-Charley National Preserve.

REPUBLIC OF PALAU

SEC. 120. (a) IN GENERAL.—Subject to subsection (c), the United States Government, through the Secretary of the Interior shall provide to the Government of Palau for fiscal year 2012 grants in amounts equal to the annual amounts specified in subsections (a), (c), and (d) of section 211 of the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note) (referred to in this section as the "Compact").

(b) PROGRAMMATIC ASSISTANCE.—Subject to subsection (c), the United States shall provide programmatic assistance to the Republic of Palau for fiscal year 2012 in amounts equal to the amounts provided in subsections (a) and (b)(1) of section 221 of the Compact.

(c) LIMITATIONS ON ASSISTANCE.—

(1) IN GENERAL.—The grants and programmatic assistance provided under subsections (a) and (b) shall be provided to the same extent and in the same manner as the grants and assistance were provided in fiscal year 2009.

(2) TRUST FUND.—If the Government of Palau withdraws more than $5,000,000 from the trust fund established under section 211(f) of the Compact, amounts to be provided under subsections (a) and (b) shall be withheld from the Government of Palau.

HIRING AUTHORITIES

SEC. 121. (a) DIRECT HIRE AUTHORITY.—

(1) During fiscal year 2012 and thereafter, the Secretary of the Interior may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, a qualified candidate described in paragraph (1) directly to a position with a land managing agency of the Department of the Interior for which the candidate meets Office of Personnel Management qualification standards.

(2) Paragraph (1) applies with respect to a former resource assistant (as defined in section 203 of the Public Land Corps Act (16 U.S.C. 1722)) who—

(A) completed a rigorous undergraduate or graduate summer internship with a land managing agency, such as the National Park Service Business Plan Internship;

(B) successfully fulfilled the requirements of the internship program; and

(C) subsequently earned an undergraduate or graduate degree from an accredited institution of higher education.

(3) The direct hire authority under this subsection may not be exercised with respect to a specific qualified candidate after the end of the two-year period beginning on the date on which the candidate completed the undergraduate or graduate degree, as the case may be.

(b) LOCAL HIRE AUTHORITY.—Section 1308 of the Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3198) is amended—

(1) in subsection (a), by striking "establish a program" and inserting "establish an excepted service appointment authority,";

(2) in subsection (b), by striking "competitive service as defined in section 2102 of such title for which such person is eligible under subchapter I of chapter 33 of such title, in selection to such position" and inserting "excepted service as defined in section 2103 of such title";

(3) in subsection (e), by redesignating paragraph (2) as paragraph (3) and inserting after paragraph (1) the following new paragraph (2):

"(2) CONVERSION TO COMPETITIVE SERVICE.—Employees who satisfactorily complete two years of continuous service in a permanent appointment made under subsection (a) and who meet satisfactory performance and competitive service qualification requirements shall have their appointment converted to competitive service career-conditional or career employment as appropriate. This paragraph applies to individuals appointed on or after March 30, 2009. An employee who does not meet competitive service qualification requirements after two years of continuous service in an appointment made under subsection (a) shall be converted upon meeting such qualification requirements. Temporary and time-limited appointments will be made in the excepted service. There is no provision for conversion to competitive service when appointments are time-limited.".

(c) GULF OF MEXICO REGION.—For fiscal years 2012 and 2013, funds made available in this title for the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement may be used by the Secretary of the Interior to establish higher minimum rates of basic pay for employees of the Department of the Interior in the Gulf of Mexico Region in the Geophysicist (GS–1313), Geologist (GS–1350), and Petroleum Engineer (GS–0881) job series at grades 5 through 15 at rates no greater than 25 percent above the minimum rates of basic pay normally scheduled, and such higher rates shall be consistent with the subsections (e) through (h) of section 5305 of title 5, United States Code.

BUREAU OF LAND MANAGEMENT ACTIONS REGARDING GRAZING ON PUBLIC LANDS

SEC. 122. (a) EXHAUSTION OF ADMINISTRATIVE REVIEW REQUIRED.—

(1) For fiscal years 2012 and 2013 only, a person may bring a civil action challenging a decision of the Bureau of Land Management concerning grazing on public lands (as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e))) in a Federal district court

only if the person has exhausted the administrative hearings and appeals procedures established by the Department of the Interior, including having filed a timely appeal and a request for stay.

(2) An issue may be considered in the judicial review of a decision referred to in paragraph (1) only if the issue was raised in the administrative review process described in such paragraph.

(3) An exception to the requirement of exhausting the administrative review process before seeking judicial review shall be available if a Federal court finds that the agency failed or was unable to make information timely available during the administrative review process for issues of material fact. For the purposes of this paragraph, the term "timely" means within 120 calendar days after the date that the challenge to the agency action or amendment at issue is received for administrative review.

(b) ACCEPTANCE OF DONATION OF CERTAIN EXISTING PERMITS OR LEASES.—

(1) During fiscal year 2012 and thereafter, the Secretary of the Interior shall accept the donation of any valid existing permits or leases authorizing grazing on public lands within the California Desert Conservation Area. With respect to each permit or lease donated under this paragraph, the Secretary shall terminate the grazing permit or lease, ensure a permanent end (except as provided in paragraph (2)), to grazing on the land covered by the permit or lease, and make the land available for mitigation by allocating the forage to wildlife use consistent with any applicable Habitat Conservation Plan, section 10(a)(1)(B) permit, or section 7 consultation under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(2) If the land covered by a permit or lease donated under paragraph (1) is also covered by another valid existing permit or lease that is not donated under such paragraph, the Secretary of the Interior shall reduce the authorized grazing level on the land covered by the permit or lease to reflect the donation of the permit or lease under paragraph (1). To ensure that there is a permanent reduction in the level of grazing on the land covered by a permit or lease donated under paragraph (1), the Secretary shall not allow grazing use to exceed the authorized level under the remaining valid existing permit or lease that is not donated.

TRAILING LIVESTOCK OVER PUBLIC LAND

SEC. 123. During fiscal years 2012 through 2013 only, the Bureau of Land Management may, at its sole discretion, review planning and implementation decisions regarding the trailing of livestock across public lands, including, but not limited to, issuance of crossing or trailing authorizations or permits, under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). Temporary trailing or crossing authorizations across public lands shall not be subject to protest and/or appeal under subpart E of part 4 of title 43, Code of Federal Regulations, and subpart 4160 of part 4100 of such title.

LEASE AUTHORIZATION

SEC. 124. (a) IN GENERAL.—The Secretary of the Interior (referred to in this section as the "Secretary") may lease to the Savannah Bar Pilots Association, or a successor organization, no more than 30,000 square feet of land and improvements within Fort Pulaski National Monument (referred to in this section as the "Monument") at the location on Cockspur Island that has been used continuously by the Savannah Bar Pilots Association since 1940.

(b) RENTAL FEE AND PROCEEDS.—

(1) RENTAL FEE.—For the lease authorized by this Act, the Secretary shall require a rental fee based on fair market value adjusted, as the Secretary deems appropriate, for amounts to be expended by the lessee for property preservation, maintenance, or repair and related expenses.

(2) PROCEEDS.—Disposition of the proceeds from the rental fee required pursuant to paragraph (1) shall be made in accordance with section 3(k)(5) of Public Law 91–383 (16 U.S.C. 1a–2(k)(5)).

(c) TERMS AND CONDITIONS.—A lease entered into under this section—

(1) shall be for a term of no more than 10 years and, at the Secretary's discretion, for successive terms of no more than 10 years at a time; and

(2) shall include any terms and conditions the Secretary determines to be necessary to protect the resources of the Monument and the public interest.

(d) EXEMPTION FROM APPLICABLE LAW.—Except as provided in section 2(b)(2) of this Act, the lease authorized by this Act shall not be subject to section 3(k) of Public Law 91–383 (16 U.S.C. 1a–2(k)) or section 321 of Act of June 30, 1932 (40 U.S.C. 1302).

WILD LANDS FUNDING PROHIBITION

SEC. 125. None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010: Provided, That nothing in this section shall restrict the Secretary's authorities under sections 201 and 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712).

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $795,000,000, to remain available until September 30, 2013.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $19,000 for official reception and representation expenses, $2,682,514,000, to remain available until September 30, 2013: Provided, That of the funds included under this heading, not less than $410,375,000 shall be for Geographic Programs specified in the explanatory statement accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $42,000,000, to remain available until September 30, 2013.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $36,428,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,215,753,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2011, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,215,753,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $9,955,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2013, and $23,016,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2013.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, as amended, $104,309,000, to remain available

until expended, of which $73,809,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act, as amended; $30,500,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code, as amended: Provided, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,274,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,618,727,000, to remain available until expended, of which $1,468,806,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the "Act"); of which $919,363,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended: Provided, That for fiscal year 2012, to the extent there are sufficient eligible project applications, not less than 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That for fiscal year 2012, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities; $5,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $10,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: Provided further, That, of these funds: (1) the State of Alaska shall provide a match of 25 percent; (2) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (3) the State of Alaska shall make awards consistent with the State-wide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C.

1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities; $95,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; $30,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005, as amended; and $1,090,558,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which $49,396,000 shall be for carrying out section 128 of CERCLA, as amended, $9,980,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, $18,463,000 of the funds available for grants under section 106 of the Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs, and, in addition to funds appropriated under the heading "Leaking Underground Storage Tank Trust Fund Program" to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act, as amended, $1,550,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, as amended: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2012 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2012, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to federally recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act: Provided further, That for fiscal year 2012, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act and section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: Provided further, That for fiscal year 2012, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for

grants made under title II of the Clean Water Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: Provided further, That for fiscal year 2012, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: Provided further, That not less than 20 percent but not more than 30 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and not less than 20 percent but not more than 30 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act, except that for the Clean Water State Revolving Fund capitalization grant appropriation this section shall only apply to the portion that exceeds $1,000,000,000: Provided further, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: Provided further, That for fiscal year 2012 and hereafter, the Administrator may transfer funds provided for tribal set-asides through funds appropriated for the Clean Water State Revolving Funds and for the Drinking Water State Revolving Funds between those accounts in such manner as the Administrator deems appropriate, but not to exceed the transfer limits given to States under section 302(a) of Public Law 104–182.

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For fiscal year 2012, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agree-

ments may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 110–94, the Pesticide Registration Improvement Renewal Act.

The Administrator is authorized to transfer up to $300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading "Environmental Programs and Management" to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

From unobligated balances available to the Administrator of the Environmental Protection Agency, $50,000,000 are permanently rescinded: Provided, That of these funds, $5,000,000 shall be rescinded from unobligated balances within the "Hazardous Substance Superfund" account; $5,000,000 shall be rescinded from unobligated Brownfields balances within the "State and Tribal Assistance Grants" account; $5,000,000 shall be rescinded from unobligated Mexico Border balances within the "State and Tribal Assistance Grants" account; $5,000,000 shall be rescinded from unobligated Diesel Emissions Reduction Act balances within the "State and Tribal Assistance Grants" account; $20,000,000 shall be rescinded from unobligated categorical grant balances within the "State and Tribal Assistance Grants" account; and $10,000,000 shall be rescinded from unobligated Clean Water State Revolving Funds balances within the "State and Tribal Assistance Grants" account: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For fiscal year 2012 and each fiscal year thereafter, the requirements of section 513 of the Federal Water Pollution Control Act (33 U.S.C. 1372) shall apply to the construction of treatment works carried out in whole or in part with assistance made available by a State water pollution control revolving fund as authorized by title VI of that Act (33 U.S.C. 1381 et seq.), or with assistance made available under section 205(m) of that Act (33 U.S.C. 1285(m)), or both.

For fiscal year 2012 and each fiscal year thereafter, the requirements of section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j–9(e)) shall apply to any construction project carried out in whole or in part with assistance made available by a drinking water treatment revolving loan fund as authorized by section 1452 of that Act (42 U.S.C. 300j–12).

Notwithstanding section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604), the Administrator may authorize the expenditure or transfer of up to $10,000,000 from any appropriation in this title, in addition to the amounts included in the "Inland Oil Spill Programs" account, for removal activities related to actual oil spills 5 days after notifying the House and Senate Committees on Appropriations of the intention to expend or transfer such funds: Provided, That no funds shall be expended or transferred under this authority until the Administrator determines that amounts made available for expenditure in the "Inland Oil Spill Programs" account will be exhausted within 30 days: Provided further, That such funds shall be replenished to the appropriation that was the source of the expenditure or transfer, following EPA's receipt of reimbursement from the Oil Spill Liability Trust Fund pursuant to the Oil Pollution Act of 1990.

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $295,773,000, to remain available until expended: Provided, That of the funds provided, $64,372,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $253,331,000, to remain available until expended, as authorized by law; of which $53,388,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,556,628,000, to remain available until expended: Provided, That of the funds provided, $336,049,000 shall be for forest products: Provided further, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): Provided further, That of the funds provided, up to $68,000,000 is for the Integrated Resource Restoration pilot program for Region 1, Region 3 and Region 4: Provided further, That of the funds provided for forest products, up to

$44,585,000 may be transferred to support the Integrated Resource Restoration pilot program in the preceding proviso.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $394,721,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning (including decommissioning unauthorized roads not part of the transportation system), and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That $45,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered, or sensitive species or community water sources: Provided further, That funds becoming available in fiscal year 2012 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated: Provided further, That of the funds provided for decommissioning of roads, up to $13,000,000 may be transferred to the "National Forest System" to support the Integrated Resource Restoration pilot program.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $52,605,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $955,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended (16 U.S.C. 460l–516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $2,577,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $1,737,631,000, to remain available until expended: Provided, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: Provided further, That, notwithstanding any other provision of law, $7,262,000 of funds appropriated under this appropriation shall be available for the Forest Service in support of fire science research authorized by the Joint Fire Science Program, including all Forest Service authorities for the use of funds, such as contracts, grants, research joint venture agreements, and cooperative agreements: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: Provided further, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest

Service: Provided further, That of the funds provided, $317,584,000 is for hazardous fuels reduction activities, $21,734,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $55,564,000 is for State fire assistance, $6,366,000 is for volunteer fire assistance, $15,983,000 is for forest health activities on Federal lands and $8,366,000 is for forest health activities on State and private lands: Provided further, That amounts in this paragraph may be transferred to the "State and Private Forestry", "National Forest System", and "Forest and Rangeland Research" accounts to fund State fire assistance, volunteer fire assistance, forest health management, forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That up to $15,000,000 of the funds provided herein may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels reduction and for training or monitoring associated with such hazardous fuels reduction activities on Federal land or on non-Federal land if the Secretary determines such activities implement a community wildfire protection plan (or equivalent) and benefit resources on Federal land: Provided further, That funds made available to implement the Community Forest Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the "State and Private Forestry" appropriation: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: Provided further, That of the funds provided for hazardous fuels reduction, not to exceed $5,000,000 may be used to make grants, using any authorities available to the Forest Service under the "State and Private Forestry" appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: Provided further, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That before obligating any of the funds provided herein for wildland fire suppression, the Secretary of Agriculture shall obligate all unobligated balances previously made available under this heading (including the unobligated balances transferred to Forest Service accounts under this heading by division B of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329, 122 Stat. 3594)) that, when appropriated, were designated by Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985 and notify the Committees on Appropriations of the

House of Representatives and the Senate in writing of the imminent need to begin obligating funds provided herein for wildland fire suppression: Provided further, That funds designated for wildfire suppression, including funds transferred from the "FLAME Wildfire Suppression Reserve Fund", shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs: Provided further, That of the funds for hazardous fuels reduction, up to $21,000,000 may be transferred to the "National Forest System" to support the Integrated Resource Restoration pilot program.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities, $315,886,000, to remain available until expended: Provided, That such amounts are available only for transfer to the "Wildland Fire Management" account and only following a declaration by the Secretary that either (1) a wildland fire suppression event meets certain previously established risk-based written criteria for significant complexity, severity, or threat posed by the fire or (2) funds in the "Wildland Fire Management" account will be exhausted within 30 days.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft from excess sources to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the headings "Wildland Fire Management" and "FLAME Wildfire Suppression Reserve Fund" will be obligated within 30 days: Provided, That all funds used pur-

suant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–107 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the joint explanatory statement of the managers accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center. Nothing in this paragraph shall limit the Forest Service portion of implementation costs to be paid to the Department of Agriculture for the Financial Management Modernization Initiative.

Of the funds available to the Forest Service up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993, Public Law 103–82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses,

for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: Provided further, That authorized investments of Federal funds held by the Foundation 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.

Pursuant to section 2(b)(2) of Public Law 98–244, $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: Provided, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: Provided further, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older American Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed $55,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance and decommissioning. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar nonlitigation-related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

An eligible individual who is employed in any project funded under title V of the Older American Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to

be a Federal employee for purposes of chapter 171 of title 28, United States Code.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $3,872,377,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That $844,927,000 for contract medical care, including $51,500,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: Provided further, That of the funding provided for information technology activities and, notwithstanding any other provision of law, $4,000,000 shall be allocated at the discretion of the Director of the Indian Health Service: Provided further, That of the funds provided, up to $36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25 U.S.C. 1613a and 1616a): Provided further, That notwithstanding any other provision of law, the amounts made available within this account for the methamphetamine and suicide prevention and treatment initiative and for the domestic violence prevention initiative shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: Provided further, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: Provided further, That funding con-

tained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $472,193,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts, or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2012, of which not to exceed $10,000,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts, or annual funding agreements: Provided further, That the Bureau of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): Provided further, That the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $441,052,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: Provided further, That not to exceed $2,700,000 from this account and the "Indian Health Services" account shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunc-

tion with an existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That not to exceed $500,000 shall be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638, as amended: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been in-

cluded in an appropriations Act and enacted into law: Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: Provided further, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $79,054,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $76,337,000, of which up to $1,000 per eligible employee of the Agency for Toxic Substances and Disease Registry shall remain available until expended for Individual Learning Accounts: Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(I) of CERCLA during fiscal year 2012, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,153,000: Provided, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $11,147,000: Provided, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: Provided further, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $7,750,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on

the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $8,533,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $636,530,000, to remain available until September 30, 2013, except as otherwise provided herein; of which not to exceed $20,137,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $175,000,000, to remain available until expended, of which not to exceed $10,000 is for services as authorized by 5 U.S.C. 3109, and of which $75,000,000 shall be to complete design and begin construction of the National Museum of African American History and Culture: Provided, That during fiscal year 2012 and any succeeding fiscal year, a single procurement for construction of the National Museum of African American History and Culture, as

authorized under section 8 of the National Museum of African American History and Culture Act (20 U.S.C. 80r–6), may be issued that includes the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $114,066,000, of which not to exceed $3,481,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION, AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $14,516,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $23,200,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy

Center for the Performing Arts, $13,650,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $11,005,000, to remain available until September 30, 2013.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,255,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,255,000, to remain available until expended, of which $135,500,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $10,755,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act including $8,370,000 for the purposes of section 7(h): Provided, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That the Chairperson of the National Endowment for the Arts may approve

grants of up to $10,000, if in the aggregate this amount does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: Provided further, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under Chapter 91 of title 40, United States Code, $2,400,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: Provided further, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), as amended, $2,000,000.

ADMINISTRATIVE PROVISION

The item relating to "National Capital Arts and Cultural Affairs" in the Department of the Interior and Related Agencies Appropriations Act, 1986, as enacted into law by section 101(d) of Public Law 99–190 (99 Stat. 1261; 20 U.S.C. 956a) is amended—

(1) by deleting the last sentence in the second paragraph and replacing it with the following: "Each eligible organization must have its principal place of business in the District of Columbia and in a facility or facilities located in the District of Columbia."; and

(2) In the third paragraph, by deleting "in addition to those herein named" at the end of the sentence.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $6,108,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $8,154,000: Provided, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $50,798,000, of which $515,000 shall remain available until September 30, 2014, for the Museum's equipment replacement program; and of which $1,900,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $12,000,000 shall be available to the Presidio Trust, to remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses, including the costs of construction design, of the Dwight D. Eisenhower Memorial Commission, $2,000,000, to remain available until expended.

CAPITAL CONSTRUCTION

For necessary expenses of the Dwight D. Eisenhower Memorial Commission for design and construction of a memorial in honor of Dwight D. Eisenhower, as authorized by Public Law 106–79, $30,990,000, to remain available until expended: Provided, That beginning in fiscal year 2012 and thereafter, any procurement for the construction of the permanent memorial to Dwight D. Eisenhower, as authorized by section 8162 of the Department of Defense Appropriations Act, 2000 (16 U.S.C. 431 note; Public Law 106–79), as amended by section 8120 of the Department of Defense Appropriations Act, 2002 (Public Law 107–117), may be issued which includes the full scope of the project: Provided further, That the solicitation and contract with respect to the procurement shall contain the "availability of funds" clause described in section 52.232.18 of title 48, Code of Federal Regulations: Provided further, That the funds appropriated herein shall be deemed to satisfy the criteria for issuing a permit contained in 40 U.S.C. 8906(a)(4) and (b).

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

LIMITATION ON CONSULTING SERVICES

SEC. 401. 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 in-

spection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

RESTRICTION ON USE OF FUNDS

SEC. 402. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

PROHIBITION ON USE OF FUNDS FOR PERSONAL SERVICES

SEC. 404. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 405. Estimated overhead charges, deductions, reserves or holdbacks from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

GIANT SEQUOIA

SEC. 406. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2011.

MINING APPLICATIONS

SEC. 407. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the

Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2013, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS

SEC. 408. Notwithstanding any other provision of law, amounts appropriated to or otherwise designated in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, 106–113, 106–291, 107–63, 108–7, 108–108, 108–447, 109–54, 109–289, division B and Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Laws 110–5 and 110–28), Public Laws 110–92, 110–116, 110–137, 110–149, 110–161, 110–329, 111–6, 111–8, 111–88, and 112–10 for payments for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2011 for such purposes, except that the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, self-governance compacts, or annual funding agreements.

FOREST MANAGEMENT PLANS

SEC. 409. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: Provided, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan

and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 410. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

AMENDMENTS TO THE TEMPORARY EMERGENCY WILDFIRE SUPPRESSION ACT

SEC. 411. The Temporary Emergency Wildfire Suppression Act (42 U.S.C. 1856m et seq.) is amended—

(1) in the first section (42 U.S.C. 1856m note)—

(A) by striking "That this" and inserting the following:

"SECTION 1. SHORT TITLE.

"This"; and

(B) by striking "Temporary";

(2) by striking section 2 (42 U.S.C. 1856m) and inserting the following:

"SEC. 2. DEFINITIONS.

"In this Act:

"(1) ASSUME ANY AND ALL LIABILITY.—The term 'assume any and all liability' means—

"(A) the payment of—

"(i) any judgment, settlement, fine, penalty, or cost assessment (including prevailing party legal fees) associated with the applicable litigation; and

"(ii) any cost incurred in handling the applicable litigation (including legal fees); and

"(B) with respect to a Federal firefighter, arranging for, and paying the costs of, representation in the applicable litigation.

"(2) FEDERAL FIREFIGHTER.—The term 'Federal firefighter' means an individual furnished by the Secretary of Agriculture or the Secretary of the Interior under an agreement entered into under section 3.

"(3) FOREIGN FIRE ORGANIZATION.—The term 'foreign fire organization' means any foreign governmental, public, or private entity that has wildfire protection resources.

"(4) FOREIGN FIREFIGHTER.—The term 'foreign firefighter' means an individual furnished by a foreign fire organization under an agreement entered into under section 3.

"(5) WILDFIRE.—The term 'wildfire' means any forest or range fire.

"(6) WILDFIRE PROTECTION RESOURCES.—The term 'wildfire protection resources' means any personnel, supplies, equipment, or other resources required for wildfire presuppression and suppression activities.";

(3) in section 3 (42 U.S.C. 1856n)—

(A) in subsection (a)—

(i) by striking "(a)(1) The Secretary of Agriculture" and inserting the following:

"(a) EXCHANGE OF WILDFIRE PROTECTION RESOURCES UNDER A RECIPROCAL AGREEMENT WITH A FOREIGN FIRE ORGANIZATION.—

"(1) AUTHORITY TO ENTER INTO A RECIPROCAL AGREEMENT.—The Secretary of Agriculture"; and

(ii) in paragraph (2), by striking "(2) Any agreement" and inserting the following:

"(2) REQUIREMENTS FOR A RECIPROCAL AGREEMENT.—Any agreement";

(B) in subsection (b)—

(i) by striking "(b) In the absence" and inserting the following:

"(b) EXCHANGE OF WILDFIRE PROTECTION RESOURCES WITHOUT A RECIPROCAL AGREEMENT.—In the absence"; and

(ii) in paragraph (1), by striking "United States, and" and inserting "United States; and";

(C) in subsection (c), by striking "(c) Notwithstanding" and inserting the following:

"(c) REIMBURSEMENT UNDER AGREEMENTS WITH CANADA.—Notwithstanding"; and

(D) in subsection (d)—

(i) by striking, "(d) Any service" and inserting the following:

"(d) SERVICE PERFORMED UNDER THIS ACT BY FEDERAL EMPLOYEES.—

"(1) IN GENERAL.—Any service"; and

(ii) in the second sentence, by striking "The" and inserting the following:

"(2) EFFECT.—Except as provided in section 4, the";

(4) by redesignating section 4 (42 U.S.C. 1856o) as section 5;

(5) by inserting after section 3 the following:

"SEC. 4. RECIPROCAL AGREEMENTS WITH LIABILITY COVERAGE.

"(a) PROTECTION FROM LIABILITY FOR FOREIGN FIREFIGHTERS AND FOREIGN FIRE ORGANIZATIONS.—Subject to subsection (b), in an agreement with a foreign fire organization entered into under section 3, the Secretary of Agriculture and the Secretary of the Interior may provide that—

"(1) a foreign firefighter shall be considered to be an employee of the United States for purposes of tort liability while the foreign firefighter is acting within the scope of an official duty under the agreement; and

"(2) any claim against the foreign fire organization or any legal organization associated with the foreign firefighter that arises out of an act or omission of the foreign firefighter in the performance of an official duty under the agreement, or that arises out of any other act, omission, or occurrence for which the foreign fire organization or legal organization associated with the foreign firefighter is legally responsible under applicable law, may be prosecuted only—

"(A) against the United States; and

"(B) as if the act or omission were the act or omission of an employee of the United States.

"(b) PROTECTION FROM LIABILITY FOR FEDERAL FIREFIGHTERS AND THE FEDERAL GOVERNMENT.—The Secretary of Agriculture and the Secretary of the Interior may provide the protections under subsection (a) if the foreign fire organization agrees—

"(1) to assume any and all liability for any legal action brought against the Federal firefighter for an act or omission of the Federal firefighter while acting within the scope of an official duty under the agreement; and

"(2) to the extent the United States or any legal organization associated with the Federal firefighter is not entitled to immunity from the jurisdiction of the courts having jurisdiction over the foreign fire organization receiving the services of the Federal firefighters, to assume any and all liability for any legal action brought against the United States or the legal organization arising out of—

"(A) an act or omission of the Federal firefighter in the performance of an official duty under the agreement; or

"(B) any other act, omission, or occurrence for which the United States or the legal organization associated with the Federal firefighter is legally responsible under the laws applicable to the foreign fire organization."; and

(6) in section 5 (as redesignated by paragraph (4))—

(A) by striking "under section 3(c)" and inserting "under this Act"; and

(B) in the proviso—

(i) by striking "wildfire protection resources or personnel" each place it appears and inserting "wildfire protection resources (including personnel)";

(ii) by inserting "for wildfire suppression activities" before "unless"; and

(iii) by striking "provide wildfire protection" and inserting "provide wildfire suppression".

CONTRACTING AUTHORITIES

SEC. 412. In awarding a Federal contract with funds made available by this Act, notwithstanding Federal Government procurement and contracting laws, the Secretary of Agriculture and the Secretary of the Interior (the "Secretaries") may, in evaluating bids and proposals, through fiscal year 2013, give consideration to local contractors who are from, and who provide employment and training for, dislocated and displaced workers in an economically disadvantaged rural community, including those historically timber-dependent areas that have been affected by reduced timber harvesting on Federal lands and other forest-dependent rural communities isolated from significant alternative employment opportunities: Provided, That notwithstanding Federal Government procurement and contracting laws the Secretaries may award contracts, grants or cooperative agreements to local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or micro-business or disadvantaged business: Provided further, That the contract, grant, or cooperative agreement is for forest hazardous fuels reduction, watershed or water quality monitoring or restoration, wildlife or fish population monitoring, road decommissioning, trail maintenance or improvement, or habitat restoration or management: Provided further, That

the terms "rural community" and "economically disadvantaged" shall have the same meanings as in section 2374 of Public Law 101–624 (16 U.S.C. 6612): Provided further, That the Secretaries shall develop guidance to implement this section: Provided further, That nothing in this section shall be construed as relieving the Secretaries of any duty under applicable procurement laws, except as provided in this section.

LIMITATION ON TAKINGS

SEC. 413. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: Provided, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 414. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

EXTENSION OF GRAZING PERMITS

SEC. 415. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits at the Department of the Interior and the Forest Service, shall remain in effect for fiscal years 2012 and 2013. A grazing permit or lease issued by the Secretary of the Interior for lands administered by the Bureau of Land Management that is the subject of a request for a grazing preference transfer shall be issued, without further processing, for the remaining time period in the existing permit or lease using the same mandatory terms and conditions. If the authorized officer determines a change in the mandatory terms and conditions is required, the new permit must be processed as directed in section 325 of Public Law 108–108.

PROHIBITION ON NO-BID CONTRACTS

SEC. 416. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41,

United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education and Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq., as amended) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 417. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 418. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 419. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term "underserved population" means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

USE OF COMPETITIVE GRANT FUNDS

SEC. 420. Section 6(d) of Public Law 96–297 (16 U.S.C. 431 note), as added by section 101 of Public Law 108–126, is amended by inserting ", except funds awarded through competitive grants," after "No Federal funds".

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT

SEC. 421. Section 503(f) of the Forest Service Realignment and Enhancement Act of 2005 (title V of Public Law 109–54; 16 U.S.C. 580d note), as amended by section 422(1) of Public Law 111–8 (123 Stat. 748), is further amended by striking "2011" and inserting "2016".

SERVICE FIRST

SEC. 422. Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106–291; 114 Stat. 996; 43 U.S.C. 1701 note), concerning Service First authorities, as amended by section 428 of Public Law 109–54 (119 Stat. 555–556) and section 418 of Public Law 111–8 (123 Stat. 747), is amended—

(1) by striking in the first sentence "In fiscal years 2001 through 2011", and inserting "In fiscal year 2012 and each fiscal year thereafter"; and

(2) by striking in the first sentence "pilot programs" and inserting "programs."

FEDERAL, STATE, COOPERATIVE FOREST, RANGE-LAND AND WATERSHED RESTORATION IN UTAH

SEC. 423. The authority provided by section 337 of the Department of the Interior and Related Agencies Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 3012), as amended, shall remain in effect until September 30, 2013.

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 424. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

REPORT ON USE OF CLIMATE CHANGE FUNDS

SEC. 425. Not later than 120 days after the date on which the President's fiscal year 2013 budget request is submitted to Congress, the President shall submit a comprehensive report to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate describing in detail all Federal agency funding, domestic and international, for climate change programs, projects and activities in fiscal year 2011, including an accounting of funding by agency with each agency identifying climate change programs, projects and activities and associated costs by line item as presented in the President's Budget Appendix, and including citations and linkages where practicable to each strategic plan that is driving funding within each climate change program, project and activity listed in the report.

PROHIBITION ON USE OF FUNDS

SEC. 426. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 427. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

FOREST SERVICE PRE-DECISIONAL OBJECTION PROCESS

SEC. 428. Hereafter, upon issuance of final regulations, the Secretary of Agriculture, acting through the Chief of the Forest Service, shall apply section 105(a) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515(a)), providing for a pre-decisional objection process, to proposed actions of the Forest Service concerning projects and activities implementing land and resource management plans developed under the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.), and documented with a Record of Decision or Decision Notice, in lieu of subsections (c), (d), and (e) of section 322 of Public Law 102–381 (16 U.S.C. 1612 note), providing for an administrative appeal process: Provided, That if the Chief of the Forest Service determines an emergency situation exists for which immediate implementation of a proposed action is necessary, the proposed action shall not be subject to the pre-decisional objection process, and implementation shall begin immediately after the Forest Service gives notice of the final decision for the proposed action: Provided further, That this section shall not apply to an authorized hazardous fuel reduction project under title I of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.).

SILVICULTURAL ACTIVITIES

SEC. 429. From the date of enactment of this Act until September 30, 2012, the Administrator of the Environmental Protection Agency shall not require a permit under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342), nor shall the Administrator directly or indirectly require any State to require a permit, for discharges of stormwater runoff from roads, the construction, use, or maintenance of which are associated with silvicultural activities, or from other silvicultural activities involving nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, or surface drainage.

CLAIM MAINTENANCE FEE AMENDMENTS

SEC. 430. Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended—

(1) in subsection (a)—

(A) by striking so much as precedes the second sentence and inserting the following:

"(a) CLAIM MAINTENANCE FEE.—

"(1) LODE MINING CLAIMS, MILL SITES, AND TUNNEL SITES.—The holder of each unpatented lode mining claim, mill site, or tunnel site, located pursuant to the mining laws of the United States on or after August 10, 1993, shall pay to the Secretary of the Interior, on or before September 1 of each year, to the extent provided in advance in appropriations Acts, a claim maintenance fee of $100 per claim or site, respectively."; and

(B) by adding at the end the following:

"(2) PLACER MINING CLAIMS.—The holder of each unpatented placer mining claim located pursuant to the mining laws of the United States located before, on, or after August 10, 1993, shall pay to the Secretary of the Interior, on or before

September 1 of each year, the claim maintenance fee described in subsection (a), for each 20 acres of the placer claim or portion thereof."; and

(2) in subsection (b), by striking the first sentence and inserting the following: "The claim main tenance fee under subsection (a) shall be paid for the year in which the location is made, at the time the location notice is recorded with the Bureau of Land Management.".

DOMESTIC LIVESTOCK GRAZING

SEC. 431. (a) PROHIBITION REGARDING POTENTIAL DOMESTIC SHEEP AND BIGHORN SHEEP CONTACT ON NATIONAL FOREST SYSTEM LAND.—Notwithstanding any other provision of law or regulation (other than the Endangered Species Act of 1973 and regulations issued under such Act), none of the funds made available by this Act or made available by any other Act for fiscal year 2012 only may be used to carry out—

(1) any new management restrictions on domestic sheep on parcels of National Forest System land (as defined in the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))) with potential domestic sheep and bighorn sheep (whether native or nonnative) contact in excess of the management restrictions that existed on July 1, 2011; or

(2) any other agency regulation for managing bighorn sheep populations on any allotment of such National Forest System land if the management action will result in a reduction in the number of domestic livestock permitted to graze on the allotment or in the distribution of livestock on the allotment.

(b) EXCEPTION.—Notwithstanding subsection (a), the Secretary of Agriculture may make such management changes as the Secretary determines to be necessary to manage bighorn sheep if the management changes—

(1) are consistent with the wildlife plans of the relevant State fish and game agency and determined in consultation with that agency; and

(2) are developed in consultation with the affected permittees.

(c) BUREAU OF LAND MANAGEMENT LANDS.—In circumstances involving conflicts between bighorn sheep and domestic sheep grazing on public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the Bureau of Land Management may only modify or cancel domestic sheep grazing permits after consulting with the appropriate State fish and game agency. However, if the State in question has an approved State Wildlife Management Plan that addresses, with specificity, bighorn sheep management, then the Bureau of Land Management modification or cancellation of permits in that State shall conform to the bighorn sheep management objectives in the State Wildlife Management Plan, unless conformance would be inconsistent with Federal statute or regulation. The Bureau of Land Management shall be bound by the requirements of this subsection until September 30, 2012.

(d) VOLUNTARY CLOSURE OF ALLOTMENTS.—Nothing in this section shall be construed as limiting the voluntary closure of existing domestic sheep allotments when the closure is agreed to in writing

between the permittee and the Secretary of the Interior or the Secretary of Agriculture and is carried out for the purpose of reducing conflicts between domestic sheep and bighorn sheep.

(e) WAIVER OF GRAZING PERMITS AND LEASES.—The Secretary of the Interior and the Secretary of Agriculture may accept the voluntary waiver of any valid existing lease or permit authorizing grazing on National Forest System land described in subsection (a) or public lands described in subsection (c). If the grazing permit or lease for a grazing allotment is only partially within the area of potential domestic sheep and bighorn sheep contact, the affected permittee may elect to waive only the portion of the grazing permit or lease that is within that area. The Secretary concerned shall—

(1) terminate each permit or lease waived or portion of a permit or lease waived under this subsection;

(2) ensure a permanent end to domestic sheep grazing on the land covered by the waived permit or lease or waived portion of the permit or lease unless or until there is no conflict with bighorn sheep management; and

(3) provide for the reimbursement of range improvements in compliance with section 4 of the Act of June 28, 1934 (commonly known as the Taylor Grazing Act; 43 U.S.C. 315c).

AIR EMISSIONS FROM OUTER CONTINENTAL SHELF ACTIVITIES

SEC. 432. (a) It is the purpose of this section to ensure that the energy policy of the United States focuses on the expeditious and orderly development of domestic energy resources in a manner that protects human health and the environment.

(b) Section 328(a)(1) of the Clean Air Act (42 U.S.C. 7627(a)(1)) is amended—

(1) in the first sentence, by inserting "(other than Outer Continental Shelf sources located offshore of the North Slope Borough of the State of Alaska)" after "Outer Continental Shelf sources located offshore of the States along the Pacific, Arctic and Atlantic Coasts"; and

(2) in the fourth sentence, by inserting "and this Act" after "regulations".

(c) Section 328(b) of the Clean Air Act (42 U.S.C. 7627(b)) is amended in the first sentence—

(1) by striking "Gulf Coast"; and

(2) by inserting "or are adjacent to the North Slope Borough of the State of Alaska" after "Alabama".

(d) The transfer of air quality permitting authority pursuant to this section shall not invalidate or stay—

(1) any air quality permit pending or existing as of the date of the enactment of this Act; or

(2) any proceeding related thereto.

(e)(1) The Comptroller General of the United States shall undertake a study on the process for air quality permitting in the Outer Continental Shelf.

(2) The study shall consist of a comparison of air quality permitting for Outer Continental Shelf sources (as such term is defined in section 328(a)(4) of the Clean Air Act (42 U.S.C. 7627(a)(4)) by the Department of the Interior with such permitting by the Environmental Protection Agency, taking into account the time elapsed be-

tween application and permit approval, the number of applications, and the experiences and assessments of the applicants.

(3) In carrying out the study, the Comptroller General shall consult with the Administrator of the Environmental Protection Agency, the Secretary of the Interior, and applicants for air quality permits.

(4) The Comptroller General shall complete the study and submit a report on the results of the study to the Congress not later than September 30, 2014.

FUNDING PROHIBITION

SEC. 433. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent and made a determination that this further action is not necessary to protect the interests of the Government.

LIMITATION WITH RESPECT TO DELINQUENT TAX DEBTS

SEC. 434. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

ALASKA NATIVE REGIONAL HEALTH ENTITIES

SEC. 435. (a) Notwithstanding any other provision of law and until October 1, 2013, the Indian Health Service may not disburse funds for the provision of health care services pursuant to Public Law 93–638 (25 U.S.C. 450 et seq.) to any Alaska Native village or Alaska Native village corporation that is located within the area served by an Alaska Native regional health entity.

(b) Nothing in this section shall be construed to prohibit the disbursal of funds to any Alaska Native village or Alaska Native village corporation under any contract or compact entered into prior to May 1, 2006, or to prohibit the renewal of any such agreement.

(c) For the purpose of this section, Eastern Aleutian Tribes, Inc., the Council of Athabascan Tribal Governments, and the Native Village of Eyak shall be treated as Alaska Native regional health entities to which funds may be disbursed under this section.

GENERAL REDUCTION

SEC. 436. (a) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.16 percent of the budget authority provided for fiscal year 2012 for any discretionary appropriation in titles I through IV of this Act.

(b) PROPORTIONATE APPLICATION.—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).

(c) INDIAN LAND AND WATER CLAIM SETTLEMENTS.—Under the heading "Bureau of Indian Affairs, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians", the across-the-board rescission in this section, and any subsequent across-the-board rescission for fiscal year 2012, shall apply only to the first dollar amount in the paragraph and the distribution of the rescission shall be at the discretion of the Secretary of the Interior who shall submit a report on such distribution and the rationale therefore to the House and Senate Committees on Appropriations.

(d) OMB REPORT.—Within 30 days after the date of the enactment of this section the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

This division may be cited as the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012".

DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Workforce Investment Act of 1998 (referred to in this Act as "WIA"), the Second Chance Act of 2007, and the Women in Apprenticeship and Non-Traditional Occupations Act of 1992 ("WANTO"), including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIA, $3,195,383,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, $2,605,268,000 as follows:

(A) $770,922,000 for adult employment and training activities, of which $58,922,000 shall be available for the period July 1, 2012, through June 30, 2013, and of which $712,000,000 shall be available for the period October 1, 2012 through June 30, 2013;

(B) $825,914,000 for youth activities, which shall be available for the period April 1, 2012 through June 30, 2013; and

(C) $1,008,432,000 for dislocated worker employment and training activities, of which $148,432,000 shall be available for the period July 1, 2012 through June 30, 2013, and of which $860,000,000 shall be available for the period October 1, 2012 through June 30, 2013:

Provided, That notwithstanding the transfer limitation under section 133(b)(4) of the WIA, up to 30 percent of such funds may be transferred by a local board if approved by the Governor: Provided further, That a local board may award a contract to an institution of higher education or other eligible training provider if the local board determines that it would facilitate the training of multiple individuals in high-demand occupations, if such contract does not limit customer choice: Provided further, That notwithstanding section 128(a)(1) of the WIA, the amount available to the Governor for statewide workforce investment activities shall not exceed 5 percent of the amount allotted to the State from each of the appropriations under the preceding subparagraphs;

(2) for federally administered programs, $487,053,000 as follows:

(A) $224,112,000 for the dislocated workers assistance national reserve, of which $24,112,000 shall be available for the period July 1, 2012 through June 30, 2013, and of which $200,000,000 shall be available for the period October 1, 2012 through June 30, 2013: Provided, That funds provided to carry out section 132(a)(2)(A) of the WIA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That funds provided to carry out section 171(d) of the WIA may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That none of the funds shall be obligated to carry out section 173(e) of the WIA;

(B) $47,652,000 for Native American programs, which shall be available for the period July 1, 2012 through June 30, 2013;

(C) $84,451,000 for migrant and seasonal farmworker programs under section 167 of the WIA, including $78,253,000 for formula grants (of which not less than 70

percent shall be for employment and training services), $5,689,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $509,000 for other discretionary purposes, which shall be available for the period July 1, 2012 through June 30, 2013: Provided, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) $998,000 for carrying out the WANTO, which shall be available for the period July 1, 2012 through June 30, 2013; and

(E) $79,840,000 for YouthBuild activities as described in section 173A of the WIA, which shall be available for the period April 1, 2012 through June 30, 2013; and

(F) $50,000,000 to be available to the Secretary of Labor (referred to in this title as "Secretary") for the Workforce Innovation Fund to carry out projects that demonstrate innovative strategies or replicate effective evidence-based strategies that align and strengthen the workforce investment system in order to improve program delivery and education and employment outcomes for beneficiaries, which shall be for the period July 1, 2012 through September 30, 2013: Provided, That amounts shall be available for awards to States or State agencies that are eligible for assistance under any program authorized under the WIA, consortia of States, or partnerships, including regional partnerships: Provided further, That not more than 5 percent of the funds available for workforce innovation activities shall be for technical assistance and evaluations related to the projects carried out with these funds;

(3) for national activities, $103,062,000, as follows:

(A) $6,616,000, in addition to any amounts available under paragraph (2), for Pilots, Demonstrations, and Research, which shall be available for the period April 1, 2012 through June 30, 2013: Provided, That funds made available by Public Law 112–10 that were designated for grants to address the employment and training needs of young parents may be used for other pilots, demonstrations, and research activities and for implementation activities related to the VOW to Hire Heroes Act of 2011 and may be transferred to "State Unemployment Insurance and Employment Service Operations" to carry out such implementation activities;

(B) $80,390,000 for ex-offender activities, under the authority of section 171 of the WIA and section 212 of the Second Chance Act of 2007, which shall be available for the period April 1, 2012 through June 30, 2013, notwithstanding the requirements of section 171(b)(2)(B) or 171(c)(4)(D) of the WIA: Provided, That of this amount, $20,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare young ex-offenders and school dropouts for employment, with a priority for projects serving high-crime, high-poverty areas;

(C) $9,581,000 for Evaluation, which shall be available for the period July 1, 2012 through June 30, 2013; and

(D) $6,475,000 for the Workforce Data Quality Initiative, under the authority of section 171(c)(2) of the WIA, which shall be available for the period July 1, 2012 through June 30, 2013, and which shall not be subject to the requirements of section 171(c)(4)(D).

OFFICE OF JOB CORPS

To carry out subtitle C of title I of the WIA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIA, $1,706,171,000, plus reimbursements, as follows:

(1) $1,572,049,000 for Job Corps Operations, which shall be available for the period July 1, 2012 through June 30, 2013;

(2) $104,990,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2012 through June 30, 2015: Provided, That the Secretary may transfer up to 15 percent of such funds to meet the operational needs of such centers or to achieve administrative efficiencies: Provided further, That any funds transferred pursuant to the preceding proviso shall not be available for obligation after June 30, 2013; and

(3) $29,132,000 for necessary expenses of the Office of Job Corps, which shall be available for obligation for the period October 1, 2011 through September 30, 2012:

Provided further, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965 (referred to in this Act as "OAA"), $449,100,000, which shall be available for the period July 1, 2012 through June 30, 2013, and may be recaptured and reobligated in accordance with section 517(c) of the OAA.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2012 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011, $1,100,100,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2012.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $86,231,000, together with not to exceed $3,958,441,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) $3,181,154,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including not less than $10,000,000 to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 231(a) of the Trade Adjustment Assistance Extension Act of 2011, and shall be available for obligation by the States through December 31, 2012, except that funds used for automation acquisitions or competitive grants awarded to States for improved operations, or reemployment and eligibility assessments and improper payments shall be available for obligation by the States through September 30, 2014, and funds used for unemployment insurance workloads experienced by the States through September 30, 2012 shall be available for Federal obligation through December 31, 2012;

(2) $11,287,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) $679,531,000 from the Trust Fund, together with $22,638,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall be available for Federal obligation for the period July 1, 2012 through June 30, 2013;

(4) $20,952,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, and the provision of technical assistance and staff training under the Wagner-Peyser Act, including not to exceed $1,228,000 that may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980;

(5) $65,517,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which $50,418,000 shall be available for the Federal administration of such activities, and $15,099,000 shall be available for grants to States for the administration of such activities; and

(6) $63,593,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and section 171 (e)(2)(C) of the WIA and shall be available for Federal obligation for the period July 1, 2012 through June 30, 2013:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2012 is projected by the Department of Labor to exceed 4,832,000, an additional $28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: Provided further, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance or immigration programs, may be obligated in contracts, grants, or agreements with non-State entities: Provided further, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the Office of Management and Budget Circular A–87: Provided further, That the Secretary, at the request of a State participating in a consortium with other States, may reallot funds allotted to such State under title III of the Social Security Act to other States participating in the consortium in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request.

In addition, $50,000,000 from the Employment Security Administration Account of the Unemployment Trust Fund shall be available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986; and for nonrepayable advances to the Unemployment Trust Fund as authorized by 5 U.S.C. 8509, and to the "Federal Unemployment Benefits and Allowances" account, such sums as may be necessary, which shall be available for obligation through September 30, 2013.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $97,320,000, together with not to exceed $50,040,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $183,500,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation ("Corporation") is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2012, for the Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2012 shall be available for obligations for administrative expenses in excess of $476,901,000: Provided further, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2012, an amount not to exceed an additional $9,200,000 shall be available through September 30, 2013, for obligation for administrative expenses for every 20,000 additional terminated participants: Provided further, That an additional $50,000 shall be made available through September 30, 2013, for obligation for investment management fees for every $25,000,000 in assets received by the Corporation as a result of new plan terminations or asset growth, after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That obligations in excess of the amounts provided in this paragraph may be incurred for unforeseen and extraordinary pretermination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate.

WAGE AND HOUR DIVISION

SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $227,491,000.

OFFICE OF LABOR MANAGEMENT STANDARDS

SALARIES AND EXPENSES

For necessary expenses for the Office of Labor Management Standards, $41,367,000.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, $105,386,000.

OFFICE OF WORKERS' COMPENSATION PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Workers' Compensation Programs, $115,939,000, together with $2,124,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Worker's Compensation Act.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948; and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, $350,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: Provided, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2011, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(c) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2012: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $59,488,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems and telecommunications systems, $17,253,000;

(2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, $26,769,000;

(3) For periodic roll management and medical review, $15,466,000; and

(4) The remaining funds shall be paid into the Treasury as miscellaneous receipts:

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, $141,227,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2013, $40,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, $52,147,000, to remain available until expended: Provided, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung Disability Trust Fund ("Fund"), to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (6), and (7) of the Internal Revenue Code of 1986; and repayment of, and payment of interest on advances, as authorized by section 9501(d)(4) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2012 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed $32,906,000 for transfer to the Office of Workers' Compensation Programs, "Salaries and Expenses"; not to exceed $25,217,000 for transfer to Departmental Management, "Salaries and Expenses"; not to exceed $327,000 for transfer to Departmental Management, "Office of Inspector General"; and not to exceed $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $565,857,000, including not to exceed $104,393,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act

("Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $200,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2012, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees:

Provided further, That $10,729,000 shall be available for Susan Harwood training grants.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Mine Safety and Health Administration, $374,000,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to $1,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; and, in addition, the Secretary may transfer from amounts provided under this heading up to $3,000,000 to "Departmental Management" for activities related to the Office of the Solicitor's caseload before the Federal Mine Safety and Health Review Commission; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization; and any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $542,921,000, together with not to exceed $67,303,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, of which $1,500,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act.

Office of Disability Employment Policy

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $38,953,000.

Departmental Management

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, $346,683,000, together with not to exceed $326,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: Provided, That $66,500,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2012: Provided further, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: Provided further, That $40,000,000 shall be for programs to combat exploitative child labor internationally: Provided further, That not less than $6,500,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: Provided further, That $8,500,000 shall be used for program evaluation and shall be available for obligation through September 30, 2013: Provided further, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: Provided further, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $212,060,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4113, 4211–4215, and 4321–4327, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 2012, of which $2,444,000 is for the National Veterans' Employment and Training Services Institute.

In addition, to carry out Department of Labor programs under section 5(a)(1) of the Homeless Veterans Comprehensive Assistance Act of 2001 and the Veterans Workforce Investment Programs under section 168 of the WIA, $52,879,000, of which $14,622,000 shall be available for obligation for the period July 1, 2012 through June 30, 2013.

IT MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, $19,852,000.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $77,937,000, together with not to exceed $5,909,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 103. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 104. None of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 may be used for any purpose other than competitive grants for training in the occupations and industries for which employers are using H–1B visas to hire foreign workers, and the related activities necessary to support such training.

SEC. 105. None of the funds made available by this Act under the heading "Employment and Training Administration" shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133. Where States are recipients of such funds, States may establish a lower limit for sala-

ries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs. Notwithstanding this section, the limitation on salaries for the Job Corps shall continue to be governed by section 101.

SEC. 106. The Secretary shall take no action to amend, through regulatory or administration action, the definition established in section 667.220 of title 20 of the Code of Federal Regulations for functions and activities under title I of WIA, or to modify, through regulatory or administrative action, the procedure for redesignation of local areas as specified in subtitle B of title I of that Act (including applying the standards specified in section 116(a)(3)(B) of that Act, but notwithstanding the time limits specified in section 116(a)(3)(B) of that Act), until such time as legislation reauthorizing the Act is enacted. Nothing in the preceding sentence shall permit or require the Secretary to withdraw approval for such redesignation from a State that received the approval not later than October 12, 2005, or to revise action taken or modify the redesignation procedure being used by the Secretary in order to complete such redesignation for a State that initiated the process of such redesignation by submitting any request for such redesignation not later than October 26, 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 107. Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act or by Public Law 112–10, either directly or through a set-aside, for technical assistance services to grantees to "Program Administration" when it is determined that those services will be more efficiently performed by Federal employees.

(INCLUDING TRANSFER OF FUNDS)

SEC. 108. (a) The Secretary may reserve not more than 0.5 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to "Departmental Management" for use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, 2013: Provided, That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: "Office of Job Corps", "State Unemployment Insurance and Employment Service Operations", "Employee Benefits Security Administration", "Office of Workers' Compensation Programs", "Wage and Hour Division", "Office of Federal Contract Compliance Programs", "Office of Labor Management Standards", "Occupational Safety and Health Admin-

istration", "Mine Safety and Health Administration", and "Veterans Employment and Training".

SEC. 109. None of the funds made available by this Act may be used to promulgate the Definition of "Fiduciary" regulation (Regulatory Identification Number 1210–AB32) published by the Employee Benefits Security Administration of the Department of Labor on October 22, 2010 (75 Fed. Reg. 65263).

SEC. 110. None of the amounts made available under this Act may be used to implement the rule entitled "Wage Methodology for the Temporary Non-Agricultural Employment H–2B Program" (76 Fed. Reg. 3452 (January 19, 2011)).

SEC. 111. None of the funds made available by this Act may be used to continue the development of or to promulgate, administer, enforce, or otherwise implement the Occupational Injury and Illness Recording and Reporting Requirements—Musculoskeletal Disorders (MSD) Column regulation (Regulatory Identification Number 1218–AC45) being developed by the Occupational Safety and Health Administration of the Department of Labor.

SEC. 112. None of the funds made available by this Act may be used to implement or enforce the proposed rule entitled "Lowering Miners' Exposure to Coal Mine Dust, Including Continuous Personal Dust Monitors" regulation published by the Mine Safety and Health Administration (MSHA) of the Department of Labor on October 19, 2010 (75 Fed. Reg. 64412, RIN 1219-AB64) until—

(1) the Government Accountability Office—

(A) issues, at a minimum, an interim report which—

(i) evaluates the completeness of MSHA's data collection and sampling, to include an analysis of whether such data supports current trends of the incidence of lung disease arising from occupational exposure to respirable coal mine dust across working underground coal miners; and

(ii) assesses the sufficiency of MSHA's analytical methodology; and

(B) not later than 240 days after enactment of this Act, submits the report described in subparagraph (A) to the Committees on Appropriations of the House of Representatives and the Senate; or

(2) the deadline described in paragraph (1)(B) for submission of the report has passed.

SEC. 113. None of the funds made available by this Act may be used by the Secretary to administer or enforce 29 CFR 779.372(c)(4).

This title may be cited as the "Department of Labor Appropriations Act, 2012".

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the "PHS Act") with respect to primary health care and the Native Hawaiian Health Care Act of

1988, $1,598,957,000, of which $129,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: Provided, That no more than $40,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act, including associated administrative expenses and relevant evaluations: Provided further, That no more than $95,073,000 shall be available until expended for carrying out the provisions of Public Law 104–73 and for expenses incurred by the Department of Health and Human Services (referred to in this Act as "HHS") pertaining to administrative claims made under such law.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, section 1128E of the Social Security Act, and the Health Care Quality Improvement Act of 1986, $734,402,000: Provided, That sections 747(c)(2), 751(j)(2), and the proportional funding amounts in paragraphs (1) through (4) of section 756(e) of the PHS Act shall not apply to funds made available under this heading: Provided further, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary of Health and Human Services (referred to in this title as "Secretary") may waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: Provided further, That no funds shall be available for section 340G–1 of the PHS Act: Provided further, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under such Act sufficient to recover the full costs of operating the National Practitioner Data Bank and shall remain available until expended to carry out that Act: Provided further, That fees collected for the full disclosure of information under the "Health Care Fraud and Abuse Data Collection Program", authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: Provided further, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such sections.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health, title V of the Social Security Act, and section 712 of the American Jobs Creation Act of 2004, $863,607,000: Provided, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than $79,586,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and $10,400,000 shall be available for projects described in paragraphs (A) through (F) of section 501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with respect to the Ryan White HIV/AIDS program, $2,326,665,000, of which $1,995,670,000 shall remain available to the Secretary of Health and Human Services through September 30, 2014, for parts A and B of title XXVI of the PHS Act, and of which not less than $900,000,000 shall be for State AIDS Drug Assistance Programs under the authority of section 2616 or 311(c) of such Act: Provided, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the PHS Act to carry out parts A, B, C, and D of title XXVI of the PHS Act to fund Special Projects of National Significance under section 2691.

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act with respect to health care systems, and the Stem Cell Therapeutic and Research Act of 2005, $83,526,000.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act with respect to rural health, section 427(a) of the Federal Coal Mine Health and Safety Act, the Cardiac Arrest Survival Act of 2000, and sections 711 and 1820 of the Social Security Act, $139,832,000, of which $41,118,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program: Provided, That of the funds made available under this heading for Medicare rural hospital flexibility grants, $15,000,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and $1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for grants under section 1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: Provided further, That notwithstanding section 338J(k) of the PHS Act, $10,055,000 shall be available for State Offices of Rural Health.

FAMILY PLANNING

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, $297,400,000: Provided, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office.

PROGRAM MANAGEMENT

For program support in the Health Resources and Services Administration, $161,815,000: Provided, That funds made available

under this heading may be used to supplement program support funding provided under the headings "Primary Health Care", "Health Workforce", "Maternal and Child Health", "Ryan White HIV/AIDS Program", "Health Care Systems", and "Rural Health".

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the PHS Act. For administrative expenses to carry out the guaranteed loan program, including section 709 of the PHS Act, $2,841,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund ("Trust Fund"), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed $6,489,000 shall be available from the Trust Fund to the Secretary.

CENTERS FOR DISEASE CONTROL AND PREVENTION

IMMUNIZATION AND RESPIRATORY DISEASES

For carrying out titles II, III, VII, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, $579,375,000: Provided, That in addition to amounts provided herein, $12,864,000 shall be available from amounts available under section 241 of the PHS Act to carry out the National Immunization Surveys.

HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED DISEASES, AND TUBERCULOSIS PREVENTION

For carrying out titles II, III, VII, XVII, XXIII, and XXVI of the PHS Act with respect to HIV/AIDS, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, $1,105,995,000.

EMERGING AND ZOONOTIC INFECTIOUS DISEASES

For carrying out titles II, III, VII, and XVII, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to emerging and zoonotic infectious diseases, $253,919,000.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, VII, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, $760,700,000: Provided, That funds appropriated under this account may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations.

BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH

For carrying out titles II, III, VII, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, disabilities and health, $138,072,000.

PUBLIC HEALTH SCIENTIFIC SERVICES

For carrying out titles II and III of the PHS Act with respect to health statistics, surveillance, informatics, and workforce development, $144,795,000: Provided, That in addition to amounts provided herein, $247,769,000 shall be available from amounts available under section 241 of the PHS Act to carry out Public Health Scientific Services.

ENVIRONMENTAL HEALTH

For carrying out titles II, III, VII, and XVII of the PHS Act with respect to environmental health, $105,598,000.

INJURY PREVENTION AND CONTROL

For carrying out titles II, III, VII, and XVII of the PHS Act with respect to injury prevention and control, $138,480,000.

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

For carrying out titles II, III, VII, and XVII of the PHS Act, sections 101, 102, 103, 201, 202, 203, 301, 501, and 514 of the Federal Mine Safety and Health Act, section 13 of the Mine Improvement and New Emergency Response Act, and sections 20, 21, and 22 of the Occupational Safety and Health Act, with respect to occupational safety and health, $182,903,000: Provided, That in addition to amounts provided herein, $110,724,000 shall be available from amounts available under section 241 of the PHS Act.

EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, $55,358,000, to remain available until expended, of which $4,500,000 shall be for use by or in support of the Advisory Board on Radiation and Worker Health ("Board") to carry out its statutory responsibilities, including obtaining audits, technical assistance, and other support from the Board's audit contractor with regard to radiation dose estimation and reconstruction efforts, site profiles, procedures, and review of Special Exposure Cohort petitions and evaluation reports: Provided, That this amount shall be available consistent with the provision regarding administrative expenses in section 151(b) of division B, title I of Public Law 106–554.

GLOBAL HEALTH

For carrying out titles II, III, VII and XVII of the PHS Act with respect to global health, $349,547,000, of which $118,023,000 for international HIV/AIDS shall remain available through September 30, 2013: Provided, That funds may be used for purchase and insurance of official motor vehicles in foreign countries.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, VII, and XVII of the PHS Act with respect to public health preparedness and response, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, $1,306,906,000, of which $509,486,000 shall remain available until expended for the Strategic National Stockpile under section 319F–2 of the PHS Act.

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For carrying out titles II, III, VII, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activities and program support that supplement activities funded under the headings "Immunization and Respiratory Diseases", "HIV/AIDS, Viral Hepatitis, Sexually Transmitted Diseases, and Tuberculosis Prevention", "Emerging and Zoonotic Infectious Diseases", "Chronic Disease Prevention and Health Promotion", "Birth Defects, Developmental Disabilities, Disabilities and Health", "Environmental Health", "Injury Prevention and Control", "National Institute for Occupational Safety and Health", "Employees Occupational Illness Compensation Program Act", "Global Health", "Public Health Preparedness and Response", and "Public Health Scientific Services", $621,445,000, of which $30,000,000 shall be available until September 30, 2013 for business services, of which $25,000,000 shall be available until September 30, 2016 for equipment, construction and renovation of facilities, and of which $80,000,000 shall be for the Preventive Health and Health Services Block Grant Program: Provided, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the Centers for Disease Control and Prevention (referred to in this title as "CDC"): Provided further, That funds appropriated under this heading and in all other accounts of CDC may be used to support the purchase, hire, maintenance, and operation of aircraft for use and support of the activities of CDC: Provided further, That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: Provided further, That CDC may use up to $10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: Provided further, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: Provided further, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program shall be available through September 30, 2013: Provided further, That of the funds made available under this heading, up to $1,000 per eligible employee of CDC shall be made available until expended for Individual Learning Accounts: Provided further, That CDC may establish a Working Capital Fund, with the authorities

equivalent to those provided in 42 U.S.C. 231, to improve the provision of supplies and service.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, $5,081,788,000, of which up to $8,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $3,084,851,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental disease, $411,488,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, $1,800,447,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the PHS Act with respect to neurological disorders and stroke, $1,629,445,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, $4,499,215,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, $2,434,637,000: Provided, That not less than $276,480,000 is provided for the Institutional Development Awards program.

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, $1,323,900,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, $704,043,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, $686,869,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, $1,105,530,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to arthritis and musculoskeletal and skin diseases, $536,801,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the PHS Act with respect to deafness and other communication disorders, $417,061,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, $145,043,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the PHS Act with respect to alcohol abuse and alcoholism, $460,389,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, $1,055,362,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to mental health, $1,483,068,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, $513,844,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, $338,998,000.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to complementary and alternative medicine, $128,299,000.

NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, $276,963,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), $69,754,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, $338,278,000, of which $4,000,000 shall be available until September 30, 2013, for improvement of information systems: Provided, That in fiscal year 2012, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health (referred to in this title as "NIH"): Provided further, That in addition to amounts provided herein, $8,200,000 shall be available from amounts available under section 241 of the PHS Act to carry out the purposes of the National Information Center on Health Services Research and Health Care Technology established under section 478A of the PHS Act and related health services.

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational sciences, $576,456,000: Provided, That up to $10,000,000 shall be available to implement section 402C of the PHS Act, relating to the Cures Acceleration Network: Provided further, That funds appropriated may be used to support the reorganization and activities required to eliminate the National Center for Research Resources: Provided further, That the Director of the NIH shall ensure that, of all funds made available to Institute, Center, and Office of the Director accounts within "Department of Health and Human Services, National Institutes of Health", at least $487,767,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, NIH, $1,461,880,000, of which up to $25,000,000 shall be used to carry out section 213 of this Act: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That NIH is authorized to collect third-party payments for the cost of clinical services that are incurred in NIH research facilities and that such payments shall be credited to the NIH Management Fund: Provided further, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: Provided further, That $193,880,000 shall be available for continuation of the National Children's Study: Provided further, That $545,962,000 shall be available for the Common Fund estab-

lished under section 402A(c)(1) of the PHS Act: Provided further, That of the funds provided $10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: Provided further, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to $8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act.

BUILDINGS AND FACILITIES

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by NIH, including the acquisition of real property, $125,581,000, to remain available until September 30, 2016.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, and the Protection and Advocacy for Individuals with Mental Illness Act, $934,853,000: Provided, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: Provided further, That in addition to amounts provided herein, $21,039,000 shall be available under section 241 of the PHS Act to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: Provided further, That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated under this Act for fiscal year 2012: Provided further, That of the amount appropriated under this heading, $45,800,000 shall be for the National Child Traumatic Stress Initiative as described in section 582 of the PHS Act.

SUBSTANCE ABUSE TREATMENT

For carrying out titles III, V, and XIX of the PHS Act with respect to substance abuse treatment and section 1922(a) of the PHS Act with respect to substance abuse prevention, $2,123,993,000: Provided, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2) $2,000,000 to evaluate substance abuse treatment programs: Provided further, That no funds shall be available for the National All Schedules Prescription Reporting system.

SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, $186,361,000.

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention" in carrying out titles III, V and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and Mental Health Services Administration, $109,106,000: Provided, That in addition to amounts provided herein, $27,428,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: Provided further, That funds made available under this heading may be used to supplement program support funding provided under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention".

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, $369,053,000 shall be available from amounts available under section 241 of the PHS Act, notwithstanding subsection 947(c) of such Act: Provided, That in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2013.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $184,279,110,000, to remain available until expended.

For making, after May 31, 2012, payments to States under title XIX or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the last quarter of fiscal year 2012 for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2013, $90,614,082,000, to remain available until expended.

Payment under such title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D–16 of the Social Secu-

rity Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d)(3) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $230,741,378,000.

In addition, for making matching payments under section 1844 and benefit payments under section 1860D–16 of the Social Security Act that were not anticipated in budget estimates, such sums as may be necessary.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare and Medicaid Services, not to exceed $3,879,476,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 302 of the Tax Relief and Health Care Act of 2006; and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until September 30, 2017: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That $34,000,000, to remain available through September 30, 2013, shall be for contract costs for the Healthcare Integrated General Ledger Accounting System: Provided further, That the Secretary is directed to collect fees in fiscal year 2012 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: Provided further, That $44,000,000 shall be available for the State high-risk health insurance pool program as authorized by the State High Risk Pool Funding Extension Act of 2006.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, $310,377,000, to remain available through September 30, 2013, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which $219,879,000 shall be for the Medicare Integrity Program at the Centers for Medicare and Medicaid Services, including administrative costs, to conduct oversight activities for Medicare Advantage under Part C and the Medicare Prescription Drug Program under Part D of the Social Security Act and for activities described in section 1893(b) of such Act, of which $29,730,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act, of which

$31,038,000 shall be for the Medicaid and Children's Health Insurance Program ("CHIP") program integrity activities, and of which $29,730,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: Provided, That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2012 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, $2,305,035,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2013, $1,100,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance for Needy Families with respect to such State, such sums as may be necessary: Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b) and (d) of section 2602 of the Low Income Home Energy Assistance Act of 1981, $3,478,246,000: Provided, That all but $497,000,000 of such funds shall be allocated as though the total appropriation for such payments for fiscal year 2012 was less than $1,975,000,000: Provided further, That notwithstanding section 2609A(a), of the amounts appropriated under section 2602(b), not more than $3,000,000 of such amounts may be reserved by the Secretary for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures.

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims

Protection Reauthorization Act of 2008, and the Trafficking Victims Protection Act of 2000, for costs associated with the care and placement of unaccompanied alien children, and for carrying out the Torture Victims Relief Act of 1998, $769,789,000, of which up to $9,794,000 shall be available to carry out the Trafficking Victims Protection Act of 2000: Provided, That funds appropriated under this heading pursuant to section 414(a) of the Immigration and Nationality Act, section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, and the Trafficking Victims Protection Act of 2000 for fiscal year 2012 shall be available for the costs of assistance provided and other activities to remain available through September 30, 2014.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990, $2,282,627,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: Provided, That $19,433,000 shall be available for child care resource and referral and school-aged child care activities, of which $1,000,000 shall be available to the Secretary for a competitive grant for the operation of a national toll free hotline and Web site to develop and disseminate child care consumer education information for parents and help parents access child care in their local community: Provided further, That, in addition to the amounts required to be reserved by the States under section 658G, $291,248,000 shall be reserved by the States for activities authorized under section 658G, of which $106,813,000 shall be for activities that improve the quality of infant and toddler care: Provided further, That $9,890,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), the Abandoned Infants Assistance Act of 1988, section 291 of the Help America Vote Act of 2002, part B–1 of title IV and sections 413, 1110, and 1115 of the Social Security Act; for making payments under the Community Services Block Grant Act ("CSBG Act"), sections 439(i), 473B, and 477(i) of the Social Security Act, and the Assets for Independence Act; and for necessary administrative expenses

to carry out such Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960, the Low Income Home Energy Assistance Act of 1981, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980, $9,926,709,000, of which $39,421,000, to remain available through September 30, 2013, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act and may be made for adoptions completed before September 30, 2012: Provided, That $7,983,633,000 shall be for making payments under the Head Start Act: Provided further, That for purposes of allocating funds described by the immediately preceding proviso, the term "base grant" as used in subsection (a)(7)(A) of section 640 of such Act with respect to funding provided to a Head Start agency (including each Early Head Start agency) for fiscal year 2011 shall be calculated as described in such subsection and to which amount shall be added 50 percent of the amount of funds appropriated under the heading "Department of Health and Human Services, Administration for Children and Families, Children and Family Services Programs" in Public Law 111–5 and provided to such agency for carrying out expansion of Head Start programs, as that phrase is used in subsection (a)(4)(D) of such section 640, and provided to such agency as the ongoing funding level for operations in the 12-month period beginning in fiscal year 2010: Provided further, That $713,630,000 shall be for making payments under the CSBG Act: Provided further, That $35,340,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than $30,000,000 shall be for section 680(a)(2) and not less than $4,990,000 shall be for section 680(a)(3)(B) of such Act: Provided further, That in addition to amounts provided herein, $5,762,000 shall be available from amounts available under section 241 of the PHS Act to carry out the provisions of section 1110 of the Social Security Act: Provided further, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the CSBG Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: Provided further, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: Provided further, That these procedures shall apply to such grant funds made available after November 29, 1999: Provided further, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That $5,245,000 shall be for activities authorized by section 291 of the Help America Vote Act of 2002: Provided further,

That $1,996,000 shall be for a human services case management system for federally declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: Provided further, That up to $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act, $345,000,000 and section 437 of such Act, $63,184,000.

PAYMENTS FOR FOSTER CARE AND PERMANENCY

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, $5,153,000,000.

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, for the first quarter of fiscal year 2013, $2,100,000,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV–E of the Social Security Act, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965 ("OAA"), section 398 and title XXIX of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, $1,473,703,000: Provided, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: Provided further, That none of the funds provided shall be used to carry out sections 1701 and 1703 of the PHS Act (with respect to chronic disease self-management activity grants), except that such funds may be used for necessary expenses associated with administering any such grants awarded prior to the date of the enactment of this Act: Provided further, That the total amount available for fiscal year 2012 under this and any other Act to carry out activities related to Aging and Disability Resource Centers under subsections (a)(20)(B)(iii) and (b)(8) of section 202 of the OAA shall not exceed the amount obligated for such purposes for fiscal year 2010 from funds available under Public Law 111–117: Provided further, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, and XXI of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $475,221,000, together with $69,211,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: Provided, That of this amount, $53,783,000 shall be for minority AIDS prevention and treatment activities: Provided further, That of the funds made available under this heading, $104,790,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such contracts and grants, of which not less than $75,000,000 shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, of which not less than $25,000,000 shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy, and of which any remaining amounts shall be available for training and technical assistance, evaluation, outreach, and additional program support activities: Provided further, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, $8,455,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: Provided further, That of the funds made available under this heading, $5,000,000 shall be for making competitive grants to provide abstinence education (as defined by section 510(b)(2)(A)–(H) of the Social Security Act) to adolescents, and for Federal costs of administering the grant: Provided further, That grants made under the authority of section 510(b)(2)(A)–(H) of the Social Security Act shall be made only to public and private entities that agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which abstinence education was provided: Provided further, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: Provided further, That such services shall be provided consistent with 42 CFR 59.5(a)(4).

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for administrative law judges responsible for hearing cases under title XVIII of the Social Security Act (and related provisions of title XI of such Act), $72,147,000, to be transferred in appropriate part from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, $16,446,000: Provided, That in addition to amounts provided herein, $44,811,000 shall be available from amounts available under section 241 of the PHS Act.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $50,178,000: Provided, That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228: Provided further, That at least 40 percent of the funds provided in this Act for the Office of Inspector General shall be used only for investigations, audits, and evaluations pertaining to the discretionary programs funded in this Act.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $41,016,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents' Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, $569,452,000; of which $10,000,000 shall remain available until September 30, 2014 to support emergency operations.

From funds transferred to this account pursuant to the fourth paragraph under this heading in Public Law 111–117, up to $415,000,000 shall be available for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act, and other administrative expenses of the Biomedical Advanced Research and Development Authority to support additional advanced research and development.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

SEC. 204. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in HHS, prior to the preparation and submission of a report by the Secretary to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 205. Notwithstanding section 241(a) of the PHS Act, such portion as the Secretary shall determine, but not more than 2.5 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

(TRANSFER OF FUNDS)

SEC. 206. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 207. The Director of the NIH, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Committees on Appropriations

of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 208. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

SEC. 209. None of the funds appropriated in this Act may be made available to any entity under title X of the PHS Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 210. Notwithstanding any other provision of law, no provider of services under title X of the PHS Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): Provided further, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 212. In order for HHS to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2012:

(1) The Secretary may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other applicable statutes administered by the Department of State.

(2) The Secretary is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of HHS. The Department of State shall cooperate fully with the Secretary to ensure that HHS has secure, safe, functional facilities that comply with applicable regulation

governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(3) The Secretary is authorized to provide to personnel appointed or assigned by the Secretary to serve abroad, allowances and benefits similar to those provided under chapter 9 of title I of the Foreign Service Act of 1980, and 22 U.S.C. 4081 through 4086 and subject to such regulations prescribed by the Secretary. The Secretary is further authorized to provide locality-based comparability payments (stated as a percentage) up to the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such personnel under section 5304 of title 5, United States Code if such personnel's official duty station were in the District of Columbia. Leaves of absence for personnel under this subsection shall be on the same basis as that provided under subchapter I of chapter 63 of title 5, United States Code, or section 903 of the Foreign Service Act of 1980, to individuals serving in the Foreign Service.

SEC. 213. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of NIH ("Director") may use funds available under section 402(b)(7) or 402(b)(12) of the PHS Act to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to such section 402(b)(7) (pertaining to the Common Fund) or research and activities described in such section 402(b)(12).

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the PHS Act.

SEC. 214. Funds which are available for Individual Learning Accounts for employees of CDC and the Agency for Toxic Substances and Disease Registry ("ATSDR") may be transferred to appropriate accounts of CDC, to be available only for Individual Learning Accounts: Provided, That such funds may be used for any individual full-time equivalent employee while such employee is employed either by CDC or ATSDR.

SEC. 215. Notwithstanding any other provisions of law, discretionary funds made available in this Act may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102–408.

SEC. 216. Not to exceed $45,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of

Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed $3,500,000 per project.

(TRANSFER OF FUNDS)

SEC. 217. Of the amounts made available for NIH, 1 percent of the amount made available for National Research Service Awards ("NRSA") shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under section 747 of the PHS Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

SEC. 218. None of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control.

SEC. 219. None of the funds appropriated or otherwise made available in this Act may be expended to advance the creation of a Federally Funded Research and Development Center at the Centers for Medicare and Medicaid Services, prior to a Federal Register notice being issued that outlines: how this proposal would meet the specific requirements identified in FAR 35.017–2; agency procedures that ensure small business competitiveness is maintained; and the outline of a transparent award and governance process to be employed.

SEC. 220. (a) The Secretary shall establish a publicly accessible website to provide information regarding the uses of funds made available under section 4002 of Public Law 111–148.

(b) With respect to funds provided for fiscal year 2012, the Secretary shall include on the website established under subsection (a) at a minimum the following information:

(1) In the case of each transfer of funds under section 4002(c), a statement indicating the program or activity receiving funds, the operating division or office that will administer the funds, and the planned uses of the funds, to be posted not later than the day after the transfer is made.

(2) Identification (along with a link to the full text) of each funding opportunity announcement, request for proposals, or other announcement or solicitation of proposals for grants, cooperative agreements, or contracts intended to be awarded using such funds, to be posted not later than the day after the announcement or solicitation is issued.

(3) Identification of each grant, cooperative agreement, or contract with a value of $25,000 or more awarded using such funds, including the purpose of the award and the identity of the recipient, to be posted not later than 5 days after the award is made.

(4) A report detailing the uses of all funds transferred under section 4002(c) during the fiscal year, to be posted not later than 90 days after the end of the fiscal year.

(5) Semi-annual reports from each entity awarded a grant, cooperative agreement, or contract from such funds with a value of $25,000 or more, summarizing the activities undertaken and identifying any sub-grants or sub-contracts awarded (including

the purpose of the award and the identity of the recipient), to be posted not later than 30 days after the end of each 6-month period.

SEC. 221. (a) ESTABLISHMENT OF NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES; ELIMINATION OF NATIONAL CENTER FOR RESEARCH RESOURCES.—

(1) IN GENERAL.—Subpart 1 of part E of title IV of the Public Health Service Act (42 U.S.C. 287 et seq.) is amended—

(A) in the subpart heading, by striking "National Center for Research Resources" and inserting "National Center for Advancing Translational Sciences";

(B) by striking sections 480 and 481; and

(C) by amending section 479 to read as follows:

"SEC. 479. NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES.

"(a) PURPOSE.—The purpose of the National Center for Advancing Translational Sciences (in this subpart referred to as the 'Center') is to advance translational sciences, including by—

"(1) coordinating and developing resources that leverage basic research in support of translational science; and

"(2) developing partnerships and working cooperatively to foster synergy in ways that do not create duplication, redundancy, and competition with industry activities.

"(b) CLINICAL TRIAL ACTIVITIES.—

"(1) IN GENERAL.—The Center may develop and provide infrastructure and resources for all phases of clinical trials research. Except as provided in paragraph (2), the Center may support clinical trials only through the end of phase IIA.

"(2) EXCEPTION.—The Center may support clinical trial activities through the end of phase IIB for a treatment for a rare disease or condition (as defined in section 526 of the Federal Food, Drug, and Cosmetic Act) so long as—

"(A) the Center gives public notice for a period of at least 120 days of the Center's intention to support the clinical trial activities in phase IIB;

"(B) no public or private organization provides credible written intent to the Center that the organization has timely plans to further the clinical trial activities or conduct clinical trials of a similar nature beyond phase IIA; and

"(C) the Center ensures that support of the clinical trial activities in phase IIB will not increase the Federal Government's liability beyond the award value of the Center's support.

"(c) ANNUAL REPORT.—The Center shall publish an annual report that, with respect to all research supported by the Center, includes a complete list of—

"(1) the molecules being studied;

"(2) clinical trial activities being conducted;

"(3) the methods and tools in development;

"(4) ongoing partnerships, including—

"(A) the rationale for each partnership;

"(B) the status of each partnership;

"(C) the funding provided by the Center to other entities pursuant to each partnership, and

"(D) the activities which have been transferred to industry pursuant to each partnership; and

"(5) known research activity of other entities that is or will expand upon research activity of the Center.".

(2) LIST OF INSTITUTES AND CENTERS.—Section 401(b)(21) of the Public Health Service Act (42 U.S.C. 281(b)(21)) is amended by striking "National Center for Research Resources" and inserting "National Center for Advancing Translational Sciences".

(b) ASSIGNMENT OF CERTAIN FUNCTIONS OF FORMER NATIONAL CENTER FOR RESEARCH RESOURCES.—

(1) BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES.—Section 481A of the Public Health Service Act (42 U.S.C. 287a–2)—

(A) is redesignated as section 404I and is moved to follow section 404H of such Act (42 U.S.C. 283j); and

(B) is amended—

(i) in subsection (a)(1), by striking "acting through the Director of the Center or the Director of the National Institute of Allergy and Infectious Diseases" and inserting "acting through the Office of the Director of NIH or the Director of the National Institute of Allergy and Infectious Diseases";

(ii) in subsections (c), (d), (e), and (f)(2), by striking "Director of the Center or the Director of the National Institute of Allergy and Infectious Diseases" each place it appears and inserting "Director of NIH, acting through the Office of the Director of NIH or the National Institute of Allergy and Infectious Diseases,";

(iii) in subsection (b)(2), by striking "Director of the Center" each place it appears and inserting "Director of NIH";

(iv) in subsections (b)(3)(A), (f)(1), and (g), by striking the comma at the end of "Director of the Center," each place it appears;

(v) by striking "Director of the Center" each place it appears and inserting "Director of NIH, acting through the Office of the Director of NIH,";

(vi) in subsection (b)—

(I) in paragraph (1)(A), by striking "within the Center"; and

(II) in paragraph (2)—

(aa) in subparagraph (A), by striking "and the advisory council established under section 480 (in this section referred to as the 'Advisory Council')" and inserting "and the Council of Councils established under section 402(l) (in this section referred to as the 'Council')"; and

(bb) in subparagraphs (B), (C), and (D), by striking "Advisory" each place it appears; and

(vii) in subsection (g), by striking "after consultation with the Advisory Council" and inserting "after consultation with the Council".

(2) CONSTRUCTION OF REGIONAL CENTERS FOR RESEARCH ON PRIMATES.—Section 481B of the Public Health Service Act (42 U.S.C. 287a–3)—

(A) is redesignated as section 404J and is moved to follow section 404I, as redesignated by paragraph (1); and

(B) in subsection (a), is amended—

(i) by striking "by the National Center for Research Resources" and inserting "by the Director of NIH, acting through the Office of the Director of NIH,"; and

(ii) by striking "481A" and inserting "404I".

(3) SANCTUARY SYSTEM FOR SURPLUS CHIMPANZEES.—Section 481C of the Public Health Service Act (42 U.S.C. 287a–3a)—

(A) is redesignated as section 404K and is moved to follow section 404J, as redesignated by paragraph (2); and

(B) in subsection (d)(4)(A)(ii), is amended by striking "that is carried out by the National Center for Research Resources" and inserting "that is carried out by the Director of NIH, acting through the Office of the Director of NIH,".

(4) SHARED INSTRUMENTATION GRANT PROGRAM.—Section 305 of the Public Health Improvement Act (42 U.S.C. 287 note)—

(A) is redesignated as section 404L of the Public Health Service Act and is moved to follow section 404K of that Act, as redesignated by paragraph (3); and

(B) is amended—

(i) by striking subsection (a) and redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(ii) in subsection (a), as so redesignated, by striking "under the program described in subsection (a)" and inserting "under the Shared Instrumentation Grant Program";

(iii) by striking "Director of the National Center for Research Resources" each place it appears and inserting "Director of NIH, acting through the Office of the Director of NIH,"; and

(iv) in subsection (b), as so redesignated—

(I) by striking "in subsection (a)" and inserting "in subsection (a), the"; and

(II) by striking "of the Public Health Service Act (42 U.S.C. 289a)".

(5) INSTITUTIONAL DEVELOPMENT AWARD PROGRAM.—Title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended—

(A) in section 461, by striking the section heading and designation and all that follows through "The general purpose" and inserting the following:

"SEC. 461. NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES.

"(a) GENERAL PURPOSE.—The general purpose";

(B) by moving subsection (g) of section 402 to the end of section 461, as amended, and redesignating that subsection as subsection (b); and

(C) in section 461(b), as so redesignated—

(i) by striking "(b)(1)(A) In the case of" and inserting the following:

"(b) INSTITUTIONAL DEVELOPMENT AWARD PROGRAM.—

"(1)(A) In the case of";

(ii) by moving two ems to the right—

(I) subparagraphs (B) and (C) of paragraph (1);

(II) clauses (i), (ii), and (iii) of such subparagraph (C); and

(III) paragraph (2); and

(iii) in paragraph (1)(A), by striking "acting through the Director of the National Center for Research Resources" and inserting "acting through the Director of the National Institute of General Medical Sciences".

(c) ASSIGNMENT OF CERTAIN OFFICES AND FUNCTIONS TO NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES.—

(1) CURES ACCELERATION NETWORK.—Section 402C of the Public Health Service Act (42 U.S.C. 282d)—

(A) is redesignated as section 480 and is moved to follow section 479;

(B) in subsection (b), is amended in the matter that precedes paragraph (1) by striking "within the Office of the Director of NIH" and inserting "within the Center";

(C) by striking "Director of NIH" each place it appears and inserting "Director of the Center"; and

(D) in the headings of subsections (d)(4) and (d)(4)(B), by striking "DIRECTOR OF NIH" each place it appears and inserting "DIRECTOR OF THE CENTER".

(2) OFFICE OF RARE DISEASES.—Title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended—

(A) in section 404F—

(i) by redesignating such section as section 481 and moving such section to follow section 480, as redesignated by paragraph (1);

(ii) in subsection (a)—

(I) by striking "within the Office of the Director of NIH" and inserting "within the Center"; and

(II) by striking "Director of NIH" and inserting "Director of the Center"; and

(iii) in subsection (b)(1)(C), by striking "404G" and inserting "481A"; and

(B) in section 401(c)(2)(A), by striking "the Office of Rare Diseases,".

(3) RARE DISEASE REGIONAL CENTERS OF EXCELLENCE.—Section 404G of the Public Health Service Act (42 U.S.C. 283i) is redesignated as section 481A and is moved to follow section 481, as redesignated by paragraph (2).

(4) GENERAL CLINICAL RESEARCH CENTERS.—Section 481D of the Public Health Service Act (42 U.S.C. 287a–4)—

(A) is redesignated as section 481B; and

(B) in subsection (a), is amended by striking "Director of the National Center for Research Resources" and inserting "Director of the Center".

(d) CONFORMING AMENDMENTS.—Title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended—

(1) in section 402(b)(24) (42 U.S.C. 282(b)(24)), by striking "402C" and inserting "480";

(2) in section 404C(e)(3)(A) (42 U.S.C. 283e(e)(3)(A)), by striking "and the Director of the Center for Research Resources";

(3) in section 464z–3(i)(1) (42 U.S.C. 285t(i)(1))—

(A) by striking "Director of National Institute for Research Resources" and inserting "Director of NIH";

(B) by striking "481(c)(3)" and inserting "404I(c)(2)"; and

(C) by inserting "under such section" after "Institutions of Emerging Excellence";

(4) in section 499(c)(1)(E) (42 U.S.C. 290b(c)(1)(E)), by striking "section 402C" and inserting "section 480".

SEC. 222. The discretionary appropriation for CDC is hereby reduced by $20,000,000: Provided, That the reduction should be taken from contracting and administrative costs in each of the CDC accounts.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2012".

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (referred to in this Act as "ESEA") and section 418A of the Higher Education Act of 1965 (referred to in this Act as "HEA"), $15,750,983,000, of which $4,817,117,000 shall become available on July 1, 2012, and shall remain available through September 30, 2013, and of which $10,841,177,000 shall become available on October 1, 2012, and shall remain available through September 30, 2013, for academic year 2012–2013: Provided, That $6,584,750,000 shall be for basic grants under section 1124 of the ESEA: Provided further, That up to $3,992,000 of these funds shall be available to the Secretary of Education (referred to in this title as "Secretary") on October 1, 2011, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: Provided further, That $1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: Provided further, That $3,288,183,000 shall be for targeted grants under section 1125 of the ESEA: Provided further, That $3,288,183,000 shall be for education finance incentive grants under section 1125A of the ESEA: Provided further, That $3,200,000 shall be to carry out sections 1501 and 1503 of the ESEA: Provided further, That $534,562,000 shall be available for school improvement grants under section 1003(g) of the ESEA, which shall be allocated by the Secretary through the formula described in section 1003(g)(2) and shall be used consistent with the requirements of section 1003(g), except that State and local educational agencies may use such funds to serve any school eligible to receive assistance under part A of title I that has not made adequate yearly progress for at least 2 years

or is in the State's lowest quintile of performance based on proficiency rates and, in the case of secondary schools, priority shall be given to those schools with graduation rates below 60 percent: Provided further, That notwithstanding section 1003(g)(5)(A), each State educational agency may establish a maximum subgrant size of not more than $2,000,000 for each participating school applicable to such funds: Provided further, That the Secretary may reserve up to 5 percent of the funds available for section 1003(g) of the ESEA to carry out activities to build State and local educational agency capacity to implement effectively the school improvement grants program: Provided further, That $160,000,000 shall be available under section 1502 of the ESEA for a comprehensive literacy development and education program to advance literacy skills, including pre-literacy skills, reading, and writing, for students from birth through grade 12, including limited-English-proficient students and students with disabilities, of which one-half of 1 percent shall be reserved for the Secretary of the Interior for such a program at schools funded by the Bureau of Indian Education, one-half of 1 percent shall be reserved for grants to the outlying areas for such a program, up to 5 percent may be reserved for national activities, and the remainder shall be used to award competitive grants to State educational agencies for such a program, of which a State educational agency may reserve up to 5 percent for State leadership activities, including technical assistance and training, data collection, reporting, and administration, and shall subgrant not less than 95 percent to local educational agencies or, in the case of early literacy, to local educational agencies or other nonprofit providers of early childhood education that partner with a public or private nonprofit organization or agency with a demonstrated record of effectiveness in improving the early literacy development of children from birth through kindergarten entry and in providing professional development in early literacy, giving priority to such agencies or other entities serving greater numbers or percentages of disadvantaged children: Provided further, That the State educational agency shall ensure that at least 15 percent of the subgranted funds are used to serve children from birth through age 5, 40 percent are used to serve students in kindergarten through grade 5, and 40 percent are used to serve students in middle and high school including an equitable distribution of funds between middle and high schools: Provided further, That eligible entities receiving subgrants from State educational agencies shall use such funds for services and activities that have the characteristics of effective literacy instruction through professional development, screening and assessment, targeted interventions for students reading below grade level and other research-based methods of improving classroom instruction and practice.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the ESEA, $1,293,631,000, of which $1,155,724,000 shall be for basic support payments under section 8003(b), $48,505,000 shall be for payments for children with disabilities under section 8003(d), $17,474,000 shall be for construction under section 8007(b) and shall remain available through September 30, 2013, $67,074,000 shall be for Federal property payments under section 8002, and $4,854,000, to re-

main available until expended, shall be for facilities maintenance under section 8008: Provided, That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) for school year 2011–2012, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by parts A and B of title II, part B of title IV, parts A and B of title VI, and parts B and C of title VII of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $4,550,018,000, of which $2,725,246,000 shall become available on July 1, 2012, and remain available through September 30, 2013, and of which $1,681,441,000 shall become available on October 1, 2012, and shall remain available through September 30, 2013, for academic year 2012–2013: Provided, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: Provided further, That funds made available to carry out part C of title VII of the ESEA shall be awarded on a competitive basis, and also may be used for construction: Provided further, That $51,210,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002: Provided further, That $17,652,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: Provided further, That up to 5 percent of these amounts may be reserved by the Federated States of Micronesia and the Republic of the Marshall Islands to administer the Supplemental Education Grants programs and to obtain technical assistance, oversight and consultancy services in the administration of these grants and to reimburse the United States Departments of Labor, Health and Human Services, and Education for such services: Provided further, That up to 1.5 percent of the funds for subpart 1 of part A of title II of the ESEA shall be reserved by the Secretary for competitive awards for teacher or principal training or professional enhancement activities to national not-for-profit organizations.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the ESEA, $131,027,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by part G of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V of the ESEA, and sections 14006 and 14007 of division A of the American Recovery and Reinvestment Act of 2009, as amended, $1,530,429,000: Provided, That the Secretary may use up to $550,000,000, which shall remain available for obligation through December 31, 2012, for section 14006 of division A of Public Law 111–5, as amended, to make awards (including on the basis of previously submitted applications) to States or to local educational agencies, or both, in accordance with the applicable requirements of that section, as determined by the Secretary, and may use up to 5 percent of such funds for technical assistance and evaluation of the activities carried out under that section: Provided further, That up to $149,700,000 shall be available for obligation through December 31, 2012 for section 14007 of division A of Public Law 111–5, and up to 5 percent of such funds may be used for technical assistance and the evaluation of activities carried out under such section: Provided further, That $300,000,000 of the funds for subpart 1 of part D of title V of the ESEA shall be for competitive grants to local educational agencies, including charter schools that are local educational agencies, or States, or partnerships of: (1) a local educational agency, a State, or both; and (2) at least one nonprofit organization to develop and implement performance-based compensation systems for teachers, principals, and other personnel in high-need schools: Provided further, That such performance-based compensation systems must consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year among other factors and provide educators with incentives to take on additional responsibilities and leadership roles: Provided further, That recipients of such grants shall demonstrate that such performance-based compensation systems are developed with the input of teachers and school leaders in the schools and local educational agencies to be served by the grant: Provided further, That recipients of such grants may use such funds to develop or improve systems and tools (which may be developed and used for the entire local educational agency or only for schools served under the grant) that would enhance the quality and success of the compensation system, such as high-quality teacher evaluations and tools to measure growth in student achievement: Provided further, That applications for such grants shall include a plan to sustain financially the activities conducted and systems developed under the grant once the grant period has expired: Provided further, That up to 5 percent of such funds for competitive grants shall be available for technical assistance, training, peer review of applications, program outreach, and evaluation activities: Provided further, That of the funds available for part B of title V of the ESEA, the Secretary shall use not less than $23,000,000 to carry out activities under section 5205(b) and under subpart 2: Provided further, That of the funds available for subpart 1 of part B of title V of the ESEA,

and notwithstanding section 5205(a), the Secretary may reserve up to $55,000,000 to make multiple awards to non-profit charter management organizations and other entities that are not for-profit entities for the replication and expansion of successful charter school models and shall reserve up to $11,000,000 to carry out the activities described in section 5205(a), including improving quality and oversight of charter schools and providing technical assistance and grants to authorized public chartering agencies in order to increase the number of high-performing charter schools: Provided further, That each application submitted pursuant to section 5203(a) shall describe a plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include evaluation, planning, training, and systems development for staff of authorized public chartering agencies to improve the capacity of such agencies in the State to authorize, monitor, and hold accountable charter schools: Provided further, That each application submitted pursuant to section 5203(a) shall contain assurances that State law, regulations, or other policies require that: (1) each authorized charter school in the State operate under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the obligations and responsibilities of the school and the public chartering agency; conduct annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and demonstrate improved student academic achievement; and (2) authorized public chartering agencies use increases in student academic achievement for all groups of students described in section 1111(b)(2)(C)(v) of the ESEA as the most important factor when determining to renew or revoke a school's charter.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by part A of title IV and subparts 1, 2, and 10 of part D of title V of the ESEA, $256,237,000: Provided, That $65,000,000 shall be available for subpart 2 of part A of title IV: Provided further, That $60,000,000 shall be available for Promise Neighborhoods and shall be available through December 31, 2012.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $733,530,000, which shall become available on July 1, 2012, and shall remain available through September 30, 2013, except that 6.5 percent of such amount shall be available on October 1, 2011, and shall remain available through September 30, 2013, to carry out activities under section 3111(c)(1)(C): Provided, That the Secretary shall use estimates of the American Community Survey child counts for the most recent 3-year period available to calculate allocations under such part.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act ("IDEA") and the Special Olympics Sport and Empowerment

Act of 2004, $12,647,066,000, of which $3,115,716,000 shall become available on July 1, 2012, and shall remain available through September 30, 2013, and of which $9,283,383,000 shall become available on October 1, 2012, and shall remain available through September 30, 2013, for academic year 2012–2013: Provided, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2011, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2011: Provided further, That $2,000,000, to remain available for obligation through September 30, 2013, shall be for activities aimed at improving the outcomes of children receiving Supplemental Security Income (SSI) and their families, which may include competitive grants to States to improve the provision and coordination of services for SSI child recipients in order to achieve improved health status, including both physical and emotional health, and education and post-school outcomes, including completion of postsecondary education and employment, and to improve services and supports to the families or households of the SSI child recipient, such as education and job training for the parents: Provided further, That States may award subgrants for a portion of the funds to other public and private, non-profit entities.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, $3,512,019,000: Provided, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallotment of funds to States pursuant to section 110(b) of the Rehabilitation Act for activities aimed at improving the outcomes of children receiving Supplemental Security Income (SSI) and their families, including competitive grants to States to improve the provision and coordination of services for SSI child recipients in order to achieve improved health status, education and post-school outcomes, including completion of postsecondary education and employment, and to improve services and supports to the family or households of the SSI child recipient, such as education and job training for the parents: Provided further, That States may award subgrants for a portion of the funds to other public and private, non-profit entities: Provided further, That any funds made available subsequent to reallotment for activities aimed at improving the outcomes of children receiving SSI and their families shall remain available until September 30, 2013: Provided further, That $2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guarantee; or insurance program: Provided further, That applicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and emphasize consumer choice and control: Provided further, That State agencies and community-based disability organizations that are di-

rected by and operated for individuals with disabilities shall be eligible to compete.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, $24,551,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, $65,546,000: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, $125,754,000, of which $7,990,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 and the Adult Education and Family Literacy Act (referred to in this Act as the "AEFLA"), $1,738,946,000, of which $947,946,000 shall become available on July 1, 2012, and shall remain available through September 30, 2013, and of which $791,000,000 shall become available on October 1, 2012, and shall remain available through September 30, 2013: Provided, That of the amount provided for Adult Education State Grants, $74,850,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited-English-proficient populations: Provided further, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the AEFLA, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than $60,000: Provided further, That of the amounts made available for AEFLA, $11,323,000 shall be for national leadership activities under section 243.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1 and 3 of part A, and part C of title IV of the HEA, $24,538,521,000, which shall remain available through September 30, 2013.

The maximum Pell Grant for which a student shall be eligible during award year 2012–2013 shall be $4,860.

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 4, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, $1,045,363,000, to remain available until September 30, 2013.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, $1,873,196,000: Provided, That $608,000 shall be for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: Provided further, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: Provided further, That notwithstanding any other provision of law, a recipient of a multi-year award under section 316 of the HEA, as that section was in effect prior to the date of enactment of the Higher Education Opportunity Act (referred to in this Act as "HEOA"), that would have otherwise received a continuation award for fiscal year 2012 under that section, shall receive under section 316, as amended by the HEOA, not less than the amount that such recipient would have received under such a continuation award: Provided further, That the portion of the funds received under section 316 by a recipient described in the preceding proviso that is equal to the amount of such continuation award shall be used in accordance with the terms of such continuation award.

HOWARD UNIVERSITY

For partial support of Howard University, $234,507,000, of which not less than $3,600,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, $460,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, $20,188,000, as authorized pursuant to part D of title III of the HEA: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $367,255,000: Provided further, That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, $353,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $594,788,000, which shall remain available through September 30, 2013: Provided, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems, or to further develop such systems: Provided further, That up to $11,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State, and national levels.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $447,104,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $102,818,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $59,933,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing, or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 305. The Outlying Areas may consolidate funds received under this Act, pursuant to 48 U.S.C. 1469a, under part A of title V of the ESEA.

SEC. 306. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting "2012" for "2009".

SEC. 307. (a) Notwithstanding any other provision of law, the Secretary is authorized to modify the terms and conditions of gulf hurricane disaster loans to affected institutions pursuant to section 2601 of Public Law 109–234 using the authority provided herein, on such terms as the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget jointly determine are in the best interests of both the United States and the borrowers,

and necessary to mitigate the economic effects of Hurricanes Katrina and Rita. Any modification under this section shall not result in any net cost to the Federal Government, as jointly determined by the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, beginning on the date on which the Secretary modifies a loan under this section.

(b) FEDERAL REGISTER NOTICE.—The Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, shall jointly publish a notice in the Federal Register prior to any modification of loans under paragraph (a) that—

(1) establishes the terms and conditions governing the modifications authorized by paragraph (a);

(2) includes an outline of the methodology and factors that the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, will jointly consider in evaluating the modification of the loans made under this title; and

(3) describes how the use of such methodology and consideration of such factors used to determine the modifications will ensure that loan modifications do not result in any net cost to the Federal Government.

(c) FEES.—An affected institution that receives a modification to its disaster loan pursuant to section 2601 of Public Law 109–234 shall pay a fee to the Secretary which shall be credited to the HBCU Hurricane Supplemental Loan Program. Such fees shall remain available without fiscal year limitation to pay the modification costs. The amount of the fee paid shall be equal to the modification cost as jointly determined by the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, calculated in accordance with section 502 of the Federal Credit Reform Act of 1990, as amended, of such loan.

SEC. 308. Section 14006(c)(2) of division A of the American Recovery and Reinvestment Act of 2009 (as amended by section 1832(b) of division B of Public Law 112–10) is amended by inserting before the period, "except that such a State may use its grant funds to make subgrants to public or private agencies and organizations for activities consistent with the purposes of the grant".

SEC. 309. (a) FEDERAL PELL GRANT ELIGIBILITY.—

(1) MINIMUM LEVEL.—Section 401(b)(4) of the HEA (20 U.S.C. 1070a(b)(4)) is amended by striking ", except that" and all that follows and inserting a period.

(2) DURATION OF AWARD PERIOD.—Section 401(c)(5) of the HEA (20 U.S.C. 1070a(c)(5)) is amended—

(A) by striking "18" each place it appears and inserting "12"; and

(B) by striking the last sentence.

(b) ZERO EXPECTED FAMILY CONTRIBUTION.—Section 479(c) of the HEA (20 U.S.C. 1087ss(c)) is amended—

(1) in paragraph (1)(B), by striking "$30,000" and inserting "$23,000"; and

(2) in paragraph (2)(B), by striking "$30,000" and inserting "$23,000".

(c) STUDENTS WHO ARE NOT HIGH SCHOOL GRADUATES.—

(1) AMENDMENT.—Section 484(d) of the HEA (20 U.S.C. 1091(d)) is amended—

(A) in the matter preceding paragraph (1), by striking "meet one of the following standards:";

(B) by striking paragraphs (1), (2), and (4); and

(C) in paragraph (3), by striking "(3) The student has" and inserting "have"; and

(2) TRANSITION.—The amendment made by paragraph (1) shall apply to students who first enroll in a program of study on or after July 1, 2012.

(3) CONFORMING CHANGE.—Section 101(a)(1) of the HEA (20 U.S.C. 1001(a)(1) is amended by striking "section 484(d)(3)" and inserting "section 484(d)".

(d) TEMPORARY ELIMINATION OF INTEREST SUBSIDY DURING STUDENT LOAN GRACE PERIOD.—

(1) Section 428(a)(3)(A)(i)(I) of the HEA (20 U.S.C. 1078(a)(3)(A)(i)(I)) is amended to read as follows:

"(I) which accrues prior to the date the student ceases to carry at least one-half the normal full-time academic workload (as determined by the institution), or".

(2) The amendment made by paragraph (1) shall apply to new Federal Direct Stafford Loans made on or after July 1, 2012 and before July 1, 2014.

(e) REVISED SPECIAL ALLOWANCE CALCULATION.—

(1) REVISED CALCULATION RULE.—Section 438(b)(2)(I) of the HEA (20 U.S.C. 1087–1(b)(2)(I)) is amended by adding at the end the following:

"(vii) REVISED CALCULATION RULE TO REFLECT FINANCIAL MARKET CONDITIONS.—

"(I) CALCULATION BASED ON LIBOR.—For the calendar quarter beginning on April 1, 2012 and each subsequent calendar quarter, in computing the special allowance paid pursuant to this subsection with respect to loans described in subclause (II), clause (i)(I) of this subparagraph shall be applied by substituting 'of the 1-month London Inter Bank Offered Rate (LIBOR) for United States dollars in effect for each of the days in such quarter as compiled and released by the British Bankers Association' for 'of the quotes of the 3-month commercial paper (financial) rates in effect for each of the days in such quarter as reported by the Federal Reserve in Publication H–15 (or its successor) for such 3-month period'.

"(II) LOANS ELIGIBLE FOR LIBOR-BASED CALCULATION.—The special allowance paid pursuant to this subsection shall be calculated as described in subclause (I) with respect to special allowance payments for the 3-month period ending June 30, 2012, and each succeeding 3-month period, on loans for which the first disbursement is made on or after January 1, 2000, and before July 1, 2010, if, not later than April 1, 2012, the holder of the loan (or, if the holder acts as eligible lender trustee for the beneficial owner of the loan, the beneficial owner of the loan), affirmatively and permanently

waives all contractual, statutory, or other legal rights to a special allowance paid pursuant to this subsection that is calculated using the formula in effect at the time the loans were first disbursed.

"(III) TERMS OF WAIVER.—

"(aa) IN GENERAL.—A waiver pursuant to subclause (II) shall be in a form (printed or electronic) prescribed by the Secretary, and shall be applicable to—

"(AA) all loans described in such subclause that the lender holds solely in its own right under any lender identification number associated with the holder (pursuant to section 487B);

"(BB) all loans described in such subclause for which the beneficial owner has the authority to make an election of a waiver under such subclause, regardless of the lender identification number associated with the loan or the lender that holds the loan as eligible lender trustee on behalf of such beneficial owner; and

"(CC) all future calculations of the special allowance on loans that, on the date of such waiver, are loans described in subitem (AA) or (BB), or that, after such date, become loans described in subitem (AA) or (BB).

"(bb) EXCEPTIONS.—Any waiver pursuant to subclause (II) that is elected for loans described in subitem (AA) or (BB) of item (aa) shall not apply to any loan described in such subitem for which the lender or beneficial owner of the loan demonstrates to the satisfaction of the Secretary that—

"(AA) in accordance with an agreement entered into before the date of enactment of this section by which such lender or owner is governed and that applies to such loans, such lender or owner is not legally permitted to make an election of such waiver with respect to such loans without the approval of one or more third parties with an interest in the loans, and that the lender or owner followed all available options under such agreement to obtain such approval, and was unable to do so; or

"(BB) such lender or beneficial owner presented the proposal of electing such a waiver applicable to such loans associated with an obligation rated by a nationally recognized statistical rating organization (as defined in section 3(a)(62) of the Securities Exchange Act of 1934), and such

rating organization provided a written opinion that the agency would downgrade the rating applicable to such obligation if the lender or owner elected such a waiver.".

(2) CONFORMING AMENDMENTS.—Section 438(b)(2)(I) of the HEA (20 U.S.C. 1087–1(b)(2)(I)) is further amended—

(A) in clause (i)(II), by striking "such average bond equivalent rate" and inserting "the rate determined under subclause (I) (in accordance with clause (vii))"; and

(B) in clause (v)(III), by striking "(iv), and (vi)" and inserting "(iv), (vi), and (vii)".

(f) REAPPROPRIATION OF MANDATORY SAVINGS.—Section 401(b)(7)(A)(iv) of the HEA (20 U.S.C. 1070a(b)(7)(A)(iv)) is amended to read as follows:

"(iv) to carry out this section—

"(I) $13,500,000,000 for fiscal year 2011;
"(II) $13,795,000,000 for fiscal year 2012;
"(III) $7,587,000,000 for fiscal year 2013;
"(IV) $588,000,000 for fiscal year 2014;
"(V) $0 for fiscal year 2015;
"(VI) $0 for fiscal year 2016;
"(VII) $1,574,000,000 for fiscal year 2017;
"(VIII) $1,382,000,000 for fiscal year 2018;
"(IX) $1,409,000,000 for fiscal year 2019;
"(X) $1,430,000,000 for fiscal year 2020; and
"(XI) $1,145,000,000 for fiscal year 2021 and each succeeding fiscal year.".

(g) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall take effect on July 1, 2012.

(h) INAPPLICABILITY OF NEGOTIATED RULEMAKING AND MASTER CALENDAR EXCEPTION.—Sections 482(c) and 492 of the HEA (20 U.S.C. 1089(c), 1098a) shall not apply to the amendments made by this section, or to any regulations promulgated under those amendments.

This title may be cited as the "Department of Education Appropriations Act, 2012".

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $5,385,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as "CNCS") to carry out

the Domestic Volunteer Service Act of 1973 (referred to in this title as "1973 Act") and the National and Community Service Act of 1990 (referred to in this title as "1990 Act"), $751,672,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: Provided, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) $44,900,000 shall be available for expenses authorized under section 501(a)(4)(E) of the 1990 Act; (3) $2,000,000 shall be available for expenses to carry out sections 112(e), 179A, and 198O and subtitle J of title I of the 1990 Act, notwithstanding section 501(a)(6) of the 1990 Act; (4) $13,466,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (5) $31,942,000 shall be available to carry out subtitle E of the 1990 Act; and (6) $3,992,000 shall be available for expenses authorized under section 501(a)(4)(F) of the 1990 Act, which, notwithstanding the provisions of section 198P shall be awarded by CNCS on a competitive basis: Provided further, That, with respect to amounts provided under this heading for State Service Commissions, section 126 of the 1990 Act shall be applied by substituting "$200,000" for "$250,000" each place that it appears.

NATIONAL SERVICE TRUST

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the National Service Trust established under subtitle D of title I of the 1990 Act, $212,198,000, to remain available until expended: Provided, That CNCS may transfer additional funds from the amount provided within "Operating Expenses" allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $83,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $4,000,000.

ADMINISTRATIVE PROVISIONS

SEC. 401. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2012, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.

SEC. 402. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first 3 years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the 1990 Act, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

SEC. 403. Donations made to CNCS under section 196 of the 1990 Act for the purposes of financing programs and operations under titles I and II of the 1973 Act or subtitle B, C, D, or E of title I of the 1990 Act shall be used to supplement and not supplant current programs and operations.

SEC. 404. In addition to the requirements in section 146(a) of the 1990 Act, use of an educational award for the purpose described in section 148(a)(4) shall be limited to individuals who are veterans as defined under section 101 of the Act.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting (referred to in this Act as "CPB"), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2014, $445,000,000: Provided, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of CPB: Provided further, That none of the funds made available to CPB by this Act shall be used to support the Television Future Fund or any similar purpose.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service ("Service") to carry out the functions vested in it by the

Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, $46,250,000: Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, $17,637,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, $232,393,000.

MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, $6,000,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $11,800,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, $3,264,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, $278,833,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935, and as amended by the Labor-Management Relations Act, 1947, and as defined in section 3(f) of the Act of June 25, 1938, and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

ADMINISTRATIVE PROVISION

SEC. 405. None of the funds provided by this Act or previous Acts making appropriations for the National Labor Relations Board may be used to issue any new administrative directive or regulation that would provide employees any means of voting through any electronic means in an election to determine a representative for the purposes of collective bargaining.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, $13,436,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, $11,689,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $51,000,000, which shall include amounts becoming available in fiscal year 2012 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2013, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board ("Board") for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $108,855,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than $8,170,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $20,404,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $37,582,991,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: Provided further, That not more than $8,000,000 shall be available for research and demonstrations under sections 1110 and 1144 of the Social Security Act and remain available through September 30, 2013.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2013, $18,200,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $20,000 for official reception and representation expenses, not more than $10,555,494,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: Provided, That not less than $2,150,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2012 not needed for fiscal year 2012 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

In addition, for continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, $274,000,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: Provided, That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar to the reports that were required by section 103(d)(2) of Public Law 104–121 for fiscal years 1996 through 2002.

In addition, $161,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such sections in fiscal year 2012 exceed $161,000,000, the amounts shall be available in fiscal year 2013 only to the extent provided in advance in appropriations Acts.

In addition, up to $1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $28,942,000, together with not to exceed $73,535,000, to be trans-

ferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any transfer.

TITLE V

GENERAL PROVISIONS

(TRANSFER OF FUNDS)

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. 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. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

(c) The prohibitions in subsections (a) and (b) shall include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction on any legal consumer product, including

its sale or marketing, including but not limited to the advocacy or promotion of gun control.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for "Federal Mediation and Conciliation Service, Salaries and Expenses"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for "National Mediation Board, Salaries and Expenses".

SEC. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 506. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds

(other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 508. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 509. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 511. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in 38 U.S.C. 4212(d) regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. 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. 513. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children's Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 514. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any elementary or secondary school covered by paragraph (1) of section 2441(a) of such Act, as amended by the Children's Internet Protection Act and the No Child Left Behind Act, unless the local educational agency with responsibility for such covered school has made the certifications required by paragraph (2) of such section.

SEC. 515. (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 2012, 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) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

(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 2012, 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 in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

SEC. 516. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate information that is deliberately false or misleading.

SEC. 517. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2012 that are different than those specified in this Act, the accompanying detailed table in the statement of the managers on the conference report accompanying this Act, or the fiscal year 2012 budget request.

SEC. 518. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding $500,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2012, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 519. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the 3 years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

SEC. 520. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social secu-

rity account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

SEC. 521. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

(RESCISSION)

SEC. 522. Of the funds made available for performance bonus payments under section 2105(a)(3)(E) of the Social Security Act, $6,367,964,000 are hereby rescinded.

SEC. 523. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(RESCISSION)

SEC. 524. Of the funds made available under section 1322 of Public Law 111–148, $400,000,000 are rescinded.

(RESCISSION)

SEC. 525. Of the funds made available for fiscal year 2012 under section 3403 of Public Law 111–148, $10,000,000 are rescinded.

SEC. 526. Not later than 30 days after the end of each calendar quarter, beginning with the first quarter of fiscal year 2013, the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a quarterly report on the status of balances of appropriations: Provided, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the quarterly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived.

SEC. 527. (a) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.189 percent of—

(1) the budget authority provided for fiscal year 2012 for any discretionary account of this Act; and

(2) the budget authority provided in any advance appropriation for fiscal year 2012 for any discretionary account in prior Acts making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies.

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

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

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in this Act or the accompanying statement of managers).

(c) EXCEPTION.—This section shall not apply to discretionary authority appropriated for the Federal Pell Grants program under the heading "Department of Education, Student Financial Assistance".

(d) OMB REPORT.—Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

This division may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012".

DIVISION G—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

TITLE I

LEGISLATIVE BRANCH

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $18,760; the President Pro Tempore of the Senate, $37,520; Majority Leader of the Senate, $39,920; Minority Leader of the Senate, $39,920; Majority Whip of the Senate, $9,980; Minority Whip of the Senate, $9,980; Chairmen of the Majority and Minority Conference Committees, $4,690 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $4,690 for each Chairman; in all, $174,840.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $14,070 for each such Leader; in all, $28,140.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $175,763,738, which shall be paid from this appropriation without regard to the following limitations:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $2,361,248.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $705,466.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $5,201,576.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $3,281,424.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $14,863,573.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,619,195 for each such committee; in all, $3,238,390.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $797,402.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,653,905 for each such committee; in all, $3,307,810.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $405,886.

OFFICE OF THE SECRETARY

For Office of the Secretary, $24,194,115.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $73,000,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,722,388.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $42,684,460.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $6,995,300.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,449,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $7,110; Sergeant at Arms and Doorkeeper of the Senate, $7,110; Secretary for the Majority of the Senate, $7,110; Secretary for the Minority of the Senate, $7,110; in all, $28,440.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted under paragraph 1 of rule XXVI of the Standing Rules of the Senate, section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96–304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, $131,305,860, of which $26,650,000 shall be available until September 30, 2014.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $487,822.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate $5,816,344 of which $4,200,000 shall remain available until September 30, 2016.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $130,722,080, which shall remain available until September 30, 2016.

MISCELLANEOUS ITEMS

For miscellaneous items, $19,360,000, which shall remain available until September 30, 2014.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $396,180,000 of which $18,921,206 shall remain available until September 30, 2014.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $281,436.

ADMINISTRATIVE PROVISION

PAYMENT OF CERTAIN EXPENSES

SEC. 1. (a) IN GENERAL.—Subject to the approval of the Committee on Appropriations of the Senate, if in any fiscal year amounts in any appropriations account under the heading "SENATE" under the heading "LEGISLATIVE BRANCH" are available for more than 1 fiscal year, the Secretary of the Senate may establish procedures for the payment of expenses with respect to that account from any amounts available for that fiscal year.

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2012 and each fiscal year thereafter.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $1,225,680,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $23,275,773, including: Office of the Speaker, $6,942,770, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,277,595, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $7,432,812, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,971,050, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,524,951, including $5,000 for official expenses of the Minority Whip; Republican Conference, $1,572,788; Democratic Caucus, $1,553,807. In addition to the amounts made available above, for salaries and expenses under this heading, to be available during the period beginning September 30, 2012, and ending December 31, 2013; $5,818,948, including: Office of the Speaker, $1,735,694, including $6,250 for official expenses of the Speaker; Office of the Majority Floor Leader, $569,399, including $2,500 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $1,858,205, including $2,500 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $492,763, including $1,250 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $381,238, including $1,250 for official expenses of the Minority Whip; Republican Conference, $393,197; Democratic Caucus, $388,452.

MEMBERS' REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $573,939,282.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $125,964,870: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2012.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $26,665,785, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2012.

SALARIES, OFFICERS AND EMPLOYEES

For salaries and expenses of officers and employees, as authorized by law, $177,628,400, including: for salaries and expenses of the Office of the Clerk, including not more than $23,000, of which not more than $20,000 is for the Family Room, for official representation and reception expenses, $26,114,400, of which $2,000,000 shall remain available until expended; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than $3,000 for official representation and reception expenses, $12,585,000 of which $4,445,000 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than $3,000 for official representation and reception expenses, $116,782,000, of which $3,937,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $5,045,000; for salaries and expenses of the Office of General Counsel, $1,415,000; for the Office of the Chaplain, $179,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, $2,000 for preparing the Digest of Rules, and not more than $1,000 for official representation and reception expenses, $2,060,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $3,258,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $8,814,000; for salaries and expenses of the Office of Interparliamentary Affairs, $859,000; for other authorized employees, $347,000; and for salaries and expenses of the Historian, $170,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $292,386,942, including: supplies, materials, administrative costs and Federal tort claims, $3,696,118; official mail for committees, leadership offices, and administrative offices of the House, $201,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $264,848,219;

Business Continuity and Disaster Recovery, $17,112,072, of which $5,000,000 shall remain available until expended; transition activities for new members and staff, $1,721,533; Wounded Warrior Program $2,500,000, to remain available until expended; Office of Congressional Ethics, $1,548,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $760,000.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES" shall be available only for fiscal year 2012. Any amount remaining after all payments are made under such allowances for fiscal year 2012 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

REPUBLICAN POLICY COMMITTEE

SEC. 102. (a) Section 109(a) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 74a–13(a)) is amended by striking "the chair of the Republican Conference" and inserting the following: "the Speaker of the House of Representatives (or, if the Speaker is not a member of the Republican Party, the Minority Leader of the House of Representatives)".

(b) Section 109(b) of such Act (2 U.S.C. 74a–13(b)) is amended by striking the period at the end and inserting the following: ", and which shall be obligated and expended as directed by the Speaker (or, if the Speaker is not a member of the Republican party, the Minority Leader).".

(c) The amendment made by subsection (a) shall apply with respect to fiscal year 2012 and each succeeding fiscal year.

AUTHORITY OF SPEAKER AND MINORITY LEADER TO ALLOCATE FUNDS AMONG CERTAIN HOUSE LEADERSHIP OFFICES

SEC. 103. (a) AUTHORITY OF SPEAKER.—

(1) AUTHORITY DESCRIBED.—Notwithstanding any other provision of law (including any provision of law that sets forth an allowance for official expenses), the amount appropriated or otherwise made available during a Congress for the salaries and expenses of any office or authority described in paragraph (2) shall be the amount allocated for such office or authority by the Speaker of the House of Representatives from the aggregate

amount appropriated or otherwise made available for all such offices and authorities.

(2) OFFICES AND AUTHORITIES DESCRIBED.—The offices and authorities described in this paragraph are as follows:

(A) The Office of the Speaker.

(B) The Speaker's Office for Legislative Floor Activities.

(C) The Republican Steering Committee (if the Speaker is a member of the Republican party) or the Democratic Steering and Policy Committee (if the Speaker is a member of the Democratic party).

(D) The Republican Policy Committee (if the Speaker is a member of the Republican party).

(E) Training and program development—majority (as described under the heading "House leadership offices" in the most recent bill making appropriations for the legislative branch that was enacted prior to the date of the enactment of this Act).

(F) Cloakroom personnel—majority (as so described).

(b) AUTHORITY OF MINORITY LEADER.—

(1) AUTHORITY DESCRIBED.—Notwithstanding any other provision of law (including any provision of law that sets forth an allowance for official expenses), the amount appropriated or otherwise made available during a Congress for the salaries and expenses of any office or authority described in paragraph (2) shall be the amount allocated for such office or authority by the Minority Leader of the House of Representatives from the aggregate amount appropriated or otherwise made available for all such offices and authorities.

(2) OFFICES AND AUTHORITIES DESCRIBED.—The offices and authorities described in this paragraph are as follows:

(A) The Office of the Minority Leader.

(B) The Democratic Steering and Policy Committee (if the Minority Leader is a member of the Democratic party) or the Republican Steering Committee (if the Minority Leader is a member of the Republican party).

(C) The Republican Policy Committee (if the Minority Leader is a member of the Republican party).

(D) Training and program development—minority (as described under the heading "House leadership offices" in the most recent bill making appropriations for the legislative branch that was enacted prior to the date of the enactment of this Act).

(E) Cloakroom personnel—minority (as so described).

(F) Nine minority employees (as so described).

(c) EFFECTIVE DATE.—This section shall apply with respect to any months occurring during the One Hundred Twelfth Congress that begin after the date of the enactment of this Act, and to any succeeding Congress.

REPUBLICAN CONFERENCE AND THE DEMOCRATIC STEERING AND POLICY COMMITTEE

SEC. 104. (a) Section 103(b) of the Legislative Branch Appropriations Act, 1999 (2 U.S.C. 74a–8(b)) is amended—

(1) in the matter preceding paragraph (1), by striking "Subject to the allocation described in subsection (c), funds" and inserting "Funds";

(2) in paragraph (1), by striking "direct;" and inserting the following: "direct (or, if the Speaker is not a member of the Republican Party, under such terms and conditions as the Minority Leader of the House of Representatives may direct);"; and

(3) in paragraph (2), by striking "direct." and inserting the following: "direct (or, if the Speaker is a member of the Democratic Party, under such terms and conditions as the Speaker may direct).".

(b) Section 103 of such Act (2 U.S.C. 74a–8(c)) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) The amendments made by this section shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999.

TRANSFER OF HOUSE EMERGENCY PLANNING, PREPAREDNESS, AND OPERATIONS FUNCTIONS TO SERGEANT AT ARMS

SEC. 105. Effective February 1, 2010—

(1) section 905 of the Emergency Supplemental Act, 2002 (2 U.S.C. 130i) is repealed; and

(2) the functions and responsibilities of the Office of Emergency Planning, Preparedness and Operations under section 905 of such Act are transferred and assigned to the Sergeant at Arms of the House of Representatives.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $4,203,000, to be disbursed by the Secretary of the Senate.

JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES OF 2013

For salaries and expenses associated with conducting the inaugural ceremonies of the President and Vice President of the United States, January 20, 2013, in accordance with such program as may be adopted by the joint congressional committee authorized to conduct the inaugural ceremonies of 2013, $1,237,000 to be disbursed by the Secretary of the Senate and to remain available until September 30, 2013. Funds made available under this heading shall be available for payment, on a direct or reimbursable basis, whether incurred on, before, or after, October 1, 2012: Provided, That the compensation of any employee of the Committee on Rules and Administration of the Senate who has been designated to perform service with respect to the inaugural ceremonies of 2013 shall continue to be paid by the Committee on Rules and Administration, but the account from which such staff member is paid may be reimbursed for the services of the staff member (including agency contributions when appropriate) out of funds made available under this heading.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $10,004,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of $2,175 per month to the Attending Physician; (2) an allowance of $1,300 per month to the Senior Medical Officer; (3) an allowance of $725 per month each to three medical officers while on duty in the Office of the Attending Physician; (4) an allowance of $725 per month to 2 assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (5) $2,427,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $3,400,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, $1,363,000, to be disbursed by the Secretary of the Senate.

ADMINISTRATIVE PROVISION

SEC. 1001. (a) IN GENERAL.—Section 102(a) of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 60c–5(a)) is amended—

(1) in paragraph (1), by inserting ", except as provided under subsection (b)(3)" after "means an individual"; and

(2) by striking paragraphs (2) and (3) and inserting the following:

"(2) EMPLOYEE OF THE SENATE.—The term 'employee of the Senate'—

"(A) has the meaning given the term under section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301); and

"(B) includes any employee of the Office of Congressional Accessibility Services whose pay is disbursed by the Secretary of the Senate.

"(3) EMPLOYING OFFICE.—The term 'employing office'—

"(A) means the employing office, as defined under section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), of an employee of the Senate; and

"(B) includes the Office of Congressional Accessibility Services with respect to employees of that office whose pay is disbursed by the Secretary of the Senate.".

(b) EXCLUSION FROM PARTICIPATION IN DUAL PROGRAMS.—Section 102(b) of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 60c–5(b)) is amended by adding at the end the following:

"(3) EXCLUSION FROM PARTICIPATION IN DUAL PROGRAMS.—Notwithstanding section 5379 of title 5, United States Code, an employee of the Office of Congressional Accessibility Services may not participate in the student loan repayment program through an agreement under that section and participate in the student loan repayment program through a service agreement under this section at the same time.".

(c) EFFECTIVE DATE AND APPLICATION.—The amendments made by this section shall take effect on the date of enactment of this Act and apply to service agreements entered into under section 102 of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 60c–5) or section 5379 of title 5, United States Code, on or after that date.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay differential, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $277,133,000, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $63,004,000, of which $2,400,000 shall remain available until September 30, 2014, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2012 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 1101. Amounts appropriated for fiscal year 2012 for the Capitol Police may be transferred between the headings "Salaries" and "General expenses" upon the approval of the Committees on Appropriations of the House of Representatives and the Senate.

WAIVER BY CHIEF OF CAPITOL POLICE OF CLAIMS ARISING OUT OF ERRONEOUS PAYMENTS TO OFFICERS AND EMPLOYEES

SEC. 1102. (a) WAIVER OF CLAIM.—Subject to the joint approval of the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate, the Chief of the United States Capitol Police may waive in whole or in part a claim of the United States against a person arising out of an erroneous payment of any pay or allowances, other than travel and transportation expenses and allowances, to an officer, member, or employee of the United States Capitol Police, if the collection of the claim would be against equity and good conscience and not in the best interests of the United States.

(b) INVESTIGATION OF APPLICATION; REPORT.—The Chief shall investigate each application for the waiver of a claim under subsection (a) and shall submit a written report of the investigation, including a description of the facts and circumstances of the claim, to the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate, except that if the aggregate amount of the claim involved exceeds $1,500, the Comptroller General may also investigate the application and submit a written report of the investigation, including a description of the facts and circumstances of the claim, to the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate.

(c) PROHIBITION OF WAIVER UNDER CERTAIN CIRCUMSTANCES.—The Chief may not exercise the authority to waive a claim under subsection (a) if—

(1) in the Chief's opinion, there exists in connection with the claim an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the officer, member, or employee involved or of any other person having an interest in obtaining a waiver of the claim; or

(2) the Chief receives the application for the waiver after the expiration of the 3-year period that begins on the date on which the erroneous payment of pay or allowances was discovered.

(d) CREDIT FOR WAIVER.—In the audit and settlement of accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under subsection (a).

(e) EFFECT OF WAIVER.—An erroneous payment, the collection of which is waived under subsection (a), is deemed a valid payment for all purposes.

(f) CONSTRUCTION WITH OTHER LAWS.—This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

(g) RULES AND REGULATIONS.—Subject to the approval of the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate, the Chief shall promulgate rules and regulations to carry out this section.

(h) EFFECTIVE DATE.—This section shall apply with respect to payments of pay and allowances made at any time after the Chief became the disbursing officer for the United States Capitol Police pursuant to section 1018(a) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(a)).

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $3,817,000, of which $700,000 shall remain available until September 30, 2013: Provided, That not more than $500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $43,787,000.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $101,340,000, of which $3,749,000 shall remain available until September 30, 2016.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $36,154,000, of which $11,063,000 shall remain available until September 30, 2016.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $9,852,000.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $71,128,000, of which $13,128,000 shall remain available until September 30, 2016.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $94,154,000, of which $45,631,000 shall remain available until September 30, 2016.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, $30,000,000, shall remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $123,229,000, of which $37,617,000 shall remain available until September 30, 2016: Provided, That not more than $9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2012.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $46,876,000, of which $21,116,000 shall remain available until September 30, 2016.

CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and AOC security operations, $21,500,000, of which $3,473,000 shall remain available until September 30, 2016.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $12,000,000: Provided, That of the amount made available under this heading, the Architect of the Capitol may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, $21,276,000.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

USE OF CONSTRUCTION PROJECT FUNDS TO REIMBURSE CAPITOL POLICE FOR RELATED OVERTIME COSTS

SEC. 1201. (a) PAYMENT OF OVERTIME COSTS.—The Architect of the Capitol shall transfer amounts made available for construction projects during a fiscal year to the applicable appropriations accounts of the United States Capitol Police in order to reimburse the Capitol Police for overtime costs incurred in connection with such projects.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2013 and each succeeding fiscal year.

TRANSFER TO ARCHITECT OF THE CAPITOL

SEC. 1202. (a) TRANSFER.—To the extent that the Director of the National Park Service has jurisdiction and control over any portion of the area described in subsection (b) and any monument or other facility which is located within such area, such jurisdiction and control is hereby transferred to the Architect of the Capitol as of the date of the enactment of this Act.

(b) AREA DESCRIBED.—The area described in this subsection is the property which is bounded on the north by Pennsylvania Avenue Northwest, on the east by First Street Northwest and First Street Southwest, on the south by Maryland Avenue Southwest, and on the west by Third Street Southwest and Third Street Northwest.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; activities under the Civil Rights History Project Act of 2009; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $420,093,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2012, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2012 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library

of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than $6,350,000: Provided further, That of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: Provided further, That of the total amount appropriated, $6,959,000 shall remain available until expended for the digital collections and educational curricula program.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, $51,650,000, of which not more than $28,029,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2012 under section 708(d) of title 17, United States Code: Provided, That not more than $2,000,000 shall be derived from prior year available unobligated balances: Provided further, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than $5,484,000 shall be derived from collections during fiscal year 2012 under sections 111(d)(2), 119(b)(2), 803(e), 1005, and 1316 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections and prior year available unobligated balances are less than $35,513,000: Provided further, That not more than $100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than $4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: Provided further, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United

States of America, $106,790,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $50,674,000: Provided, That of the total amount appropriated, $650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISIONS

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1301. (a) IN GENERAL.—For fiscal year 2012, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $169,725,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) TRANSFER OF FUNDS.—During fiscal year 2012, the Librarian of Congress may temporarily transfer funds appropriated in this Act, under the heading "Library of Congress", under the subheading "Salaries and Expenses", to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182c): Provided, That the total amount of such transfers may not exceed $1,900,000: Provided further, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

TRANSFER AUTHORITY

SEC. 1302. (a) IN GENERAL.—Amounts appropriated for fiscal year 2012 for the Library of Congress may be transferred during fiscal year 2012 between any of the headings under the heading "Library of Congress" upon the approval of the Committees on Appropriations of the House of Representatives and the Senate.

(b) LIMITATION.—Not more than 10 percent of the total amount of funds appropriated to the account under any heading under the heading "Library of Congress" for fiscal year 2012 may be transferred from that account by all transfers made under subsection (a).

FUNDS AVAILABLE FOR WORKERS COMPENSATION PAYMENTS

SEC. 1303. (a) IN GENERAL.—Available balances of expired Library of Congress appropriations shall be available to the Library of Congress to make the deposit to the credit of the Employees' Com-

pensation Fund required by subsection 8147(b) of title 5, United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2012 and each fiscal year thereafter.

PERMITTING USE OF PROCEEDS FROM DISPOSITION OF SURPLUS OR OBSOLETE PERSONAL PROPERTY

SEC. 1304. (a) DISPOSITION OF PROPERTY.—Within the limits of available appropriations, the Librarian of Congress may dispose of surplus or obsolete personal property of the Library of Congress by interagency transfer, donation, sale, trade-in, or other appropriate method.

(b) USE OF PROCEEDS.—Any amounts received by the Librarian of Congress from the disposition of property under subsection (a) shall be credited to the funds available for the operations of the Library of Congress, and shall be available to acquire the same or similar property during the fiscal year in which the amounts are received and the following fiscal year.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2012 and each succeeding fiscal year.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $90,700,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval

of the Committees on Appropriations of the House of Representatives and Senate: Provided further, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $35,000,000: Provided, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating congressional serial sets and other related publications for fiscal years 2010 and 2011 to depository and other designated libraries: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

For payment to the Government Printing Office Revolving Fund, $500,000 for information technology development: Provided, That the Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: Provided further, That not more than $7,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: Provided further, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That activities financed through the revolving fund may provide information in any format: Provided further, That the revolving fund and the funds provided under the headings "Office of Superintendent of Documents" and "Salaries and Expenses" may not be used for contracted security services at GPO's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $511,296,000: Provided, That, in addition, $22,304,000 of payments received under sections 782, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

ADMINISTRATIVE PROVISION

SEC. 1401. (a) Section 210 of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q) is amended—

(1) by striking subsection (d); and

(2) in subsection (f)(2)(A), by striking "United States Code" and inserting "United States Code, but excluding the Government Accountability Office".

(b) Section 3521(1) of title 5, United States Code, is amended by striking "section 105" and inserting "section 105 (other than the Government Accountability Office)".

(c) The amendments made by this section shall apply with respect to voluntary separation incentive payments made during fiscal year 2012 or any succeeding fiscal year.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), $10,000,000.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), $430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2012 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, 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 under existing law.

AWARDS AND SETTLEMENTS

SEC. 205. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) to pay awards and settlements as authorized under such subsection.

COSTS OF LBFMC

SEC. 206. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

LANDSCAPE MAINTENANCE

SEC. 207. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets, in the irregular shaped grassy areas bounded by Washington Avenue, SW, on the northeast, Second Street, SW, on the west, Square 582 on the south, and the beginning of the I–395 tunnel on the southeast.

LIMITATION ON TRANSFERS

SEC. 208. 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.

GUIDED TOURS OF THE CAPITOL

SEC. 209. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

SEC. 210. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

SEC. 211. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

SEC. 212. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district of-

fices, in an aggregate amount that exceeds $1,000 for the vehicle in any month.

This division may be cited as the "Legislative Branch Appropriations Act, 2012".

DIVISION H—MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $3,006,491,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed $229,741,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $2,112,823,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed $84,362,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,227,058,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed $81,913,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes

and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $3,431,957,000, to remain available until September 30, 2016: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $430,602,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount appropriated, notwithstanding any other provision of law, $24,118,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters: Provided further, That the Department of Defense shall not award a design contract to exceed the 20 percent design level for the Landstuhl Regional Medical Center in Germany until the Secretary of Defense: (1) provides the Committees on Appropriations of the House of Representatives and the Senate a plan for implementing the recommendations of the Government Accountability Office with respect to the plans, baseline data, and estimated cost of the facility; and (2) certifies in writing to the Committees that the facility is properly sized and scoped to meet current and projected healthcare requirements.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $773,592,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed $20,671,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $116,246,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed $12,225,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $280,549,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed $28,924,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $26,299,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed $2,591,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $33,620,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed $2,200,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of

both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $247,611,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $176,897,000, to remain available until September 30, 2016.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $493,458,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $100,972,000, to remain available until September 30, 2016.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $367,863,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $60,042,000, to remain available until September 30, 2016.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $429,523,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $50,723,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $2,184,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

HOMEOWNERS ASSISTANCE FUND

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, (42 U.S.C. 3374), as amended by section 1001 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 194), $1,284,000, to remain available until expended: Provided, That the Secretary of Defense shall not issue any regulation or otherwise take any action to limit the submission prior to September 30, 2012, of applications for benefits, including permanent change of station benefits, as provided under section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, (42 U.S.C. 3374), as amended.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $75,312,000, to remain available until September 30, 2016, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $323,543,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $258,776,000, to remain available until expended: Provided, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted

budget request for this account by 20 percent or $2,000,000, whichever is less: Provided further, That the previous proviso shall not apply to projects costing less than $5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notifi-

cation to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 121. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days

for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 122. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 123. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 124. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for ob-

ligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 125. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 126. (a) Notwithstanding any other provision of law, the Secretary of the Army shall close Umatilla Chemical Depot, Oregon, not later than 1 year after the completion of chemical demilitarization activities required under the Chemical Weapons Convention.

(b) The closure of the Umatilla Chemical Depot, Oregon, and subsequent management and property disposal shall be carried out in accordance with procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 110–510; 10 U.S.C. 2687 note).

(c) Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(d) The Secretary of the Army may retain minimum essential ranges, facilities, and training areas at Umatilla Chemical Depot, totaling approximately 7,500 acres, as a training enclave for the reserve components of the Armed Forces to permit the conduct of individual and annual training.

SEC. 127. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,000 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: Provided, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available: Provided further, That the Secretary of Defense shall implement the Department of Defense Inspector General recommendations outlined in report number DODIG–2012–024, and certify to Congress not later than 180 days after enactment of this Act that the recommendations have been implemented.

SEC. 128. None of the funds appropriated or otherwise made available by this title may be obligated or expended for a permanent

United States Africa Command headquarters outside of the United States until the Secretary of Defense provides the congressional defense committees an analysis of all military construction costs associated with establishing a permanent location overseas versus in the United States.

SEC. 129. None of the funds made available by this Act may be used for any action that relates to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 130. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 131. Of the unobligated balances available under the following headings from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), the following amounts are hereby rescinded: "Military Construction, Army", $100,000,000; "Military Construction, Navy and Marine Corps", $25,000,000; "Military Construction, Air Force", $32,000,000; and "Military Construction, Defense-Wide", $131,400,000.

(INCLUDING RESCISSION OF FUNDS)

SEC. 132. Of the unobligated balances available for "Department of Defense Base Closure Account 2005", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $258,776,000 are hereby rescinded.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized

by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $51,237,567,000, to remain available until expended: Provided, That not to exceed $32,187,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61 of title 38, United States Code, $12,108,488,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $100,252,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2012, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $154,698,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $19,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,019,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $343,000, which may be paid to the appropriation for "General operating expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,116,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of health care employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, and loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note) $41,354,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $5,746,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $5,441,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $581,000,000, plus reimbursements, shall remain available until September 30, 2013.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $250,934,000, of which not to exceed $25,100,000 shall remain available until September 30, 2013: Provided, That none of the funds under this heading may be used to expand the Urban Initiative project beyond those sites outlined in the fiscal year 2012 or previous budget submissions until the National Cemetery Administration submits to the Committees on Appropriations of both Houses of Congress a detailed strategy to serve the burial needs of veterans residing in rural and highly rural areas: Provided further, That the report shall include a timeline for implementation of such strategy and cost estimates of establishing new burial sites in at least five rural or highly rural locations.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $416,737,000, of which not to exceed $20,837,000 shall remain available until September 30, 2013: Provided, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,018,764,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed $105,000,000 shall remain available until September 30, 2013: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (on a one-for-one replacement basis only) up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $3,111,376,000, plus reimbursements: Provided, That $915,000,000 shall be for pay and associated costs, of which not to exceed $25,000,000 shall remain available until September 30, 2013: Provided further, That $1,616,018,000 shall be for operations and maintenance, of which not to exceed $110,000,000 shall remain available until September 30, 2013: Provided further, That $580,358,000 shall be for information technology systems develop-

ment, modernization, and enhancement, and shall remain available until September 30, 2013: Provided further, That none of the funds made available under this heading may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the Joint Explanatory Statement of the Committee of Conference.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $112,391,000, of which $6,000,000 shall remain available until September 30, 2013.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $589,604,000, to remain available until expended, of which $5,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims

paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2012, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2012; and (2) by the awarding of a construction contract by September 30, 2013: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $482,386,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections

8131 through 8137 of title 38, United States Code, $85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2012 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: Provided, That any transfers between the "Medical services" and "Medical support and compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2011.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2012, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2012 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2012 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed $42,904,000 for the Office of Resolution Management and $3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General administration" and "Information technology systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than $1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National Cemetery Administration" accounts for fiscal year 2012, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available for the "Information technology systems" account for development, modernization, and en-

hancement may be transferred between projects or to newly defined projects: Provided, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 222. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 223. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical facilities" account for nonrecurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2012 for "Medical services", "Medical support and compliance", "Medical facilities", "Construction, minor projects", and "Information technology systems", up to $241,666,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for health care provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical

facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 226. Of the amounts available in this title for "Medical services", "Medical support and compliance", and "Medical facilities", a minimum of $15,000,000, shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 227. (a) Of the funds appropriated in title X of division B of Public Law 112–10, the following amounts which became available on October 1, 2011, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", $1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", $100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", $250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2013:

(1) "Department of Veterans Affairs, Medical services", $1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", $100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", $250,000,000.

SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the committees 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 229. The scope of work for a project included in "Construction, major projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 230. (a) EXCEPTION WITH RESPECT TO CONFIDENTIAL NATURE OF CLAIMS.—Section 5701 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(l) Under regulations the Secretary shall prescribe, the Secretary may disclose information about a veteran or the dependent of a veteran to a State controlled substance monitoring program, including a program approved by the Secretary of Health and Human Services under section 399O of the Public Health Service Act (42

U.S.C. 280g–3), to the extent necessary to prevent misuse and diversion of prescription medicines.".

(b) EXCEPTION WITH RESPECT TO CONFIDENTIALITY OF CERTAIN MEDICAL RECORDS.—Section 7332(b)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

> *"(G) To a State controlled substance monitoring program, including a program approved by the Secretary of Health and Human Services under section 399O of the Public Health Service Act (42 U.S.C. 280g–3), to the extent necessary to prevent misuse and diversion of prescription medicines.".*

SEC. 231. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000. The first report shall be submitted no later than April 15, 2012.

SEC. 232. None of the funds made available by this Act may be used to declare as excess to the needs of the Department of Veterans Affairs or otherwise take any action to exchange, trade, auction, transfer, or otherwise dispose of, or reduce the acreage of, Federal land and improvements at the St. Albans campus, consisting of approximately 55 acres of land, with borders near Linden Boulevard on the northwest, 115th Avenue on the west, the Long Island Railroad on the northeast, and Baisley Boulevard on the southeast.

SEC. 233. None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).

SEC. 234. Section 315(b) of title 38, United States Code, is amended by striking "December 31, 2011" and inserting "December 31, 2012".

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when re-

quired by law of such countries, $61,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $30,770,000: Provided, That $2,726,323 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $45,800,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $67,700,000, of which $2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

GENERAL FUND PAYMENT, ARMED FORCES RETIREMENT HOME

For payment to the "Armed Forces Retirement Home", $14,630,000, to remain available until expended, for expenses necessary to mitigate structural damage sustained to buildings on the Armed Forces Retirement Home—Washington, District of Columbia, campus as a result of the August 2011 earthquake.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for "Military Construction, Army", $80,000,000, to remain available until September 30, 2012: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", $189,703,000, to remain available until September 30, 2012: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

SEC. 401. Of the unobligated balances in title IV, division E of Public Law 111–117, $269,703,000 are hereby rescinded: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

GENERAL PROVISIONS

SEC. 501. 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. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. Such sums as may be necessary for fiscal year 2012 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 504. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 505. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E–Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 506. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 507. 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 or any other appropriations Act.

SEC. 508. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 509. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 510. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 511. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba,

for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 512. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 513. None of the funds provided in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 514. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, or to make a grant to, any corporation that was convicted of a felony criminal violation under any Federal or State law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

This division may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2012".

DIVISION I—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2012

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, $6,550,947,000, of which up to $1,355,000,000 is for Worldwide Security Protection (to remain available until expended): Provided, That funds made available under this heading shall be allocated as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, $2,277,862,000, to remain available until September 30, 2013, of which not less than $121,814,000 shall be available only for public diplomacy American salaries, and up to $203,800,000 is for Worldwide Security Protection and shall remain available until expended.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, $2,109,293,000, to remain available until September 30, 2013, of which not less than $347,572,000 shall be available only for public diplomacy international information programs.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation and disarmament activities as authorized, $822,513,000, to remain available until September 30, 2013.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $1,341,279,000, to remain available until September 30, 2013, of which up to $1,151,200,000 is for Worldwide Security Protection and shall remain available until expended.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) not to exceed $1,753,991 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, and, in addition, as authorized by section 5 of such Act, $520,150, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section;

(B) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

(C) not to exceed $15,000, which shall be derived from reimbursements, surcharges and fees for use of Blair House facilities.

(6) TRANSFER, REPROGRAMMING, AND OTHER MATTERS.—

(A) Notwithstanding any provision of this Act, funds may be reprogrammed within and between subsections under this heading subject to section 7015 of this Act;

(B) Of the amount made available under this heading, not to exceed $10,000,000 may be transferred to, and

merged with, funds made available by this Act under the heading "Emergencies in the Diplomatic and Consular Service", to be available only for emergency evacuations and rewards, as authorized; and

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to 31 U.S.C. 1108(g), for the field examination of programs and activities in the United States funded from any account contained in this title.

(D) Of the amount made available under this heading, up to $6,000,000 may be transferred to, and merged with, funds made available by this Act under the heading "Department of State, Administration of Foreign Affairs, Capital Investment Fund": Provided, That the transfer authority of this subparagraph is in addition to any other transfer authority available to the Secretary of State.

(E)(i) The headings "Civilian Stabilization Initiative" in titles I and II of prior acts making appropriations for the Department of State, foreign operations, and related programs shall be renamed "Conflict Stabilization Operations".

(ii) Of the funds appropriated under this heading, up to $35,000,000, to remain available until expended, may be transferred to, and merged with, funds previously made available under the heading "Conflict Stabilization Operations" in title I of prior acts making appropriations for the Department of State, foreign operations and related programs, as amended by subparagraph (i).

(F) None of the funds appropriated under this heading may be used for the preservation of religious sites unless the Secretary of State determines and reports to the Committees on Appropriations that such sites are historically, artistically, or culturally significant, that the purpose of the project is neither to advance nor to inhibit the free exercise of religion, and that the project is in the national interest of the United States.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $59,380,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $61,904,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $583,200,000, to remain available until expended: Provided, That not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other

payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

REPRESENTATION ALLOWANCES

For representation allowances as authorized, $7,300,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $27,000,000, to remain available until September 30, 2013.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $762,000,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $775,000,000, to remain available until expended: Provided, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations the proposed allocation of funds made available under this heading and the actual and anticipated proceeds of sales for all projects in fiscal year 2012.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $9,300,000, to remain available until expended as authorized, of which not to exceed $1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading "Repatriation Loans Program Account", subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,447,000, as authorized, of which $710,000 may be made available for administrative expenses necessary to carry out the direct loan program and may be paid to "Diplomatic and Consular Programs": Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $21,108,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized, $158,900,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $1,449,700,000: Provided, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: Provided further, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: Provided further, That the Secretary of State shall report to the Committees on Appropriations not later than May 1, 2012, on any credits available to the United States from the United Nations Tax Equalization Fund (TEF) and provide updated fiscal year 2013 assessment costs including offsets from available TEF credits and updated foreign currency exchange rates: Provided further, That any such credits shall only be available for United States assessed contributions to the United Nations and shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That any payment of arrearages under this heading shall be directed toward activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $1,828,182,000, of which 15 percent shall remain available until September 30, 2013: Provided, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting

for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified: (1) of the estimated cost and duration of the mission, the national interest that will be served, and the exit strategy; (2) that the United Nations has taken necessary measures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in the mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation or other violations of human rights, and to bring to justice individuals who engage in such acts while participating in the peacekeeping mission, including prosecution in their home countries of such individuals in connection with such acts, and to make information about such cases publicly available in the country where an alleged crime occurs and on the United Nations' Web site; and (3) pursuant to section 7015 of this Act, and the procedures therein followed, setting forth the source of funds that will be used to pay the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that American manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That the Secretary of State shall work with the United Nations and governments contributing peacekeeping troops to develop effective vetting procedures to ensure that such troops have not violated human rights: Provided further, That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interests of the United States and the President has submitted to the Congress such a recommendation: Provided further, That notwithstanding any other provision of law, funds appropriated or otherwise made available under this heading shall be available for United States assessed contributions up to the amount specified in Annex IV accompanying United Nations General Assembly Resolution 64/220: Provided further, That such funds may be made available above the amount authorized in section 404(b)(2)(B) of the Foreign Relations Authorization Act, fiscal years 1994 and 1995 (22 U.S.C. 287e note) only if the Secretary of State determines and reports to the Committees on Appropriations, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate that it is important to the national interest of the United States: Provided further, That the Secretary of State shall report to the Committees on Appropriations not later than May 1, 2012, of any credits available to the United States resulting from United Nations peacekeeping missions or the United Nations Tax Equalization Fund: Provided further, That any such credits shall only be available for United States assessed contributions to the United Nations and shall be subject to the regular notification procedures of the Committees on Appropriations.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $44,722,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $31,453,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by Public Law 103–182, $11,687,000: Provided, That of the amount provided under this heading for the International Joint Commission, $9,000 may be made available for representation expenses.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $36,300,000: Provided, That the United States share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the Broadcasting Board of Governors (BBG), as authorized, to carry out international communication activities, and to make and supervise grants for radio and television broadcasting to the Middle East, $740,100,000: Provided, That funds appropriated under this heading shall be made available to expand unrestricted access to information on the Internet through the development and use of circumvention and secure communication technologies: Provided further, That the circumvention technologies and programs supported by such funds shall undergo

a review, to include an assessment of protections against such technologies being used for illicit purposes: Provided further, That the BBG shall coordinate the development and use of such technologies with the Secretary of State, as appropriate: Provided further, That of the total amount appropriated under this heading, not to exceed $16,000 may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty: Provided further, That the authority provided by section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 6206 note) shall remain in effect through September 30, 2012: Provided further, That the BBG shall notify the Committees on Appropriations within 15 days of any determination by the Board that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in the United States International Broadcasting Act of 1994 (22 U.S.C. 6202(a) and (b)) or the entity's journalistic code of ethics: Provided further, That significant modifications to BBG broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all BBG language services shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to $2,000,000 in receipts from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception, including to Cuba, as authorized, $7,030,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), $17,000,000, to remain available until expended, as authorized.

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute of Peace, as authorized by the United States Institute of Peace Act, $30,589,000, to remain available until September 30, 2013, which shall not be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

For necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, as authorized by section 633 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (22 U.S.C. 2078), the total amount of the interest and earnings accruing to such Fund on or before September 30, 2012, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2012, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2012, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $16,700,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act, $117,764,000, to remain available until expended, of which $100,000,000 shall be allocated in the traditional and customary manner, including for the core institutes, and $17,764,000 shall be for democracy, human rights, and rule of law programs: Provided, That the President of the National Endowment for Democracy shall submit to the Committees on Appropriations not later than 45 days after the date of enactment of this Act a report on the proposed uses of funds under this heading on a regional and country basis.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, $634,000, as authorized by section 1303 of Public Law 99–83.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $3,000,000, to remain available until September 30, 2013: Provided, That section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by substituting "September 30, 2012" for "September 30, 2011": Provided further, That notwithstanding the expenditure limitation specified in section 208(c)(1) of such Act (22 U.S.C. 6435a(c)(1)), the Commission may expend up to $250,000 of the funds made available under this heading to procure temporary and intermittent services under the authority of section 3109(b) of title 5, United States Code: Provided further, That travel by members and staff of the Commission shall be arranged and conducted under the rules and procedures applying to travel by members and staff of the House of Representatives: Provided further, That for the purposes of employment rights, any employee of the Commission shall be considered to be a congressional employee as defined in section 2107 of title 5, United States Code and the Commission shall be treated as a congressional employing office.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $2,715,000, to remain available until September 30, 2013.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911–6919), $1,996,000, including not more than $3,000 for the purpose of official representation, to remain available until September 30, 2013.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), $3,493,000, including not more than $4,000 for the purpose of official representation, to remain available until September 30, 2013: Provided, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in division F of Public Law 111–117 shall continue in effect during fiscal year 2012 and shall apply to funds appropriated under this heading as if included in this Act.

TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $1,092,300,000, to remain available until September 30, 2013, of which not less than $25,000,000 should be for costs associated with procurement reform: Provided, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development (USAID), unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: Provided further, That contracts or agreements entered into with funds appropriated under this heading during fiscal year 2013 may entail commitments for the expenditure of such funds through the following fiscal year: Provided further, That any decision to open a new or reorganized USAID mission, bureau, center, or office or, except where there is a substantial security risk to mission personnel, to close or significantly reduce the number of personnel of any such mission or office, shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to "Operating Expenses" in accordance with the provisions of those sections: Provided further, That any reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less, to the cost categories in the table included under this heading in the joint explanatory statement accompanying this Act for funds appropriated under this heading, shall be subject to the regular notifica-

tion procedures of the Committees on Appropriations: Provided further, That of the funds appropriated or made available under this heading, not to exceed $250,000 may be available for representation and entertainment allowances, of which not to exceed $5,000 may be available for entertainment allowances, for USAID during the current fiscal year: Provided further, That no such entertainment funds may be used for the purposes listed in section 7020 of this Act: Provided further, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $129,700,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $46,500,000, to remain available until September 30, 2013, which sum shall be available for the Office of Inspector General of the United States Agency for International Development.

TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For necessary expenses to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, as follows:

GLOBAL HEALTH PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $2,625,000,000, to remain available until September 30, 2013, and which shall be apportioned directly to the United States Agency for International Development (USAID): Provided, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assist-

ance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; and (6) family planning/reproductive health: Provided further, That funds appropriated under this paragraph may be made available for a United States contribution to the GAVI Alliance: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That any determination made under the previous proviso must be made no later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a

violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $5,542,860,000, to remain available until September 30, 2016, which shall be apportioned directly to the Department of State: Provided, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108–25), as amended, for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That the amount of such contribution should be $1,050,000,000: Provided further, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2012 may be made available to USAID for technical assistance related to the activities of the Global Fund: Provided further, That of the funds appropriated under this paragraph, up to $14,250,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, 214, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, $2,519,950,000, to remain available until September 30, 2013: Provided, That relevant bureaus and offices of the United States Agency for International Development (USAID) that support cross-cutting development programs shall coordinate such programs on a regular basis: Provided further, That of the funds appropriated under this heading, not less than $23,000,000 shall be made available for the American Schools and Hospitals Abroad program, and not less than $10,000,000 shall

be made available for USAID cooperative development programs within the Office of Private and Voluntary Cooperation.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $825,000,000, to remain available until expended.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $50,141,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: Provided further, That if the Secretary of State determines that it is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

COMPLEX CRISES FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to enable the Administrator of the United States Agency for International Development (USAID), in consultation with the Secretary of State, to support programs and activities to prevent or respond to emerging or unforeseen complex crises overseas, $10,000,000, to remain available until expended: Provided, That funds appropriated under this heading may be made available on such terms and conditions as the USAID Administrator may determine, in consultation with the Committees on Appropriations, for the purposes of preventing or responding to such crises, except that no funds shall be made available to respond to natural disasters: Provided further, That funds appropriated under this heading may be made available notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961, as amended by this Act: Provided further, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days in advance of the obligation of funds.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to $40,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading "Assistance for Europe, Eurasia and Central Asia": Provided, That funds provided under this paragraph and funds provided as a gift pursuant to section 635(d) of the Foreign Assistance Act of 1961 shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of such Act: Provided further, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading, except that the principal amount of loans made or guaranteed under this heading with respect to any single country shall not exceed $300,000,000: Provided further, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $750,000,000.

In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, $8,300,000, which may be transferred to, and merged with, funds made available under the heading "Operating Expenses" in title II of this Act: Provided, That funds made available under this heading shall remain available until September 30, 2014.

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $3,001,745,000, to remain available until September 30, 2013: Provided, That of the funds appropriated under this heading, $250,000,000 shall be available for assistance for Egypt, including not less than $35,000,000 for education programs of which not less than $10,000,000 is for scholarships at not-for-profit institutions for Egyptian students with high financial need, and to implement section 7041(a)(3) and (b) of this Act: Provided further, That funds appropriated under this heading that are made available for assistance for Cyprus shall be used only for scholarships, administrative support of the scholarship program, bicommunal projects, and measures aimed at reunifi-

cation of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: Provided further, That $12,000,000 of the funds made available for assistance for Lebanon under this heading shall be for scholarships at not-for-profit institutions for students in Lebanon with high financial need: Provided further, That of the funds appropriated under this heading, not less than $360,000,000 shall be available for assistance for Jordan: Provided further, That up to $30,000,000 of the funds appropriated for fiscal year 2011 under this heading in Public Law 112–10, division B, may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Tunisia, which are authorized to be provided: Provided further, That amounts that are made available under the previous proviso for the cost of guarantees shall not be considered "assistance" for the purposes of provisions of law limiting assistance to a country: Provided further, That of the funds appropriated under this heading, not less than $179,000,000 shall be apportioned directly to the United States Agency for International Development for alternative development/institution building programs in Colombia: Provided further, That of the funds appropriated under this heading that are available for assistance for Colombia, not less than $7,000,000 shall be transferred to, and merged with, funds appropriated under the heading "Migration and Refugee Assistance" and shall be made available only for assistance to nongovernmental and international organizations that provide assistance to Colombian refugees in neighboring countries: Provided further, That in consultation with the Secretary of the Treasury, the Secretary of State may transfer up to $200,000,000 of the funds made available under this heading to funds appropriated in this Act under the headings "Multilateral Assistance, Funds Appropriated to the President, International Financial Institutions" for additional payments to such institutions, facilities, and funds enumerated under such headings: Provided further, That prior to exercising the transfer authority under the previous proviso the Secretary of State shall consult with the Committees on Appropriations.

DEMOCRACY FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, $114,770,000, to remain available until September 30, 2013, of which $68,000,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, and $46,770,000 shall be made available for the Office of Democracy and Governance of the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act, and the Support for East European Democracy (SEED) Act of 1989, $626,718,000, to remain available until September 30, 2013, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for countries identified in sec-

tion 3 of the FREEDOM Support Act and section 3(c) of the SEED Act: Provided, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance: Provided further, That funds made available for the Southern Caucasus region may be used for confidence-building measures and other activities in furtherance of the peaceful resolution of conflicts, including in Nagorno-Karabakh.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $1,639,100,000, to remain available until expended, of which $20,000,000 shall be made available for refugees resettling in Israel, and not less than $35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $27,200,000, to remain available until expended.

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501–2523), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $375,000,000, of which $5,150,000 is for the Office of Inspector General, to remain available until September 30, 2013: Provided, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by 22 U.S.C. 2515, an amount not to exceed $5,000,000: Provided further, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: Provided further, That of the funds appropriated under this heading, not to exceed $4,000 may be made available for entertainment expenses: Provided further, That any decision to open, close, significantly reduce, or suspend a domestic or overseas office or country program shall be subject to prior consulta-

tion with, and the regular notification procedures of, the Committees on Appropriations, except that prior consultation and regular notification procedures may be waived when there is a substantial security risk to volunteers or other Peace Corps personnel, pursuant to section 7015(e) of this Act: Provided further, That none of the funds appropriated under this heading shall be used to pay for abortions.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003, $898,200,000 to remain available until expended: Provided, That of the funds appropriated under this heading, up to $105,000,000 may be available for administrative expenses of the Millennium Challenge Corporation (the Corporation): Provided further, That up to 5 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the Millennium Challenge Act of 2003 for fiscal year 2012: Provided further, That section 605(e) of the Millennium Challenge Act of 2003 shall apply to funds appropriated under this heading: Provided further, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the Millennium Challenge Act of 2003 only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: Provided further, That the Chief Executive Officer of the Corporation shall notify the Committees on Appropriations not later than 15 days prior to signing any new country compact or new threshold country program; terminating or suspending any country compact or threshold country program; or commencing negotiations for any new compact or threshold country program: Provided further, That any funds that are deobligated from a Millennium Challenge Compact shall be subject to the regular notification procedures of the Committees on Appropriations prior to re-obligation: Provided further, That notwithstanding section 606(a)(2) of the Millennium Challenge Act of 2003, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the Millennium Challenge Act of 2003: Provided further, That notwithstanding section 606(b)(1) of the Millennium Challenge Act of 2003, in addition to countries described in the preceding proviso, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is not among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the Millennium Challenge Act of 2003: Provided further, That any Millennium Challenge Corporation candidate country under section 606 of the Millennium Challenge Act of 2003 with a per capita income that changes in the fiscal year

such that the country would be reclassified from a low income country to a lower middle income country or from a lower middle income country to a low income country shall retain its candidacy status in its former income classification for the fiscal year and the two subsequent fiscal years: Provided further, That of the funds appropriated under this heading, not to exceed $100,000 may be available for representation and entertainment allowances, of which not to exceed $5,000 may be available for entertainment allowances.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $22,500,000, to remain available until September 30, 2013: Provided, That of the funds appropriated under this heading, not to exceed $2,000 may be available for entertainment and representation allowances.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980 (Public Law 96–533), $30,000,000, to remain available until September 30, 2013: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the Foundation: Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the Board of Directors of the Foundation may waive the $250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: Provided further, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $25,448,000, to remain available until September 30, 2014, which shall be available notwithstanding any other provision of law.

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to part V of the Foreign Assistance Act of 1961, $12,000,000, to remain available until September 30, 2013.

TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $1,061,100,000, to remain available until September 30, 2013: Provided, That during fiscal year 2012, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country or international organization under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: Provided further, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961 shall be made available subject to the regular notification procedures of the Committees on Appropriations: Provided further, That none of the funds appropriated under this heading shall be made available for assistance for the Bolivian military and police unless the Secretary of State determines and reports to the Committees on Appropriations that such funds are in the national security interest of the United States: Provided further, That, notwithstanding any other provision of law, of the funds appropriated under this heading, $5,000,000 should be made available to combat piracy of United States copyrighted materials, consistent with the requirements of section 688(a) and (b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110–161): Provided further, That the reporting requirements contained in section 1404 of Public Law 110–252 shall apply to funds made available by this Act, including a description of modifications, if any, to the security strategy of the Palestinian Authority: Provided further, That the provision of assistance which is comparable to assistance made available under this heading but which is provided under any other provision of law, shall be provided in accordance with the provisions of sections 481(b) and 622(c) of the Foreign Assistance Act of 1961.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $590,113,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II

of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided, That the clearance of unexploded ordnance should prioritize areas where such ordnance was caused by the United States: Provided further, That of the funds made available under this heading, not to exceed $30,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament and weapons destruction: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: Provided further, That funds appropriated under this heading may be made available for the IAEA unless the Secretary of State determines that Israel is being denied its right to participate in the activities of that Agency: Provided further, That funds appropriated under this heading may be made available for public-private partnerships for conventional weapons and mine action by grant, cooperative agreement or contract: Provided further, That funds made available for demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: Provided further, That funds appropriated under this heading that are available for "Anti-terrorism Assistance" and "Export Control and Border Security" shall remain available until September 30, 2013.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $302,818,000: Provided, That funds appropriated under this heading may be used, notwithstanding section 660 of such Act, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: Provided further, That of the funds appropriated under this heading, not less than $28,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: Provided further, That of the funds appropriated under this heading, up to $91,818,000 may be used to pay assessed expenses of international peacekeeping activities in Somalia and shall be available until September 30, 2013: Provided further, That funds appropriated under this Act should not be used to support any military training or operations that include child soldiers: Provided further, That none of the funds appropriated under this heading shall be ob-

ligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $105,788,000, of which up to $4,000,000 may remain available until September 30, 2013, and may only be provided through the regular notification procedures of the Committees on Appropriations: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That the Secretary of State shall provide to the Committees on Appropriations, not later than 45 days after enactment of this Act, a report on the proposed uses of all program funds under this heading on a country-by-country basis, including a detailed description of proposed activities: Provided further, That of the funds appropriated under this heading, not to exceed $55,000 may be available for entertainment allowances.

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $5,210,000,000: Provided, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: Provided further, That of the funds appropriated under this heading, not less than $3,075,000,000 shall be available for grants only for Israel, and $1,300,000,000 shall be made available for grants only for Egypt, including for border security programs and activities in the Sinai: Provided further, That the funds appropriated under this heading for assistance for Israel shall be disbursed within 30 days of enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than $808,725,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That funds appropriated under this heading estimated to be outlayed for Egypt during fiscal year 2012 may be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York: Provided further, That of the funds appropriated under this heading, $300,000,000 shall be made available for assistance for Jordan: Provided further, That, not later than 90 days after enactment of this Act and 6 months thereafter, the Secretary of State shall submit a report to the Committees on Appropriations detailing any crowd control items, including tear

gas, made available with appropriated funds or through export licenses to foreign security forces that the Secretary of State has credible information have repeatedly used excessive force to repress peaceful, lawful, and organized dissent: Provided further, That the Secretary of State should consult with the Committees on Appropriations prior to obligating funds for such items to governments of countries undergoing democratic transition in the Middle East and North Africa: Provided further, That none of the funds made available under this heading shall be made available to support or continue any program initially funded under the authority of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456) unless the Secretary of State, in coordination with the Secretary of Defense, has justified such program to the Committees on Appropriations: Provided further, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than $62,800,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading for general costs of administering military assistance and sales, not to exceed $4,000 may be available for entertainment expenses and not to exceed $130,000 may be available for representation allowances: Provided further, That not more than

$836,900,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2012 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $348,705,000, of which up to $10,000,000 may be made available for the Intergovernmental Panel on Climate Change/United Nations Framework Convention on Climate Change: Provided, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $89,820,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,325,000,000, to remain available until expended.

For payment to the International Development Association by the Secretary of the Treasury for costs incurred under the Multilateral Debt Relief Initiative, $167,000,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury, for the United States share of the paid-in portion of the increases in capital stock, $117,364,344, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed $2,928,990,899.

CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

For payment to the International Bank for Reconstruction and Development as trustee for the Clean Technology Fund by the Secretary of the Treasury, $184,630,000, to remain available until expended.

CONTRIBUTION TO THE STRATEGIC CLIMATE FUND

For payment to the International Bank for Reconstruction and Development as trustee for the Strategic Climate Fund by the Secretary of the Treasury, $49,900,000, to remain available until expended.

GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

For payment to the Global Agriculture and Food Security Program by the Secretary of the Treasury, $135,000,000, to remain available until expended.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $75,000,000, to remain available until expended.

For payment to the Inter-American Investment Corporation by the Secretary of the Treasury, $4,670,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $4,098,794,833.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, $25,000,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

For payment to the Asian Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of increase in capital stock, $106,586,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $2,558,048,769.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For payment to the Asian Development Bank's Asian Development Fund by the Secretary of the Treasury, $100,000,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $32,417,720, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $507,860,808.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, $172,500,000, to remain available until expended.

For payment to the African Development Fund by the Secretary of the Treasury for costs incurred under the Multilateral Debt Relief Initiative, $7,500,000, to remain available until expended.

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital of the United States share of such capital in an amount not to exceed $1,252,331,952.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, $30,000,000, to remain available until expended.

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $4,000,000, to remain available until September 30, 2013.

PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing

authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: Provided further, That not less than 10 percent of the aggregate loan, guarantee, and insurance authority available to the Export-Import Bank under this Act should be used for renewable energy technologies or end-use energy efficiency technologies: Provided further, That notwithstanding section 1(c) of Public Law 103–428, as amended, sections 1(a) and (b) of Public Law 103–428 shall remain in effect through October 1, 2012: Provided further, That notwithstanding the dates specified in section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 6350 and section 1(c) of Public Law 103–428), the Export-Import Bank of the United States shall continue to exercise its functions in connection with and in furtherance of its objects and purposes through May 31, 2012.

SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, not to exceed $58,000,000: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such funds shall remain available until September 30, 2027, for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2012, 2013, 2014, and 2015: Provided further, That none of the funds appropriated by this Act or any prior Acts appropriating funds for the Department of State, foreign operations, and related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed $89,900,000: Provided, That the Export-Import Bank may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: Provided further, That notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2012:

Provided further, That the Export-Import Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: Provided further, That, in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account, to remain available until expended.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945, as amended, and the Federal Credit Reform Act of 1990, as amended, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: Provided, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0: Provided further, That amounts collected in fiscal year 2012 in excess of obligations, up to $50,000,000, shall become available on September 1, 2012 and shall remain available until September 30, 2015.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $54,990,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $25,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2012, 2013,

and 2014: Provided further, That funds so obligated in fiscal year 2012 remain available for disbursement through 2020; funds obligated in fiscal year 2013 remain available for disbursement through 2021; and funds obligated in fiscal year 2014 remain available for disbursement through 2022: Provided further, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 in Iraq: Provided further, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $50,000,000, to remain available until September 30, 2013: Provided, That of the funds appropriated under this heading, not more than $4,000 may be available for representation and entertainment allowances.

TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2012 or any previous fiscal year: Provided, That the report required by this section should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of 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.

EMBASSY CONSTRUCTION

SEC. 7004. (a) Of funds provided under title I of this Act, except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

(b) Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the United States Marine Corps.

(c) For the purposes of calculating the fiscal year 2012 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the Department of State's contribution for this purpose.

(d) Funds appropriated by this Act, and any prior Act making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property for diplomatic facilities in Afghanistan, Pakistan, and Iraq, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(e) Section 604(e)(1) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note) is amended by striking "providing new," and inserting in its place "providing, maintaining, repairing, and renovating".

(f)(1) None of the funds appropriated under the heading "Embassy Security, Construction, and Maintenance" in this Act and in prior Acts making appropriations for the Department of State, foreign operations, and related programs, made available through Federal agency Capital Security Cost Sharing contributions and reimbursements, or generated from the proceeds of real property sales, other than from real property sales located in London, United Kingdom, may be made available for site acquisition and mitigation, planning, design or construction of the New London Embassy.

(2) Within 60 days of enactment of this Act and every 6 months thereafter until completion of the New London Embassy, the Secretary of State shall submit to the Committees on Appropriations a report on the project: Provided, That such report shall include revenue and cost projections, cost containment efforts, project schedule and actual project status, the impact of currency exchange rate fluctuations on project revenue and costs, and options for modifying the

scope of the project in the event that proceeds of real property sales in London fall below the total cost of the project.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of 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 under title I 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 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

LOCAL GUARD CONTRACTS

SEC. 7006. In evaluating proposals for local guard contracts, the Secretary of State shall award contracts in accordance with section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864), except that the Secretary may grant authorization to award such contracts on the basis of best value as determined by a cost-technical tradeoff analysis (as described in Federal Acquisition Regulation part 15.101) in Iraq, Afghanistan, and Pakistan, notwithstanding subsection (c)(3) of such section: Provided, That the authority in this section shall apply to any options for renewal that may be exercised under such contracts that are awarded during the current fiscal year: Provided further, That prior to issuing a solicitation for a contract to be awarded pursuant to the authority under this section, the Secretary of State shall consult with the Committees on Appropriations and other relevant congressional committees.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 7007. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

COUPS D'ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'état or decree or, after the date of enactment of this Act, a coup d'état or decree in which the military plays a decisive role: Provided, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assist-

ance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER AUTHORITY

SEC. 7009. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—

(1) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(2) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors under title I of this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(3) Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 7015(a) and (b) of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) EXPORT FINANCING TRANSFER AUTHORITIES.—Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2012, for programs under title VI of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: Provided, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—

(1) None of the funds made available under titles II through V of 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.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(3) Any agreement entered into by the United States Agency for International Development (USAID) or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such

Act, with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Global Health Programs", "Development Assistance", and "Economic Support Fund" shall be subject to the regular notification procedures of the Committees on Appropriations: Provided, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(d) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available under titles II through V of this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds: Provided, That such audits shall be transmitted to the Committees on Appropriations: Provided further, That funds transferred under such authority may be made available for the cost of such audits.

REPORTING REQUIREMENT

SEC. 7010. The Secretary of State shall provide the Committees on Appropriations, not later than April 1, 2012, and for each fiscal quarter, a report in writing on the uses of funds made available under the headings "Foreign Military Financing Program", "International Military Education and Training", "Peacekeeping Operations", and "Pakistan Counterinsurgency Capability Fund": Provided, That such report shall include a description of the obligation and expenditure of funds, and the specific country in receipt of, and the use or purpose of the assistance provided by such funds.

AVAILABILITY OF FUNDS

SEC. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: Provided, That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the headings "Assistance for Europe, Eurasia and Central Asia" and "Development Credit Authority", shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided fur-

ther, That notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially allocated or obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That the Secretary of State shall provide a report to the Committees on Appropriations at the beginning of each fiscal year, detailing by account and source year, the use of this authority during the previous fiscal year.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 7012. No part of any appropriation provided under titles III through VI in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance for such country is in the national interest of the United States.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 7013. (a) PROHIBITION ON TAXATION.—None of the funds appropriated under titles III through VI of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2012 on funds appropriated by this Act by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2013 and allocated for the central government of such country and for the West Bank and Gaza program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance to countries which do not assess taxes

on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any country or entity the Secretary of State determines—

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the terms "taxes" and "taxation" refer to value added taxes and customs duties imposed on commodities financed with United States assistance for programs for which funds are appropriated by this Act; and

(2) the term "bilateral agreement" refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

(h) REPORT.—The Secretary of State shall submit a report to the Committees on Appropriations not later than 90 days after the enactment of this Act detailing steps taken by the Department of State to comply with the requirements provided in subsections (a) and (f).

RESERVATIONS OF FUNDS

SEC. 7014. (a) Funds appropriated under titles II through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development (USAID) that are specifically designated for particular programs or activities by this or any other Act shall be extended for an

additional fiscal year if the USAID Administrator determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: Provided, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: Provided, That specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

NOTIFICATION REQUIREMENTS

SEC. 7015. (a) None of the funds made available in title I of this Act, or in prior appropriations Acts to the agencies and departments funded by this Act that remain available for obligation or expenditure in fiscal year 2012, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the agencies and departments 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) closes or opens a mission or post;

(6) creates, reorganizes, or renames bureaus, centers, or offices;

(7) reorganizes programs or activities; or

(8) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds: Provided, That unless previously justified to the Committees on Appropriations, the requirements of this subsection shall apply to all obligations of funds appropriated under title I of this Act for items (5) and (6) above.

(b) None of the funds provided under title I of this Act, or provided under previous appropriations Acts to the agency or department funded under title I of this Act that remain available for obligation or expenditure in fiscal year 2012, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agency or department funded under title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) None of the funds made available under titles II through VI and VIII in this Act under the headings "Global Health Programs", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Assistance for Europe, Eurasia and Central Asia", "Economic Support Fund", "Democracy Fund", "Peacekeeping Operations", "Capital Investment Fund", "Operating Expenses", "Conflict Stabilization Operations", "Office of Inspector General", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation", "Foreign Military Financing Program", "International Military Education and Training", "Pakistan Counterinsurgency Capability Fund", and "Peace Corps", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That requirements of this subsection or any similar provision of any other Act shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles II through IV of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year.

(d) Notwithstanding any other provision of law, with the exception of funds transferred to, and merged with, funds appropriated under title I of this Act, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations, and funds made available for programs authorized by section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided, That in case of any such waiver, notification to the Committees on

Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(f) None of the funds appropriated under titles III through VI and VIII of this Act shall be obligated or expended for assistance for Serbia, Sudan, South Sudan, Zimbabwe, Afghanistan, Iraq, Pakistan, Cuba, Iran, Haiti, Libya, Ethiopia, Nepal, Colombia, Honduras, Burma, Yemen, Mexico, Kazakhstan, Uzbekistan, the Russian Federation, Somalia, Sri Lanka, or Cambodia except as provided through the regular notification procedures of the Committees on Appropriations.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 7016. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 7017. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under titles III through VI of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961 or section 7049(a) of this Act, shall remain available for obligation until September 30, 2013.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 7018. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo

sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

ALLOCATIONS

SEC. 7019. (a) Funds provided in this Act shall be made available for programs and countries in the amounts contained in the respective tables included in the joint explanatory statement accompanying this Act.

(b) For the purposes of implementing this section and only with respect to the tables included in the joint explanatory statement accompanying this Act, the Secretary of State, the Administrator of the United States Agency for International Development and the Broadcasting Board of Governors, as appropriate, may propose deviations to the amounts referenced in subsection (a), subject to the regular notification procedures of the Committees on Appropriations.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 7020. None of the funds appropriated or otherwise made available by this Act under the headings "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Global Health Programs", "Development Assistance", and "Economic Support Fund" may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) None of the funds appropriated or otherwise made available by titles III through VI of this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 6(j) of the Export Administration Act of 1979: Provided, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: Provided further, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President deter-

mines that to do so is important to the national interests of the United States.

(3) Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

(b) BILATERAL ASSISTANCE.—

(1) Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any such title in prior acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

(A) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

(2) The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: Provided, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading "Trade and Development Agency", may be obligated and expended notwithstanding section 10 of Public Law 91–672, section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: "Economic Support Fund" and "Foreign Military Financing Program", "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development "program, project, and activ-

ity" shall also be considered to include central, country, regional, and program level funding, either as:

(1) justified to the Congress; or

(2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act: Provided, That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations: Provided further, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in

a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

(2) research activities intended primarily to benefit American producers;

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(c) The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to titles III through VI of this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

SEPARATE ACCOUNTS

SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development (USAID) shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The USAID Administrator shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia": Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2012, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7028. None of the funds appropriated under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone

or area in that country: Provided, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to oppose any loan, grant, strategy or policy of such institution that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention, care and treatment for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal health, in connection with such institution's financing programs.

(c) The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (the Fund) to use the voice and vote of the United States to oppose any loan, project, agreement, memorandum, instrument, plan, or other program of the Fund to a Heavily Indebted Poor Country that imposes budget caps or restraints that do not allow the maintenance of or an increase in governmental spending on healthcare or education; and to promote government spending on healthcare, education, agriculture and food security, or other critical safety net programs in all of the Fund's activities with respect to Heavily Indebted Poor Countries.

(d) For the purposes of this Act "international financial institutions" shall mean the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank and the African Development Fund.

DEBT-FOR-DEVELOPMENT

SEC. 7030. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International

Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) Funds appropriated by this Act may be made available for direct Government-to-Government assistance only if—

(A) each implementing agency or ministry to receive assistance has been assessed and is considered to have the systems required to manage such assistance and any identified vulnerabilities or weaknesses of such agency or ministry have been addressed; and

(i) the recipient agency or ministry employs and utilizes staff with the necessary technical, financial, and management capabilities;

(ii) the recipient agency or ministry has adopted competitive procurement policies and systems;

(iii) effective monitoring and evaluation systems are in place to ensure that such assistance is used for its intended purposes; and

(iv) no level of acceptable fraud is assumed.

(B) the Government of the United States and the government of the recipient country have agreed, in writing—

(i) on clear and achievable objectives for the use of such assistance; and

(ii) that such assistance should be made on a cost-reimbursable basis.

(2) In addition to the requirements in subsection (a), no funds may be made available for such assistance without prior consultation with, and notification to, the Committees on Appropriations: Provided, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): Provided further, That the requirements of this paragraph shall only apply to direct Government-to-Government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) The USAID Administrator or the Secretary of State, as appropriate, shall suspend any such assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary determines and reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance.

(4) Not later than 90 days after the enactment of this Act and 6 months thereafter, the USAID Administrator shall submit to the Committees on Appropriations a report that—

(A) details all assistance described in subsection (a) provided during the previous 6-month period by country,

funding amount, source of funds, and type of such assistance; and

(B) the type of procurement instrument or mechanism utilized and whether the assistance was provided on a cost-reimbursable basis.

(5) The USAID Administrator shall submit to the Committees on Appropriations, concurrent with the fiscal year 2013 congressional budget justification materials, amounts planned for assistance described in subsection (a) by country, proposed funding amount, source of funds, and type of assistance.

(b) NATIONAL BUDGET AND CONTRACT TRANSPARENCY.—

(1) LIMITATION ON FUNDING.—None of the funds appropriated under titles III and IV of this Act may be made available to the central government of any country that does not meet minimum standards of fiscal transparency: Provided, That the Secretary of State shall develop "minimum standards of fiscal transparency" to be updated and strengthened, as appropriate, to reflect best practices: Provided further, That the Secretary shall make an annual determination of "progress" or "no progress" for countries that do not meet minimum standards of fiscal transparency and make those determinations publicly available in an annual "Fiscal Transparency Report".

(2) MINIMUM STANDARDS OF FISCAL TRANSPARENCY.—For purposes of paragraph (1), "minimum standards of fiscal transparency" shall include standards for the public disclosure of budget documentation, including receipts and expenditures by ministry, and government contracts and licenses for natural resource extraction, to include bidding and concession allocation practices.

(3) WAIVER.—The Secretary of State may waive the limitation on funding in paragraph (1) on a country-by-country basis if the Secretary reports to the Committees on Appropriations that the waiver is important to the national interest of the United States: Provided, That such waiver shall identify any steps taken by the government of the country to publicly disclose its national budget and contracts which are additional to those which were undertaken in previous fiscal years, include specific recommendations of short- and long-term steps such government can take to improve budget transparency, and identify benchmarks for measuring progress.

(4) ASSISTANCE.—Of the funds appropriated under title III of this Act, not less than $5,000,000 should be made available for programs and activities to assist the central governments of countries named in the list required by paragraph (1) to improve budget transparency or to support civil society organizations in such countries that promote budget transparency: Provided, That such sums shall be in addition to funds otherwise made available for such purposes.

(c) ANTI-KLEPTOCRACY.—

(1) Officials of foreign governments and their immediate family members who the Secretary of State has credible information have been involved in significant corruption, including corruption related to the extraction of natural resources, shall be ineligible for entry into the United States.

(2) Individuals shall not be ineligible if entry into the United States would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: Provided, That nothing in this provision shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) Not later than 90 days after enactment of this Act and 180 days thereafter, the Secretary of State shall submit a report, in classified form if necessary, to the Committees on Appropriations describing the information regarding corruption concerning each of the individuals found ineligible pursuant to paragraph (1), a list of any waivers provided under subsection (3), and the justification for each waiver.

AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 7032. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and

shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section: Provided, That such agency shall make adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

MULTI-YEAR COMMITMENTS

SEC. 7033. None of the funds appropriated by this Act may be used to make a future year funding pledge for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was—

(1) previously justified in a congressional budget justification;

(2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;

(3) notified in accordance with the regular notification procedures of the Committees on Appropriations; or

(4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

SPECIAL PROVISIONS

SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated in titles III and VI of this Act that are made available for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation

emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(c) WORLD FOOD PROGRAM.—Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development (USAID), from this or any other Act, shall be made available as a general contribution to the World Food Program, notwithstanding any other provision of law.

(d) DISARMAMENT, DEMOBILIZATION AND REINTEGRATION.—Notwithstanding any other provision of law, regulation or Executive order, funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Economic Support Fund", "Peacekeeping Operations", "International Disaster Assistance", and "Transition Initiatives" should be made available to support programs to disarm, demobilize, and reintegrate into civilian society former members of foreign terrorist organizations: Provided, That the Secretary of State shall consult with the Committees on Appropriations prior to the obligation of funds pursuant to this subsection: Provided further, That for the purposes of this subsection the term "foreign terrorist organization" means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

(e) RESEARCH AND TRAINING.—Funds appropriated by this Act under the heading "Economic Support Fund" may be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union (title VIII) as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501–4508).

(f) CONTINGENCIES.—During fiscal year 2012, the President may use up to $50,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(g) CONSOLIDATION OF REPORTS.—The Secretary of State, in coordination with the USAID Administrator, shall submit to the Committees on Appropriations, and other relevant congressional committees, not later than 90 days after enactment of this Act recommendations for the consolidation or combination of reports (including plans and strategies) that are called for by any provision of law to be submitted to the Congress and that are substantially duplicative of others called for by any other provision of law: Provided, That reports are considered "substantially duplicative" if they are required to address at least more than half of the same substantive factors, criteria and issues that are required to be addressed by any other report, and any such consolidated report must address all the substantive factors, criteria and issues required to be addressed in each of the individual reports: Provided further, That reports affected by this subsection are those within the purview of, or prepared primarily by, the Department of State and USAID and that relate to matters addressed under this Act or any other Act authorizing or appropriating funds for use by, or actions of, the Department of State or USAID.

(h) PROMOTION OF DEMOCRACY.—

(1) Funds made available by this Act that are made available for the promotion of democracy may be made available not-

withstanding any other provision of law, and with regard to the National Endowment for Democracy, any regulation.

(2) For the purposes of funds appropriated by this Act, the term "promotion of democracy" means programs that support good governance, human rights, independent media, and the rule of law, and otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states, institutions, and practices that are responsive and accountable to citizens.

(3) With respect to the provision of assistance for democracy, human rights and governance activities in this Act, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the government of any foreign country.

(4) Funds appropriated under the heading "Economic Support Fund" shall be made available to the Bureau of Democracy, Human Rights and Labor for programs to promote human rights by expanding open and uncensored access to information and communication as identified in the Department of State's Internet freedom strategy: Provided, That funds made available by this paragraph should be matched by sources other than the United States Government, as appropriate: Provided further, That the Secretary of State shall coordinate the development and uses of circumvention and secure communications technologies with the Administrator of the United States Agency for International Development and the Broadcasting Board of Governors, as appropriate: Provided further, That the circumvention technologies and programs supported by funds made available by this Act, shall undergo a review, to include an assessment of the protection against such technologies being used for illicit purposes.

(5) Funds appropriated by this Act that are made available to promote democracy and human rights shall also be made available to support freedom of religion, especially in the Middle East and North Africa.

(i) PARTNER VETTING.—Funds appropriated in this Act or any prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be used by the Secretary of State and the Administrator of the United States Agency for International Development (USAID), as appropriate, to support the development and implementation of a Partner Vetting System (PVS) pilot program: Provided, That such pilot program shall be implemented not later than September 30, 2012: Provided further, That the Secretary of State and the USAID Administrator shall jointly submit a report to the Committees on Appropriations not later than 30 days after completion of the pilot program on the estimated timeline and criteria for evaluating the PVS for expansion.

(j) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.—The Secretary of State shall implement section 203(a)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457): Provided, That in determining whether to suspend the issuance of A–3 or G–5 visas to applicants seeking to work for officials of a diplomatic mission or international organiza-

tion, the Secretary shall consider whether a final court judgment has been issued against a current or former employee of such mission or organization (and the time period for a final appeal has expired) or whether the Department of State has requested that immunity of individual diplomats or family members be waived to permit criminal prosecution: Provided further, That the Secretary should continue to assist in obtaining payment of final court judgments awarded to A–3 and G–5 visa holders, including encouraging the sending states to provide compensation directly to victims: Provided further, That the Secretary shall include, in a manner the Secretary deems appropriate, all trafficking cases involving A–3 or G–5 visa holders in the Trafficking in Persons annual report for which a final civil judgment has been issued (and the time period for final appeal has expired) or the Department of Justice has determined that the United States Government would seek to indict the diplomat or a family member but for diplomatic immunity.

(k) MODIFICATION OF AMENDMENT.—Section 620J of the Foreign Assistance Act of 1961 (Limitation on Assistance to Security Forces) is amended as follows:

(1) by redesignating the section as section 620M;

(2) in subsection (a), by striking "evidence" and inserting "information" and by striking "gross violations" and inserting "a gross violation";

(3) in subsection (b), by striking "measures" and inserting "steps"; and

(4) by adding the following subsection:

"(d) CREDIBLE INFORMATION.—The Secretary shall establish, and periodically update, procedures to—

"(1) ensure that for each country the Department of State has a current list of all security force units receiving United States training, equipment, or other types of assistance;

"(2) facilitate receipt by the Department of State and United States embassies of information from individuals and organizations outside the United States Government about gross violations of human rights by security force units;

"(3) routinely request and obtain such information from the Department of Defense, the Central Intelligence Agency, and other United States Government sources;

"(4) ensure that such information is evaluated and preserved;

"(5) ensure that when vetting an individual for eligibility to receive United States training the individual's unit is also vetted;

"(6) seek to identify the unit involved when credible information of a gross violation exists but the identity of the unit is lacking; and

"(7) make publicly available, to the maximum extent practicable, the identity of those units for which no assistance shall be furnished pursuant to subsection (a)."

(l) SECTIONS REPEALED.—Sections 494, 495, and 495B through 495K of the Foreign Assistance Act of 1961 are hereby repealed.

(m) EXTENSION OF AUTHORITIES.—

(1) Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting "September 30, 2012" for "September 30, 2010".

(2) The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect through September 30, 2012.

(3) The authority contained in section 1115(d) of Public Law 111–32 shall remain in effect through September 30, 2012.

(4) Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) shall be applied by substituting "September 30, 2012" for "October 1, 2010" in paragraph (2).

(5) Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied by substituting "September 30, 2012" for "October 1, 2010" in paragraph (2).

(6) Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting "September 30, 2012" for "October 1, 2010" in subparagraph (B).

(7) The authority contained in section 1603(a)(2) of Public Law 109–234, as amended, shall remain in effect through September 30, 2012.

(8) The authority provided by section 1113 of Public Law 111–32 shall remain in effect through September 30, 2012: Provided, That none of the funds appropriated or otherwise made available by this Act or any other Act making appropriations for the Department of State, foreign operations, and related programs may be used to implement phase 3 of such authority.

(n) REPORTS REPEALED.—Section 133(d) of Public Law 87–195; section 807 of Public Law 98–164; section 704(c) of Public Law 101–179; section 104 of Public Law 102–511; section 560(g) of Public Law 103–87; section 514(a) of Public Law 103–236; section 605(c) of Appendix G, Public Law 106–113; sections 3203 and 3204(f) of division B of Public Law 106–246; section 564(g)(4) of Public Law 106–429; sections 694(a), 694(b), 704 and 1321 of Public Law 107–228; and section 409(c) of Public Law 108–447 are hereby repealed.

(o) GOVERNMENT EXPENDITURES.—Funds appropriated under title III and under the heading "International Narcotics Control and Law Enforcement" in this Act should not be made available for assistance for any government for programs or activities in fiscal year 2013 if the Secretary of State or the Administrator of the United States Agency for International Development has credible information that such government is reducing its own expenditures for such programs or activities as a result of the assistance provided and for reasons that are inconsistent with the purposes of such assistance.

(p) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State may withhold funds appropriated under title III of this Act for assistance for the central government of any country that the Secretary determines is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: Provided, That the Secretary shall report to the Committees on Appropriations within 15 days of making any such determination.

(q) REDESIGNATIONS.—

(1) The position of Advisor established pursuant to section 699B of division J of Public Law 110–161 shall, within 45 days of enactment of this Act and notwithstanding the requirements of such section, be moved to the United States Agency for Inter-

national Development (USAID): Provided, That the Advisor shall hereafter be appointed by the USAID Administrator and shall report directly to the Administrator: Provided further, That the responsibilities of the Advisor enumerated in section 699B(b) shall remain in full force and effect.

(2) The position of Coordinator established pursuant to section 664 of division J of Public Law 110–161 shall, within 45 days of enactment of this Act and notwithstanding the requirements of such section, be moved to the United States Agency for International Development (USAID): Provided, That the Coordinator shall hereafter be appointed by the USAID Administrator and shall report directly to the Administrator: Provided further, That the responsibilities of the Coordinator enumerated in the first sentence of section 664(c) shall remain in full force and effect: Provided further, That the limitation in the second sentence of such section shall hereafter no longer apply to the Coordinator.

(r) EXTENSION OF AUTHORITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(1) In section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking "and 2011" and inserting "2011, and 2012"; and

(B) in subsection (e), by striking "June 1, 2011" each place it appears and inserting "October 1, 2012"; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "2011" and inserting "2012".

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 7035. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

PALESTINIAN STATEHOOD

SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated under titles III through VI of this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel;

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if the President determines that it is important to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act ("Limitation on Assistance for the Palestinian Authority").

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 7037. None of the funds appropriated under titles II through VI of this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided,

That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem: Provided further, That as has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 7038. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

ASSISTANCE FOR THE WEST BANK AND GAZA

SEC. 7039. (a) OVERSIGHT.—For fiscal year 2012, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading "Economic Support Fund" for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity's governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: Provided, That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism.

(2) Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) AUDITS.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and sub-grantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act up to $500,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection: Provided, That such funds are in addition to funds otherwise available for such purposes.

(e) Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including all funds provided as cash transfer assistance, in fiscal year 2012 under the heading "Economic Support Fund", and such audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c); and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

(g) Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations updating the report contained in section 2106 of chapter 2 of title II of Public Law 109–13.

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6

months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: Provided, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas and over which Hamas exercises undue influence.

(2) Notwithstanding the limitation of subsection (1), assistance may be provided to a power-sharing government only if the President certifies and reports to the Committees on Appropriations that such government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles contained in section 620K(b)(1)(A) and (B) of the Foreign Assistance Act of 1961, as amended.

(3) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act as added by the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446) with respect to this subsection.

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1)(A) and (B) of the Foreign Assistance Act of 1961, as amended: Provided, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

SEC. 7041. (a) EGYPT.—

(1)(A) None of the funds appropriated under titles III and IV of this Act and in prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for assistance for the central Government of Egypt unless the Secretary of State certifies to the Committees on Appropriations that such government is meeting its obligations under the 1979 Egypt-Israel Peace Treaty.

(B) Prior to the obligation of funds appropriated by this Act under the heading "Foreign Military Financing Program", the Secretary of State shall certify to the Committees on Appropriations that the Government of Egypt is supporting the transition to civilian government including holding free and fair elections; implementing policies to protect freedom of expression, association, and religion, and due process of law.

(C) The Secretary of State may waive the requirements of paragraphs (A) and (B) if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national security interest of the United States: Provided, That such determination and report shall include a detailed justification for such waiver.

(2) The Secretary of State shall consult with the Committees on Appropriations prior to the transfer of funds appropriated by this Act under the heading "Foreign Military Financing Program" to an interest-bearing account for Egypt.

(3) Funds appropriated under the heading "Economic Support Fund" in this Act and prior Acts (including previously obligated funds), may be made available, notwithstanding any other provision of law, for an Egypt initiative, particularly for the specific costs referred to in the authorities referenced herein, for the purpose of improving the lives of the Egyptian people through education, investment in jobs and skills (including secondary and vocational education), and access to finance for small and medium enterprises with emphasis on expanding opportunities for women, as well as other appropriate market-reform and economic growth activities: Provided, That the provisions of title VI of Public Law 103–306 pertaining to funds for Jordan shall be deemed to apply to any such initiative and to funds available under this section to carry out such an initiative in the same manner as such cited provisions apply to Jordan, subject to the following provisos: Provided further, That subparagraph (b)(2) shall be deemed not to apply and the amount made available pursuant to this section as set forth in the joint explanatory statement accompanying this Act and incorporated herein shall be deemed to apply in lieu of the figure in subparagraph (b)(1): Provided further, That the authority to reduce debt shall include authority to exchange an outstanding obligation for a new obligation and to permit both principal and interest payments on new obligations to be deposited into a fund established for such purpose, to be used in accordance with purposes set forth in an agreement between the United States and Egypt: Provided further, That the authority of this paragraph shall only be made available after the Secretary of

State certifies to the Committees on Appropriations that the Government of Egypt is implementing economic development policies consistent with the objectives of such initiative: Provided further, That funds made available for such initiative shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) ENTERPRISE FUNDS.—Up to $60,000,000 of funds appropriated under the heading "Economic Support Fund" in this Act and prior acts making appropriations for the Department of State, foreign operations, and related programs (and including previously obligated funds), that are available for assistance for Egypt, up to $20,000,000 of such funds that are available for assistance for Tunisia, and up to $60,000,000 of such funds that are available for assistance for Jordan, respectively, may be made available notwithstanding any other provision of law, to establish and operate one or more enterprise funds for Egypt, Tunisia, and Jordan, respectively: Provided, That provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (excluding the provisions of subsections (b), (c), (d)(3), and (f) of that section), shall be deemed to apply to any such fund or funds, and to funds made available to such fund or funds, in order to enable such fund or funds to provide assistance for purposes of this section: Provided further, That section 7077 of division F of Public Law 111–117 shall apply to any such fund or funds established pursuant to this subsection: Provided further, That not more than 5 percent of the funds made available pursuant to this subsection should be available for administrative expenses of such fund or funds and not later than 1 year after the date of enactment of this Act, and annually thereafter until each fund is dissolved, each fund shall submit to the Committees on Appropriations a report detailing the administrative expenses of such fund: Provided further, That each fund shall be governed by a Board of Directors comprised of six private United States citizens and three private citizens of each country, respectively, who have had international business careers and demonstrated expertise in international and emerging markets investment activities: Provided further, That not later than 1 year after the entry into force of the initial grant agreement under this section and annually thereafter, each fund shall prepare and make available to the public on an Internet Web site administered by the fund a detailed report on the fund's activities during the previous year: Provided further, That the authority of any such fund or funds to provide assistance shall cease to be effective on December 31, 2022: Provided further, That funds made available pursuant to this section shall be subject to prior consultation with the Committees on Appropriations.

(c) IRAN.—

(1) It is the policy of the United States to seek to prevent Iran from achieving the capability to produce or otherwise manufacture nuclear weapons, including by supporting international diplomatic efforts to halt Iran's uranium enrichment program, and the President should fully implement and enforce the Iran Sanctions Act of 1996, as amended (Public Law 104–172) as a means of encouraging foreign governments to require state-owned and private entities to cease all investment in, and

support of, Iran's energy sector and all exports of refined petroleum products to Iran.

(2) None of the funds appropriated or otherwise made available in this Act under the heading "Export-Import Bank of the United States" may be used by the Export-Import Bank of the United States to provide any new financing (including loans, guarantees, other credits, insurance, and reinsurance) to any person that is subject to sanctions under paragraph (2) or (3) of section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104–172).

(3) The reporting requirements in section 7043(c) in division F of Public Law 111–117 shall continue in effect during fiscal year 2012 as if part of this Act: Provided, That the date in subsection (c)(1) shall be deemed to be "September 30, 2012".

(d) IRAQ.—

(1) Funds appropriated or otherwise made available by this Act for assistance for Iraq shall be made available in a manner that utilizes Iraqi entities to the maximum extent practicable, and in accordance with the cost-matching and other requirements in the Department of State's April 9, 2009 "Guidelines for Government of Iraq Financial Participation in United States Government-Funded Civilian Foreign Assistance Programs and Projects".

(2) None of the funds appropriated or otherwise made available by this Act may be used by the Government of the United States to enter into a permanent basing rights agreement between the United States and Iraq.

(3) Funds appropriated by this Act under titles III and VI for assistance for Iraq may be made available notwithstanding any other provision of law, except for this subsection and section 620M of the Foreign Assistance Act of 1961, as amended by this Act.

(4) Funds appropriated by this Act for assistance for Iraq under the heading "Economic Support Fund" shall be made available for programs and activities for which policy justifications and decisions shall be the responsibility of the United States Chief of Mission in Iraq.

(5)(A) Of the funds appropriated under the heading "Diplomatic and Consular Programs" in title VIII of this Act that are made available for security and provincial operations for the Department of State in Iraq, 15 percent shall be withheld from obligation until the Secretary of State submits a report to the Committees on Appropriations detailing—

(i) an assessment of the security environment in Iraq with respect to facilities and personnel, and the anticipated impact of the withdrawal of United States Armed Forces in Iraq on such environment, on a facility-by-facility basis;

(ii) an assessment of the security requirements at each facility, and the estimated cost of sustaining such requirements over the next 3 fiscal years;

(iii) the types of military equipment to be used to meet the security requirements at each facility;

(iv) the number of United States Government personnel anticipated at each facility, a general description of the duties of such personnel, and the number and cost of contrac-

tors anticipated at each facility required for operational and other support; and

(v) a description of contingency plans, including evacuation, at each facility for United States Government personnel and contractors.

(B) The report required by this paragraph may be submitted in classified form, if necessary.

(e) LEBANON.—

(1) None of the funds appropriated by this Act may be made available for the Lebanese Armed Forces (LAF) if the LAF is controlled by a foreign terrorist organization, as defined by section 219 of the Immigration and Nationality Act.

(2) Funds appropriated by this Act under the heading "Foreign Military Financing Program" for assistance for Lebanon may be made available only to professionalize the LAF and to strengthen border security and combat terrorism, including training and equipping the LAF to secure Lebanon's borders, interdicting arms shipments, preventing the use of Lebanon as a safe haven for terrorist groups, and to implement United Nations Security Council Resolution 1701: Provided, That funds may not be made available for obligation until the Secretary of State submits a detailed spend plan to the Committees on Appropriations, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2012: Provided further, That the Secretary of State shall regularly consult with the Committees on Appropriations on the activities of the LAF and assistance provided by the United States: Provided further, That not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the actions taken to ensure that equipment provided to the LAF is used for intended purposes.

(3) Funds appropriated by this Act under titles III and VI for assistance for Lebanon may be made available notwithstanding any other provision of law, except for this subsection and section 620M of the Foreign Assistance Act of 1961, as amended by this Act.

(f) LIBYA.—Of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, up to $20,000,000 should be made available to promote democracy, transparent and accountable governance, human rights, transitional justice, and the rule of law in Libya, and for exchange programs between Libyan and American students and professionals: Provided, That such funds shall be made available, to the maximum extent practicable, on a cost matching basis: Provided further, That none of the funds appropriated by this Act may be made available for assistance for Libya for infrastructure projects, except on a loan basis with terms favorable to the United States, and only following consultation with the Committees on Appropriations.

(g) MOROCCO.—Prior to the obligation of funds appropriated by this Act under the heading "Foreign Military Financing Program" for assistance for Morocco, the Secretary of State shall submit a re-

port to the Committees on Appropriations on steps being taken by the Government of Morocco to—

(1) respect the right of individuals to peacefully express their opinions regarding the status and future of the Western Sahara and to document violations of human rights; and

(2) provide unimpeded access to human rights organizations, journalists, and representatives of foreign governments to the Western Sahara.

(h) SYRIA.—Funds appropriated by this Act shall be made available to promote democracy and protect human rights in Syria, a portion of which should be programmed in consultation with governments in the region, as appropriate.

(i) YEMEN.—None of the funds appropriated by this Act may be made available for the Armed Forces of Yemen if such forces are controlled by a foreign terrorist organization, as defined by section 219 of the Immigration and Nationality Act.

SERBIA

SEC. 7042. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Serbia after May 31, 2012, if the Secretary of State has submitted the report required in subsection (c).

(b) After May 31, 2012, the Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to support loans and assistance to the Government of Serbia subject to the condition in subsection (c).

(c) The report referred to in subsection (a) is a report by the Secretary of State to the Committees on Appropriations that the Government of Serbia is cooperating with the International Criminal Tribunal for the former Yugoslavia, including apprehending and transferring indictees and providing investigators access to witnesses, documents, and other information.

(d) This section shall not apply to humanitarian assistance or assistance to promote democracy.

AFRICA

SEC. 7043. (a) CONFLICT MINERALS.—

(1) Funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Rwanda or Uganda unless the Secretary of State has credible information that the Government of Rwanda or the Government of Uganda is providing political, military or financial support to armed groups in the Democratic Republic of the Congo (DRC) that are involved in the illegal exportation of minerals out of the DRC or have violated human rights.

(2) The restriction in paragraph (1) shall not apply to assistance to improve border controls to prevent the illegal exportation of minerals out of the DRC by such groups, to protect humanitarian relief efforts, or to support the training and deployment of members of the Rwandan or Ugandan militaries in international peacekeeping operations or to conduct operations against the Lord's Resistance Army.

(b) COUNTERTERRORISM PROGRAMS.—Of the funds appropriated by this Act, not less than $52,800,000 should be made available for

the Trans-Sahara Counter-terrorism Partnership program, and not less than $21,300,000 should be made available for the Partnership for Regional East Africa Counterterrorism program.

(c) CRISIS RESPONSE.—Notwithstanding any other provision of law, up to $10,000,000 of the funds appropriated by this Act under the heading "Global Health Programs" for HIV/AIDS activities may be transferred to, and merged with, funds appropriated under the headings "Economic Support Fund" and "Transition Initiatives" to respond to unanticipated crises in Africa, except that funds shall not be transferred unless the Secretary of State certifies to the Committees on Appropriations that no individual currently on antiretroviral therapy supported by such funds shall be negatively impacted by the transfer of such funds: Provided, That the authority of this subsection shall be subject to prior consultation with the Committees on Appropriations.

(d) EXPANDED INTERNATIONAL MILITARY EDUCATION AND TRAINING.—

(1) Funds appropriated under the heading "International Military Education and Training" (IMET) in this Act that are made available for assistance for Angola, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Guinea and Zimbabwe may be made available only for training related to international peacekeeping operations and expanded IMET: Provided, That the limitation included in this paragraph shall not apply to courses that support training in maritime security for Angola and Cameroon.

(2) None of the funds appropriated under the heading "International Military Education and Training" in this Act may be made available for assistance for Equatorial Guinea or Somalia.

(e) ETHIOPIA.—

(1) Funds appropriated by this Act under the heading "Foreign Military Financing Program" that are available for assistance for Ethiopia shall not be made available unless the Secretary of State—

(A) certifies to the Committees on Appropriations that the Government of Ethiopia is implementing policies to respect due process and freedoms of expression and association, and is permitting access to human rights and humanitarian organizations to the Somalia region of Ethiopia; and

(B) submits a report to the Committees on Appropriations on the types and amounts of United States training and equipment proposed to be provided to the Ethiopian military including steps that will be taken to ensure that such assistance is not provided to military units or personnel that have violated human rights, and steps taken by the Government of Ethiopia to investigate and prosecute members of the Ethiopian military who have been credibly alleged to have violated such rights.

(2) The restriction in paragraph (1) shall not apply to assistance to Ethiopian military efforts in support of international peacekeeping operations, counterterrorism operations along the border with Somalia, and for assistance to the Ethiopian Defense Command and Staff College.

(f) SUDAN LIMITATION ON ASSISTANCE.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(3) The limitations of paragraphs (1) and (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance for the Darfur region, Southern Kordofan/Nuba Mountains State, Blue Nile State, other marginalized areas and populations in Sudan, and Abyei; and

(C) assistance to support implementation of the Comprehensive Peace Agreement (CPA), mutual arrangements related to post-referendum issues associated with the CPA, or to promote peace and stability between Sudan and South Sudan, or any other internationally recognized viable peace agreement in Sudan.

(g) SOUTH SUDAN.—

(1) Funds appropriated by this Act should be made available for assistance for South Sudan including to increase agricultural productivity, expand educational opportunities especially for girls, strengthen democratic institutions and the rule of law, and enhance the capacity of the Federal Legislative Assembly to conduct oversight over government revenues and expenditures.

(2) Not less than 15 days prior to the obligation of funds appropriated by this Act that are available for assistance for the Government of South Sudan, the Secretary of State shall submit a report to the Committees on Appropriations detailing the extent to which the Government of South Sudan is—

(A) supporting freedom of expression, the establishment of democratic institutions including an independent judiciary, parliament, and security forces that are accountable to civilian authority; and

(B) investigating and punishing members of security forces who have violated human rights.

(3) The Secretary of State shall seek to obtain regular audits of the financial accounts of the Government of South Sudan to ensure transparency and accountability of funds, including revenues from the extraction of oil and gas, and the timely, public disclosure of such audits: Provided, That the Secretary should assist the Government of South Sudan in conducting such audits, and by providing technical assistance to enhance the capacity of the National Auditor Chamber to carry out its responsibilities, and shall submit a report not later than 90 days after enactment of this Act to the Committees on Appropriations detailing the steps that will be taken by the Government of South Sudan, which are additional to those taken in

the previous fiscal year, to improve resource management and ensure transparency and accountability of funds.

(h) UGANDA.—Funds appropriated by this Act should be made available for programs and activities in areas affected by the Lord's Resistance Army.

(i) WAR CRIMES IN AFRICA.—

(1) The Congress reaffirms its support for the efforts of the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) to bring to justice individuals responsible for war crimes and crimes against humanity in a timely manner.

(2) Funds appropriated by this Act may be made available for assistance for the central government of a country in which individuals indicted by the ICTR and the SCSL are credibly alleged to be living, if the Secretary of State determines and reports to the Committees on Appropriations that such government is cooperating with the ICTR and the SCSL, including the apprehension, surrender, and transfer of indictees in a timely manner: Provided, That this subsection shall not apply to assistance provided under section 551 of the Foreign Assistance Act of 1961 or to project assistance under title VI of this Act: Provided further, That the United States shall use its voice and vote in the United Nations Security Council to fully support efforts by the ICTR and the SCSL to bring to justice individuals indicted by such tribunals in a timely manner.

(3) The prohibition in paragraph (2) may be waived on a country-by-country basis if the President determines that doing so is in the national security interest of the United States: Provided, That prior to exercising such waiver authority, the President shall submit a report to the Committees on Appropriations, in classified form if necessary, on—

(A) the steps being taken to obtain the cooperation of the government in apprehending and surrendering the indictee in question to the court of jurisdiction;

(B) a strategy, including a timeline, for bringing the indictee before such court; and

(C) the justification for exercising the waiver authority.

(j) ZIMBABWE.—

(1) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loans or grants to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State determines and reports in writing to the Committees on Appropriations that the rule of law has been restored in Zimbabwe, including respect for ownership and title to property, freedom of speech and association.

(2) None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health, education, and macroeconomic growth assistance, unless the Secretary of State makes the determination required in paragraph (1).

ASIA

SEC. 7044. (a) TIBET.—

(1) The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

(2) Notwithstanding any other provision of law, funds appropriated by this Act under the heading "Economic Support Fund" shall be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China.

(b) BURMA.—

(1) The Secretary of the Treasury shall instruct the United States executive directors of the appropriate international financial institutions to vote against any loan, agreement, or other financial support for Burma.

(2) Funds appropriated by this Act under the heading "Economic Support Fund" may be made available for assistance for Burma notwithstanding any other provision of law, except no such funds shall be made available to the State Peace and Development Council, or its successor, and its affiliated organizations: Provided, That such funds shall be made available for programs along Burma's borders and for Burmese groups and organizations located outside Burma, and may be made available to support programs in Burma: Provided further, That in addition to assistance for Burmese refugees appropriated under the heading "Migration and Refugee Assistance" in this Act, funds shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma: Provided further, That any new program or activity initiated with funds made available by this Act shall be subject to prior consultation with the Committees on Appropriations, and all such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) CAMBODIA.—Funds made available in this Act for a United States contribution to a Khmer Rouge tribunal may only be made available if the Secretary of State certifies to the Committees on Appropriations that the United Nations and the Government of Cambodia are taking credible steps to address allegations of corruption and mismanagement within the tribunal.

(d) INDONESIA.—Of the funds appropriated by this Act under the heading "Foreign Military Financing Program" that are available for assistance for Indonesia, $2,000,000 may not be obligated until the Secretary of State submits to the Committees on Appropriations the report on Indonesia required under such heading in Senate Report 112–85.

(e) NORTH KOREA.—None of the funds made available by this Act under the heading "Economic Support Fund" may be made available for energy-related assistance for North Korea.

(f) PEOPLE'S REPUBLIC OF CHINA.—

(1) None of the funds appropriated under the heading "Diplomatic and Consular Programs" in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action.

(2) The terms and requirements of section 620(h) of the Foreign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People's Liberation Army (PLA) of the People's Republic of China, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: Provided, That none of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(g) PHILIPPINES.—Of the funds appropriated by this Act under the heading "Foreign Military Financing Program" that are available for assistance for the Philippines, $3,000,000 may not be obligated until the Secretary of State submits to the Committees on Appropriations the report on the Philippines required under such heading in Senate Report 112–85.

(h) VIETNAM.—Funds appropriated under the heading "Economic Support Fund" shall be made available for remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes, and funds under the heading "Development Assistance" shall be made available for related health/disability activities.

WESTERN HEMISPHERE

SEC. 7045. (a) COLOMBIA.—

(1) Funds appropriated by this Act and made available to the Department of State for assistance to the Government of Colombia may be used to support a unified campaign against narcotics trafficking, illegal armed groups, and organizations designated as Foreign Terrorist Organizations and successor organizations, and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: Provided, That no United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia: Provided further, That rotary and fixed wing aircraft supported with funds appropriated under the heading "International Narcotics Control and Law Enforcement" for assistance for Colombia may be used for aerial or manual drug eradication and interdiction including to transport personnel and supplies and to provide security for such operations: Provided further, That such aircraft may also be used to provide

transport in support of alternative development programs and investigations by civilian judicial authorities: Provided further, That the President shall ensure that if any helicopter procured with funds in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, is used to aid or abet the operations of any illegal self-defense group, paramilitary organization, or other illegal armed group in Colombia, such helicopter shall be immediately returned to the United States: Provided further, That none of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for assistance for the Colombian Departamento Administrativo de Seguridad or successor organizations: Provided further, That none of the funds appropriated by this Act for assistance for Colombia shall be made available for the cultivation or processing of African oil palm, if doing so would contribute to significant loss of native species, disrupt or contaminate natural water sources, reduce local food security, or cause the forced displacement of local people: Provided further, That any complaints of harm to health or licit crops caused by aerial eradication shall be thoroughly investigated and evaluated, and fair compensation paid in a timely manner for meritorious claims: Provided further, That funds may not be made available for aerial eradication unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation and coordination with local communities, to provide alternative sources of income in areas where security permits for small-acreage growers and communities whose illicit crops are targeted for aerial eradication: Provided further, That funds appropriated by this Act may not be used for aerial eradication in Colombia's national parks or reserves unless the Secretary of State certifies to the Committees on Appropriations that there are no effective alternatives and the eradication is in accordance with Colombian laws.

(2) COLOMBIAN ARMED FORCES.—Of the funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, 25 percent may be obligated only after the Secretary of State consults with, and subsequently certifies and submits a report to, the Committees on Appropriations that the Government of Colombia and Colombian Armed Forces are meeting the conditions that appear under this section in the joint explanatory statement accompanying this Act: Provided, That the requirement to withhold funds from obligation shall not apply with respect to funds made available under the heading "International Narcotics Control and Law Enforcement" in this Act for continued support for the Critical Flight Safety Program or for any alternative development programs in Colombia administered by the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State: Provided further, That not less than 30 days prior to making the certification the Secretary of State shall consult with Colombian and international human rights organizations.

(3) ILLEGAL ARMED GROUPS.—

(A) DENIAL OF VISAS.—Subject to paragraph (B), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible information—

(i) has willfully provided any support to or benefitted from the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), the United Self-Defense Forces of Colombia (AUC), or other illegal armed groups, including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups; or

(ii) has committed, ordered, incited, assisted, or otherwise participated in the commission of a violation of human rights in Colombia.

(B) WAIVER.—Paragraph (A) shall not apply if the Secretary of State certifies to the Committees on Appropriations, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

(b) GUATEMALA.—Funds appropriated by this Act under the headings "International Military Education and Training" (IMET) and "Foreign Military Financing Program" that are available for assistance for Guatemala may be made available only for the Guatemalan Air Force, Navy, and Army Corps of Engineers: Provided, That expanded IMET may be made available for assistance for the Guatemalan Army.

(c) HAITI.—The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

(d) HONDURAS.—Prior to the obligation of 20 percent of the funds appropriated by this Act that are available for assistance for Honduran military and police forces, the Secretary of State shall report in writing to the Committees on Appropriations that: the Government of Honduras is implementing policies to protect freedom of expression and association, and due process of law; and is investigating and prosecuting in the civilian justice system, in accordance with Honduran and international law, military and police personnel who are credibly alleged to have violated human rights, and the Honduran military and police are cooperating with civilian judicial authorities in such cases: Provided, That the restriction in this subsection shall not apply to assistance to promote transparency, anti-corruption and the rule of law within the military and police forces.

(e) MEXICO.—Prior to the obligation of 15 percent of the funds appropriated by this Act that are available for assistance for Mexican military and police forces, the Secretary of State shall report in writing to the Committees on Appropriations that: the Government of Mexico is investigating and prosecuting in the civilian justice system, in accordance with Mexican and international law, military and police personnel who are credibly alleged to have violated human rights; is enforcing prohibitions on the use of testimony obtained through torture; and the Mexican military and police are cooperating with civilian judicial authorities in such cases: Provided, That the restriction in this subsection shall not apply to assistance to promote transparency, anti-corruption and the rule of law within the military and police forces.

(f) TRADE CAPACITY.—Of the funds appropriated by this Act, not less than $10,000,000 under the heading "Development Assistance" and not less than $10,000,000 under the heading "Economic Support Fund" shall be made available for labor and environmental capacity building activities relating to free trade agreements with countries of Central America, Peru and the Dominican Republic.

(g) AIRCRAFT OPERATIONS AND MAINTENANCE.—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act should be borne by the recipient country.

SOUTH ASIA

SEC. 7046. (a) AFGHANISTAN.—

(1) LIMITATION.—None of the funds appropriated or otherwise made available by this Act under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" may be obligated for assistance for the Government of Afghanistan until the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), certifies to the Committees on Appropriations that—

(A) The funds will be used to design and support programs in accordance with the June 2011 "Administrator's Sustainability Guidance for USAID in Afghanistan".

(B) The Government of Afghanistan is—

(i) reducing corruption and improving governance, including by investigating, prosecuting, sanctioning or removing corrupt officials from office and implementing financial transparency and accountability measures for government institutions and officials (including the Central Bank) as well as conducting oversight of public resources;

(ii) taking credible steps to protect the human rights of Afghan women; and

(iii) taking significant steps to facilitate active public participation in governance and oversight.

(C) Funds will be used to support and strengthen the capacity of Afghan public and private institutions and entities to reduce corruption and to improve transparency and accountability of national, provincial and local governments.

(D) Representatives of Afghan national, provincial or local governments, and local communities and civil society organizations, including women-led organizations, will be consulted and participate in the design of programs, projects, and activities, including participation in implementation and oversight, and the development of specific benchmarks to measure progress and outcomes.

(2) ASSISTANCE AND OPERATIONS.—

(A) Funds appropriated or otherwise made available by this Act for assistance for Afghanistan may be made available as a United States contribution to the Afghanistan Reconstruction Trust Fund (ARTF) unless the Secretary of State determines and reports to the Committees on Appropriations that the World Bank Monitoring Agent of the

ARTF is unable to conduct its financial control and audit responsibilities due to restrictions on security personnel by the Government of Afghanistan.

(B) Funds appropriated under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" in this Act that are available for assistance for Afghanistan—

(i) shall be made available, to the maximum extent practicable, in a manner that emphasizes the participation of Afghan women, and directly improves the security, economic and social well-being, and political status, and protects the rights of, Afghan women and girls and complies with sections 7060 and 7061 of this Act, including support for the Afghan Independent Human Rights Commission, the Afghan Ministry of Women's Affairs, and women-led organizations;

(ii) may be made available for a United States contribution to an internationally managed fund to support the reconciliation with and disarmament, demobilization and reintegration into Afghan society of former combatants who have renounced violence against the Government of Afghanistan: Provided, That funds may be made available to support reconciliation and reintegration activities only if:

(I) Afghan women are participating at national, provincial and local levels of government in the design, policy formulation and implementation of the reconciliation or reintegration process, and such process upholds steps taken by the Government of Afghanistan to protect the human rights of Afghan women; and

(II) such funds will not be used to support any pardon or immunity from prosecution, or any position in the Government of Afghanistan or security forces, for any leader of an armed group responsible for crimes against humanity, war crimes, or acts of terrorism; and

(iii) may be made available for a United States contribution to the North Atlantic Treaty Organization/International Security Assistance Force Post-Operations Humanitarian Relief Fund.

(C) The authority contained in section 1102(c) of Public Law 111–32 shall continue in effect during fiscal year 2012 and shall apply as if part of this Act.

(D)(i) Of the funds appropriated by this Act that are made available for assistance for Afghanistan, not less than $50,000,000 shall be made available for rule of law programs: Provided, That decisions on the uses of such funds shall be the responsibility of the Coordinator for Rule of Law, in consultation with the Interagency Planning and Implementation Team, at the United States Embassy in Kabul, Afghanistan: Provided further, That $250,000 of such funds shall be transferred to, and merged with, funds appropriated under the heading "Office of Inspector Gen-

eral" in title I of this Act for oversight of such programs and activities.

(ii) The Coordinator for Rule of Law at the United States Embassy in Kabul, Afghanistan shall be consulted on the use of all funds appropriated by this Act for rule of law programs in Afghanistan.

(E) None of the funds made available by this Act may be used by the United States Government to enter into a permanent basing rights agreement between the United States and Afghanistan.

(F) Any significant modification to the scope, objectives or implementation mechanisms of United States assistance programs in Afghanistan shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, except that the prior consultation requirement may be waived in a manner consistent with section 7015(e) of this Act.

(G) Not later than 90 days after enactment of this Act, the Secretary of State shall report to the Committees on Appropriations on the International Monetary Fund (IMF) country program for Afghanistan including actions requested by the IMF and taken by the Government of Afghanistan to address the Kabul Bank crisis and restore confidence in Afghanistan's banking sector.

(H) Funds appropriated under titles III through VI of this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 7012 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961.

(3) OVERSIGHT.—The Special Inspector General for Afghanistan Reconstruction, the Inspector General of the Department of State and the Inspector General of USAID, shall jointly develop and submit to the Committees on Appropriations within 45 days of enactment of this Act a coordinated audit and inspection plan of United States assistance for, and civilian operations in, Afghanistan.

(b) NEPAL.—

(1) Funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Nepal only if the Secretary of State certifies to the Committees on Appropriations that the Nepal Army is—

(A) cooperating fully with investigations and prosecutions of violations of human rights by civilian judicial authorities; and

(B) working constructively to redefine the Nepal Army's mission and adjust its size accordingly, implement reforms including strengthening the capacity of the civilian ministry of defense to improve budget transparency and accountability, and facilitate the integration of former rebel combatants into the security forces including the Nepal Army, consistent with the goals of reconciliation, peace and stability.

(2) The conditions in paragraph (1) shall not apply to assistance for humanitarian relief and reconstruction activities in Nepal.

(c) PAKISTAN.—

(1) CERTIFICATION.—

(A) None of the funds appropriated or otherwise made available by this Act under the headings "Economic Support Fund", "International Narcotics Control and Law Enforcement", "Foreign Military Financing Program", and "Pakistan Counterinsurgency Capability Fund" for assistance for the Government of Pakistan may be made available unless the Secretary of State certifies to the Committees on Appropriations that the Government of Pakistan is—

(i) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(ii) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(iii) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(iv) preventing the proliferation of nuclear-related material and expertise;

(v) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(vi) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(B) The Secretary of State may waive the requirements of paragraph (A) if to do so is in the national security interests of the United States.

(2) ASSISTANCE.—

(A) Funds appropriated by this Act under the heading "Foreign Military Financing Program" for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan, and are subject to section 620M of the Foreign Assistance Act of 1961, as amended by this Act.

(B) Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Pakistan should be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture improvised explosive devices, including calcium ammonium nitrate; to support programs to train border and customs officials in Pakistan and Afghanistan; and for agricultural extension programs that encourage alternative fertilizer use among Pakistani farmers.

(C) Of the funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Pakistan, $10,000,000 shall be made available through the Bureau of Democracy, Human Rights and Labor, Department of State, for human rights and democracy programs in Pakistan, including training of government officials and security forces, and assistance for human rights organizations and the development of democratic political parties.

(D) Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Pakistan may be made available for the Chief of Mission Fund, as authorized by section 101(c)(5) of Public Law 111–73.

(E) Funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for infrastructure projects in Pakistan shall be implemented in a manner consistent with section 507(6) of the Trade Act of 1974 (19 U.S.C. 2467(6)).

(F) Funds appropriated by this Act under titles III and VI for assistance for Pakistan may be made available notwithstanding any other provision of law, except for this subsection and section 620M of the Foreign Assistance Act of 1961, as amended by this Act.

(3) REPORTS.—

(A)(i) The spend plan required by section 7078 of this Act for assistance for Pakistan shall include achievable and sustainable goals, benchmarks for measuring progress, and expected results regarding furthering development in Pakistan, countering extremism, and establishing conditions conducive to the rule of law and transparent and accountable governance: Provided, That such benchmarks may incorporate those required in title III of Public Law 111–73, as appropriate: Provided further, That not later than 6 months after submission of such spend plan, and each 6 months thereafter until September 30, 2013, the Secretary of State shall submit a report to the Committees on Appropriations on the status of achieving the goals and benchmarks in the spend plan.

(ii) The Secretary of State should suspend assistance for the Government of Pakistan if any report required by paragraph (A)(i) indicates that Pakistan is failing to make measurable progress in meeting these goals or benchmarks.

(B) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the costs and objectives associated with significant infrastructure projects supported by the United States in Pakistan, and an assessment of the extent to which such projects achieve such objectives.

(d) SRI LANKA.—

(1) None of the funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Sri Lanka, no defense export license may be issued, and no military equipment or technology shall be sold or transferred to Sri Lanka pursuant to the authorities contained in this Act or any other Act, unless the Secretary of

State certifies to the Committees on Appropriations that the Government of Sri Lanka is—

(A) conducting credible, thorough investigations of alleged war crimes and violations of international humanitarian law by government forces and the Liberation Tigers of Tamil Eelam;

(B) bringing to justice individuals who have been credibly alleged to have committed such violations;

(C) supporting and cooperating with any United Nations investigation of alleged war crimes and violations of international humanitarian law;

(D) respecting due process, the rights of journalists, and the rights of citizens to peaceful expression and association, including ending arrest and detention under emergency regulations;

(E) providing access to detainees by humanitarian organizations; and

(F) implementing policies to promote reconciliation and justice including devolution of power.

(2) Paragraph (1) shall not apply to assistance for humanitarian demining and aerial and maritime surveillance.

(3) If the Secretary makes the certification required in paragraph (1), funds appropriated under the heading "Foreign Military Financing Program" that are made available for assistance for Sri Lanka should be used to support the recruitment and training of Tamils into the Sri Lankan military, Tamil language training for Sinhalese military personnel, and human rights training for all military personnel.

(4) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to vote against any loan, agreement, or other financial support for Sri Lanka except to meet basic human needs, unless the Secretary of State certifies to the Committees on Appropriations that the Government of Sri Lanka is meeting the requirements in paragraph (1)(D), (E), and (F) of this subsection.

(e) REGIONAL CROSS BORDER PROGRAMS.—Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Afghanistan and Pakistan may be provided notwithstanding any other provision of law that restricts assistance to foreign countries for cross border stabilization and development programs between Afghanistan and Pakistan or between either country and the Central Asian republics.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 7047. None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 7048. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

UNITED NATIONS

SEC. 7049. (a) TRANSPARENCY AND ACCOUNTABILITY.—

(1) Of the funds appropriated under title I and under the heading "International Organizations and Programs" in title V of this Act that are available for contributions to any United Nations agency or to the Organization of American States, 15 percent shall be withheld from obligation for such agency or organization if the Secretary of State determines and reports to the Committees on Appropriations that the agency or organization is not taking steps to—

(A) publish on a publicly available Web site, consistent with privacy regulations and due process, regular financial and programmatic audits of the agency or organization, and provide the United States Government with necessary access to such financial and performance audits; and

(B) implement best practices for the protection of whistleblowers from retaliation, including best practices for legal burdens of proof, access to independent adjudicative bodies, results that eliminate the effects of retaliation, and statutes of limitation for reporting retaliation.

(2) The Secretary may waive the restriction in this subsection if the Secretary determines and reports that to do so is in the national interest of the United States.

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) None of the funds made available under title I of this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations 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)), supports international terrorism.

(2) None of the funds made available under title I of this Act may be used by the Secretary of State as a contribution to any organization, agency, or program within the United Nations system if such organization, agency, commission, or pro-

gram is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) The Secretary of State may waive the restrictions in this subsection if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—Funds appropriated by this Act may be made available for voluntary contributions or payment of United States assessments in support of the United Nations Human Rights Council if the Secretary of State determines and reports to the Committees on Appropriations that participation in the Council is in the national interest of the United States: Provided, That the Secretary of State shall report to the Committees on Appropriations not later than 30 days after the date of enactment of this Act, and every 180 days thereafter until September 30, 2012, on the resolutions considered in the United Nations Human Rights Council.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—The reporting requirements regarding the United Nations Relief and Works Agency contained in the joint explanatory statement accompanying the Supplemental Appropriations Act, 2009 (Public Law 111–32, House Report 111–151) under the heading "Migration and Refugee Assistance" in title XI shall apply to funds made available by this Act under such heading.

(e) UNITED NATIONS CAPITAL MASTER PLAN.—None of the funds made available in this Act for the United Nations Capital Master Plan may be used for the design, renovation, or construction of the United Nations Headquarters in New York in excess of the United States payment for the assessment agreed upon pursuant to paragraph 10 of United Nations General Assembly Resolution 61/251.

(f) REPORTING REQUIREMENT.—Not later than 30 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriation detailing the amount of funds available for obligation or expenditure in fiscal year 2012 under the headings "Contributions to International Organizations" and "International Organizations and Programs" that are withheld from obligation or expenditure due to any provision of law: Provided, That the Secretary of State shall update such report each time additional funds are withheld by operation of any provision of law: Provided further, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 7050. (a) AUTHORITY.—Funds made available by titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to en-

hance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

ATTENDANCE AT INTERNATIONAL CONFERENCES

SEC. 7051. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this section the term "international conference" shall mean a conference attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

AIRCRAFT TRANSFER AND COORDINATION

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Diplomatic and Consular Programs", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative" and "Andean Counterdrug Programs" may be used for any other program and in any region, including for the transportation of active and standby Civilian Response Corps personnel and equipment during a deployment: Provided, That the responsibility for policy decisions and justification for the use of such transfer authority shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

(b) PROPERTY DISPOSAL.—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: Provided, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) AIRCRAFT COORDINATION.—

(1) The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development (USAID) with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate Chief of Mission: Pro-

vided, That such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: Provided further, That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis.

(2) The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN GOVERNMENTS

SEC. 7053. The terms and conditions of section 7055 of division F of Public Law 111–117 shall apply to this Act: Provided, That the date "September 30, 2009" in subsection (f)(2)(B) shall be deemed to be "September 30, 2011".

LANDMINES AND CLUSTER MUNITIONS

SEC. 7054. (a) LANDMINES.—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.

(b) CLUSTER MUNITIONS.—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(1) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments; and

(2) the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7055. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: Provided, That not to exceed $25,000 may be made available to carry out the provisions of section 316 of Public Law 96–533.

LIMITATION ON RESIDENCE EXPENSES

SEC. 7056. Of the funds appropriated or made available pursuant to title II of this Act, not to exceed $100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: Provided, That appro-

priate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 7057. (a) AUTHORITY.—Up to $93,000,000 of the funds made available in title III of this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia", may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2013.

(c) CONDITIONS.—The authority of subsection (a) should only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia", are eliminated.

(d) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which such individual's responsibilities primarily relate: Provided, That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading "Operating Expenses".

(e) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980, may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(f) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia", may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(g) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and

section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 15 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(h) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(i) SENIOR FOREIGN SERVICE LIMITED APPOINTMENTS.—Individuals hired pursuant to the authority provided by section 7059(o) of division F of Public Law 111–117 may be assigned to or support programs in Iraq, Afghanistan, or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under the heading "Global Health Programs" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided, That of the funds appropriated under title III of this Act, not less than $575,000,000 should be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

(b) GLOBAL HEALTH MANAGEMENT.—

(1) Not later than 180 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), shall submit to the Committees on Appropriations an analysis of short and long-term costs, to include potential cost savings or increases, associated with transitioning the function, role, and duties of the Office of the United States Global AIDS Coordinator into USAID: Provided, That such report shall also assess any programmatic advantages and disadvantages, including the ability to achieve results, of making such a transition.

(2)(A) Not later than 45 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), shall submit to the Committees on Appropriations a report on the status of the Quadrennial Diplomacy and Development Review (QDDR) decision to transition the leadership of

the Global Health Initiative (GHI) to USAID, to include the following—

(i) the metrics developed to measure progress in meeting each benchmark enumerated in Appendix 2 of the QDDR and the method utilized to develop such metrics; and

(ii) the status of, and estimated completion date for, meeting each benchmark.

(B) Within 90 days of submitting the initial report required by subparagraph (A), and each 90 days thereafter until the GHI transition is completed, an update shall be provided to the Committees on Appropriations on the status of meeting each benchmark: Provided, That if as part of any such update it is determined that the QDDR target date of September 2012 will not be met, the Secretary of State, in consultation with the USAID Administrator, shall submit a detailed explanation of the delay and a revised target date for the transition to be completed.

(c) GLOBAL FUND REFORMS.—

(1) Of funds appropriated by this Act that are available for a contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), 10 percent should be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that—

(A) the Global Fund is maintaining and implementing a policy of transparency, including the authority of the Global Fund Office of the Inspector General (OIG) to publish OIG reports on a public Web site;

(B) the Global Fund is providing sufficient resources to maintain an independent OIG that—

(i) reports directly to the Board of the Global Fund;

(ii) maintains a mandate to conduct thorough investigations and programmatic audits, free from undue interference; and

(iii) compiles regular, publicly published audits and investigations of financial, programmatic, and reporting aspects of the Global Fund, its grantees, recipients, sub-recipients, and Local Fund Agents; and

(C) the Global Fund maintains an effective whistleblower policy to protect whistleblowers from retaliation, including confidential procedures for reporting possible misconduct or irregularities.

(2) The withholding required by this subsection shall not be in addition to funds that are withheld from the Global Fund in fiscal year 2012 pursuant to the application of any other provision contained in this or any other Act.

(d) PANDEMIC RESPONSE.—If the President determines and reports to the Committees on Appropriations that a pandemic virus is efficient and sustained, severe, and is spreading internationally, funds made available under titles III, IV, and VIII in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to combat such virus: Provided, That funds made available pursuant to the authority of this subsection shall be subject to prior consulta-

tion with, and the regular notification procedures of, the Committees on Appropriations.

PROHIBITION ON PROMOTION OF TOBACCO

SEC. 7059. 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.

PROGRAMS TO PROMOTE GENDER EQUALITY

SEC. 7060. (a) Programs funded under title III of this Act shall include, where appropriate, efforts to improve the status of women, including through gender considerations in the planning, assessment, implementation, monitoring and evaluation of such programs.

(b) Funds appropriated under title III of this Act shall be made available to support programs to expand economic opportunities for poor women in developing countries, including increasing the number and capacity of women-owned enterprises, improving property rights for women, increasing women's access to financial services and capital, enhancing the role of women in economic decisionmaking at the local, national and international levels, and improving women's ability to participate in the global economy.

(c) Funds appropriated under title III of this Act shall be made available to increase political opportunities for women, including strengthening protections for women's personal status, increasing women's participation in elections, and enhancing women's positions in government and role in government decisionmaking.

(d) Funds appropriated under in title III of this Act for food security and agricultural development shall take into consideration the unique needs of women, and technical assistance for women farmers should be a priority.

(e) The Secretary of State, in consultation with the heads of other relevant Federal agencies, shall develop a National Action Plan in accordance with United Nations Security Council Resolution 1325 (adopted on October 31, 2000) to ensure the United States effectively promotes and supports the rights and roles of women in conflict-affected and post-conflict regions through clear, measurable commitments to—

(1) promote the active and meaningful participation of women in affected areas in all aspects of conflict prevention, management, and resolution;

(2) integrate the perspectives and interests of affected women into conflict-prevention activities and strategies;

(3) promote the physical safety, economic security, and dignity of women and girls;

(4) support women's equal access to aid distribution mechanisms and services; and

(5) monitor, analyze and evaluate implementation efforts and their impact.

(f) The Department of State and the United States Agency for International Development shall fully integrate gender into all diplomatic and development efforts through the inclusion of gender in

strategic planning and budget allocations, and the development of indicators and evaluation mechanisms to measure the impact of United States policies and programs on women and girls in foreign countries.

GENDER-BASED VIOLENCE

SEC. 7061. (a) Funds appropriated under the headings "Global Health Programs", "Development Assistance", "Economic Support Fund", and "International Narcotics Control and Law Enforcement" in this Act shall be made available for gender-based violence prevention and response efforts, and funds appropriated under the headings "International Disaster Assistance", "Complex Crises Fund", and "Migration and Refugee Assistance" should be made available for such efforts.

(b) Programs and activities funded under titles III and IV of this Act to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons.

SECTOR ALLOCATIONS

SEC. 7062. (a) BASIC AND HIGHER EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated by title III of this Act, not less than $800,000,000 shall be made available for assistance for basic education, of which not less than $288,000,000 should be made available under the heading "Development Assistance".

(B) The United States Agency for International Development shall ensure that programs supported with funds appropriated for basic education in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs are integrated, when appropriate, with health, agriculture, governance, and economic development activities to address the economic and social needs of the broader community.

(C) Funds appropriated by title III of this Act for basic education may be made available for a contribution to the Global Partnership for Education.

(2) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $200,000,000 shall be made available for assistance for higher education, of which $25,000,000 shall be to support such programs in Africa, including for partnerships between higher education institutions in Africa and the United States.

(b) DEVELOPMENT GRANTS PROGRAM.—Of the funds appropriated in title III of this Act, not less than $45,000,000 shall be made available for the Development Grants Program established pursuant to section 674 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110–161), primarily for unsolicited proposals, to support grants of not more than $2,000,000 to small nongovernmental organizations: Provided, That funds made available under this sub-

section are in addition to other funds available for such purposes including funds designated by this Act by subsection (f).

(c) ENVIRONMENT PROGRAMS.—

(1) IN GENERAL.—Of the funds appropriated by this Act, not less than $1,250,000,000 should be made available for programs and activities to protect the environment.

(2) CLEAN ENERGY PROGRAMS.—The limitation in section 7081(b) of division F of Public Law 111–117 shall continue in effect during fiscal year 2012 as if part of this Act: Provided, That the proviso contained in such section shall not apply.

(3) ADAPTATION PROGRAMS.—Funds appropriated by this Act may be made available for United States contributions to the Least Developed Countries Fund and the Special Climate Change Fund to support adaptation programs and activities.

(4) TROPICAL FOREST PROGRAMS.—Funds appropriated under title III of this Act for tropical forest programs shall be used to protect biodiversity, and shall not be used to support or promote the expansion of industrial scale logging into primary tropical forests: Provided, That funds that are available for the Central African Regional Program for the Environment and other tropical forest programs in the Congo Basin for the United States Fish and Wildlife Service (USFWS) shall be apportioned directly to the USFWS: Provided further, That funds made available for the Department of the Interior (DOI) for programs in the Guatemala Mayan Biosphere Reserve shall be apportioned directly to the DOI.

(5) AUTHORITY.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law except for the provisions of this section and subject to the regular notification procedures of the Committees on Appropriations, to support environment programs.

(6) CONSULTATION.—Funds made available pursuant to this subsection are subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(7) EXTRACTION OF NATURAL RESOURCES.—

(A) Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of Public Law 110–246 and the Kimberley Process Certification Scheme, and providing technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(B)(i) The Secretary of the Treasury shall inform the managements of the international financial institutions and post on the Department of the Treasury's Web site that it is the policy of the United States to vote against any assistance by such institutions (including but not limited to any loan, credit, grant, or guarantee) for the extraction and

export of a natural resource if the government of the country has in place laws or regulations to prevent or limit the public disclosure of company payments as required by section 1504 of Public Law 111–203, and unless such government has in place functioning systems in the sector in which assistance is being considered for:

(I) accurately accounting for and public disclosure of payments to the host government by companies involved in the extraction and export of natural resources;

(II) the independent auditing of accounts receiving such payments and public disclosure of the findings of such audits; and

(III) public disclosure of such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(ii) The requirements of subparagraph (i) shall not apply to assistance for the purpose of building the capacity of such government to meet the requirements of this paragraph.

(C) The Secretary of the Treasury or the Secretary of State, as appropriate, shall instruct the United States executive director of each international financial institution and the United States representatives to all forest-related multilateral financing mechanisms and processes, that it is the policy of the United States to vote against the expansion of industrial scale logging into primary tropical forests.

(8) CONTINUATION OF PRIOR LAW.—Section 7081(g)(2) and (4) of division F of Public Law 111–117 shall continue in effect during fiscal year 2012 as if part of this Act.

(d) FOOD SECURITY AND AGRICULTURE DEVELOPMENT.—Of the funds appropriated by title III of this Act, $1,170,000,000 should be made available for food security and agriculture development programs, of which $31,500,000 shall be made available for Collaborative Research Support Programs: Provided, That such funds may be made available notwithstanding any other provision of law to address food shortages, and may be made available for a United States contribution to the endowment of the Global Crop Diversity Trust pursuant to section 3202 of Public Law 110–246.

(e) MICROENTERPRISE AND MICROFINANCE.—Of the funds appropriated by this Act, not less than $265,000,000 should be made available for microenterprise and microfinance development programs for the poor, especially women.

(f) RECONCILIATION PROGRAMS.—(1) Of the funds appropriated by title III of this Act under the headings "Economic Support Fund" and "Development Assistance", $26,000,000 shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, religious and political backgrounds from areas of civil strife and war, of which $10,000,000 shall be made available for such programs in the Middle East: Provided, That the Administrator of the United States Agency for International Development shall consult with the Committees on Appro-

priations, prior to the initial obligation of funds, on the uses of such funds.

(2) Of the funds appropriated by title III of this Act under the headings "Economic Support Fund" and "Development Assistance", $10,000,000 should be made available for a "New Generation in the Middle East" initiative to build understanding, tolerance, and mutual respect among the next generation of Israeli and Palestinian leaders.

(g) TRAFFICKING IN PERSONS.—Of the funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", "International Narcotics Control and Law Enforcement", and "Assistance for Europe, Eurasia and Central Asia" not less than $36,000,000 shall be made available for activities to combat trafficking in persons internationally.

(h) WATER.—Of the funds appropriated by this Act, not less than $315,000,000 shall be made available for water and sanitation supply projects pursuant to the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121).

(i) WOMEN'S LEADERSHIP CAPACITY.—Of the funds appropriated by title III of this Act, not less than $20,000,000 shall be made available for programs to improve women's leadership capacity in recipient countries.

(j) NOTIFICATION REQUIREMENTS.—Authorized deviations from funding levels contained in this section shall be subject to the regular notification procedures of the Committees on Appropriations.

CENTRAL ASIA

SEC. 7063. The terms and conditions of sections 7075(a) through (d) and 7076(a) through (e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8) shall apply to funds appropriated by this Act, except that the Secretary of State may waive the application of section 7076(a) for a period of not more than 6 months and every 6 months thereafter until September 30, 2013, if the Secretary certifies to the Committees on Appropriations that the waiver is in the national security interest and necessary to obtain access to and from Afghanistan for the United States, and the waiver includes an assessment of progress, if any, by the Government of Uzbekistan in meeting the requirements in section 7076(a): Provided, That the Secretary of State, in consultation with the Secretary of Defense, shall submit a report to the Committees on Appropriations not later than 180 days after enactment of this Act and 12 months thereafter, on all United States Government assistance provided to the Government of Uzbekistan and expenditures made in support of the Northern Distribution Network in Uzbekistan, including any credible information that such assistance or expenditures are being diverted for corrupt purposes: Provided further, That information provided in the report required by the previous proviso may be provided in a classified annex and such annex shall indicate the basis for such classification: Provided further, That for the purposes of the application of section 7075(c) to this Act, the report shall be submitted not later than October 1, 2012 and for the purposes of the application of section 7076(e) to this Act, the term "assistance" shall not include expanded international military education and training.

REQUESTS FOR DOCUMENTS

SEC. 7064. None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

OVERSEAS PRIVATE INVESTMENT CORPORATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 7065. (a) Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of $20,000,000 of the funds appropriated under title III of this Act may be transferred to, and merged with, funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: Provided, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: Provided further, That designated funding levels in this Act shall not be transferred pursuant to this section: Provided further, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961, the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect until September 30, 2012.

INTERNATIONAL PRISON CONDITIONS

SEC. 7066. (a) Not later than 180 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report, which shall also be made publicly available including on the Department of State's Web site, describing—

(1) conditions in prisons and other detention facilities in at least 25 countries whose governments receive United States assistance and which the Secretary determines raise serious human rights or humanitarian concerns; and

(2) the extent to which such governments are taking steps to eliminate such conditions.

(b) For purposes of each determination made pursuant to subsection (a), the Secretary shall consider the criteria listed in section 7085(b)(1) through (10) of division F of Public Law 111–117.

(c) Funds appropriated by this Act to carry out the provisions of chapters 1 and 11 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and the Support for East European Democracy (SEED) Act of 1989, shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961, for assistance to eliminate inhumane conditions in foreign prisons and other detention facilities.

PROHIBITION ON USE OF TORTURE

SEC. 7067. (a) None of the funds made available in this Act may be used to support or justify the use of torture, cruel or inhu-

mane treatment by any official or contract employee of the United States Government.

(b) Funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and the Support for East European Democracy (SEED) Act of 1989, shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961, for assistance to eliminate torture by foreign police, military or other security forces in countries receiving assistance from funds appropriated by this Act that are identified in the Department of State's most recent Country Reports on Human Rights Practices.

EXTRADITION

SEC. 7068. (a) None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings "International Narcotics Control and Law Enforcement", "Migration and Refugee Assistance", "Emergency Migration and Refugee Assistance", and "Nonproliferation, Anti-terrorism, Demining and Related Assistance") for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.

(b) Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

(c) The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Committees on Appropriations that such waiver is important to the national interests of the United States.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 7069. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 7070. (a) None of the funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty

of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(b)(1) Of the funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia" that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation—

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases, child survival activities, or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(c) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

INTERNATIONAL MONETARY FUND

SEC. 7071. (a) The terms and conditions of sections 7086(b)(1) and (2) and 7090(a) of division F of Public Law 111–117 shall apply to this Act.

(b) The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private creditors.

(c) The Secretary of the Treasury shall seek to ensure that the IMF is implementing best practices for the protection of whistleblowers from retaliation, including best practices for legal burdens

of proof, access to independent adjudicative bodies, results that eliminate the effects of retaliation, and statutes of limitation for reporting retaliation.

REPRESSION IN THE RUSSIAN FEDERATION

SEC. 7072. (a) None of the funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia" in this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the Secretary of State certifies to the Committees on Appropriations that the Government of the Russian Federation:

(1) has implemented no statute, Executive order, regulation or similar government action that would discriminate, or which has as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party;

(2) is honoring its international obligations regarding freedom of expression, assembly, and press, as well as due process;

(3) is investigating and prosecuting law enforcement personnel credibly alleged to have committed human rights abuses against political leaders, activists and journalists; and

(4) is immediately releasing political leaders, activists and journalists who remain in detention.

(b) The Secretary of State may waive the requirements of subsection (a) if the Secretary determines that to do so is important to the national interests of the United States.

PROHIBITION ON FIRST-CLASS TRAVEL

SEC. 7073. None of the funds made available in this Act may be used for first-class travel by employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

DISABILITY PROGRAMS

SEC. 7074. Funds appropriated by this Act under the heading "Economic Support Fund" shall be made available for programs and activities administered by the United States Agency for International Development to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation, and shall also be made available to support disability advocacy organizations to provide training and technical assistance for disabled persons organizations in such countries: Provided, That of the funds made available by this section, up to 7 percent may be for management, oversight, and technical support.

ENTERPRISE FUNDS

SEC. 7075. (a) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise

Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

(b) Funds made available under titles III through VI of this Act for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities and no such funds may be available except through the regular notification procedures of the Committees on Appropriations.

CONSULAR AFFAIRS

SEC. 7076. (a) The Secretary of State shall implement the necessary steps, including hiring a sufficient number of consular officers to include limited non-career appointment officers, in the People's Republic of China, Brazil, and India to reduce the wait time to interview visa applicants who have submitted applications.

(b) The Secretary of State shall conduct a risk and benefit analysis regarding the extension of the expiration period for B–1 or B–2 visas for visa applicants before requiring a consular officer interview and, unless such analysis finds that risks outweigh benefits, develop a plan to extend such expiration period in a manner consistent with maintaining security controls.

(c) The Secretary of State may develop and conduct a pilot program for the processing of B–1 and B–2 visas using secure remote videoconferencing technology as a method for conducting visa interviews of applicants: Provided, That any such pilot should be developed in consultation with other Federal agencies that use such secure communications to help ensure security of the videoconferencing transmission and encryption: Provided further, That no pilot program should be conducted if the Secretary determines and reports to the Committees on Appropriations that such program poses an undue security risk and that it cannot be conducted in a manner consistent with maintaining security controls.

PROCUREMENT REFORM

SEC. 7077. (a) LOCAL COMPETITION.—Notwithstanding any other provision of law, the Administrator of the United States Agency for International Development (USAID) may, with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, award contracts and other acquisition instruments in which competition is limited to local entities if doing so would result in cost savings, develop local capacity, or enable the USAID Administrator to initiate a program or activity in appreciably less time than if competition were not so limited: Provided, That the authority provided in this section may not be used to make awards in excess of $5,000,000 and shall not exceed more than 10 percent of the funds made available to USAID under this Act for assistance programs: Provided further, That such authority shall be available to support a pilot program with such funds: Provided further, That the USAID Administrator shall consult with the Committees on Appropriations and relevant congressional committees on the results of such pilot program.

(b) For the purposes of this section, local entity means an individual, a corporation, a nonprofit organization, or another body of persons that—

(1) is legally organized under the laws of;

(2) has as its principal place of business or operations in; and

(3) either is—

(A) majority owned by individuals who are citizens or lawful permanent residents of; or

(B) managed by a governing body the majority of whom are citizens or lawful permanent residents of;

a country receiving assistance from funds appropriated under title III of this Act.

(c) For purposes of this section, "majority owned" and "managed by" include, without limitation, beneficiary interests and the power, either directly or indirectly, whether exercised or exercisable, to control the election, appointment, or tenure of the organization's managers or a majority of the organization's governing body by any means.

OPERATING AND SPEND PLANS

SEC. 7078. (a) OPERATING PLANS.—Not later than 30 days after the date of enactment of this Act, each department, agency or organization funded in titles I and II, and the Department of the Treasury and Independent Agencies funded in title III of this Act shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2012, that provides details of the use of such funds at the program, project, and activity level.

(b) SPEND PLANS.—Prior to the initial obligation of funds, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committees on Appropriations a detailed spend plan for the following—

(1) funds appropriated under the heading "Democracy Fund";

(2) funds made available in titles III and IV of this Act for assistance for Iraq, Haiti, Colombia, and Mexico, for the Caribbean Basin Security Initiative, and for the Central American Regional Security Initiative;

(3) funds made available for assistance for countries or programs and activities referenced in—

(A) section 7040;

(B) section 7041(a), (e), (f), and (i);

(C) section 7043(b);

(D) section 7046(a) and (c); and

(4) funds appropriated in title III for food security and agriculture development programs and for environment programs.

(c) NOTIFICATIONS.—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961.

RESCISSIONS

SEC. 7079. (a) Of the funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Diplomatic and Consular Programs", $13,700,000 are rescinded, of which $8,000,000 shall be from funds for Worldwide Security Protection: Provided, That no amounts may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Of the unexpended balances available under the heading "Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation" from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $400,000,000 are rescinded.

(c) Of the unexpended balances available to the President for bilateral economic assistance under the heading "Economic Support Fund" from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $100,000,000 are rescinded: Provided, That no amounts may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) The Secretary of State, as appropriate, shall consult with the Committees on Appropriations at least 15 days prior to implementing the rescissions made in this section.

SPECIAL DEFENSE ACQUISITION FUND

(INCLUDING LIMITATION ON OBLIGATIONS)

SEC. 7080. (a) TRANSFER.—Of the funds made available pursuant to the last proviso in the second paragraph under the heading "Foreign Military Financing Program" in this Act, up to $100,000,000 of such funds may be transferred to the Special Defense Acquisition Fund pursuant to section 51 of the Arms Export Control Act.

(b) LIMITATION ON OBLIGATIONS.—Not to exceed $100,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisition Fund (Fund), to remain available for obligation until September 30, 2015: Provided, That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

AUTHORITY FOR CAPITAL INCREASES

SEC. 7081. (a) INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT.—The Bretton Woods Agreements Act, as amended (22 U.S.C. 286 et seq.), is further amended by adding at the end thereof the following new sections:

"SEC. 69. ACCEPTANCE OF AN AMENDMENT TO THE ARTICLES OF AGREEMENT OF THE BANK TO INCREASE BASIC VOTES.

"The United States Governor of the Bank may accept on behalf of the United States the amendment to the Articles of Agreement of the Bank as proposed in resolution No. 596, entitled 'Enhancing

Voice and Participation of Developing and Transition Countries,' of the Board of Governors of the Bank that was approved by such Board on January 30, 2009.

"SEC. 70. CAPITAL STOCK INCREASES.

"(a) INCREASES AUTHORIZED.—The United States Governor of the Bank is authorized—

"(1)(A) to vote in favor of a resolution to increase the capital stock of the Bank on a selective basis by 230,374 shares; and

"(B) to subscribe on behalf of the United States to 38,459 additional shares of the capital stock of the Bank, as part of the selective increase in the capital stock of the Bank, except that any subscription to such additional shares shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts;

"(2)(A) to vote in favor of a resolution to increase the capital stock of the Bank on a general basis by 484,102 shares; and

"(B) to subscribe on behalf of the United States to 81,074 additional shares of the capital stock of the Bank, as part of the general increase in the capital stock of the Bank, except that any subscription to such additional shares shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

"(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—

"(1) In order to pay for the increase in the United States subscription to the Bank under subsection (a)(2)(B), there are authorized to be appropriated, without fiscal year limitation, $9,780,361,991 for payment by the Secretary of the Treasury.

"(2) Of the amount authorized to be appropriated under paragraph (2)(A)—

"(A) $586,821,720 shall be for paid in shares of the Bank; and

"(B) $9,193,540,271 shall be for callable shares of the Bank.".

(b) INTERNATIONAL FINANCE CORPORATION.—The International Finance Corporation Act, Public Law 84–350, as amended (22 U.S.C. 282 et seq.), is further amended by adding at the end thereof the following new section:

"SEC. 17. SELECTIVE CAPITAL INCREASE AND AMENDMENT OF THE ARTICLES OF AGREEMENT.

"(a) VOTE AUTHORIZED.—The United States Governor of the Corporation is authorized to vote in favor of a resolution to increase the capital stock of the Corporation by $130,000,000.

"(b) AMENDMENT OF THE ARTICLES OF AGREEMENT.—The United States Governor of the Corporation is authorized to agree to and accept an amendment to Article IV, Section 3(a) of the Articles of Agreement of the Corporation that achieves an increase in basic votes to 5.55 percent of total votes.".

(c) INTER-AMERICAN DEVELOPMENT BANK.—The Inter-American Development Bank Act, Public Law 86–147, as amended (22 U.S.C. 283 et seq.), is further amended by adding at the end thereof the following new section:

"SEC. 41. NINTH CAPITAL INCREASE.

"(a) VOTE AUTHORIZED.—The United States Governor of the Bank is authorized to vote in favor of a resolution to increase the

capital stock of the Bank by $70,000,000,000 as described in Resolution AG–7/10, 'Report on the Ninth General Capital Increase in the resources of the Inter-American Development Bank' as approved by Governors on July 21, 2010.

"(b) SUBSCRIPTION AUTHORIZED.—

"(1) The United States Governor of the Bank may subscribe on behalf of the United States to 1,741,135 additional shares of the capital stock of the Bank.

"(2) Any subscription by the United States to the capital stock of the Bank shall be effective only to such extent and in such amounts as are provided in advance in appropriations Acts.

"(c) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—

"(1) In order to pay for the increase in the United States subscription to the Bank under subsection (b), there are authorized to be appropriated, without fiscal year limitation, $21,004,064,337 for payment by the Secretary of the Treasury.

"(2) Of the amount authorized to be appropriated under paragraph (1)—

"(A) $510,090,175 shall be for paid in shares of the Bank; and

"(B) $20,493,974,162 shall be for callable shares of the Bank.".

(d) AFRICAN DEVELOPMENT BANK.—The African Development Bank Act, Public Law 97–35, as amended (22 U.S.C. 290i et seq.), is further amended by adding at the end thereof the following new section:

"SEC. 1344. SIXTH CAPITAL INCREASE.

"(a) SUBSCRIPTION AUTHORIZED.—

"(1) The United States Governor of the Bank may subscribe on behalf of the United States to 289,391 additional shares of the capital stock of the Bank.

"(2) Any subscription by the United States to the capital stock of the Bank shall be effective only to such extent and in such amounts as are provided in advance in appropriations Acts.

"(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—

"(1) In order to pay for the increase in the United States subscription to the Bank under subsection (a), there are authorized to be appropriated, without fiscal year limitation, $4,322,228,221 for payment by the Secretary of the Treasury.

"(2) Of the amount authorized to be appropriated under paragraph (1)—

"(A) $259,341,759 shall be for paid in shares of the Bank; and

"(B) $4,062,886,462 shall be for callable shares of the Bank.".

(e) EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.—The European Bank for Reconstruction and Development Act, Section 562(c) of Public Law 101–513, as amended (22 U.S.C. 290l et seq.), is further amended by adding at the end thereof the following new paragraph:

"(12) CAPITAL INCREASE.—

"(A) SUBSCRIPTION AUTHORIZED.—

"(i) The United States Governor of the Bank may subscribe on behalf of the United States up to 90,044 additional callable shares of the capital stock of the Bank in accordance with Resolution No. 128 as adopted by the Board of Governors of the Bank on May 14, 2010.

"(ii) Any subscription by the United States to additional capital stock of the Bank shall be effective only to such extent and in such amounts as are provided in advance in appropriations Acts.

"(B) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—In order to pay for the increase in the United States subscription to the Bank under subsection (A), there are authorized to be appropriated, without fiscal year limitation, up to $1,252,331,952 for payment by the Secretary of the Treasury.".

REFORMS RELATED TO GENERAL CAPITAL INCREASES

SEC. 7082. (a) REFORMS.—Funds appropriated by this Act may not be disbursed for a United States contribution to the general capital increases of the International Bank for Reconstruction and Development (World Bank), the African Development Bank (AfDB), or the Inter-American Development Bank (IDB) until the Secretary of the Treasury reports to the Committees on Appropriations that such institution, as appropriate, is making substantial progress toward the following—

(1) implementing specific reform commitments agreed to by the World Bank and the AfDB as described in the Pittsburgh Leaders' Statement issued at the Pittsburgh G20 Summit in September 2009 concerning sound finances, effective management and governance, transparency and accountability, focus on core mission, and results;

(2) implementing specific reform commitments agreed to by the IDB in Resolution AG–7/10 "Report on the Ninth General Capital Increase in the resources of the Inter-American Development Bank" as approved by the Governors on July 12, 2010, including transfers of at least $200,000,000 annually to a grant facility for Haiti;

(3) implementing procurement guidelines that maximize international competitive bidding in accordance with sound procurement practices, including transparency, competition, and cost-effective results for borrowers;

(4) implementing best practices for the protection of whistleblowers from retaliation, including best practices for legal burdens of proof, access to independent adjudicative bodies, results that eliminate the effects of retaliation, and statutes of limitation for reporting retaliation;

(5) requiring that each candidate for budget support or development policy loans provide an assessment of reforms needed to budgetary and procurement processes to encourage transparency, including budget publication and public scrutiny, prior to loan approval;

(6) making publicly available external and internal performance and financial audits of such institution's projects on the institution's Web site;

(7) adopting policies concerning the World Bank's proposed Program for Results (P4R) to: limit P4R to no more than 5 percent of annual World Bank lending as a pilot for a period of not less than two years; require that projects with potentially significant adverse social or environmental impacts and projects that affect indigenous peoples are either excluded from P4R or subject to the World Bank's own policies; require that at the close of the pilot there will be a thorough, independent evaluation, with input from civil society and the private sector, to provide guidance concerning next steps for the pilot; and fully staff the World Bank Group's Integrity Vice Presidency, with agreement from Borrowers on the World Bank's jurisdiction and authority to investigate allegations of fraud and corruption in any of the World Bank's lending programs including P4R; and

(8) concerning the World Bank, strengthening the public availability of information regarding International Finance Corporation (IFC) subprojects when the IFC is funding a financial intermediary, including—

(A) requiring that higher-risk subprojects comply with the relevant Performance Standard requirements; and

(B) agreeing to periodically disclose on the IFC Web site a listing of the name, location, and sector of high-risk subprojects supported by IFC investments through private equity funds.

(b) REPORT.—Not later than 180 days after enactment of this Act and every 6 months thereafter until September 30, 2013, the Secretary of the Treasury shall submit to the Committees on Appropriations a report detailing the extent to which each institution has continued to make progress on each policy goal listed in subsection (a).

AUTHORITY FOR REPLENISHMENTS

SEC. 7083. (a) INTERNATIONAL DEVELOPMENT ASSOCIATION.—The International Development Association Act, Public Law 86–565, as amended (22 U.S.C. 284 et seq.), is further amended by adding at the end thereof the following new sections:

"SEC. 26. SIXTEENTH REPLENISHMENT.

"(a) The United States Governor of the International Development Association is authorized to contribute on behalf of the United States $4,075,500,000 to the sixteenth replenishment of the resources of the Association, subject to obtaining the necessary appropriations.

"(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, $4,075,500,000 for payment by the Secretary of the Treasury.

"SEC. 27. MULTILATERAL DEBT RELIEF.

"(a) The Secretary of the Treasury is authorized to contribute, on behalf of the United States, not more than $474,000,000 to the International Development Association for the purpose of funding debt relief cost under the Multilateral Debt Relief Initiative incurred in the period governed by the sixteenth replenishment of resources of the International Development Association, subject to obtaining the necessary appropriations and without prejudice to any funding

arrangements in existence on the date of the enactment of this section.

"(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, not more than $474,000,000 for payment by the Secretary of the Treasury.

"(c) In this section, the term 'Multilateral Debt Relief Initiative' means the proposal set out in the G8 Finance Ministers' Communiqué entitled 'Conclusions on Development', done at London, June 11, 2005, and reaffirmed by G8 Heads of State at the Gleneagles Summit on July 8, 2005.".

(b) AFRICAN DEVELOPMENT BANK.—The African Development Fund Act, Public Law 94–302, as amended (22 U.S.C. 290g et seq.), is further amended by adding at the end thereof the following new sections:

"SEC. 221. TWELFTH REPLENISHMENT.

"(a) The United States Governor of the Fund is authorized to contribute on behalf of the United States $585,000,000 to the twelfth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

"(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, $585,000,000 for payment by the Secretary of the Treasury.

"SEC. 222. MULTILATERAL DEBT RELIEF.

"(a) The Secretary of the Treasury is authorized to contribute, on behalf of the United States, not more than $60,000,000 to the African Development Fund for the purpose of funding debt relief costs under the Multilateral Debt Relief Initiative incurred in the period governed by the twelfth replenishment of resources of the African Development Fund, subject to obtaining the necessary appropriations and without prejudice to any funding arrangements in existence on the date of the enactment of this section.

"(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, not more than $60,000,000 for payment by the Secretary of the Treasury.

"(c) In this section, the term 'Multilateral Debt Relief Initiative' means the proposal set out in the G8 Finance Ministers' Communiqué entitled 'Conclusions on Development', done at London, June 11, 2005, and reaffirmed by G8 Heads of State at the Gleneagles Summit on July 8, 2005.".

AUTHORITY FOR THE FUND FOR SPECIAL OPERATIONS

SEC. 7084. Up to $36,000,000 of funds appropriated for the account "Department of the Treasury, Debt Restructuring" by the Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10, Division B) may be made available for the United States share of an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank in furtherance of debt relief provided to Haiti in view of the Cancun Declaration of March 21, 2010.

UNITED NATIONS POPULATION FUND

SEC. 7085. (a) CONTRIBUTION.—Of the funds made available under the heading "International Organizations and Programs" in this Act for fiscal year 2012, $35,000,000 shall be made available for the United Nations Population Fund (UNFPA).

(b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the "Global Health Programs" account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available by this Act may be used by UNFPA for a country program in the People's Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds made available by this Act for UNFPA may not be made available unless—

(1) UNFPA maintains funds made available by this Act in an account separate from other accounts of UNFPA and does not commingle such funds with other sums; and

(2) UNFPA does not fund abortions.

(e) REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR WITHHOLDING OF FUNDS.—

(1) Not later than 4 months after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations indicating the amount of funds that the UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that the UNFPA plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds the UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

LIMITATIONS

SEC. 7086. (a)(1) None of the funds appropriated under the heading "Economic Support Fund" in this Act may be made available for assistance for the Palestinian Authority if the Palestinians obtain, after the date of enactment of this Act, the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians.

(2) The Secretary of State may waive the restriction in paragraph (1) if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(b)(1) The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have not, after the date of enactment of this Act, obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians.

(2) Not less than 90 days after the President is unable to make the certification pursuant to subsection (b)(1), the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: Provided, That any waiver of the provisions of section 1003 of Public Law 100–204 under paragraph (1) of this subsection or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(3) Any waiver pursuant to this subsection shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

SEC. 7087. If the Executive Branch makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program and policy.

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS/

GLOBAL WAR ON TERRORISM

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Diplomatic and Consular Programs", $4,389,064,000, to remain available until September 30, 2013, of which $236,201,000 is for Worldwide Security Protection and shall remain available until expended: Provided, That the Secretary of State may transfer up to $230,000,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in and assistance for Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: Provided further, That

such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONFLICT STABILIZATION OPERATIONS

For an additional amount for "Conflict Stabilization Operations", $8,500,000, to remain available until expended: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", $67,182,000, to remain available until September 30, 2013, of which $19,545,000 shall be for the Special Inspector General for Iraq Reconstruction for reconstruction oversight, and $44,387,000 shall be for the Special Inspector General for Afghanistan Reconstruction for reconstruction oversight: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for "Educational and Cultural Exchange Programs", as authorized, $15,600,000, to remain available until expended: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for "Embassy Security, Construction, and Maintenance", $33,000,000, to remain available until expended: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Contributions to International Organizations", $101,300,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for "International Broadcasting Operations", $4,400,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED PROGRAMS

UNITED STATES INSTITUTE OF PEACE

For an additional amount for "United States Institute of Peace", $8,411,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for "Operating Expenses", $255,000,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", $4,500,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for "International Disaster Assistance", $150,000,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSITION INITIATIVES

For an additional amount for "Transition Initiatives", $6,554,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COMPLEX CRISES FUND

For an additional amount for "Complex Crises Fund", $30,000,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", $2,761,462,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and Refugee Assistance", $229,000,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For an additional amount for "International Affairs Technical Assistance", $1,552,000, to remain available until September 30, 2013, which shall be available notwithstanding any other provision of law: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for "International Narcotics Control and Law Enforcement", $983,605,000, to remain available until September 30, 2013: Provided, That such amount is designated by

the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-terrorism, Demining and Related Programs", $120,657,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", $81,000,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", $1,102,000,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PAKISTAN COUNTERINSURGENCY CAPABILITY FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapter 8 of part I and chapters 2, 5, 6, and 8 of part II of the Foreign Assistance Act of 1961 and section 23 of the Arms Export Control Act, $850,000,000, to remain available until September 30, 2013, for the purpose of providing assistance for Pakistan to build and maintain the counterinsurgency capability of Pakistani security forces (including the Frontier Corps), to include program management, training in civil-military humanitarian assistance, human rights training, and the provision of equipment, supplies, services, training, and facility and infrastructure repair, renovation, and construction: Provided, That notwithstanding any other provision of law except section 620M of the Foreign Assistance Act of 1961, as amended by this Act, such funds shall be available to the Secretary of State, with the concurrence of the Secretary of Defense: Provided further, That such funds may be transferred by the Secretary of State to the Department of Defense or other Federal departments or agencies to support counterinsurgency operations and may be merged with, and be available, for the same purposes and for the same time period as the appropriation or fund to which transferred or may be transferred pursuant to the authorities contained in the Foreign Assistance Act

of 1961: Provided further, That the Secretary of State shall, not fewer than 15 days prior to making transfers from this appropriation, notify the Committees on Appropriations, in writing, of the details of any such transfer: Provided further, That the Secretary of State shall submit not later than 30 days after the end of each fiscal quarter to the Committees on Appropriations a report in writing summarizing, on a project-by-project basis, the uses of funds under this heading: Provided further, That upon determination by the Secretary of State, with the concurrence of the Secretary of Defense, that all or part of the funds so transferred from this appropriation are not necessary for the purposes herein, such amounts may be transferred by the head of the relevant Federal department or agency back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated: Provided further, That any required notification or report may be submitted in classified form: Provided further, That the amount in this paragraph is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

SEC. 8001. Notwithstanding any other provision of law, funds appropriated in this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2012.

SEC. 8002. Unless otherwise provided for in this Act, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts.

SEC. 8003. Funds appropriated by this title under the headings "International Disaster Assistance", "Transition Initiatives", "Complex Crises Fund", "Economic Support Fund", "Migration and Refugee Assistance", "International Narcotics Control and Law Enforcement", "Nonproliferation, Anti-terrorism, Demining, and Related Programs", "Peacekeeping Operations", "Foreign Military Financing Program", and "Pakistan Counterinsurgency Capability Fund", may be transferred to, and merged with, funds appropriated by this title under such headings: Provided, That such transfers shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the transfer authority in this section is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act which may be exercised by the Secretary of State for the purposes of this title.

SEC. 8004. If authorized during fiscal year 2012, there shall be established in the Treasury of the United States the "Global Security Contingency Fund" (the Fund): Provided, That notwithstanding any provision of law, during the current fiscal year, not to exceed $50,000,000 from funds appropriated under the headings "International Narcotics Control and Law Enforcement", "Foreign Military Financing Program", and "Pakistan Counterinsurgency Capability Fund" under title VIII of this Act may be transferred to the Fund: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of State, and shall be subject to prior consultation with the Committees on

Appropriations: Provided further, That the Secretary of State shall, not later than 15 days prior to making any such transfer, notify the Committees on Appropriations in accordance with the regular notification procedures of the Committees on Appropriations, including the source of funds and a detailed justification, implementation plan, and timeline for each proposed project: Provided further, That, notwithstanding any provision of law, the requirements of this section, including the amount and source of transferred funds, shall apply to any transfer or other authority relating to the Fund enacted subsequent to the enactment of this Act unless such subsequently enacted provision of law specifically references this section.

This division may be cited as the "Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012".

And the Senate agree to the same.

HAROLD ROGERS,
C.W. BILL YOUNG,
JERRY LEWIS,
RODNEY P. FRELINGHUYSEN,
ROBERT B. ADERHOLT,
JO ANN EMERSON,
KAY GRANGER,
MICHAEL K. SIMPSON,
JOHN ABNEY CULBERSON,
ANDER CRENSHAW,
DENNY REHBERG,
JOHN R. CARTER,
NORMAN D. DICKS,
PETER J. VISCLOSKY,
NITA M. LOWEY,
JOSÉ E. SERRANO,
ROSA L. DELAURO,
JAMES P. MORAN,
DAVID E. PRICE,
SANFORD D. BISHOP, JR.
Managers on the part of the House.

TIM JOHNSON,
DANIEL K. INOUYE,
MARY L. LANDRIEU,
PATTY MURRAY,
JACK REED,
BEN NELSON,
MARK L. PRYOR,
PATRICK J. LEAHY,
KAY BAILEY HUTCHISON,
LISA MURKOWSKI,
ROY BLUNT,
JOHN HOEVEN,
THAD COCHRAN.
Managers on the part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes the Department of Defense Appropriations Act, 2012; the Energy and Water Development Appropriations Act, 2012; the Financial Services and General Government Appropriations Act, 2012; the Department of Homeland Security Appropriations Act, 2012; the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012; the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012; the Legislative Branch Appropriations Act, 2012; the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012; and the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012.

The conference agreement includes a provision stating that each amount designated by Congress as being for Overseas Contingency Operations/Global War on Terrorism is contingent on the President so designating all such amounts and transmitting such designations to Congress. The provision is consistent with new requirements enacted in the Budget Control Act of 2011 for Overseas Contingency Operations/Global War on Terrorism designations by the President.

The conference agreement does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined by clause 9 of rule XXI of the Rules of the House of Representatives.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

The conference agreement on the Department of Defense Appropriations Act, 2012, incorporates some of the provisions of both the House and the Senate versions of the bill. The language and allocations set forth in House Report 112–110 and Senate Report 112–77 shall be complied with unless specifically addressed to the contrary in the accompanying bill and explanatory statement.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

The conferees agree that for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508), the terms program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2012, the related classified annexes and explanatory statements, and the P–1 and R–1 budget justification documents as subsequently modified by congressional action. The following exception to the above definition shall apply: for the military personnel and the operation and maintenance accounts, for which the term "program, project, and activity" is defined as the appropriations accounts contained in the Department of Defense Appropriations Act.

At the time the President submits the budget for fiscal year 2013, the Department of Defense is directed to transmit to the congressional defense committees budget justification documents to be known as the "M–1" and "O–1" which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel and operation and maintenance in any budget request, or amended budget request, for fiscal year 2013.

In carrying out any Presidential sequestration, the Department of Defense and related agencies shall conform to the definition for "program, project, and activity" set forth above except that military personnel accounts will be exempt from sequestration per the notification made by the Director of the Office of Management and Budget on August 10, 2011.

CLASSIFIED ANNEX

Adjustments to classified programs are addressed in the accompanying classified annex.

CONGRESSIONAL SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase "only for" or "only to" are congressional special interest items for purposes of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in these materials.

REPROGRAMMING GUIDANCE

The Department of Defense is directed to continue to follow the reprogramming guidance for acquisition accounts as specified in the report accompanying the House version of the fiscal year 2008 Department of Defense Appropriations bill (H.R. 110–279). For operation and maintenance accounts, the Department of Defense shall continue to follow the reprogramming guidelines specified in the conference report accompanying H.R. 3222, the Department of Defense Appropriations Act, 2008, which are also expressed under

title II of this statement. The dollar threshold for reprogramming funds shall remain at $15,000,000 for operation and maintenance; $20,000,000 for procurement; and $10,000,000 for research, development, test and evaluation.

Also, the Under Secretary of Defense (Comptroller) is directed to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles I, II, III, and IV of this Act. Reports for titles III and IV shall comply with guidance specified in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of an operation and maintenance (O–1), a procurement (P–1), or a research, development, test and evaluation (R–1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

FUNDING INCREASES

The funding increases outlined in the tables for each appropriation account shall be provided only for the specific purposes indicated in the tables.

TITLE I—MILITARY PERSONNEL

The conference agreement provides $131,090,539,000 in Title I, Military Personnel, instead of $132,092,225,000 as proposed by the House and $131,000,559,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
RECAPITULATION		
MILITARY PERSONNEL, ARMY	43,596,949	43,298,409
MILITARY PERSONNEL, NAVY	27,154,384	26,803,334
MILITARY PERSONNEL, MARINE CORPS	13 573,546	13,635 136
MILITARY PERSONNEL, AIR FORCE	28 304,432	28 096 708
RESERVE PERSONNEL, ARMY	4,386,077	4,289,407
RESERVE PERSONNEL, NAVY	1,960,634	1,935,544
RESERVE PERSONNEL, MARINE CORPS	653,212	644,722
RESERVE PERSONNEL, AIR FORCE	1,729,823	1,712,705
NATIONAL GUARD PERSONNEL, ARMY	7,623,335	7,585,645
NATIONAL GUARD PERSONNEL, AIR FORCE	3,114,149	3,088,929
GRAND TOTAL, MILITARY PERSONNEL	132,096,541	131,090,539

SUMMARY OF MILITARY PERSONNEL END STRENGTH

	Fiscal Year 2011 Authorized	Fiscal Year 2012 Budget Request	Fiscal Year 2012 Recommendation	Fiscal Year 2012 Change from Request
Active Forces (End Strength)				
Army*	569,400	562,000	562,000	-
Navy	328,700	325,700	325,700	-
Marine Corps	202,100	202,100	202,100	-
Air Force	332,200	332,800	332,800	-
Total, Active Forces	**1,432,400**	**1,422,600**	**1,422,600**	**0**
Guard and Reserve Forces (End Strength)				
Army Reserve	205,000	205,000	205,000	-
Navy Reserve	65,500	66,200	66,200	-
Marine Corps Reserve	39,600	39,600	39,600	-
Air Force Reserve	71,200	71,400	71,400	-
Army National Guard	358,200	358,200	358,200	-
Air National Guard	106,700	106,700	106,700	-
Total, Selected Reserve	**846,200**	**847,100**	**847,100**	**0**
Total, Military Personnel	**2,278,600**	**2,269,700**	**2,269,700**	**0**

*Army Active Forces end strength includes the Temporary End Strength Increase of 14,600 troops

SUMMARY OF GUARD AND RESERVE FULL-TIME SUPPORT

	Fiscal Year 2011 Authorized	Fiscal Year 2012		
		Budget Request	Recommendation	Change from Request
Army Reserve.				
AGR	16,261	16,261	16,261	-
Technicians	8,395	8,395	8,395	-
Navy Reserve:				
AR	10,688	10,337	10,337	-
Marine Corps Reserve:				
AR	2,261	2,261	2,261	-
Air Force Reserve:				
AGR	2,992	2,662	2,662	-
Technicians	10,720	10,777	10,777	-
Army National Guard:				
AGR	32,060	32,060	32,060	-
Technicians	27,210	27,210	27,210	-
Air National Guard:				
AGR	14,584	14,833	14,833	-
Technicians	22,394	22,509	22,509	-
Totals:				
AGR/AR	78,846	78,414	78,414	0
Technicians	68,719	68,891	68,891	0
Total, Full-Time Support	**147,565**	**147,305**	**147,305**	**0**

MILITARY PERSONNEL ANTI-DEFICIENCY ACT VIOLATIONS

Since 2001, the Department of Defense has had 11 violations of the Anti-Deficiency Act (ADA) in its military personnel accounts. The conferees recognize the uncertainty that exists in the military personnel accounts due to their entitlement nature and the fact that resource requirements are driven by millions of individual and organizational personnel decisions. To further complicate management of these accounts, a significant number of obligations are incurred in the fourth quarter of the fiscal year. The conferees recognize the Department's efforts to improve the management and oversight of these accounts, but remain concerned over the Department's failure to adequately manage the military personnel budgets.

Therefore, the recommendation includes a new general provision requiring the Inspector General of the Department of Defense to conduct a review of military personnel ADA violations and their causes. Based on the findings of the review, the Inspector General shall submit to the congressional defense committees a report examining the Department's budgeting and oversight of the military personnel accounts, including recommendations for corrective actions to avoid additional ADA violations going forward. This report should be submitted to the congressional defense committees not later than 180 days after enactment of this Act.

RESERVE COMPONENT BUDGET STRUCTURE

The conferees direct each of the reserve components to provide a semi-annual detailed report to the congressional defense committees showing transfers between subactivities within the military personnel appropriation accounts. Reports shall be submitted not later than 30 days following the end of the second quarter and 30 days following the end of the fiscal year.

EXCESS BAGGAGE FEES FOR SERVICEMEMBERS

The conferees are concerned by recent incidents in which servicemembers on military orders deploying to or returning from overseas contingency operations on commercial airlines have been charged excess baggage fees. In some instances, servicemembers were asked to pay out of their own pockets for charges placed on checked baggage carrying U.S. military equipment and not personal effects. Servicemembers make great sacrifices to serve their country in dangerous wartime conditions. They should not be asked to endure personal financial hardships as a result of traveling to and from overseas deployments.

Although the Department of Defense states that it has the authority to pay for excess baggage fees and to reimburse servicemembers for any fees they have paid, the conferees firmly believe that servicemembers should not be burdened with out-of-pocket expenses at all. The conferees strongly encourage the Department to avoid entering into contract agreements with airlines that charge excess baggage fees to servicemembers who are traveling on military orders and are being deployed to or returning from overseas contingency operations. In addition, the Secretary of Defense is directed to submit a report to the congressional defense

committees not later than 90 days after enactment of this Act on measures being taken that will prevent servicemembers from having to pay out-of-pocket costs on checked baggage in such instances.

MILITARY PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
50	MILITARY PERSONNEL, ARMY		
100	ACTIVITY 1 PAY AND ALLOWANCES OF OFFICERS		
150	BASIC PAY	6,661 748	6,661,748
200	RETIRED PAY ACCRUAL	2,281,003	2,281,003
250	BASIC ALLOWANCE FOR HOUSING	1,943,067	1,943 067
300	BASIC ALLOWANCE FOR SUBSISTENCE	263,635	263,635
350	INCENTIVE PAYS	101,439	101,439
400	SPECIAL PAYS	333,397	333,397
450	ALLOWANCES	215,169	215,169
500	SEPARATION PAY	57,643	57,643
550	SOCIAL SECURITY TAX	506,640	506,640
600	TOTAL, BUDGET ACTIVITY 1	12,363,741	12,363,741
650	ACTIVITY 2 PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
700	BASIC PAY	14,014,149	14,014,149
750	RETIRED PAY ACCRUAL	4,804,856	4,804,856
800	BASIC ALLOWANCE FOR HOUSING	4,887,446	4,887,446
850	INCENTIVE PAYS	106,737	106,737
900	SPECIAL PAYS	1,011,026	819,026
950	ALLOWANCES	841,913	841,913
1000	SEPARATION PAY	269,392	269,392
1050	SOCIAL SECURITY TAX	1,072,082	1,072,082
1100	TOTAL, BUDGET ACTIVITY 2	27,007,601	26,815,601
1150	ACTIVITY 3 PAY AND ALLOWANCES OF CADETS		
1200	ACADEMY CADETS	76,314	76,314
1250	ACTIVITY 4 SUBSISTENCE OF ENLISTED PERSONNEL		
1300	BASIC ALLOWANCE FOR SUBSISTENCE	1,320,077	1,320,077
1350	SUBSISTENCE-IN-KIND	770,190	770,190
1400	FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	1,466	1,466
1450	TOTAL, BUDGET ACTIVITY 4	2,091,733	2,091,733

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
1500	ACTIVITY 5 PERMANENT CHANGE OF STATION		
1550	ACCESSION TRAVEL	209,465	209,465
1600	TRAINING TRAVEL	147 724	147,724
1650	OPERATIONAL TRAVEL	493,242	493,242
1700	ROTATIONAL TRAVEL	668,440	668,440
1750	SEPARATION TRAVEL	240,342	240,342
1800	TRAVEL OF ORGANIZED UNITS	9,247	9,247
1850	NON-TEMPORARY STORAGE	11,406	11,406
1900	TEMPORARY LODGING EXPENSE	71,459	71,459
1950	TOTAL, BUDGET ACTIVITY 5	1,851,325	1,851,325
2000	ACTIVITY 6 OTHER MILITARY PERSONNEL COSTS		
2050	APPREHENSION OF MILITARY DESERTERS	1,829	1,829
2100	INTEREST ON UNIFORMED SERVICES SAVINGS	648	648
2150	DEATH GRATUITIES	65,100	65,100
2200	UNEMPLOYMENT BENEFITS	196,569	196,569
2210	SURVIVOR BENEFITS	1,125	---
2250	EDUCATION BENEFITS	12,845	12,845
2300	ADOPTION EXPENSES	430	430
2350	TRANSPORTATION SUBSIDY	14,976	14,976
2400	PARTIAL DISLOCATION ALLOWANCE	422	422
2450	RESERVE OFFICERS TRAINING CORPS (ROTC)	121,141	121,141
2500	JUNIOR ROTC	36,401	36,401
2510	PREVENTIVE HEALTH ALLOWANCE DEMONSTRATION PROJECT	---	1,125
2550	TOTAL, BUDGET ACTIVITY 6	451,486	451,486
2600	LESS REIMBURSABLES	-245,251	-245,251
2650	UNDISTRIBUTED ADJUSTMENT	---	-106,540
2700	TOTAL, ACTIVE FORCES, ARMY	43,596,949	43,298,409
6300	TOTAL, MILITARY PERSONNEL, ARMY	43,596,949	43,298,409

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
SPECIAL PAYS	**1,011,026**	**819,026**
Enlistment Bonuses - Army Referral Bonus Excess to Requirement		-21,000
Enlistment Bonuses - Army Identified Excess to Requirement		-73,000
Re-enlistment Bonuses - Army Identified Excess to Requirement		-40,000
Education Benefits - Army Identified Excess to Requirement		-58,000
BA-6: OTHER MILITARY PERSONNEL COSTS		
SURVIVOR BENEFITS	**1,125**	**0**
Army requested transfer to Preventive Health Allowance Demonstration Project		-1,125
PREVENTIVE HEALTH ALLOWANCE DEMONSTRATION PROJECT		**1,125**
Army requested transfer from Survivor Benefits		1,125
UNDISTRIBUTED ADJUSTMENTS		**-106,540**
Unobligated/Unexpended Balances		-16,540
Undistributed Transfer to title IX		-90,000

MILITARY PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
6400 MILITARY PERSONNEL, NAVY		
6450 ACTIVITY 1 PAY AND ALLOWANCES OF OFFICERS		
6500 BASIC PAY	3,815,973	3 815,973
6550 RETIRED PAY ACCRUAL	1 307,307	1,307,307
6600 BASIC ALLOWANCE FOR HOUSING	1,346 794	1,346 794
6650 BASIC ALLOWANCE FOR SUBSISTENCE	146,021	146,021
6700 INCENTIVE PAYS	153,376	153,376
6750 SPECIAL PAYS	411,258	411,258
6800 ALLOWANCES	106,422	106,422
6850 SEPARATION PAY	34,098	34,098
6900 SOCIAL SECURITY TAX	290,117	290,117
6950 TOTAL, BUDGET ACTIVITY 1	7,611,366	7,611,366
7000 ACTIVITY 2 PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
7050 BASIC PAY	8,392,897	8,392,897
7100 RETIRED PAY ACCRUAL	2,878,334	2,878,334
7150 BASIC ALLOWANCE FOR HOUSING	3,902,086	3,902,086
7200 INCENTIVE PAYS	104,846	104,846
7250 SPECIAL PAYS	749,564	749,564
7300 ALLOWANCES	515,986	515,986
7350 SEPARATION PAY	243,913	243,913
7400 SOCIAL SECURITY TAX	642,053	642,053
7450 TOTAL, BUDGET ACTIVITY 2	17,429,679	17,429,679
7500 ACTIVITY 3 PAY AND ALLOWANCES OF MIDSHIPMEN		
7550 MIDSHIPMEN	76,385	76,385
7600 ACTIVITY 4 SUBSISTENCE OF ENLISTED PERSONNEL		
7650 BASIC ALLOWANCE FOR SUBSISTENCE	705,147	705,147
7700 SUBSISTENCE-IN-KIND	386,265	386,265
7750 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	12	12
7800 TOTAL, BUDGET ACTIVITY 4	1,091,424	1,091,424

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
7850 ACTIVITY 5 PERMANENT CHANGE OF STATION		
7900 ACCESSION TRAVEL	93,020	93,020
7950 TRAINING TRAVEL	106 365	106,365
8000 OPERATIONAL TRAVEL	286,405	286,405
8050 ROTATIONAL TRAVEL	364,345	364,345
8100 SEPARATION TRAVEL	140,238	140,238
8150 TRAVEL OF ORGANIZED UNITS	26,204	26,204
8200 NON-TEMPORARY STORAGE	5,791	5,791
8250 TEMPORARY LODGING EXPENSE	6,551	6,551
8300 OTHER	8,852	8,852
8350 TOTAL, BUDGET ACTIVITY 5	1,037,771	1,037,771
8400 ACTIVITY 6 OTHER MILITARY PERSONNEL COSTS		
8450 APPREHENSION OF MILITARY DESERTERS	256	256
8500 INTEREST ON UNIFORMED SERVICES SAVINGS	1,715	1,715
8550 DEATH GRATUITIES	15,200	15,200
8600 UNEMPLOYMENT BENEFITS	122,832	122,832
8650 EDUCATION BENEFITS	20,852	20,852
8700 ADOPTION EXPENSES	286	286
8750 TRANSPORTATION SUBSIDY	6,822	6,822
8800 PARTIAL DISLOCATION ALLOWANCE	37	37
8900 RESERVE OFFICERS TRAINING CORPS (ROTC)	24,513	24,513
8950 JUNIOR ROTC	14,027	14,027
8960 PREVENTIVE HEALTH ALLOWANCE DEMONSTRATION PROJECT	1,125	1,125
9000 TOTAL, BUDGET ACTIVITY 6	207,665	207,665
9050 LESS REIMBURSABLES	-299,906	-299,906
9100 UNDISTRIBUTED ADJUSTMENT	---	-351,050
9200 TOTAL, ACTIVE FORCES, NAVY	27,154,384	26,803,334
11000 TOTAL, MILITARY PERSONNEL, NAVY	27,154,384	26,803,334

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
UNDISTRIBUTED ADJUSTMENTS		**-351,050**
Unobligated/Unexpended Balances		-10,850
Undistributed Transfer to title IX		-340,200

MILITARY PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
12000 MILITARY PERSONNEL, MARINE CORPS		
12050 ACTIVITY 1 PAY AND ALLOWANCES OF OFFICERS		
12100 BASIC PAY	1,477,775	1,477,775
12150 RETIRED PAY ACCRUAL	505 668	505,668
12200 BASIC ALLOWANCE FOR HOUSING	492,003	492,003
12250 BASIC ALLOWANCE FOR SUBSISTENCE	60,654	60,654
12300 INCENTIVE PAYS	53,004	53,004
12350 SPECIAL PAYS	32,074	32,074
12400 ALLOWANCES	35,483	35,483
12450 SEPARATION PAY	14,799	14,799
12500 SOCIAL SECURITY TAX	111,978	111,978
12550 TOTAL, BUDGET ACTIVITY 1	2,783,438	2,783,438
12600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
12650 BASIC PAY	5,007,453	5,007,453
12700 RETIRED PAY ACCRUAL	1,713,360	1,713,360
12750 BASIC ALLOWANCE FOR HOUSING	1,609,726	1,729,726
12800 INCENTIVE PAYS	10,136	10,136
12850 SPECIAL PAYS	235,273	235,273
12900 ALLOWANCES	308,183	308,183
12950 SEPARATION PAY	66,081	66,081
13000 SOCIAL SECURITY TAX	382,118	382,118
13050 TOTAL, BUDGET ACTIVITY 2	9,332,330	9,452,330
13100 ACTIVITY 4 SUBSISTENCE OF ENLISTED PERSONNEL		
13150 BASIC ALLOWANCE FOR SUBSISTENCE	467,210	467,210
13200 SUBSISTENCE-IN-KIND	327,923	327,923
13250 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	50	50
13300 TOTAL, BUDGET ACTIVITY 4	795,183	795,183

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
13350 ACTIVITY 5 PERMANENT CHANGE OF STATION		
13400 ACCESSION TRAVEL	92,021	92,021
13450 TRAINING TRAVEL	9,356	9,356
13500 OPERATIONAL TRAVEL	257,483	257,483
13550 ROTATIONAL TRAVEL	130,752	130,752
13600 SEPARATION TRAVEL	64,688	64,688
13650 TRAVEL OF ORGANIZED UNITS	754	754
13700 NON-TEMPORARY STORAGE	6,442	6,442
13750 TEMPORARY LODGING EXPENSE	14,317	14,317
13800 OTHER	2,726	2,726
13850 TOTAL, BUDGET ACTIVITY 5	578,539	578,539
13900 ACTIVITY 6 OTHER MILITARY PERSONNEL COSTS		
13950 APPREHENSION OF MILITARY DESERTERS	1,551	1,551
14000 INTEREST ON UNIFORMED SERVICES SAVINGS	19	19
14050 DEATH GRATUITIES	17,200	17,200
14100 UNEMPLOYMENT BENEFITS	72,488	116,488
14150 EDUCATION BENEFITS	5,002	5,002
14200 ADOPTION EXPENSES	152	152
14250 TRANSPORTATION SUBSIDY	2,908	2,908
14300 PARTIAL DISLOCATION ALLOWANCE	283	283
14400 JUNIOR ROTC	5,813	5,813
14410 PREVENTIVE HEALTH ALLOWANCE DEMONSTRATION PROJECT	1,125	1,125
14450 TOTAL, BUDGET ACTIVITY 6	106,541	150,541
14500 LESS REIMBURSABLES	-22,485	-22,485
14600 UNDISTRIBUTED ADJUSTMENT	---	-102,410
14650 TOTAL, ACTIVE FORCES, MARINE CORPS	13,573,546	13,635,136
16000 TOTAL, MILITARY PERSONNEL, MARINE CORPS	13,573,546	13,635,136

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR HOUSING	**1,609,726**	**1,729,726**
Marine Corps Identified Shortfall		120,000
BA-6: OTHER MILITARY PERSONNEL COSTS		
UNEMPLOYMENT BENEFITS	**72,488**	**116,488**
Marine Corps Identified Shortfall		44,000
UNDISTRIBUTED ADJUSTMENTS		**-102,410**
Unobligated/Unexpended Balances		-77,410
Undistributed Transfer to title IX		-25,000

MILITARY PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
17000 MILITARY PERSONNEL AIR FORCE		
17050 ACTIVITY 1 PAY AND ALLOWANCES OF OFFICERS		
17100 BASIC PAY	4,836,070	4,785,470
17150 RETIRED PAY ACCRUAL	1,649,202	1,649,202
17200 BASIC ALLOWANCE FOR HOUSING	1,487,084	1,487,084
17250 BASIC ALLOWANCE FOR SUBSISTENCE	185,137	185,137
17300 INCENTIVE PAYS	230,777	230,777
17350 SPECIAL PAYS	320,672	319,129
17400 ALLOWANCES	125,585	125,585
17450 SEPARATION PAY	154,367	154,367
17500 SOCIAL SECURITY TAX	368,392	368,392
17550 TOTAL, BUDGET ACTIVITY 1	9,357,286	9,305,143
17600 ACTIVITY 2 PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
17650 BASIC PAY	8,610,579	8,610,579
17700 RETIRED PAY ACCRUAL	2,943,338	2,943,338
17750 BASIC ALLOWANCE FOR HOUSING	3,451,800	3,451,800
17800 INCENTIVE PAYS	42,074	42,074
17850 SPECIAL PAYS	387,659	362,806
17900 ALLOWANCES	554,120	554,120
17950 SEPARATION PAY	141,359	141,359
18000 SOCIAL SECURITY TAX	658,708	658,708
18050 TOTAL, BUDGET ACTIVITY 2	16,789,637	16,764,784
18100 ACTIVITY 3 PAY AND ALLOWANCES OF CADETS		
18150 ACADEMY CADETS	74,316	74,316
18200 ACTIVITY 4 SUBSISTENCE OF ENLISTED PERSONNEL		
18250 BASIC ALLOWANCE FOR SUBSISTENCE	910,540	910,540
18300 SUBSISTENCE-IN-KIND	176,751	176,751
18350 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	34	34
18400 TOTAL, BUDGET ACTIVITY 4	1,087,325	1,087,325

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
18450 ACTIVITY 5 PERMANENT CHANGE OF STATION		
18500 ACCESSION TRAVEL	79,929	79,929
18550 TRAINING TRAVEL	73,677	73,677
18600 OPERATIONAL TRAVEL	318,829	318,829
18650 ROTATIONAL TRAVEL	524,244	524,244
18700 SEPARATION TRAVEL	157,173	157,173
18750 TRAVEL OF ORGANIZED UNITS	15,448	15,448
18800 NON-TEMPORARY STORAGE	39,968	39,968
18850 TEMPORARY LODGING EXPENSE	29,707	29,707
18950 TOTAL, BUDGET ACTIVITY 5	1,238,975	1,238,975
19000 ACTIVITY 6 OTHER MILITARY PERSONNEL COSTS		
19050 APPREHENSION OF MILITARY DESERTERS	134	134
19100 INTEREST ON UNIFORMED SERVICES SAVINGS	3,234	3,234
19150 DEATH GRATUITIES	16,000	16,000
19200 UNEMPLOYMENT BENEFITS	62,151	62,151
19250 SURVIVOR BENEFITS	1,574	1,574
19300 EDUCATION BENEFITS	403	403
19350 ADOPTION EXPENSES	520	520
19400 TRANSPORTATION SUBSIDY	7,520	7,520
19450 PARTIAL DISLOCATION ALLOWANCE	2,008	2,008
19550 RESERVE OFFICERS TRAINING CORPS (ROTC)	40,081	40,081
19600 JUNIOR ROTC	16,933	16,933
19610 PREVENTIVE HEALTH ALLOWANCE DEMONSTRATION PROJECT	1,125	1,125
19650 TOTAL, BUDGET ACTIVITY 6	151,683	151,683
19700 LESS REIMBURSABLES	-394,790	-394,790
19750 UNDISTRIBUTED ADJUSTMENT	- -	-130,728
19800 TOTAL, ACTIVE FORCES, AIR FORCE	28,304,432	28,096,708
21000 TOTAL, MILITARY PERSONNEL, AIR FORCE	28,304,432	28,096,708

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	**4,836,070**	**4,785,470**
Excess to Requirement		-50,600
SPECIAL PAYS	**320,672**	**319,129**
OSD Discontinuation of Creech Incentive Pay		-1,543
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
SPECIAL PAYS	**387,659**	**362,806**
Re-enlistment Bonuses - Excess to Requirement		-16,000
OSD Discontinuation of Creech Incentive Pay		-8,853
UNDISTRIBUTED ADJUSTMENTS		**-130,728**
Unobligated/Unexpended Balances		-74,700
Undistributed Transfer to title IX		-56,028

RESERVE PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
23000 RESERVE PERSONNEL, ARMY		
23050 ACTIVITY 1 RESERVE COMPONENT TRAINING AND SUPPORT		
23100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	1,294,413	1,294,413
23150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	53,726	35,726
23200 PAY GROUP F TRAINING (RECRUITS)	262,018	247,018
23250 PAY GROUP P TRAINING (PIPELINE RECRUITS)	7,844	7,844
23300 MOBILIZATION TRAINING	5,620	5,620
23350 SCHOOL TRAINING	187,198	187,198
23400 SPECIAL TRAINING	271,470	271,470
23450 ADMINISTRATION AND SUPPORT	2,138,347	2,118,347
23500 EDUCATION BENEFITS	39,925	39,925
23550 HEALTH PROFESSION SCHOLARSHIP	69,939	69,939
23600 OTHER PROGRAMS	55,577	55,577
23650 TOTAL, BUDGET ACTIVITY 1	4,386,077	4,333,077
23800 UNDISTRIBUTED ADJUSTMENT	---	-43,670
24000 TOTAL RESERVE PERSONNEL, ARMY	4,386,077	4,289,407

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	**53,726**	**35,726**
Projected Underexecution		-18,000
PAY GROUP F TRAINING (RECRUITS)	**262,018**	**247,018**
Projected Underexecution		-15,000
ADMINISTRATION AND SUPPORT	**2,138,347**	**2,118,347**
Selected Reserve Incentive Program Bonuses - Excess to Requirement		-20,000
UNDISTRIBUTED ADJUSTMENT		**-43,670**
Unobligated/Unexpended Balances		-43,670

RESERVE PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
26000 RESERVE PERSONNEL, NAVY		
26050 ACTIVITY 1 RESERVE COMPONENT TRAINING AND SUPPORT		
26100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	627,505	615,505
26150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	9,321	9,321
26200 PAY GROUP F TRAINING (RECRUITS)	50,649	50,649
26250 MOBILIZATION TRAINING	8,727	8 727
26300 SCHOOL TRAINING	52,322	52,322
26350 SPECIAL TRAINING	114,610	114,610
26400 ADMINISTRATION AND SUPPORT	1,037,649	1,034,649
26450 EDUCATION BENEFITS	1,719	1,719
26500 HEALTH PROFESSION SCHOLARSHIP	58,132	58,132
26550 TOTAL, BUDGET ACTIVITY 1	1,960,634	1,945,634
26600 UNDISTRIBUTED ADJUSTMENT	---	-10,090
27000 TOTAL, RESERVE PERSONNEL, NAVY	1,960,634	1,935,544

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	**627,505**	**615,505**
Inactive Duty Training - Unjustified Growth		-12,000
ADMINISTRATION AND SUPPORT	**1,037,649**	**1,034,649**
Bonuses - Excess to Requirement		-3,000
UNDISTRIBUTED ADJUSTMENT		**-10,090**
Unobligated/Unexpended Balances		-10,090

RESERVE PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
28000 RESERVE PERSONNEL, MARINE CORPS		
28050 ACTIVITY 1 RESERVE COMPONENT TRAINING AND SUPPORT		
28100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	209,450	209,450
28150 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	37,538	37,538
28200 PAY GROUP F TRAINING (RECRUITS)	116,241	116 241
28300 MOBILIZATION TRAINING	4,073	4,073
28350 SCHOOL TRAINING	14,226	14,226
28400 SPECIAL TRAINING	23,666	23 666
28450 ADMINISTRATION AND SUPPORT	226,902	224,902
28500 PLATOON LEADER CLASS	11,859	11,859
28550 EDUCATION BENEFITS	9,257	9,257
28600 TOTAL, BUDGET ACTIVITY 1	653,212	651,212
28700 UNDISTRIBUTED ADJUSTMENT	---	-6,490
29000 TOTAL RESERVE PERSONNEL, MARINE CORPS	653,212	644,722

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
ADMINISTRATION AND SUPPORT	**226,902**	**224,902**
Enlistment Bonuses - Excess to Requirement		-2,000
UNDISTRIBUTED ADJUSTMENT		**-6,490**
Unobligated/Unexpended Balances		-6,490

RESERVE PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
30000 RESERVE PERSONNEL, AIR FORCE		
30050 ACTIVITY 1 RESERVE COMPONENT TRAINING AND SUPPORT		
30100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	681,477	670,477
30150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	105,605	105,605
30200 PAY GROUP F TRAINING (RECRUITS)	68,658	77,700
30250 PAY GROUP P TRAINING (PIPELINE RECRUITS)	64	64
30300 MOBILIZATION TRAINING	555	555
30350 SCHOOL TRAINING	140,801	140,801
30400 SPECIAL TRAINING	296,895	296,895
30450 ADMINISTRATION AND SUPPORT	362 893	362,893
30500 EDUCATION BENEFITS	16,244	16,244
30550 HEALTH PROFESSION SCHOLARSHIP	51,743	51,743
30600 OTHER PROGRAMS (ADMIN & SUPPORT)	4,888	4,888
30650 TOTAL, BUDGET ACTIVITY 1	1,729,823	1,727,865
30750 UNDISTRIBUTED ADJUSTMENT	---	-15,160
31000 TOTAL, RESERVE PERSONNEL, AIR FORCE	1,729,823	1,712,705

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	**681,477**	**670,477**
Inactive Duty Training - Unit Training Assemblies Underexecution		-1,958
Transfer to Pay Group F		-9,042
PAY GROUP F TRAINING (RECRUITS)	**68,658**	**77,700**
Air Force Identified Additional Requirement Due to Increased Number of Training Seats - Transfer from Pay Group A		9,042
UNDISTRIBUTED ADJUSTMENT		**-15,160**
Unobligated/Unexpended Balances		-15,160

NATIONAL GUARD PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
32000 NATIONAL GUARD PERSONNEL, ARMY		
32050 ACTIVITY 1 RESERVE COMPONENT TRAINING AND SUPPORT		
32100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	2,076,946	2,141,946
32150 PAY GROUP F TRAINING (RECRUITS)	573 577	573,577
32200 PAY GROUP P TRAINING (PIPELINE RECRUITS)	46,049	46,049
32250 SCHOOL TRAINING	428,000	428,000
32300 SPECIAL TRAINING	447,567	447,567
32350 ADMINISTRATION AND SUPPORT	3,925,062	3,898,062
32400 EDUCATION BENEFITS	126,134	126,134
32450 TOTAL, BUDGET ACTIVITY 1	7,623,335	7,661,335
32600 UNDISTRIBUTED ADJUSTMENT	---	-75,690
33000 TOTAL, NATIONAL GUARD PERSONNEL, ARMY	7,623,335	7,585,645

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	**2,076,946**	**2,141,946**
Army Guard Identified Additional Requirement Due to Lower than Budgeted Mobilization Rate		65,000
ADMINISTRATION AND SUPPORT	**3,925,062**	**3,898,062**
Enlistment Bonuses - Excess to Requirement		-9,000
Re-enlistment Bonuses - Excess to Requirement		-8,000
Officer Affiliation/Accession Bonuses - Excess to Requirement		-10,000
UNDISTRIBUTED ADJUSTMENTS		**-75,690**
Unobligated/Unexpended Balances		-57,990
Undistributed Transfer to title IX		-17,700

NATIONAL GUARD PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
34000 NATIONAL GUARD PERSONNEL, AIR FORCE		
34050 ACTIVITY 1 RESERVE COMPONENT TRAINING AND SUPPORT		
34100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	967,468	954 968
34150 PAY GROUP F TRAINING (RECRUITS)	103,958	103,958
34200 PAY GROUP P TRAINING (PIPELINE RECRUITS)	3,211	3,211
34250 SCHOOL TRAINING	234,909	234,909
34300 SPECIAL TRAINING	134,244	134,244
34350 ADMINISTRATION AND SUPPORT	1,642,998	1,642,998
34400 EDUCATION BENEFITS	27,361	27,361
34450 TOTAL, BUDGET ACTIVITY 1	3,114,149	3,101,649
34700 UNDISTRIBUTED ADJUSTMENT	---	-12,720
35000 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	3,114,149	3,088,929

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	**967,468**	**954,968**
Inactive Duty Training - Unjustified Growth		-12,500
UNDISTRIBUTED ADJUSTMENT		**-12,720**
Unobligated/Unexpended Balances		-12,720

TITLE II—OPERATION AND MAINTENANCE

The conference agreement provides $163,073,141,000 in Title II, Operation and Maintenance, instead of $169,975,411,000 as proposed by the House and $162,549,531,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
RECAPITULATION		
OPERATION & MAINTENANCE, ARMY	34,735,216	31,072,902
OPERATION & MAINTENANCE NAVY	39 364 688	38,120,821
OPERATION & MAINTENANCE, MARINE CORPS	5 960 437	5 542 937
OPERATION & MAINTENANCE AIR FORCE	36 195,133	34 985,486
OPERATION & MAINTENANCE, DEFENSE-WIDE	30 940,409	30,152 008
OPERATION & MAINTENANCE, ARMY RESERVE	3 109 176	3,071,733
OPERATION & MAINTENANCE, NAVY RESERVE	1,323,134	1,305,134
OPERATION & MAINTENANCE, MARINE CORPS RESERVE	271,443	271,443
OPERATION & MAINTENANCE, AIR FORCE RESERVE	3,274,359	3,274,359
OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	7,041,432	6,924,932
OPERATION & MAINTENANCE, AIR NATIONAL GUARD	6,136,280	6,098,780
OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	5,000	---
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES	13,861	13,861
ENVIRONMENTAL RESTORATION, ARMY	346 031	346,031
ENVIRONMENTAL RESTORATION, NAVY	308,668	308,668
ENVIRONMENTAL RESTORATION AIR FORCE	525,453	525,453
ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	10,716	10,716
ENVIRONMENTAL RESTORATION FORMERLY USED DEF SITES	276,495	326,495
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	107,662	107,662
COOPERATIVE THREAT REDUCTION ACCOUNT	508,219	508 219
DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	305,501	105,501
GRAND TOTAL OPERATION & MAINTENANCE	170,759,313	163,073,141

OPERATION AND MAINTENANCE REPROGRAMMINGS

The Secretary of Defense is directed to submit the Base for Reprogramming (DD Form 1414) for each of the fiscal year 2012 appropriation accounts not later than 60 days after enactment of this Act. The Secretary of Defense is prohibited from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned report is submitted to the House and Senate Appropriations Committees.

The Secretary of Defense is directed to use the normal prior approval reprogramming procedures to transfer funds in the Services' operation and maintenance accounts between O–1 budget activities in excess of $15,000,000. In addition, the Secretary of Defense should follow prior approval reprogramming procedures for transfers in excess of $15,000,000 out of the following budget subactivities:

Army:
Maneuver units
Modular support brigades
Land forces operations support
Force readiness operations support
Land forces depot maintenance
Base operations support
Facilities Sustainment, Repair, and Modernization
Navy:
Aircraft depot maintenance
Ship depot maintenance
Facilities Sustainment, Repair, and Modernization
Marine Corps:
Depot maintenance
Facilities Sustainment, Repair, and Modernization
Air Force:
Primary combat forces
Combat enhancement forces
Combat communications
Facilities Sustainment, Repair, and Modernization

During fiscal year 2012, the Air Force is required to submit written notification and justification to the congressional defense committees not later than 30 days prior to implementing transfers in excess of $15,000,000 out of the following budget subactivities:

Operating forces depot maintenance
Mobilization depot maintenance
Training and recruiting depot maintenance
Administration and service-wide depot maintenance

The transfer may be implemented 30 days after congressional notification unless an objection is received from a congressional defense committee.

Finally, the Secretary of Defense should follow prior approval reprogramming procedures for transfers in excess of $15,000,000 into the following budget subactivity:

Operation and Maintenance, Army National Guard:
Other personnel support/recruiting and advertising

With respect to Operation and Maintenance, Defense-Wide, proposed transfers of funds to or from the levels specified for de-

fense agencies in excess of $15,000,000 shall be subject to prior approval reprogramming procedures.

OPERATION AND MAINTENANCE FUNDING FOR MILITARY TECHNICIANS

The House recommendation included adjustments to Army and Air Force Reserve and National Guard operation and maintenance accounts based on discrepancies in the number of military technicians included in the request. The conference agreement does not include these adjustments; however, the Department is directed to ensure consistency in the number of military technicians included in the request between the military personnel appropriations in the PB–31R Personnel Summary exhibit and noted on the OP–5 exhibit in the operation and maintenance appropriations in the future.

STRATEGIC COMMUNICATIONS AND INFORMATION OPERATIONS/ MILITARY INFORMATION SUPPORT OPERATIONS

The conference agreement includes $224,975,000 for Department of Defense information operations (IO)/military information support operations (MISO) programs, instead of $176,575,000 as proposed by the House and $300,570,000 as proposed by the Senate. The budget request includes $120,570,000 in title II and $180,000,000 in title IX. The conference agreement includes all funds for these activities in title IX of this division as proposed by the House. Of the $120,570,000 requested in title II, the conference agreement includes program reductions totaling $16,795,000 and transfers the remaining $103,775,000 to title IX. The allocation of funding by combatant command and funding levels for certain programs is specifically delineated in the classified annex accompanying this Act. The conferees direct that these delineations shall be considered congressional special interest items and be subject to normal reprogramming procedures.

The conferees agree that combatant commanders need the ability to effectively communicate in their respective areas of responsibility and provide adequate resources to support such military objectives. The conferees appreciate the progress made by the Office of the Secretary of Defense over the past three years to define and consolidate strategic communications (SC) and IO into a more accountable and transparent structure within the Department and improve interagency coordination. Even with this progress, concerns remain that some activities being funded under IO/MISO and SC are duplicative of, or operate at cross purposes with, other federal agencies' efforts. As the Secretary of Defense Memorandum dated January 25, 2011 indicates, further refinements are necessary to identify IO-related costs and develop standardized budgeting methodologies for SC and IO-related capabilities and activities, as well as MISO costs. In an era of declining budgets, Department of Defense funding for these activities must be fully captured and carefully reviewed to ensure that each request meets a primary military requirement.

The conference agreement does not provide funds within the fiscal year 2012 base budget for these activities, but instead continues funding them within title IX of this division. The conferees will consider transitioning the funding for SC and IO/MISO pro-

grams to the base budget in fiscal year 2013 after a review of the comprehensive budget requests for SC, IO/MISO, and IO-related capabilities and activities.

The conferees reiterate the direction included in the House report requiring the Secretary of Defense to develop a format for improving the budget submission for these programs in fiscal year 2013. The submission shall include, at a minimum, a delineation of all programs and activities, and the funding associated with each, for all SC and IO/MISO programs within the Department of Defense. The conferees further direct the Secretary of Defense to follow the direction in the House report regarding execution reports for funds provided for these programs.

ENERGY INDEPENDENCE AND SECURITY ACT

The conference agreement does not include a provision (House Section 10011) on the Energy Independence and Security Act of 2007. The conferees note that the enforcement of section 526 of the Energy Independence and Security Act of 2007 may lead to higher fuel costs for federal fleets in the absence of competitively priced new generation fuels that emit fewer emissions. In carrying out this statute, the Secretary of Defense and the Service Secretaries should work to ensure that costs associated with fuel purchases necessary to carry out the missions of their respective departments and agencies should be minimized to the extent possible under the law.

OPERATION AND MAINTENANCE, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, ARMY		
	BUDGET ACTIVITY 1 OPERATING FORCES		
	LAND FORCES		
10	MANEUVER UNITS	1,399,804	1,031,695
20	MODULAR SUPPORT BRIGADES	104,629	90,595
30	ECHELONS ABOVE BRIGADES	815,920	741,068
40	THEATER LEVEL ASSETS	825,587	764,818
50	LAND FORCES OPERATIONS SUPPORT	1,245,231	1,072,413
60	AVIATION ASSETS	1,199,340	1,131,228
	LAND FORCES READINESS		
70	FORCE READINESS OPERATIONS SUPPORT	2,939,455	2,778,799
80	LAND FORCES SYSTEMS READINESS	451,228	404,896
90	LAND FORCES DEPOT MAINTENANCE	1,179,675	1,179,675
	LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT	7,837,052	7,469,948
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	2,495,667	2,495,667
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	397,952	397,952
130	COMBATANT COMMANDER'S CORE OPERATIONS	171,179	171,179
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	459,585	439,115
140	CONTRACTOR LOGISTICS SUPPORT	---	-50,000
	ADJUSTMENT FOR DEFENSE EFFICIENCY CIVILIAN STAFFING REDUCTION	---	-166,365
	TRANSFER TO TITLE IX READINESS AND DEPOT MAINTENANCE	---	-1,454,500
	TOTAL, BUDGET ACTIVITY 1	21,322,304	18,498,183
	BUDGET ACTIVITY 2 MOBILIZATION		
	MOBILITY OPERATIONS		
180	STRATEGIC MOBILITY	390,394	390,394
190	ARMY PREPOSITIONED STOCKS	169,535	169,535
200	INDUSTRIAL PREPAREDNESS	6,675	6,675
	ADJUSTMENT FOR DEFENSE EFFICIENCY - CIVILIAN STAFFING REDUCTION	---	843
	TOTAL, BUDGET ACTIVITY 2	566,604	567,447

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	BUDGET ACTIVITY 3 TRAINING AND RECRUITING		
	ACCESSION TRAINING		
210	OFFICER ACQUISITION	113,262	113,262
220	RECRUIT TRAINING	71,012	71,012
230	ONE STATION UNIT TRAINING	49,275	49,275
240	SENIOR RESERVE OFFICERS TRAINING CORPS	417,071	451,071
	BASIC SKILL AND ADVANCED TRAINING		
250	SPECIALIZED SKILL TRAINING	1,045,948	1,030,765
260	FLIGHT TRAINING	1,083,808	1,083,808
270	PROFESSIONAL DEVELOPMENT EDUCATION	191,073	191,073
280	TRAINING SUPPORT	607,896	607,896
	RECRUITING AND OTHER TRAINING AND EDUCATION		
290	RECRUITING AND ADVERTISING	523 501	523,501
300	EXAMINING	139,159	139 159
310	OFF-DUTY AND VOLUNTARY EDUCATION	238,978	238,978
320	CIVILIAN EDUCATION AND TRAINING	221,156	221,156
330	JUNIOR RESERVE OFFICERS TRAINING CORPS	170,889	170,889
	ADJUSTMENT FOR DEFENSE EFFICIENCY CIVILIAN STAFFING REDUCTION	---	23,560
	TOTAL, BUDGET ACTIVITY 3	4,873,028	4,915,405
	BUDGET ACTIVITY 4 ADMIN & SERVICEWIDE ACTIVITIES		
	SECURITY PROGRAMS		
340	SECURITY PROGRAMS	995,161	993,801
	LOGISTICS OPERATIONS		
350	SERVICEWIDE TRANSPORTATION	524,334	524,334
360	CENTRAL SUPPLY ACTIVITIES	705,668	705,668
370	LOGISTICS SUPPORT ACTIVITIES	484,075	487,075
380	AMMUNITION MANAGEMENT	457,741	387,741

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	SERVICEWIDE SUPPORT		
390	ADMINISTRATION	775,313	775,313
400	SERVICEWIDE COMMUNICATIONS	1,534,706	1,540,957
410	MANPOWER MANAGEMENT	316,924	316,924
420	OTHER PERSONNEL SUPPORT	214,356	214,356
430	OTHER SERVICE SUPPORT	1,093,877	1,048,777
440	ARMY CLAIMS ACTIVITIES	216,621	216,621
450	REAL ESTATE MANAGEMENT	180,717	170,717
	SUPPORT OF OTHER NATIONS		
460	SUPPORT OF NATO OPERATIONS	449,901	449,901
470	MISC. SUPPORT OF OTHER NATIONS	23,886	20,886
	IMPROVED MANAGEMENT OF TELECOM SERVICES	---	-10,000
	ADJUSTMENT FOR DEFENSE EFFICIENCY - CIVILIAN STAFFING REDUCTION	---	-12,904
	TOTAL, BUDGET ACTIVITY 4	7,973,280	7,830,167
	UNOBLIGATED BALANCES	---	-238,300
	UNEXECUTABLE OPTEMPO GROWTH	---	-500,000
	TOTAL, OPERATION AND MAINTENANCE, ARMY	34,735,216	31,072,902

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
111	**MANEUVER UNITS**	**1,399,804**	**1,031,695**
	Transfer to title IX - Combined Arms Training Strategy		-217,376
	Transfer to title IX - MRAP Vehicle Sustainment		-2,539
	Transfer to title IX - Theater Demand Reduction		-148,194
112	**MODULAR SUPPORT BRIGADES**	**104,629**	**90,595**
	Transfer to title IX - Combined Arms Training Strategy		-11,752
	Transfer to title IX-Theater Demand Reduction		-2,282
113	**ECHELONS ABOVE BRIGADES**	**815,920**	**741,068**
	Transfer to title IX - Combined Arms Training Strategy		-74,852
114	**THEATER LEVEL ASSETS**	**825,587**	**764,818**
	Transfer to title IX - Chemical Defense Equipment Sustainment		-8,579
	Transfer to title IX - Combined Arms Training Strategy		-23,198
	Transfer to title IX - Theater Demand Reduction		-18,692
	Transfer to title IX - Unmanned Aircraft System Gray Eagle Satellite Service		-10,300
115	**LAND FORCES OPERATIONS SUPPORT**	**1,245,231**	**1,072,413**
	Transfer to title IX - MRAP Vehicle Sustainment at Combat Training Centers		-6,420
	Transfer to title IX - Combat Training Center Role Players		-30,091
	Transfer to title IX - Fox Nuclear Biological and Chemical Reconnaissance Vehicle Contract Logistics Support		-12,062
	Transfer to title IX - Joint Maneuver Readiness Center Opposing Force Augmentation		-4,545
	Transfer to title IX - Joint Readiness Training Center Opposing Force Augmentation		-26,940
	Transfer to title IX - National Training Center Tier Two Level Maintenance Contract		-24,000
	Transfer to title IX - National Training Center Warfighter Focus		-26,650
	Transfer to title IX - Sustainment Brigade and Functional Brigade Warfighter Exercise		-20,285
	Transfer to title IX - Theater Demand Reduction		-14,984
	Transfer to title IX - Tube-Launched, Optically-Tracked, Wire-Guided Missile Improved Target Acquisition System Contract Logistics Support		-6,841
116	**AVIATION ASSETS**	**1,199,340**	**1,131,228**
	Transfer to title IX - Combined Arms Training Strategy		-6,607
	Transfer to title IX - Theater Demand Reduction		-61,505
121	**FORCE READINESS OPERATIONS SUPPORT**	**2,939,455**	**2,778,799**
	Forward Operating Base Baseline not taken into Account In Requested Program Growth		-20,000
	Transfer to title IX - Body Armor Sustainment		-71,660
	Transfer to title IX - Rapid Equipping Force Readiness		-9,294
	Transfer to title IX - Battle Simulation Centers		-59,702
122	**LAND FORCES SYSTEMS READINESS**	**451,228**	**404,896**
	Unjustified Growth for Civilian and Contractor Positions		-20,000
	Transfer to title IX - Fixed Wing Life Cycle Contract Support		-21,171

O-1		Budget Request	Conference
	Transfer to title IX - Capability Development and Integration		-5,161
123	**LAND FORCES DEPOT MAINTENANCE**	**1,179,675**	**1,179,675**
131	**BASE OPERATIONS SUPPORT**	**7,637,052**	**7,469,948**
	Restore Army Requested Reduction to Family Programs		75,000
	Restore Underfunding Attributed to Efficiency Savings		93,232
	Removal of fiscal year 2011 Costs Budgeted for Detainee Operations (Full fiscal year 2012 Requirement Funded in title IX)		-70,000
	Budget Justification does not Match Summary of Price and Program Changes for Utilities		-37,500
	Environmental Conservation for Ranges to Address Shortfalls		12,500
	Transfer to title IX - Overseas Security Guards		-200,000
	Transfer to title IX - Senior Leader Initiative: Comprehensive Soldier Fitness Program		-30,000
	Transfer to title IX - Training Range Maintenance		-10,336
138	**COMBATANT COMMANDER'S DIRECT MISSION SUPPORT**	**459,585**	**439,115**
	Transfer to title IX and Program Reduction - Military Information Support Operations		-20,470
	CONTRACTOR LOGISTICS SUPPORT		**-50,000**
	TRANSFER TO TITLE IX - READINESS AND DEPOT MAINTENANCE		**-1,454,500**
	BUDGET ACTIVITY 1 ADJUSTMENT FOR DEFENSE EFFICIENCY CIVILIAN STAFFING REDUCTION		**-166,365**
	BUDGET ACTIVITY 2 ADJUSTMENT FOR DEFENSE EFFICIENCY CIVILIAN STAFFING REDUCTION		**843**
314	**SENIOR RESERVE OFFICER TRAINING CORP**	**417,071**	**451,071**
	Restore Army Requested Reduction to Reserve Officer Training Corps to Maintain Ratio of Public to Private Colleges		34,000
321	**SPECIALIZED SKILL TRAINING**	**1,045,948**	**1,030,765**
	Transfer to title IX - Survivability and Maneuverability Training		-15,183
	BUDGET ACTIVITY 3 ADJUSTMENT FOR DEFENSE EFFICIENCY CIVILIAN STAFFING REDUCTION		**23,560**
423	**LOGISTIC SUPPORT ACTIVITIES**	**484,075**	**487,075**
	Army Requested Transfer for Army Enterprise Systems Integration Program from OP, A line 116		3,000
424	**AMMUNITION MANAGEMENT**	**457,741**	**387,741**
	Requested Growth Unjustified by Metrics Provided in Performance Criteria		-70,000
432	**SERVICEWIDE COMMUNICATIONS**	**1,534,706**	**1,540,957**
	Transfer from title IX - Automated Biometric Identification System (ABIS)		26,200
	Expand ABIS to Improve Data Sharing with Federal Partner Agencies - Unique Identity Task Force		3,800
	Army Requested Transfer for GCSS-A from OP, A line 116		2,883

O-1		Budget Request	Conference
	Army Requested Transfer for GFEBS from OP, A line 116		3,368
	Budget Justification does not Match Summary of Price and Program Changes for the Defense Information Systems Agency Requirement		-30,000
435	**OTHER SERVICE SUPPORT**	**1,093,877**	**1,048,777**
	Army Support to the Capitol 4th		4,900
	Budget Justification does not Match Summary of Price and Program Changes for the Defense Finance and Accounting Service Requirement		-50,000
436	**ARMY CLAIMS ACTIVITIES**	**216,621**	**216,621**
437	**REAL ESTATE MANAGEMENT**	**180,717**	**170,717**
	Budget Justification Does Not Match Summary of Price and Program Changes for the Pentagon Reservation Maintenance Revolving Fund		-10,000
442	**MISCELLANEOUS SUPPORT OF OTHER NATIONS**	**23,886**	**20,886**
	Transfer from SAG 411 - Military Information Support Operations		-3,000
	IMPROVED MANAGEMENT OF TELECOM SERVICES		**-10,000**
	BUDGET ACTIVITY 4 ADJUSTMENT FOR DEFENSE EFFICIENCY CIVILIAN STAFFING REDUCTION		**-12,904**
	UNEXECUTABLE OPTEMPO GROWTH		**-500,000**
	UNOBLIGATED BALANCES		**-238,300**

OPERATION AND MAINTENANCE, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, NAVY		
	BUDGET ACTIVITY 1 OPERATING FORCES		
	AIR OPERATIONS		
10	MISSION AND OTHER FLIGHT OPERATIONS	4,762 887	4 499,387
20	FLEET AIR TRAINING	1,771,644	1,771,644
30	AVIATION TECHNICAL DATA AND ENGINEERING SERVICES	46,321	46,321
40	AIR OPERATIONS AND SAFETY SUPPORT	104,751	104,751
50	AIR SYSTEMS SUPPORT	431,576	414,576
60	AIRCRAFT DEPOT MAINTENANCE	1,030 303	1,030,303
70	AIRCRAFT DEPOT OPERATIONS SUPPORT	37,403	37,403
80	AVIATION LOGISTICS	238,007	238,007
	SHIP OPERATIONS		
90	MISSION AND OTHER SHIP OPERATIONS	3,820,186	3,795,186
100	SHIP OPERATIONS SUPPORT AND TRAINING	734,866	734,866
110	SHIP DEPOT MAINTENANCE	4,972,609	5,122,609
120	SHIP DEPOT OPERATIONS SUPPORT	1,304,271	1,297,271
	COMBAT COMMUNICATIONS/SUPPORT		
130	COMBAT COMMUNICATIONS	583,659	556,259
140	ELECTRONIC WARFARE	97,011	97,011
150	SPACE SYSTEMS AND SURVEILLANCE	162,303	137,303
160	WARFARE TACTICS	423,187	423,187
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	320,141	320,141
180	COMBAT SUPPORT FORCES	1,076 478	883,677
190	EQUIPMENT MAINTENANCE	187,037	187,037
200	DEPOT OPERATIONS SUPPORT	4,352	4,352
210	COMBATANT COMMANDERS CORE OPERATIONS	103,830	103,830
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	180,800	166 400

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	WEAPONS SUPPORT		
230	CRUISE MISSILE	125,333	125,333
240	FLEET BALLISTIC MISSILE	1,209,410	1,209,410
250	IN SERVICE WEAPONS SYSTEMS SUPPORT	99,063	90,063
260	WEAPONS MAINTENANCE	450,454	465,454
270	OTHER WEAPON SYSTEMS SUPPORT	358,002	382,002
	BASE SUPPORT		
280	ENTERPRISE INFORMATION TECHNOLOGY	971,189	971,189
290	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,946,779	1,946,779
300	BASE OPERATING SUPPORT	4,610,525	4,553,025
140	CONTRACTOR LOGISTICS SUPPORT	---	-150,000
	TRANSFER TO TITLE IX READINESS AND DEPOT MAINTENANCE (BA1 UNDISTRIBUTED)	---	-495,000
	TOTAL, BUDGET ACTIVITY 1	32,164,377	31,069,776
	BUDGET ACTIVITY 2 MOBILIZATION		
	READY RESERVE AND PREPOSITIONING FORCES		
310	SHIP PREPOSITIONING AND SURGE	493,326	493,326
	ACTIVATIONS/INACTIVATIONS		
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,228	6,228
330	SHIP ACTIVATIONS/INACTIVATIONS	205,898	205,898
	MOBILIZATION PREPAREDNESS		
340	FLEET HOSPITAL PROGRAM	68,634	63,630
350	INDUSTRIAL READINESS	2,684	2,684
360	COAST GUARD SUPPORT	25,192	25,192
	TOTAL, BUDGET ACTIVITY 2	801,962	796,958
	BUDGET ACTIVITY 3 TRAINING AND RECRUITING		
	ACCESSION TRAINING		
370	OFFICER ACQUISITION	147,540	147,540
380	RECRUIT TRAINING	10,655	10,655
390	RESERVE OFFICERS TRAINING CORPS	151,147	148,361
	BASIC SKILLS AND ADVANCED TRAINING		
400	SPECIALIZED SKILL TRAINING	594,799	544,278
410	FLIGHT TRAINING	9,034	9,034
420	PROFESSIONAL DEVELOPMENT EDUCATION	173,452	173,452
430	TRAINING SUPPORT	168,025	168,025
	RECRUITING, AND OTHER TRAINING AND EDUCATION		
440	RECRUITING AND ADVERTISING	254,860	255,843

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
450	OFF-DUTY AND VOLUNTARY EDUCATION	140,279	140,279
460	CIVILIAN EDUCATION AND TRAINING	107,561	107,561
470	JUNIOR ROTC	52,689	52,689
	TOTAL, BUDGET ACTIVITY 3	1,810,041	1,757,717
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	SERVICEWIDE SUPPORT		
480	ADMINISTRATION	754,483	754,483
490	EXTERNAL RELATIONS	14,275	14,275
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	112,616	112,616
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	216,483	203,926
520	OTHER PERSONNEL SUPPORT	282,295	282,295
530	SERVICEWIDE COMMUNICATIONS	534,873	534,873
	LOGISTICS OPERATIONS AND TECHNICAL SUPPORT		
550	SERVICEWIDE TRANSPORTATION	190,662	190,662
570	PLANNING, ENGINEERING AND DESIGN	303,636	293,636
580	ACQUISITION AND PROGRAM MANAGEMENT	903,885	903,885
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	54,880	54,880
600	COMBAT/WEAPONS SYSTEMS	20,687	20,687
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	68,374	68,374
	SECURITY PROGRAMS		
620	NAVAL INVESTIGATIVE SERVICE	572,928	572,928
	SUPPORT OF OTHER NATIONS		
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	5,516	5,516
	OTHER PROGRAMS		
	OTHER PROGRAMS	552,715	550,334
	IMPROVED MANAGEMENT OF TELECOM SERVICES	---	-10,000
	TOTAL, BUDGET ACTIVITY 4	4,588,308	4,553,370
	DENY FY 12 BUDGETED PRICE GROWTH FOR CIVILIAN PERSONNEL COMPENSATION	---	-5,000
	UNOBLIGATED BALANCES	---	-52,000
	TOTAL, OPERATION AND MAINTENANCE, NAVY	39,364,688	38,120,821

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
1A1A	**MISSION AND OTHER FLIGHT OPERATIONS**	**4,762,887**	**4,499,387**
	Transfer to title IX - Flying Hours		-180,945
	Transfer to title IX - MV 22B Pricing Variance		-82,555
1A4N	**AIR SYSTEMS SUPPORT**	**431,576**	**414,576**
	Unjustified Growth for Program Related Logistics Support		-17,000
1B1B	**MISSION AND OTHER SHIP OPERATIONS**	**3,820,186**	**3,795,186**
	Reduced Number of Deployed Steaming Days		-25,000
1B4B	**SHIP DEPOT MAINTENANCE**	**4,972,609**	**5,122,609**
	Increase Percentage of Required Ship Maintenance Funded		150,000
1B5B	**SHIP DEPOT OPERATIONS SUPPORT**	**1,304,271**	**1,297,271**
	Removal of One-Time fiscal year 2011 Costs for Surface Ship Life Cycle Maintenance Activity and Local Command Office for Navy Enterprise Resource Planning		-7,000
1C1C	**COMBAT COMMUNICATIONS**	**583,659**	**556,259**
	Eliminate Requested Growth of Contractor Full-time Equivalents		-27,400
1C3C	**SPACE SYSTEMS AND SURVEILLANCE**	**162,303**	**137,303**
	Budget Justification does not Match Summary of Price and Program Changes		-25,000
1C6C	**COMBAT SUPPORT FORCES**	**1,076,478**	**883,677**
	Transfer to title IX - Naval Expeditionary Combat Command Increases		-192,801
1CCM	**COMBATANT COMMANDERS DIRECT MISSION SUPPORT**	**180,800**	**166,400**
	Transfer to title IX and Program Reduction - Military Information Support Operations		-6,100
	Transfer to title IX - Joint Special Operations Task Force-Philippines		-8,300
1D3D	**IN-SERVICE WEAPONS SYSTEMS SUPPORT**	**99,063**	**90,063**
	Transfer to title IX - Naval Expeditionary Combat Command		-9,000
1D4D	**WEAPONS MAINTENANCE**	**450,454**	**465,454**
	Ship Self Defense Program Increase		15,000
1D7D	**OTHER WEAPON SYSTEMS SUPPORT**	**358,002**	**382,002**
	Classified Adjustment		24,000
BSM1	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**1,946,779**	**1,946,779**
	Restores Underfunding Attributed to Efficiency Savings		0
BSS1	**BASE OPERATING SUPPORT**	**4,610,525**	**4,553,025**
	Savings from In-sourcing Security Contractor Positions not Properly Accounted for in Budget Documentation		-20,000
	Transfer to title IX - Regional/Emergency Operations Center		-50,000
	Environmental Conservation for Ranges to Address Shortfalls		12,500

O-1		Budget Request	Conference
	CONTRACTOR LOGISTICS SUPPORT		**-150,000**
	TRANSFER TO TITLE IX - READINESS AND DEPOT MAINTENANCE		**-495,000**
2C1H	**FLEET HOSPITAL PROGRAM**	**68,634**	**63,630**
	Transfer to title IX - Medical/Equipment costs for USNS MERCY		-5,004
3A3J	**RESERVE OFFICERS TRAINING CORPS**	**151,147**	**148,361**
	Excessive Program Increase for General Services Administration Lease Cost		-2,786
3B1K	**SPECIALIZED SKILL TRAINING**	**594,799**	**544,278**
	Unjustified Growth in Moored and Tech Training		-47,521
	Transfer to title IX - Naval Sea Systems Command Visit, Board, Search and Seizure/Explosive Ordnance Device Training		-3,000
3C1L	**RECRUITING AND ADVERTISING**	**254,860**	**255,843**
	Naval Sea Cadet Corps		983
4A4M	**MILITARY MANPOWER AND PERSONNEL MANAGEMENT**	**216,483**	**203,926**
	Transfer to title IX - Family Readiness Programs		-3,557
	Transfer to title IX - Navy Manpower and Personnel System/Navy Standard Integrated Personnel System		-9,000
4B2N	**PLANNING, ENGINEERING AND DESIGN**	**303,636**	**293,636**
	Unjustified Growth for Installation Emergency Management		-10,000
999	**OTHER PROGRAMS**	**552,715**	**550,334**
	Classified Adjustment		-2,381
	IMPROVED MANAGEMENT OF TELECOM SERVICES		**-10,000**
	DENY FISCAL YEAR 2012 BUDGETED PRICE GROWTH FOR CIVILIAN COMPENSATION		**-5,000**
	UNOBLIGATED BALANCES		**-52,000**

OVERHEAD COSTS AT NAVAL SHIPYARDS

One of the major themes of the Department of Defense's fiscal year 2012 budget submission has been the generation of efficiency savings through reduced overhead and improved business practices. However, the Navy's own budget materials indicate a plan to spend over $1,700,000,000 for overhead costs at Naval shipyards in fiscal year 2012, an amount equal to 33 percent of Naval shipyard funding. The conferees believe there are opportunities to find Naval shipyard efficiency savings and direct the Secretary of the Navy to carefully assess shipyard overhead costs with a goal of identifying and eliminating all unnecessary overhead expenditures. The conferees recommend that funding garnered from overhead savings be reapplied to ship depot and intermediate maintenance in order to improve the readiness of the fleet.

OPERATION AND MAINTENANCE, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, MARINE CORPS		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	EXPEDITIONARY FORCES		
10	OPERATIONAL FORCES	715,196	695,196
20	FIELD LOGISTICS	677,608	677,608
30	DEPOT MAINTENANCE	190,713	78,713
	USMC PREPOSITIONING		
40	MARITIME PREPOSITIONING	101,464	101,464
60	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	823,390	823,390
70	BASE OPERATING SUPPORT	2,208,949	2,201,449
	MAINTENANCE (BA1 UNDISTRIBUTED)	---	-235,000
	TOTAL, BUDGET ACTIVITY 1	4,717,320	4,342,820
	BUDGET ACTIVITY 3 TRAINING AND RECRUITING		
	ACCESSION TRAINING		
80	RECRUIT TRAINING	18,280	18,280
90	OFFICER ACQUISITION	820	820
	BASIC SKILLS AND ADVANCED TRAINING		
100	SPECIALIZED SKILLS TRAINING	85,816	85,816
120	PROFESSIONAL DEVELOPMENT EDUCATION	33,142	33,142
130	TRAINING SUPPORT	324,643	324,643
	RECRUITING AND OTHER TRAINING EDUCATION		
140	RECRUITING AND ADVERTISING	184,432	184,432
150	OFF-DUTY AND VOLUNTARY EDUCATION	43,708	43,708
160	JUNIOR ROTC	19,671	19,671
	TOTAL, BUDGET ACTIVITY 3	710,512	710,512
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	SERVICEWIDE SUPPORT		
180	SERVICEWIDE TRANSPORTATION	36,021	31,021
190	ADMINISTRATION	405,431	405,431
200	ACQUISITION AND PROGRAM MANAGEMENT	91,153	91,153
	TOTAL, BUDGET ACTIVITY 4	532,605	527,605
	TECHNOLOGY BUDGET JUSTIFICATION FOR THE OPERATIONAL SUPPORT SYSTEMS COMMAND AND CONTROL	---	-20,000
	UNOBLIGATED BALANCES	---	-18,000
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	5,960,437	5,542,937

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
1A1A	**OPERATIONAL FORCES**	**715,196**	**695,196**
	Request Inconsistent with Information Technology Budget Justification for the Global Combat Support System		-20,000
1A3A	**DEPOT MAINTENANCE**	**190,713**	78,713
	Transfer to title IX - Depot Maintenance		-112,000
BSS1	**BASE OPERATING SUPPORT**	**2,208,949**	**2,201,449**
	Reduction for Collateral Equipment Requirements not Properly Accounted for in Budget Documentation		-20,000
	Environmental Conservation for Ranges to Address Shortfalls		12,500
	TRANSFER TO TITLE IX - READINESS AND DEPOT MAINTENANCE		**-235,000**
4A3G	**SERVICEWIDE TRANSPORTATION**	**36,021**	**31,021**
	Incorrect Price Growth Rate Used for Commercial Transportation		-5,000
	REQUEST INCONSISTENT WITH INFORMATION TECHNOLOGY BUDGET JUSTIFICATION FOR THE OPERATIONAL SUPPORT SYSTEMS COMMAND AND CONTROL		**-20,000**
	UNOBLIGATED BALANCES		**-18,000**

PERSONAL PROTECTIVE EYEWEAR

The conferees do not agree to the reporting requirements carried in the Senate report accompanying the Department of Defense Appropriations Act, 2012 regarding the Marine Corps' personal protective eyewear. However, the conferees remain committed to ensuring that the Marine Corps' acquisition program and its performance meet the standards and procedures required for these important protective devices.

OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, AIR FORCE		
	BUDGET ACTIVITY 1 OPERATING FORCES		
	AIR OPERATIONS		
10	PRIMARY COMBAT FORCES	4,224,400	3,564,242
20	COMBAT ENHANCEMENT FORCES	3 417,731	2,706,439
30	AIR OPERATIONS TRAINING	1,482,814	1,380,264
50	DEPOT MAINTENANCE	2,204,131	3,743,606
60	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,652 318	1,652,318
70	BASE OPERATING SUPPORT	2,507,179	2,494,679
	COMBAT RELATED OPERATIONS		
80	GLOBAL C3I AND EARLY WARNING	1,492,459	1,282,024
90	OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	1,046,226	1,019,538
100	TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES	696,188	691,188
	SPACE OPERATIONS		
110	LAUNCH FACILITIES	321 484	313,484
120	SPACE CONTROL SYSTEMS	633,738	619,552
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	735,488	664,262
140	COMBATANT COMMANDERS CORE OPERATIONS	170,481	170,481
140	CONTRACTOR LOGISTICS SUPPORT	---	-200,000
	TRANSFER TO TITLE IX READINESS AND DEPOT MAINTENANCE (BA1 UNDISTRIBUTED)	---	-470,000
	TOTAL BUDGET ACTIVITY 1	20,584,637	19,632,077

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	BUDGET ACTIVITY 2 MOBILIZATION		
	MOBILITY OPERATIONS		
150	AIRLIFT OPERATIONS	2,988,221	2,543,389
160	MOBILIZATION PREPAREDNESS	150,724	150,724
170	DEPOT MAINTENANCE	373,568	813,400
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	388,103	388,103
190	BASE SUPPORT	674,230	674 230
	TOTAL, BUDGET ACTIVITY 2	4,574,846	4,569,846
	BUDGET ACTIVITY 3 TRAINING AND RECRUITING		
	ACCESSION TRAINING		
200	OFFICER ACQUISITION	114,448	114,448
210	RECRUIT TRAINING	22,192	22,192
220	RESERVE OFFICER TRAINING CORPS (ROTC)	90,545	90,545
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	430,090	430,090
240	BASE SUPPORT (ACADEMIES ONLY)	789,654	749,654
	BASIC SKILLS AND ADVANCED TRAINING		
250	SPECIALIZED SKILL TRAINING	481,357	471,357
260	FLIGHT TRAINING	957,538	957,538
270	PROFESSIONAL DEVELOPMENT EDUCATION	198,897	198,897
280	TRAINING SUPPORT	108,248	108,248
290	DEPOT MAINTENANCE	6,386	6,386
	RECRUITING, AND OTHER TRAINING AND EDUCATION		
300	RECRUITING AND ADVERTISING	136,102	136,102
310	EXAMINING	3,079	3,079
320	OFF DUTY AND VOLUNTARY EDUCATION	167,660	167,660
330	CIVILIAN EDUCATION AND TRAINING	202,767	189,767
340	JUNIOR ROTC	75,259	75,259
	TOTAL, BUDGET ACTIVITY 3	3,784,222	3,721,222

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	LOGISTICS OPERATIONS		
350	LOGISTICS OPERATIONS	1,112,878	1,112,252
360	TECHNICAL SUPPORT ACTIVITIES	785,150	785,150
370	DEPOT MAINTENANCE	14,356	14,982
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	416,588	416,588
390	BASE SUPPORT	1,219,043	1,219,043
	SERVICEWIDE ACTIVITIES		
400	ADMINISTRATION	662,180	662,180
410	SERVICEWIDE COMMUNICATIONS	650,689	650,689
420	OTHER SERVICEWIDE ACTIVITIES	1,078,769	1,060,769
430	CIVIL AIR PATROL CORPORATION	23,338	27,838
	SUPPORT TO OTHER NATIONS		
460	INTERNATIONAL SUPPORT	72,589	72,589
	OTHER PROGRAMS		
	OTHER PROGRAMS	1,215,848	1,200,261
	IMPROVED MANAGEMENT OF TELECOM SERVICES	---	-10,000
	TOTAL, BUDGET ACTIVITY 4	7,251,428	7,212,341
	EXCESS WORKING CAPITAL FUND CARRY OVER	---	-90,000
	UNOBLIGATED BALANCES	---	-60,000
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	36,195,133	34,985,486

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
011A	**PRIMARY COMBAT FORCES**	**4,224,400**	**3,564,242**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		-590,158
	Transfer to title IX -Theater Security Package		-70,000
011C	**COMBAT ENHANCEMENT FORCES**	**3,417,731**	**2,706,439**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		-673,292
	Unjustified Increase in Travel		-10,000
	Removal of One-Time fiscal year 2011 Costs for Administrative Support for Contractor to Civilian Conversions		-4,000
	Removal of One-Time fiscal year 2011 Costs for Software Maintenance Requirements		-24,000
011D	**AIR OPERATIONS TRAINING**	**1,482,814**	**1,380,264**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		-102,550
011M	**DEPOT MAINTENANCE**	**2,204,131**	**3,743,606**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		590,158
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		673,292
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		102,550
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		198,435
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		12,688
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		7,186
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		166
	Efficiency Due to Consolidation of Management of Depot Maintenance		-45,000
011Z	**BASE OPERATING SUPPORT**	**2,507,179**	**2,494,679**
	Budget Justification Does Not Match Summary of Price and Program Changes for Utilities		-25,000
	Environmental Conservation for Ranges to Address Shortfalls		12,500
012A	**GLOBAL C3I AND EARLY WARNING**	**1,492,459**	**1,282,024**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		-198,435
	Removal of One-Time fiscal year 2011 Costs for Long Range Radar Service Life Extension Program		-12,000
012C	**OTHER COMBAT OPERATIONS SUPPORT PROGRAMS**	**1,046,226**	**1,019,538**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		-12,688
	Removal of One-Time fiscal year 2011 Costs for Administrative Support for Contractor to Civilian Conversions		-14,000

O-1		Budget Request	Conference
012F	**TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES**	**696,188**	**691,188**
	Classified Adjustment		-5,000
013A	**LAUNCH FACILITIES**	**321,484**	**313,484**
	Overstated Requirement for Additional fiscal year 2012 Funding for Satellite and Launcher Control Ranges		-8,000
013C	**SPACE CONTROL SYSTEMS**	**633,738**	**619,552**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		-7,186
	Removal of One-Time fiscal year 2011 Costs for Administrative Support for Contractor to Civilian Conversions		-7,000
015A	**COMBATANT COMMANDERS DIRECT MISSION SUPPORT**	**735,488**	**664,262**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		-166
	Transfer to title IX and Program Reduction - Military Information Support Operations		-33,700
	Strategic Command Program Decreases not Accounted for in Budget Documentation		-20,000
	Transfer to title IX - CENTCOM HQ C4		-12,500
	Transfer to title IX - CENTCOM Public Affairs		-4,860
	CONTRACTOR LOGISTICS SUPPORT		**-200,000**
	TRANSFER TO TITLE IX - READINESS AND DEPOT MAINTENANCE		**-470,000**
021A	**AIRLIFT OPERATIONS**	**2,988,221**	**2,543,389**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		-444,832
021M	**DEPOT MAINTENANCE**	**373,568**	**813,400**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		444,832
	Efficiency Due to Consolidation of Management of Depot Maintenance		-5,000
031Z	**BASE SUPPORT (ACADEMIES ONLY)**	**789,654**	**749,654**
	Budget Justification does not Match Summary of Price and Program Changes for Utilities		-25,000
	Unjustified Growth for Competitive Sourcing and Privatization		-15,000
032A	**SPECIALIZED SKILL TRAINING**	**481,357**	**471,357**
	Budget Justification does not Match Summary of Price and Program Changes for Equipment Maintenance by Contract		-10,000
033D	**CIVILIAN EDUCATION AND TRAINING**	**202,767**	**189,767**
	Maintain Service Contracts at the fiscal year 2011 Level		-13,000
041A	**LOGISTICS OPERATIONS**	**1,112,878**	**1,112,252**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		-626

O-1		Budget Request	Conference
041M	**DEPOT MAINTENANCE**	**14,356**	**14,982**
	Consolidate Depot Maintenance Funding in the Depot Maintenance SAG		626
042G	**OTHER SERVICEWIDE ACTIVITIES**	**1,078,769**	**1,060,769**
	National Aeronautics and Space Agency Orbiter Change in Requirement		-11,000
	Budget Justification does not Match Summary of Price and Program Changes for Defense Finance and Accounting Services		-7,000
042I	**CIVIL AIR PATROL CORPORATION**	**23,338**	**27,838**
	Civil Air Patrol		4,500
043A	**SECURITY PROGRAMS**	**1,215,848**	**1,200,261**
	Classified Adjustment		-15,587
	IMPROVED MANAGEMENT OF TELECOM SERVICES		**-10,000**
	EXCESS WORKING CAPITAL FUND CARRYOVER		**-90,000**
	UNOBLIGATED BALANCES		**-60,000**

VISIBILITY OF DEPOT MAINTENANCE FUNDING

All depot maintenance funding contained in the Air Force's fiscal year 2012 budget request has been identified, consolidated, and displayed in the Depot Maintenance Subactivity Group. In fiscal year 2013, all depot maintenance funds requested in the budget must be discretely visible and fully justified. Air Force officials have provided assurances that contracts will be modified as necessary to include specific accounting of depot maintenance costs and that implementation of the Air Force's Next Generation Contractor Logistics Support concept will provide needed data in the required format to achieve full cost visibility and proper accounting of depot maintenance funding in the future.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	BUDGET ACTIVITY 1 OPERATING FORCES		
10	JOINT CHIEFS OF STAFF	563,787	558,287
20	SPECIAL OPERATIONS COMMAND	3,986,766	3,893,859
	TOTAL, BUDGET ACTIVITY 1	4,550,553	4,452,146
	BUDGET ACTIVITY 3 TRAINING AND RECRUITING		
30	DEFENSE ACQUISITION UNIVERSITY	124,075	124,075
40	NATIONAL DEFENSE UNIVERSITY	93,348	93,348
	TOTAL, BUDGET ACTIVITY 3	217,423	217,423
	BUDGET ACTIVITY 4 ADMIN & SERVICEWIDE ACTIVITIES		
50	CIVIL MILITARY PROGRAMS	159,692	169,692
80	DEFENSE CONTRACT AUDIT AGENCY	508,822	495,722
100	DEFENSE FINANCE AND ACCOUNTING SERVICE	12,000	12,000
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,360,392	1,360,392
140	DEFENSE LEGAL SERVICES AGENCY	37,367	37,367
150	DEFENSE LOGISTICS AGENCY	450,863	455,263
160	DEFENSE MEDIA ACTIVITY	256,133	256,133
170	DEFENSE POW /MISSING PERSONS OFFICE	22 372	22,372
200	DEFENSE TECHNOLOGY SECURITY AGENCY	33,848	33,848
210	DEFENSE THREAT REDUCTION AGENCY	432,133	432,133
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,768,677	2,738,677
110	DEFENSE HUMAN RESOURCES ACTIVITY	676,419	646,289
90	DEFENSE CONTRACT MANAGEMENT AGENCY	1,147 366	1,147,366

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
180	DEFENSE SECURITY COOPERATION AGENCY	682,831	530,551
190	DEFENSE SECURITY SERVICE	505,366	505,366
230	MISSILE DEFENSE AGENCY	202,758	202,758
250	OFFICE OF ECONOMIC ADJUSTMENT	81,754	91,754
260	OFFICE OF THE SECRETARY OF DEFENSE	2,201,964	2,164,564
270	WASHINGTON HEADQUARTERS SERVICES	563,184	556,684
	TOTAL, BUDGET ACTIVITY 4	12,103,941	11,858,931
	IMPACT AID	---	40,000
	IMPACT AID FOR CHILDREN WITH DISABILITIES	---	5,000
	OTHER PROGRAMS	14,068,492	13,628,508
	UNOBLIGATED BALANCES	---	-50,000
	TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	30,940,409	30,152,008

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
JOINT CHIEFS OF STAFF	**563,787**	**558,287**
Reduce Civilian Personnel fiscal year 2012 Average Salary Growth		-5,500
SPECIAL OPERATIONS COMMAND	**3,986,766**	**3,893,859**
Sustaining Base Communications - Excessive Growth		-8,000
Aviation Foreign Internal Defense		-17,607
Transfer to title IX and Program Reduction - Military Information Support Operations		-57,300
Reduce Civilian Personnel fiscal year 2012 Average Salary Growth		-10,000
CIVIL MILITARY PROGRAMS	**159,692**	**169,692**
Youth ChalleNGe		5,000
STARBASE Youth Program		5,000
DEFENSE CONTRACT AUDIT AGENCY	**508,822**	**495,722**
Transfer from Excess Support Overhead Costs for Additional Contract Oversight		26,100
Reduction in Non-Pay Personnel Support Overhead Costs		-39,200
DEFENSE LOGISTICS AGENCY	**450,863**	**455,263**
Unjustified Request for the Defense Property Accountability System Program Office		-1,600
Efficiencies in the Continuity of Operations Policy		-3,000
Procurement Technical Assistance Program		9,000
DEFENSE DEPENDENTS EDUCATION	**2,768,677**	**2,738,677**
Restore Unjustified Reduction for Educational Partnership Program		43,000
Transfer to title IX - Child Care and Counseling		-73,000
DEFENSE HUMAN RESOURCES ACTIVITY	**676,419**	**646,289**
Fully Fund Wounded Care and Transition Policy Office		300
Unjustified Increase for the Request for Defense Advisory Committee on Women in the Services Program Reporting		-430
Overstatement of fiscal year 2012 Costs for Civilian Personnel		-30,000
DEFENSE SECURITY COOPERATION AGENCY	**682,831**	**530,551**
Global Train and Equip Program		-150,000
Security Cooperation Assessment Office		-2,280
OFFICE OF ECONOMIC ADJUSTMENT	**81,754**	**91,754**
Program Increase		10,000
OFFICE OF THE SECRETARY OF DEFENSE	**2,201,964**	**2,164,564**
Unjustified Growth for Boards and Commissions		-7,300
Unjustified Growth for the Office of the Under Secretary of Defense, Policy and for other OSD Programs		-10,100
Unjustified Growth for Equipment Maintenance by Contract		-10,000
Additional Efficiencies Based on Disestablishment of the Assistant Secretary of Defense (Networks and Information Integration)		-10,000

O-1	Budget Request	Conference
WASHINGTON HEADQUARTERS SERVICES	**563,184**	**556,684**
Removal of fiscal year 2011 Costs Budgeted for the Defense Agencies Initiative		-6,500
OTHER PROGRAMS	**14,068,492**	**13,628,508**
Classified Adjustment		-439,984
IMPACT AID		**40,000**
UNOBLIGATED BALANCES		**-50,000**
IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES		**5,000**

OPERATION AND MAINTENANCE, ARMY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, ARMY RESERVE		
	BUDGET ACTIVITY 1 OPERATING FORCES		
	LAND FORCES		
10	MANEUVER UNITS	1,091	1,091
20	MODULAR SUPPORT BRIGADES	18,129	18,129
30	ECHELONS ABOVE BRIGADES	492,705	492,705
40	THEATER LEVEL ASSETS	137,304	137,304
50	LAND FORCES OPERATIONS SUPPORT	597,786	597,786
60	AVIATION ASSETS	67,366	67,366
	LAND FORCES READINESS		
70	FORCES READINESS OPERATIONS SUPPORT	474,966	448,523
80	LAND FORCES SYSTEM READINESS	69,841	69,841
90	DEPOT MAINTENANCE	247,010	247,010
	LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT	590,078	583,078
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	255,618	255,618
	TOTAL, BUDGET ACTIVITY 1	2,951,894	2,918,451
	BUDGET ACTIVITY 4 ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	14,447	14,447
140	ADMINISTRATION	76,393	76,393
150	SERVICEWIDE COMMUNICATIONS	3,844	3,844
160	PERSONNEL/FINANCIAL ADMINISTRATION	9,033	9,033
170	RECRUITING AND ADVERTISING	53,565	53,565
	TOTAL, BUDGET ACTIVITY 4	157,282	157,282
	DENY INCREASE BUDGETED FOR FY 12 PRICE GROWTH FOR CIVILIAN PERSONNEL COMPENSATION	---	-4,000
	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	3,109,176	3,071,733

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
121	**FORCES READINESS OPERATIONS SUPPORT**	**474,966**	**448,523**
	Unjustified Funding for Milcon Planning and Design		-20,443
	Sustainment Costs for Weapons of Mass Destruction Equipment Purchases not Needed in fiscal year 2012		-6,000
131	**BASE OPERATIONS SUPPORT**	**590,078**	**583,078**
	Reduction for Payments to the General Services Administration for Standard Level User Charges not Properly Accounted for in Budget Documentation		-7,000
	UNJUSTIFIED INCREASE BUDGETED FOR FISCAL YEAR 2012 PRICE GROWTH FOR CIVILIAN COMPENSATION		**-4,000**

OPERATION AND MAINTENANCE, NAVY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, NAVY RESERVE		
	BUDGET ACTIVITY 1 OPERATING FORCES		
	RESERVE AIR OPERATIONS		
10	MISSION AND OTHER FLIGHT OPERATIONS	622,868	622,868
20	INTERMEDIATE MAINTENANCE	16,041	16,041
30	AIR OPERATIONS AND SAFETY SUPPORT	1,511	1,511
40	AIRCRAFT DEPOT MAINTENANCE	123,547	123,547
50	AIRCRAFT DEPOT OPERATIONS SUPPORT	379	379
	RESERVE SHIP OPERATIONS		
60	MISSION AND OTHER SHIP OPERATIONS	49,701	49,701
70	SHIP OPERATIONAL SUPPORT AND TRAINING	593	593
80	SHIP DEPOT MAINTENANCE	53,916	53,916
	RESERVE COMBAT OPERATIONS SUPPORT		
90	COMBAT COMMUNICATIONS	15,445	15,445
100	COMBAT SUPPORT FORCES	153,942	153,942
	RESERVE WEAPONS SUPPORT		
110	WEAPONS MAINTENANCE	7,292	7,292
120	ENTERPRISE INFORMATION TECHNOLOGY	75,131	57,131
	BASE OPERATING SUPPORT		
130	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	72,083	72,083
140	BASE OPERATING SUPPORT	109,024	109,024
	TOTAL, BUDGET ACTIVITY 1	1,301,473	1,283,473

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	BUDGET ACTIVITY 4 ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
150	ADMINISTRATION	1,857	1,857
160	MILITARY MANPOWER & PERSONNEL	14 438	14,438
170	SERVICEWIDE COMMUNICATIONS	2,394	2,394
180	ACQUISITION AND PROGRAM MANAGEMENT	2,972	2,972
	TOTAL BUDGET ACTIVITY 4	21,661	21,661
	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	1,323,134	1,305,134

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
BSIT	**ENTERPRISE INFORMATION TECHNOLOGY**	**75,131**	**57,131**
	Unjustified Growth for Next Generation Enterprise Network Seat Services		-18,000

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
	BUDGET ACTIVITY 1 OPERATING FORCES		
	EXPEDITIONARY FORCES		
10	OPERATING FORCES	94,604	94,604
20	DEPOT MAINTENANCE	16,382	16,382
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	31,520	31,520
50	BASE OPERATING SUPPORT	105,809	105,809
	TOTAL, BUDGET ACTIVITY 1	248,315	248,315
	BUDGET ACTIVITY 4 ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
70	SERVICEWIDE TRANSPORTATION	852	852
80	ADMINISTRATION	13,257	13,257
90	RECRUITING AND ADVERTISING	9,019	9,019
	TOTAL, BUDGET ACTIVITY 4	23,128	23,128
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE	271,443	271,443

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
	BUDGET ACTIVITY 1 OPERATING FORCES		
	AIR OPERATIONS		
10	PRIMARY COMBAT FORCES	2 171,853	2,171,853
20	MISSION SUPPORT OPERATIONS	116 513	116,513
30	DEPOT MAINTENANCE	471,707	471,707
40	FACILITIES SUSTAINMENT RESTORATION & MODERNIZATION	77,161	77,161
50	BASE OPERATING SUPPORT	308,974	308,974
	TOTAL, BUDGET ACTIVITY 1	3,146,208	3,146,208
	BUDGET ACTIVITY 4 ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
60	ADMINISTRATION	84,423	84,423
70	RECRUITING AND ADVERTISING	17,076	17,076
80	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	19,688	19,688
90	OTHER PERSONNEL SUPPORT	6,170	6,170
100	AUDIOVISUAL	794	794
	TOTAL, BUDGET ACTIVITY 4	128,151	128,151
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	3,274,359	3,274,359

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		
	BUDGET ACTIVITY 1 OPERATING FORCES		
	LAND FORCES		
10	MANEUVER UNITS	634,181	634,181
20	MODULAR SUPPORT BRIGADES	189,899	189,899
30	ECHELONS ABOVE BRIGADE	751,899	751,899
40	THEATER LEVEL ASSETS	112,971	112,971
50	LAND FORCES OPERATIONS SUPPORT	33,972	33,972
60	AVIATION ASSETS	854,048	838,048
	LAND FORCES READINESS		
70	FORCE READINESS OPERATIONS SUPPORT	706,299	706,299
80	LAND FORCES SYSTEMS READINESS	50,453	50,453
90	LAND FORCES DEPOT MAINTENANCE	646,608	646,608
	LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT	1,028,126	988,626
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	618,513	618,513
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	792,575	787,575
	UNEXECUTABLE OPTEMPO GROWTH	---	-25,000
	TOTAL, BUDGET ACTIVITY 1	6,419,544	6,334,044

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	BUDGET ACTIVITY 4. ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	11,703	11,703
150	ADMINISTRATION	178,655	178,655
160	SERVICEWIDE COMMUNICATIONS	42,073	42,073
170	MANPOWER MANAGEMENT	6,789	6,789
180	RECRUITING AND ADVERTISING	382,668	382,668
	TOTAL, BUDGET ACTIVITY 4	621,888	621,888
	DENY FY 12 BUDGETED PRICE GROWTH FOR CIVILIAN PERSONNEL COMPENSATION	---	-11,000
	REDUCTION NON-DUAL STATUS TECHNICIAN LIMITATION	---	-20,000
	TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	7,041,432	6,924,932

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
131	**BASE OPERATIONS SUPPORT**	**1,028,126**	**988,626**
	Unjustified Growth for Travel		-25,000
	Unjustified Growth for Utilities Based on Metrics Provided in Budget Documentation		-10,000
	Unjustified Growth for Public Affairs		-4,500
133	**MANAGEMENT AND OPERATIONAL HEADQUARTERS**	**792,575**	**787,575**
	Army National Guard-Identified Excess		-5,000
	UNEXECUTABLE OPTEMPO GROWTH		**-25,000**
	UNJUSTIFIED INCREASE BUDGETED FOR FISCAL YEAR 2012 PRICE GROWTH FOR CIVILIAN COMPENSATION		**-11,000**
	REDUCTION IN NON-DUAL STATUS TECHNICIAN LIMITATION		**-20,000**

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
	BUDGET ACTIVITY 1 OPERATING FORCES		
	AIR OPERATIONS		
10	AIRCRAFT OPERATIONS	3 651,900	3,647,900
20	MISSION SUPPORT OPERATIONS	751,519	751,519
30	DEPOT MAINTENANCE	753,525	753,525
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	284,348	284,348
50	BASE OPERATING SUPPORT	621,942	598,442
	TOTAL, BUDGET ACTIVITY 1	6,063,234	6,035,734
	BUDGET ACTIVITY 4 ADMIN & SERVICEWIDE ACTIVITIES		
	SERVICEWIDE ACTIVITIES		
60	ADMINISTRATION	39,387	39,387
70	RECRUITING AND ADVERTISING	33,659	33,659
	TOTAL, BUDGET ACTIVITY 4	73,046	73,046
	O&M AIR NATIONAL GUARD REQUEST INCONSISTENT WITH MILITARY INTELLIGENCE PROGRAM (MIP) BUDGET JUSTIFICATION FOR AIR INTELLIGENCE SYSTEMS	---	-10,000
	TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD	6,136,280	6,098,780

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
011F	**AIRCRAFT OPERATIONS**	**3,651,900**	**3,647,900**
	Overstated Requirement for Additional fiscal year 2012 Funding for Air Sovereignty Alert Program		-4,000
011Z	**BASE OPERATING SUPPORT**	**621,942**	**598,442**
	Request Inconsistent With Information Technology Budget Justification for Base Level Communications Infrastructure		-23,500
	REQUEST INCONSISTENT WITH MILITARY INTELLIGENCE PROGRAM (MIP) BUDGET JUSTIFICATION FOR AIR INTELLIGENCE SYSTEMS		**-10,000**

UNITED STATES COURT OF APPEALS FOR THE ARMED SERVICES

The conference agreement provides $13,861,000 for the United States Court of Appeals for the Armed Services, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION

The conference agreement provides $1,517,363,000 for the Environmental Restoration program, as proposed by the Senate, instead of $1,467,363,000 as proposed by the House.

CONTRACT OVERSIGHT AND TRANSPARENCY

The conferees are pleased that the adoption of performance-based contracting has led to increased efficiencies within the Department of Defense Environmental Restoration program. However, improved oversight and management would bring even greater benefits. The conferees direct the Secretary of Defense to implement measures to improve management of the program and to institute a process by which better oversight can be conducted of the contracting process and progress of cleanup.

Additionally, included as part of the Defense Environmental Program's Annual Report to Congress, the Secretary of Defense is directed to provide the following information: the amount of environmental restoration funding provided to each installation during the previous year as well as the subsequent reduction in the projected cost-to-complete at that installation, a listing along with explanation of those installations where the cost-to-complete is not reduced by the corresponding amount of monetary investment, a detailed justification regarding any increase of ten percent or more in the projected cost-to-complete from the previous year at an installation, and a detailed justification for any installation in which the projected "response complete" date has been delayed by a year or more from the previous year.

ENVIRONMENTAL RESTORATION, ARMY

The conference agreement provides $346,031,000 for Environmental Restoration, Army, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, NAVY

The conference agreement provides $308,668,000 for Environmental Restoration, Navy, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, AIR FORCE

The conference agreement provides $525,453,000 for Environmental Restoration, Air Force, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

The conference agreement provides $10,716,000 for Environmental Restoration, Defense-Wide, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

The conference agreement provides $326,495,000 for Environmental Restoration, Formerly Used Defense Sites, as proposed by the Senate, instead of $276,495,000 as proposed by the House.

NATIONAL CAPITAL REGION ENVIRONMENTAL HEALTH STUDY

The conferees encourage the Secretary of Defense to support both new and ongoing public health scoping studies of densely populated residential communities located on or near formerly used defense sites that have conducted research and tested chemical agents, equipment, and munitions.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

The conference agreement provides $107,662,000 for Overseas Humanitarian, Disaster, and Civic Aid, as proposed by both the House and the Senate.

COOPERATIVE THREAT REDUCTION ACCOUNT

The conference agreement provides $508,219,000 for the Cooperative Threat Reduction Account, as proposed by both the House and the Senate.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

The conference agreement provides $105,501,000 for the Department of Defense Acquisition Workforce Development Fund (DAWDF), as proposed by the House, instead of $175,501,000 as proposed by the Senate, a reduction of $200,000,000 below the request.

Along with the funding reduction due to carryover from large unobligated balances for the past several years, the conferees believe the Department should reassess further growth of its acquisition workforce in light of two considerations. First, the goal of 147,000 personnel set forth in the 2010 Human Capital Plan Update should be revisited considering today's uncertain fiscal environment and budgetary outlook. For example, 10 USC 1705 mandates annual funding floors for the DAWDF—floors that exceed $1,000,000,000 in the outyears. The conferees believe that these floors may need to be adjusted and direct the Secretary of Defense to provide recommendations for appropriate funding levels to the congressional defense committees not later than 180 days after enactment of this Act. Second, the conferees are aware that the Department has not yet completed competency assessments for all of the functional areas that compose this workforce, which suggests the ability to assess the full range of required competencies within the workforce may be limited. Having these assessments completed

is essential to understanding how best to prioritize future hiring and to optimize workforce training. The conferees direct the Secretary of Defense to publish a revised strategic Human Capital Plan Update for the defense acquisition workforce not later than August 1, 2012, detailing future workforce needs. In so doing, the conferees expect the Secretary to ensure that competency assessments for all functional areas that make up the defense acquisition workforce are completed, using DAWDF resources to facilitate this task if necessary.

To assist in the Human Capital Plan Update, the conferees direct the Comptroller General to report on the funding mechanisms and statutory limits established for the DAWDF through Section 852 of the National Defense Authorization Act, 2008 and codified by 10 USC 1705 to the congressional defense committees not later than 180 days after enactment of this Act. The current statute should be revisited in the near term. Absent this, the Department will be forced either to over-commit precious resources or violate the law, neither of which is an acceptable option. Therefore, the Comptroller General report should include recommendations to improve the overall funding process for the DAWDF.

TITLE III—PROCUREMENT

The conference agreement provides $104,579,701,000 in Title III, Procurement, instead of $107,581,474,000 as proposed by the House and $102,118,282,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
SUMMARY		
ARMY		
AIRCRAFT	7,061,381	5,360,334
MISSILES	1,478,718	1,461,223
WEAPONS, TRACKED COMBAT VEHICLES	1,933,512	2,070,405
AMMUNITION	1,992,825	1,884,424
OTHER	9,682,592	7,924,214
TOTAL, ARMY	22,148,828	18,700,600
NAVY		
AIRCRAFT	18,587,033	17,675,734
WEAPONS	3,408,478	3,224,432
AMMUNITION	719,952	626,848
SHIPS	14,928,921	14,919,114
OTHER	6,285,451	6,013,385
MARINE CORPS	1,391,602	1,422,570
TOTAL, NAVY	45,321,437	43,882,083
AIR FORCE		
AIRCRAFT	14,082,527	12,950,000
MISSILES	6,074,017	6,080,877
AMMUNITION	539,065	499,185
OTHER	17,602,036	17,403,564
TOTAL, AIR FORCE	38,297,645	36,933,626
DEFENSE-WIDE		
DEFENSE-WIDE	5,365,248	4,893,428
DEFENSE PRODUCTION ACT PURCHASES	19,964	169,964
TOTAL PROCUREMENT	111,153,122	104,579,701

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase "only for" or "only to" in this report are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount specifically addressed in the explanatory statement.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The conferees direct the Department of Defense to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2006 Department of Defense Appropriations bill (H.R. 109–119). Specifically, the dollar threshold for reprogramming funds will remain at $20,000,000 for procurement and $10,000,000 for research, development, test and evaluation. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative. Therefore, if the combined value of transfers into or out of a procurement (P–1) or research, development, test and evaluation (R–1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

REPROGRAMMING REPORTING REQUIREMENTS

The conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for Service and defense-wide accounts in titles III and IV of this Act as required in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006.

JOINT STRIKE FIGHTER

The conference agreement reduces the budget request by $151,000,000 for the procurement of one F–35A Conventional Take-off and Landing aircraft, by $94,500,000 for advance procurement of Conventional Take-off and Landing aircraft, and by $109,000,000 for advance procurement of Carrier Variant aircraft. Additionally, the conferees are concerned with the cost of concurrency changes on the Joint Strike Fighter program and provide $100,000,000 to help offset the cost of concurrency for lot six aircraft and previously procured aircraft. The conferees encourage the Joint Strike Fighter Team to review processes and oversight of concurrency changes and establish a process that will reduce the time it takes to discover a problem, develop a solution, and implement this solution to reduce future concurrency change costs.

The conferees recognize that, for a variety of reasons, the Joint Strike Fighter program is burdened with what could be the highest

level of concurrency ever seen in an acquisition program. Therefore, the conferees direct the Secretary of Defense to provide a semi-annual report to the congressional defense committees that shows the actual concurrency costs for the Joint Strike Fighter program. The report showing these actual concurrency costs shall be made available to the Director, Cost Assessment and Program Evaluation for the purposes of cost estimating and to develop lessons learned from allowing programmatic concurrency, so this cost can be considered when decisions are made regarding allowing such a high degree of concurrency in future programs.

AIRCRAFT PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	AIRCRAFT PROCUREMENT, ARMY		
	AIRCRAFT		
	FIXED WING		
1	UTILITY F/W CARGO AIRCRAFT	14 572	14,572
3	AERIAL COMMON SENSOR (ACS) (MIP)	539,574	-
4	MQ-1 UAV	658,798	---
5	RQ-11 (RAVEN)	70,762	70,762
	ROTARY		
7	HELICOPTER, LIGHT UTILITY (LUH)	250,415	250,415
9	AH-64 APACHE BLOCK IIIA REMAN	411,005	368,505
10	AH-64 APACHE BLOCK IIIA REMAN (AP-CY)	192,764	192,764
11	AH-64 APACHE BLOCK IIIB NEW BUILD	104,263	104,263
12	UH-60 BLACKHAWK (MYP)	1,325,666	1,317,666
13	UH-60 BLACKHAWK (MYP) (AP CY)	199,781	199,781
14	CH-47 HELICOPTER	1,305,360	1,239,360
15	CH-47 HELICOPTER (AP CY)	54,956	120,956
	TOTAL, AIRCRAFT	5,127,916	3,879,044
	MODIFICATION OF AIRCRAFT		
19	MQ-1 PAYLOAD - UAS	136,183	---
21	GUARDRAIL MODS (MIP)	27,575	27,575
22	MULTI SENSOR ABN RECON (MIP)	8,362	8,362
23	AH-64 MODS	331,230	331,230
24	CH-47 CARGO HELICOPTER MODS	79,712	57,012
25	UTILITY/CARGO AIRPLANE MODS	22,107	12,107
27	UTILITY HELICOPTER MODS	80,745	74,745
28	KIOWA WARRIOR	162,052	92,552
30	NETWORK AND MISSION PLAN	138,832	136,432
31	COMMS, NAV SURVEILLANCE	132,855	117,855
32	GATM ROLLUP	105,519	105,519
33	RQ 7 UAV MODS	126,239	76,239
	TOTAL, MODIFICATION OF AIRCRAFT	1,351,411	1,039,628

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	SUPPORT EQUIPMENT AND FACILITIES		
	GROUND SUPPORT AVIONICS		
35	AIRCRAFT SURVIVABILITY EQUIPMENT	35,993	35,993
37	CMWS	162,811	104,251
	OTHER SUPPORT		
38	AVIONICS SUPPORT EQUIPMENT	4,840	4,840
39	COMMON GROUND EQUIPMENT	176,212	114,517
40	AIRCREW INTEGRATED SYSTEMS	82,883	62,746
41	AIR TRAFFIC CONTROL	114,844	114,844
42	INDUSTRIAL FACILITIES	1,593	1,593
43	LAUNCHER, 2 75 ROCKET	2,878	2,878
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	582,054	441,662
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	7,061,381	5,360,334

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	Conference
3	**AERIAL COMMON SENSOR (ACS) (MIP)**	**539,574**	**0**
	EMARSS - program delays		-539,574
4	**MQ-1 UAV**	**658,798**	**0**
	Unjustified production ramp		-108,000
	Transfer to title IX		-550,798
9	**AH-64 APACHE BLOCK IIIA REMAN**	**411,005**	**368,505**
	Unit Cost Pricing Adjustment		-42,500
12	**UH-60 BLACKHAWK (MYP)**	**1,325,666**	**1,317,666**
	Program Management - unjustified growth		-8,000
14	**CH-47 HELICOPTER**	**1,305,360**	**1,239,360**
	MH-47G - Advance Procurement - Army requested transfer to line 15		-66,000
15	**CH-47 HELICOPTER (AP-CY)**	**54,956**	**120,956**
	MH-47G - Advance Procurement - Army requested transfer from line 14		66,000
19	**MQ-1 PAYLOAD - UAS**	**136,183**	**0**
	Transfer to title IX		-136,183
24	**CH-47 CARGO HELICOPTER MODS**	**79,712**	**57,012**
	Cargo On/Off Loading System - contract delays		-17,800
	Ballistic Protection System - contract delays		-4,900
25	**UTILITY/CARGO AIRPLANE MODS**	**22,107**	**12,107**
	Contract delays		-10,000
27	**UTILITY HELICOPTER MODS**	**80,745**	**74,745**
	Contract delays		-6,000
28	**KIOWA WARRIOR**	**162,052**	**92,552**
	Cockpit and Sensor Upgrade Program ahead of need		-69,500
30	**NETWORK AND MISSION PLAN**	**138,832**	**136,432**
	Aviation Data Exploitation Capability - ahead of need		-2,400
31	**COMMS, NAV SURVEILLANCE**	**132,855**	**117,855**
	JTRS Integration ahead of need		-15,000
33	**RQ-7 UAV MODS**	**126,239**	**76,239**
	Funding ahead of need		-50,000

P-1		Budget Request	Conference
37	**COMMON MISSILE WARNING SYSTEM**	**162,811**	**104,251**
	CMWS A Kit Production and Installation contract delays		-58,560
39	**COMMON GROUND EQUIPMENT**	**176,212**	**114,517**
	Aviation Light Utility Mobile Maintenance Capability		-3,287
	Aviation Sets Kits and Outfits - contract delays		-58,408
40	**AIRCREW INTEGRATED SYSTEMS**	**82,883**	**62,746**
	Air Soldier System ahead of need		-20,137

MISSILE PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	MISSILE PROCUREMENT, ARMY		
	OTHER MISSILES		
	SURFACE-TO-AIR MISSILE SYSTEM		
1	PATRIOT SYSTEM SUMMARY	662,231	662,231
2	MSE MISSILE	74,953	74,953
	AIR-TO-SURFACE MISSILE SYSTEM		
4	HELLFIRE SYS SUMMARY	1,410	1,410
	ANTI-TANK/ASSAULT MISSILE SYSTEM		
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	160,767	160,767
6	TOW 2 SYSTEM SUMMARY	61,676	58,676
7	TOW 2 SYSTEM SUMMARY (AP-CY).	19,886	19,886
9	GUIDED MLRS ROCKET (GMLRS)	314,167	314,167
10	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,175	18,175
11	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	31,674	31,674
	TOTAL, OTHER MISSILES	1,344,939	1,341,939
	MODIFICATION OF MISSILES		
	MODIFICATIONS		
12	PATRIOT MODS	66,925	66,925
13	STINGER MODS	14,495	---
14	ITAS/TOW MODS	13,577	13,577
15	MLRS MODS	8,236	8,236
16	HIMARS MODIFICATIONS	11,670	11,670
	TOTAL, MODIFICATION OF MISSILES	114,903	100,408
	SPARES AND REPAIR PARTS		
18	SPARES AND REPAIR PARTS	8,700	8,700
	SUPPORT EQUIPMENT AND FACILITIES		
19	AIR DEFENSE TARGETS	3,674	3,674
20	ITEMS LESS THAN $5 OM (MISSILES)	1,459	1,459
21	PRODUCTION BASE SUPPORT	5,043	5,043
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	10,176	10,176
	TOTAL, MISSILE PROCUREMENT, ARMY	1,478,718	1,461,223

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	Conference
6	**TOW 2 SYSTEM SUMMARY**	**61,676**	**58,676**
	Unit Cost Efficiencies		-3,000
13	**STINGER MODS**	**14,495**	**0**
	Procurement early to need - Transfer to RDTE,A line 169		-14,495

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	PROCUREMENT OF W&TCV ARMY		
	TRACKED COMBAT VEHICLES		
1	STRYKER VEHICLE	632 994	606,894
	MODIFICATION OF TRACKED COMBAT VEHICLES		
5	STRYKER (MOD)	52 797	51,497
6	FIST VEHICLE (MOD)	43,962	35,082
7	BRADLEY PROGRAM (MOD)	250,710	250,710
8	HOWITZER, MED SP FT 155MM M109A6 (MOD)	46 876	46,876
9	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	10,452	7,452
10	ARMORED BREACHER VEHICLE	99,904	97,004
11	M88 FOV MODS	32,483	32,483
13	M1 ABRAMS TANK (MOD)	160,578	131,178
14	ABRAMS UPGRADE PROGRAM	181,329	436,329
	SUPPORT EQUIPMENT AND FACILITIES		
15	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,073	1,073
	TOTAL, TRACKED COMBAT VEHICLES	1,513,158	1,696,578
	WEAPONS AND OTHER COMBAT VEHICLES		
17	INTEGRATED AIR BURST WEAPON SYS FAMILY	16,046	---
19	MACHINE GUN, CAL 50 M2 ROLL	65,102	31,102
20	LIGHTWEIGHT 50 CALIBER MACHINE GUN	28,796	13,930
23	MORTAR SYSTEMS	12,477	10,177
25	XM320 GRENADE LAUNCHER MODULE (GLM)	12,055	12,055
27	M4 CARBINE	35,015	21,700
28	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,707	6,707
31	HOWITZER LT WT 155MM (T)	13,066	13,066

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	MOD OF WEAPONS AND OTHER COMBAT VEH		
33	M4 CARBINE MODS	25,092	25,092
34	M2 50 CAL MACHINE GUN MODS	14,856	48,856
35	M249 SAW MACHINE GUN MODS	8,480	8,480
36	M240 MEDIUM MACHINE GUN MODS	15,718	15,718
37	SNIPER RIFLES MODIFICATIONS	1,994	1,994
38	M119 MODIFICATIONS	38,701	38,701
39	M16 RIFLE MODS	3,476	3,476
41	MODIFICATIONS LESS THAN $5 OM (WOCV-WTCV)	2,973	2,973
	SUPPORT EQUIPMENT AND FACILITIES		
43	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,080	10,080
44	INDUSTRIAL PREPAREDNESS	424	424
45	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,453	2,453
	TOTAL, WEAPONS AND OTHER COMBAT VEHICLES	313,511	266,984
	SPARE AND REPAIR PARTS		
46	SPARES AND REPAIR PARTS (WTCV)	106,843	106,843
	TOTAL, PROCUREMENT OF W&TCV, ARMY	1,933,512	2,070,405

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	Conference
1	**STRYKER VEHICLE**	**632,994**	**606,894**
	Prior year funds available		-26,100
5	**STRYKER (MOD)**	**52,797**	**51,497**
	Excess program management		-1,300
6	**FIST VEHICLE (MOD)**	**43,962**	**35,082**
	Funding ahead of need		-8,880
9	**IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)**	**10,452**	**7,452**
	Excess contractor engineering		-3,000
10	**ARMORED BREACHER VEHICLE**	**99,904**	**97,004**
	Unjustified growth in matrix support and engineering change proposals		-2,900
13	**M1 ABRAMS TANK (MOD)**	**160,578**	**131,178**
	Unjustified technical support		-29,400
14	**ABRAMS UPGRADE PROGRAM**	**181,329**	**436,329**
	Abrams program increase - add 42 vehicles		255,000
17	**INTEGRATED AIR BURST WEAPON SYSTEM FAMILY**	**16,046**	**0**
	Army requested transfer to RDTE,A line 84 due to program delays		-16,046
19	**MACHINE GUN, CAL .50 M2 ROLL**	**65,102**	**31,102**
	Army requested transfer to line 34 for correction of safety issue		-34,000
20	**LIGHTWEIGHT .50 CALIBER MACHINE GUN**	**28,796**	**13,930**
	Army requested transfer to RDTE,A line 84 due to program delays		-1,700
	Army revised quantities		-13,166
23	**MORTAR SYSTEMS**	**12,477**	**10,177**
	Excess production engineering		-2,300
27	**M4 CARBINE**	**35,015**	**21,700**
	Excess to need		-13,315
34	**M2 50 CAL MACHINE GUN MODS**	**14,856**	**48,856**
	Army requested transfer from line 19 for correction of safety issue		34,000

M1 TANK

The conferees are aware that the Army has been reviewing alternative courses of action for future tank production. Options have been studied ranging from a temporary shutdown and storage of facilities to adding funds to the tank program in order to maintain a steady flow of new tanks and a ready capacity in case of urgent need. Both the House and the Senate added funds for the Abrams Upgrade Program in fiscal year 2012. The House proposed a funding increase of $272,000,000 and the Senate proposed a funding increase of $240,000,000. The conference agreement provides an additional amount of $255,000,000 above the President's request to continue upgrading M1 tanks to the M1A2SEP variant. The additional funding supports production of 42 additional M1A2SEP tanks. The conferees direct the Secretary of the Army to provide a report not later than 60 days after enactment of this Act on the plan for the use of the additional funds, including the plan to sustain tank production.

PROCUREMENT OF AMMUNITION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	PROCUREMENT OF AMMUNITION, ARMY		
	AMMUNITION		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5 56MM, ALL TYPES	210,758	210,758
2	CTG 7 62MM ALL TYPES	83,730	83,730
4	CTG, HANDGUN, ALL TYPES	9,064	7,064
5	CTG. 50 CAL, ALL TYPES	131,775	131,775
7	CTG, 25MM, ALL TYPES	14,894	13,694
8	OBJECTIVE FAMILY OF WEAPONS AMMO, ALL T	3,399	---
9	CTG, 30MM, ALL TYPES	118,966	105,966
10	CTG, 40MM, ALL TYPES	84,799	82,599
	MORTAR AMMUNITION		
12	60MM MORTAR, ALL TYPES	31,287	31,287
13	81MM MORTAR, ALL TYPES	12,187	12,187
14	120MM MORTAR, ALL TYPES	108,416	106,916
	TANK AMMUNITION		
15	CTG TANK 105MM AND 120MM ALL TYPES	105,704	65,205
	ARTILLERY AMMUNITION		
17	CTG, ARTY, 75MM AND 105MM ALL TYPES	103,227	103,227
19	ARTILLERY PROJECTILE, 155MM, ALL TYPES	32,887	32,887
20	PROJ 155MM EXTENDED RANGE XM982	69,074	58,074
21	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T	48,205	46,705
	MINES		
23	MINES AND CLEARING CHARGE, ALL TYPES	2,518	2,518
	NETWORKED MUNITIONS		
25	ANTIPERSONNEL LANDMINE ALTERNATIVES	43,123	43,123
	ROCKETS		
27	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	19,254	17,854
28	ROCKET HYDRA 70, ALL TYPES	127,265	123,865
	OTHER AMMUNITION		
29	DEMOLITION MUNITIONS, ALL TYPES	53,685	38,685
30	GRENADES ALL TYPES	42,558	42,558
31	SIGNALS, ALL TYPES	26,173	26,173
32	SIMULATORS, ALL TYPES	14,108	14,108
33	ALL OTHER (AMMO)	50	50

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	MISCELLANEOUS		
34	AMMO COMPONENTS, ALL TYPES	18 296	18,296
35	NON-LETHAL AMMUNITION, ALL TYPES	14,864	14,864
36	CAD/PAD ALL TYPES	5,449	5,449
37	ITEMS LESS THAN $5 MILLION	11,009	11,009
38	AMMUNITION PECULIAR EQUIPMENT.	24,200	24,200
39	FIRST DESTINATION TRANSPORTATION (AMMO)	13,711	13,711
40	CLOSEOUT LIABILITIES	103	...
	TOTAL, AMMUNITION	1,584,738	1,488,537
	AMMUNITION PRODUCTION BASE SUPPORT		
	PRODUCTION BASE SUPPORT		
41	PROVISION OF INDUSTRIAL FACILITIES	199,841	199,841
42	LAYAWAY OF INDUSTRIAL FACILITIES	9,451	9,451
43	MAINTENANCE OF INACTIVE FACILITIES	5,533	5,533
44	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	189,789	177,789
45	ARMS INITIATIVE	3,273	3,273
	TOTAL, AMMUNITION PRODUCTION BASE SUPPORT	407,887	395,887
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	1,992,625	1,884,424

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
4	CTG, HANDGUN, ALL TYPES	9,064	7,064
	Funding ahead of need		-2,000
7	CTG, 25MM, ALL TYPES	14,894	13,694
	Prior year funds available		-1,200
8	OBJECTIVE FAMILY OF WEAPONS AMMO, ALL TYPES	3,399	0
	Funding ahead of need		-3,399
9	CTG, 30MM, ALL TYPES	118,966	105,966
	Program growth adjustment		-13,000
10	CTG, 40MM, ALL TYPES	84,799	82,599
	Excess production engineering		-2,200
14	120MM MORTAR, ALL TYPES	108,416	106,916
	Excess production engineering		-1,500
15	CTG TANK 105MM AND 120MM: ALL TYPES	105,704	65,205
	Unjustified request		-499
	Pricing adjustment		-40,000
20	PROJ 155MM EXTENDED RANGE XM982	69,074	58,074
	Program restructure		-11,000
21	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL TYPES	48,205	46,705
	Pricing adjustment		-1,500
27	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	19,254	17,854
	Excess production engineering		-1,400
28	ROCKET, HYDRA 70, ALL TYPES	127,265	123,865
	Excess production engineering		-3,400
29	DEMOLITION MUNITIONS, ALL TYPES	53,685	38,685
	Program growth adjustment		-15,000
40	CLOSEOUT LIABILITIES	103	0
	Prior year funds available		-103
44	CONVENTIONAL MUNITIONS DEMILITARIZATION	189,789	177,789
	Contract award delay		-12,000

OTHER PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OTHER PROCUREMENT, ARMY		
	TACTICAL AND SUPPORT VEHICLES		
	TACTICAL VEHICLES		
2	SEMITRAILERS, FLATBED	13,496	596
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	432,936	422,936
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN	21,930	21,930
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	627,294	597,794
8	PLS ESP	251,667	251,667
10	MINE PROTECTION VEHICLE FAMILY	56,671	56,671
12	TRUCK, TRACTOR, LINE HAUL, M915/M916	1,461	---
13	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	156,747	156,747
14	HMMWV RECAPITALIZATION PROGRAM	161,631	4,313
15	TACTICAL WHEELED VEHICLE PROTECTION KITS	39,908	39,908
16	MODIFICATION OF IN SVC EQUIP	362,672	344,772
17	MINE-RESISTANT AMBUSH-PROTECTED MODS	142,862	127,862
20	AMC CRITICAL ITEMS, OPA1	20,156	---
	NON-TACTICAL VEHICLES		
21	HEAVY ARMORED SEDAN	1,161	1,161
22	PASSENGER CARRYING VEHICLES	3,222	3,222
23	NONTACTICAL VEHICLES, OTHER	19,869	19,869
	TOTAL, TACTICAL AND SUPPORT VEHICLES	2,313,683	2,049,448

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
	COMM - JOINT COMMUNICATIONS		
24	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	9,984	9,984
25	WIN-T - GROUND FORCES TACTICAL NETWORK	974,186	865,186
26	JCSE EQUIPMENT (USREDCOM)	4,826	4,826
	COMM SATELLITE COMMUNICATIONS		
28	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	123,859	123,859
29	SHF TERM	8,910	8,249
31	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	29,568	26,368
32	SMART-T (SPACE)	49,704	49,704
33	SCAMP (SPACE)	2,415	2,415
34	GLOBAL BRDCST SVC - GBS	73,374	64,774
35	MOD OF IN-SVC EQUIP (TAC SAT)	31,799	31,799
	COMM - COMBAT SUPPORT		
36	MOD-IN-SERVICE PROFILER	969	969
	COMM - C3 SYSTEM		
37	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	18,788	18,788
	COMM - COMBAT COMMUNICATIONS		
38	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	3,994	3,994
39	JOINT TACTICAL RADIO SYSTEM	775,832	427,099
40	RADIO TERMINAL SET, MIDS LVT(2)	8,336	8,336
41	SINCGARS FAMILY	4,992	500
43	MULTI-PURPOSE INFORMATION OPERATIONS SYSTEMS	10,827	10,827
45	SPIDER APLA REMOTE CONTROL UNIT	36,224	36,224
47	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,843	1,843
49	GUNSHOT DETECTION SYSTEM (GDS)	3,939	1,000
50	RADIO, IMPROVED HF (COTS) FAMILY	38,535	38,535
51	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	26,232	26,232
	COMM - INTELLIGENCE COMM		
53	CI AUTOMATION ARCHITECTURE (MIP)	1,547	1,547
54	RESERVE CA/MISO GPF EQUIPMENT	28,266	28,266

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	INFORMATION SECURITY		
55	TSEC - ARMY KEY MGT SYS (AKMS)	12 541	12,541
56	INFORMATION SYSTEM SECURITY PROGRAM ISSP	39,349	37,022
56A	FAMILY OF BIOMETRICS	- -	2,327
	COMM - LONG HAUL COMMUNICATIONS		
57	TERRESTRIAL TRANSMISSION	2,232	2,232
58	BASE SUPPORT COMMUNICATIONS	37,780	37,780
59	WW TECH CON IMP PROG (WWTCIP)	12,805	12,805
	COMM - BASE COMMUNICATIONS		
60	INFORMATION SYSTEMS	187,227	131,227
61	DEFENSE MESSAGE SYSTEM (DMS)	4,393	4,393
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	310,761	310,761
63	PENTAGON INFORMATION MGT AND TELECOM	4 992	4,992
	ELECT EQUIP		
	ELECT EQUIP - TACT INT REL ACT (TIARA)		
66	JTT/CIBS-M (MIP)	4,657	4,657
67	PROPHET GROUND (MIP)	72,041	72,041
70	DCGS-A (MIP)	144,548	124,548
71	JOINT TACTICAL GROUND STATION (JTAGS)	1,199	1,199
72	TROJAN (MIP)	32,707	32,707
73	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	9,163	9,163
74	CI HUMINT AUTO REPRTING AND COLL(CHARCS)(MIP)	3,493	3,493
75	ITEMS LESS THAN $5 OM (MIP)	802	802
	ELECT EQUIP - ELECTRONIC WARFARE (EW)		
76	LIGHTWEIGHT COUNTER MORTAR RADAR	33 810	33,810
77	WARLOCK	24,104	---
80	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,252	1,252
81	CI MODERNIZATION (MIP)	1,332	1,332

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	ELECT EQUIP - TACTICAL SURV (TAC SURV)		
82	FAAD GBS	7,958	3,958
83	SENTINEL MODS	41,657	41,657
84	SENSE THROUGH THE WALL (STTW)	47,498	47,498
85	NIGHT VISION DEVICES	156 204	156,204
86	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	102,334	102,334
87	NIGHT VISION, THERMAL WPN SIGHT	186 859	186,859
88	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	10,227	10,227
90	COUNTER ROCKET, ARTILLERY & MORTAR	15,774	15,774
92	GREEN LASER INTERDICTION SYSTEM	25,356	25,356
95	PROFILER	3,312	3,312
96	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	3,005	3,005
98	JOINT BATTLE COMMAND - PLATFORM (JBC-P)	69,514	69,514
99	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD	58,042	58,042
101	MORTAR FIRE CONTROL SYSTEM	21,022	17,022
102	COUNTERFIRE RADARS	227,629	227,629
103	ENHANCED SENSOR & MONITORING SYSTEM	2,226	2,226
	ELECT EQUIP - TACTICAL C2 SYSTEMS		
104	TACTICAL OPERATIONS CENTERS	54,907	54,907
105	FIRE SUPPORT C2 FAMILY	54,223	54,223
106	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	12,454	12,454
107	FAAD C2	5,030	5,030
108	AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD	62,710	62,710
109	KNIGHT FAMILY	51,488	46,488
110	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,807	1,807
111	AUTOMATIC IDENTIFICATION TECHNOLOGY	28,924	27,324
115	MANEUVER CONTROL SYSTEM (MCS)	34,031	34,031
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	210,312	124,026
117	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	19,113	19,113

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	ELECT EQUIP - AUTOMATION		
119	GENERAL FUND ENTERPRISE BUSINESS SYSTEM	23,664	25,459
120	ARMY TRAINING MODERNIZATION	11 192	11,192
121	AUTOMATED DATA PROCESSING EQUIPMENT	220,250	174 772
122	CSS COMMUNICATIONS	39,310	39,310
123	RESERVE COMPONENT AUTOMATION SYS (RCAS)	41,248	41,248
	ELECT EQUIP - AUDIO VISUAL SYS (A/V)		
124	ITEMS LESS THAN $5 0M (A/V)	10,437	10,437
125	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	7,480	4,395
	ELECT EQUIP - SUPPORT		
126	PRODUCTION BASE SUPPORT (C-E)	571	571
127	BCT NETWORK	---	---
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	5,077,905	4,352,522
	OTHER SUPPORT EQUIPMENT		
	CHEMICAL DEFENSIVE EQUIPMENT		
129	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	8,636	5,213
130	BASE DEFENSE SYSTEMS (BDS)	41,204	41,204
131	CBRN SOLDIER PROTECTION . .	10,700	10,700
132	SMOKE & OBSCURANT FAMILY SOF (NON AAO ITEM)	362	362
	BRIDGING EQUIPMENT		
133	TACTICAL BRIDGING	77,428	77,428
134	TACTICAL BRIDGE, FLOAT-RIBBON	49,154	45,454
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
135	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	39,263	39,263
136	GROUND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS)	20,678	20,678
137	ROBOTIC COMBAT SUPPORT SYSTEM	30,297	22,297
138	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	17,626	17,626
139	REMOTE DEMOLITION SYSTEMS	14,672	14,672
140	ITEMS LESS THAN $5M, COUNTERMINE EQUIPMENT	7,352	7,352

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	COMBAT SERVICE SUPPORT EQUIPMENT		
142	HEATERS AND ECU'S	10,109	10,109
144	SOLDIER ENHANCEMENT	9,591	9,591
146	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	8,509	8,509
147	GROUND SOLDIER SYSTEM	184,072	63,500
148	MOUNTED SOLDIER SYSTEM	43,419	5,000
150	FIELD FEEDING EQUIPMENT	26,860	26,860
151	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	68,392	68,392
152	MOBILE INTEGRATED REMAINS COLLECTION SYSTEM	7,384	7,384
153	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	54,190	54,190
154	ITEMS LESS THAN $5M (ENG SPT)	12 482	12,482
	PETROLEUM EQUIPMENT		
156	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	75,457	75,457
	MEDICAL EQUIPMENT		
158	COMBAT SUPPORT MEDICAL	53,450	53,450
	MAINTENANCE EQUIPMENT		
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	16,572	16,572
160	ITEMS LESS THAN $5 OM (MAINT EQ)	3,852	3,852
	CONSTRUCTION EQUIPMENT		
161	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,201	2,201
162	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	8,584	3,984
163	SCRAPERS, EARTHMOVING	21,031	21,031
164	MISSION MODULES - ENGINEERING	43,432	43,432
165	COMPACTOR	2,859	2,859
168	TRACTOR, FULL TRACKED	59,534	50,434
169	PLANT, ASPHALT MIXING	8,314	614
170	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS	18,974	18,974
171	ENHANCED RAPID AIRFIELD CONSTRUCTION	15,833	---
172	CONST EQUIP ESP	9,771	9,771
173	ITEMS LESS THAN $5 OM (CONST EQUIP)	12,654	12,654
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
174	JOINT HIGH SPEED VESSEL (JHSV)	223,845	---
176	ITEMS LESS THAN $5 OM (FLOAT/RAIL)	10,175	10,175

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	GENERATORS		
177	GENERATORS AND ASSOCIATED EQUIPMENT	31,897	31,897
	MATERIAL HANDLING EQUIPMENT		
179	FAMILY OF FORKLIFTS	10,944	10,944
180	ALL TERRAIN LIFTING ARMY SYSTEM	21,859	21,859
	TRAINING EQUIPMENT		
181	COMBAT TRAINING CENTERS SUPPORT	133 178	46,117
182	TRAINING DEVICES NONSYSTEM	168,392	180 892
183	CLOSE COMBAT TACTICAL TRAINER	17,760	13 290
184	AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA	9,413	9,413
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
186	CALIBRATION SETS EQUIPMENT	13,618	13,618
187	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	49,437	36,937
188	TEST EQUIPMENT MODERNIZATION (TEMOD)	30,451	30,451
	OTHER SUPPORT EQUIPMENT		
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	4,923	4,923
190	PHYSICAL SECURITY SYSTEMS (OPA3)	69,316	19,606
191	BASE LEVEL COM'L EQUIPMENT	1,591	1,591
192	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	72,271	72,271
193	PRODUCTION BASE SUPPORT (OTH)	2,325	2,325
194	SPECIAL EQUIPMENT FOR USER TESTING	17,411	17,411
195	AMC CRITICAL ITEMS OPA3	34,500	34,500
196	TRACTOR YARD	3,740	3,740
197	BCT UNMANNED GROUND VEHICLE	24,805	24,805
198	BCT TRAINING/LOGISTICS/MANAGEMENT	149,308	26,008
199	BCT TRAINING/LOGISTICS/MANAGEMENT INC 2	57,103	---
200	BCT UNMANNED GROUND VEHICLE INC 2	11,924	---
	TOTAL, OTHER SUPPORT EQUIPMENT	2,265,084	1,496,324
	SPARE AND REPAIR PARTS		
201	INITIAL SPARES - C&E	21,647	21,647
	TOTAL, SPARE AND REPAIR PARTS	21,647	21,647
	CLASSIFIED PROGRAMS	4,273	4,273
	TOTAL, OTHER PROCUREMENT, ARMY	9,682,592	7,924,214

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	Conference
2	**SEMITRAILERS, FLATBED**	**13,496**	**596**
	Early to need		-12,900
5	**FAMILY OF MEDIUM TACTICAL VEH (FMTV)**	**432,936**	**422,936**
	Unjustified program management increase		-10,000
7	**FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)**	**627,294**	**597,794**
	Excessive program management and engineering change orders		-2,500
	Exceeds annual manufacturing capability		-27,000
12	**TRUCK, TRACTOR, LINE HAUL, M915/M916**	**1,461**	**0**
	Unobligated prior year funds		-1,461
14	**HMMWV RECAPITALIZATION PROGRAM**	**161,631**	**4,313**
	Funded in fiscal year 2011-19 Prior Approval reprogramming		-157,318
16	**MODIFICATION OF IN SVC EQUIP**	**362,672**	**344,772**
	HMMWV install early to need		-3,900
	Excessive program support		-14,000
17	**MINE-RESISTANT AMBUSH-PROTECTED MODS**	**142,862**	**127,862**
	Excessive program support		-15,000
20	**AMC CRITICAL ITEMS, OPA1**	**20,156**	**0**
	Unjustified request		-20,156
25	**WIN-T - GROUND FORCES TACTICAL NETWORK**	**974,186**	**865,186**
	Increment 2 contract award delay		-109,000
29	**SHF TERMINAL**	**8,910**	**8,249**
	Full funding for engineering change proposals in prior years		-661
31	**NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)**	**29,568**	**26,368**
	Fielding cost growth		-3,200
34	**GLOBAL BROADCAST SERVICE - GBS**	**73,374**	**64,774**
	Unit cost growth		-8,600
39	**JOINT TACTICAL RADIO SYSTEM**	**775,832**	**427,099**
	Schedule delay in Maritime/Fixed Station Radio Program		-37,900
	Ground Mobile Radio restructure		-153,833
	Army requested transfer to RDTE,N line 100		-51,000
	Airborne, Maritime, Fixed Station Milestone C delay		-106,000
41	**SINCGARS FAMILY**	**4,992**	**500**
	Unobligated prior year funds		-4,492

P-1		Budget Request	Conference
49	GUNSHOT DETECTION SYSTEM (GDS)	3,939	1,000
	Early to need		-2,939
56	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	39,349	37,022
	Army requested transfer to line 56a		-2,327
56a	FAMILY OF BIOMETRICS	0	2,327
	Army requested transfer from line 56		2,327
60	INFORMATION SYSTEMS	187,227	131,227
	Unobligated prior year funds		-56,000
70	DEFENSE COMMON GROUND STATION-ARMY (MIP)	144,548	124,548
	Unjustified support growth		-20,000
77	WARLOCK	24,104	0
	Requirement fulfilled with prior year funds		-24,104
82	FAAD GBS	7,958	3,958
	Violates full funding		-4,000
101	MORTAR FIRE CONTROL SYSTEM	21,022	17,022
	Unjustified request		-4,000
109	KNIGHT FAMILY	51,488	46,488
	Program growth adjustment		-5,000
111	AUTOMATIC IDENTIFICATION TECHNOLOGY	28,924	27,324
	Unjustified request		-1,600
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	210,312	124,026
	Army requested transfer to OM,A BA-04		-9,251
	Army requested transfer to RDTE,A line 177		-60,240
	Army requested transfer to line 119		-1,795
	Army identified excess		-15,000
119	GENERAL FUND ENTERPRISE BUSINESS SYSTEM	23,664	25,459
	Army requested transfer for GFEBS from line 116		1,795
121	AUTOMATED DATA PROCESSING EQUIPMENT	220,250	174,772
	Unobligated prior year funds		-35,000
	Army identified excess		-10,478
125	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	7,480	4,395
	Excess to need - design engineering		-3,085
129	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	8,636	5,213
	Acoustic Hailing Device contract delay		-3,423
134	TACTICAL BRIDGE, FLOAT-RIBBON	49,154	45,454
	Program support cost growth		-3,700
137	ROBOTIC COMBAT SUPPORT SYSTEM	30,297	22,297
	M160 incremental funding		-8,000

P-1		Budget Request	Conference
147	**GROUND SOLDIER SYSTEM**	**184,072**	**63,500**
	Milestone C delay		-107,472
	Army requested transfer to RDTE,A line 119		-7,600
	Additional Army requested transfer to RDTE,A line 119		-5,500
148	**MOUNTED SOLDIER SYSTEM**	**43,419**	**5,000**
	Milestone C delay		-38,419
162	**SKID STEER LOADER (SSL) FAMILY OF SYSTEM**	**8,584**	**3,984**
	Unit cost and program support growth		-4,600
168	**TRACTOR, FULL TRACKED**	**59,534**	**50,434**
	Unjustified program support growth		-9,100
169	**PLANT, ASPHALT MIXING**	**8,314**	**614**
	Unobligated prior year funds		-7,700
171	**ENHANCED RAPID AIRFIELD CONSTRUCTION**	**15,833**	**0**
	Unexecutable acquisition strategy		-15,833
174	**JOINT HIGH SPEED VESSEL (JHSV)**	**223,845**	**0**
	Army requested transfer to SC,N line 17		-187,226
	Excess to need		-36,619
181	**COMBAT TRAINING CENTERS SUPPORT**	**133,178**	**46,117**
	Instrumentation System program delay		-87,061
182	**TRAINING DEVICES, NONSYSTEM**	**168,392**	**180,892**
	Test and tranining range upgrades		12,500
183	**CLOSE COMBAT TACTICAL TRAINER**	**17,760**	**13,290**
	Dismounted Soldier unobligated prior year funds		-4,470
187	**INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)**	**49,437**	**36,937**
	Next Generation Automatic Test System unobligated prior year funds		-12,500
190	**PHYSICAL SECURITY SYSTEMS (OPA3)**	**69,316**	**19,606**
	Unobligated prior year funds		-49,710
198	**BRIGADE COMBAT TEAM TRAINING/LOGISTICS/MANAGEMENT**	**149,308**	**26,008**
	Army identified program termination		-123,300
199	**BRIGADE COMBAT TEAM TRAINING/LOGISTICS/MANAGEMENT INC 2**	**57,103**	**0**
	Army identified program termination		-57,103
200	**BRIGADE COMBAT TEAM UNMANNED GROUND VEHICLE INC 2**	**11,924**	**0**
	Army identified program termination		-11,924

AIRCRAFT PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	EA-18G	1,079,364	994,596
2	EA-18G (AP-CY)	28,119	28,119
3	F/A-18E/F (FIGHTER) HORNET (MYP)	2,366,752	2,240,184
4	F/A 18E/F (FIGHTER) HORNET (MYP) (AP-CY)	64,962	63,262
5	JOINT STRIKE FIGHTER	1,503,096	1,448,096
6	JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)	217,666	109,066
7	JSF STOVL	1,141,933	1,141,933
8	JSF STOVL (AP-CY)	117,229	117,229
9	V-22 (MEDIUM LIFT)	2,224,817	2,202,117
10	V-22 (MEDIUM LIFT) (AP-CY)	84,008	63,768
11	UH-1Y/AH-1Z	700,306	652,561
12	UH-1Y/AH-1Z (AP-CY)	68,310	56,750
13	MH-60S (MYP)	408,921	400,621
14	MH-60S (MYP) (AP-CY)	74,040	74,040
15	MH-60R	791,025	775,525
16	MH-60R (AP-CY)	209,431	209,431
17	P 8A POSEIDON	2,018,851	2,008,851
18	P-8A POSEIDON (ADVANCE PROCUREMENT)	256,594	244,894
19	E 2D ADV HAWKEYE	914,892	886,892
20	E-2D ADV HAWKEYE (AP-CY)	157,942	157,942
	TOTAL, COMBAT AIRCRAFT	14,428,258	13,875,877
	TRAINER AIRCRAFT		
22	JPATS	266,906	256,906
	TOTAL, TRAINER AIRCRAFT	266,906	256,906

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OTHER AIRCRAFT		
24	KC-130J (AP-CY)	87,288	87,288
26	MQ-8 UAV	191,986	191,986
27	STUASLO UAV	12,772	---
	TOTAL, OTHER AIRCRAFT	292,046	279,274
	MODIFICATION OF AIRCRAFT		
29	EA-6 SERIES	27,734	27,734
30	AEA SYSTEMS	34,065	31,765
31	AV-8 SERIES	30,762	29,162
32	F-18 SERIES	499,597	425,167
33	H-46 SERIES	27,112	24,612
34	AH-1W SERIES	15,828	15,828
35	H-53 SERIES	62,820	60,320
36	SH-60 SERIES	83,394	83,394
37	H-1 SERIES	11,012	8,412
38	EP-3 SERIES	83,181	73,681
39	P-3 SERIES	171,466	170,466
40	E-2 SERIES	29,215	29,215
41	TRAINER A/C SERIES	22,090	18,790
42	C-2A	16,302	16,302
43	C-130 SERIES	27,139	27,139
44	FEWSG	2,773	1,773
45	CARGO/TRANSPORT A/C SERIES	16,463	16,463
46	E-6 SERIES	165,253	148,053
47	EXECUTIVE HELICOPTERS SERIES	58,011	77,511
48	SPECIAL PROJECT AIRCRAFT	12,248	11,048
49	T-45 SERIES	57,779	45,179
50	POWER PLANT CHANGES	21,847	21,847
51	JPATS SERIES	1,524	524
52	AVIATION LIFE SUPPORT MODS	1,069	1,069
53	COMMON ECM EQUIPMENT	92,072	63,772
54	COMMON AVIONICS CHANGES	147,093	136,293
56	ID SYSTEMS	37,330	32,030

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
57	P-8 SERIES	2,930	---
58	MAGTF EW FOR AVIATION	489	489
59	RQ 7 SERIES	11,419	---
60	V-22 (TILT/ROTOR ACFT) OSPRLY	60,264	55,764
	TOTAL, MODIFICATION OF AIRCRAFT	1,830,281	1,653,802
	AIRCRAFT SPARES AND REPAIR PARTS		
61	SPARES AND REPAIR PARTS	1,331,961	1,163,294
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		
62	COMMON GROUND EQUIPMENT	351,685	363,685
63	AIRCRAFT INDUSTRIAL FACILITIES	22,358	22,358
64	WAR CONSUMABLES	27,300	27,300
65	OTHER PRODUCTION CHARGES	10,124	10,124
66	SPECIAL SUPPORT EQUIPMENT	24,395	21,395
67	FIRST DESTINATION TRANSPORTATION	1,719	1,719
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT & FACILITIES	437,581	446,581
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	18,587,033	17,675,734

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
1	**EA-18G**	**1,079,364**	**994,596**
	CFE Electronics cost growth		-26,600
	Engine cost growth		-9,168
	Avionics PGSE cost growth		-36,000
	Other ILS cost growth		-6,000
	Reduce Engineering change orders to fiscal year 2010 levels		-7,000
3	**F/A-18E/F (FIGHTER) HORNET (MYP)**	**2,366,752**	**2,240,184**
	Engine cost growth		-15,000
	CFE Electronics cost growth		-15,540
	GFE Electronics cost growth		-4,480
	Armament cost growth		-2,548
	Multi-year procurement savings		-68,000
	ECO excess		-21,000
4	**F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY)**	**64,962**	**63,262**
	Airframe termination liability growth		-1,700
5	**JOINT STRIKE FIGHTER CV**	**1,503,096**	**1,448,096**
	Engineering change order carryover		-20,000
	Peculiar ground support equipment growth		-30,000
	Logistic support growth		-5,000
6	**JOINT STRIKE FIGHTER CV ADVANCE PROCUREMENT**	**217,666**	**109,066**
	Reduce advance procurement		-108,600
9	**V-22 (MEDIUM LIFT)**	**2,224,817**	**2,202,117**
	Support funding carryover		-15,000
	V-22 voice recorder - Navy identified shortfall		2,800
	Reduce ECO		-10,500
10	**V-22 (MEDIUM LIFT) (AP-CY)**	**84,008**	**63,768**
	Advance procurement equipment cost growth		-20,240
11	**UH-1Y/AH-1Z**	**700,306**	**652,561**
	AH-1Z (remanufacture) airframe cost growth		-9,400
	AH-1Z (new build) GFE Electronics cost growth		-2,345
	Unjustified support increase		-30,000
	Reduce ECO		-6,000
12	**UH-1Y/AH-1Z (AP-CY)**	**68,310**	**56,750**
	Excess advance procurement		-11,560
13	**MH-60S (MYP)**	**408,921**	**400,621**
	Support funding carryover		-8,300
15	**MH-60R**	**791,025**	**775,525**
	Support funding carryover		-11,300
	Reduce ECO		-4,200
17	**P-8A POSEIDON**	**2,018,851**	**2,008,851**
	Support funding increase		-10,000

P-1		Budget Request	Conference
18	**P-8A POSEIDON (ADVANCED PROCUREMENT)**	**256,594**	**244,894**
	Excess advance procurement		-11,700
19	**E-2D (EARLY WARNING) HAWKEYE (MYP)**	**914,892**	**886,892**
	Support funding carryover		-8,000
	Excess funding reserve		-20,000
22	**JPATS**	**266,906**	**256,906**
	Excess ECO		-10,000
27	**STUASL0 UAV**	**12,772**	**0**
	Low rate initial production contract award slip		-12,772
30	**AEA SYSTEMS**	**34,065**	**31,765**
	Air launched decoy jammer		-2,300
31	**AV-8 SERIES**	**30,762**	**29,162**
	Non-recurring installation funding unjustified increase		-1,600
32	**F-18 SERIES**	**499,597**	**425,167**
	OSIP 011-84 installation funds savings		-9,300
	ECP 904 Part I cost growth		-6,930
	OSIP 11-99 installation funding ahead of need		-7,000
	ECP 904 Part 1 procurement ahead of need		-16,500
	OSIP 001-10 ANAV installation kits cost growth		-1,000
	Integrated Logistics Support excess to need		-20,900
	Other support growth		-12,800
33	**H-46 SERIES**	**27,112**	**24,612**
	OSIP 018-07 ECO growth		-2,500
35	**H-53 SERIES**	**62,820**	**60,320**
	Kapton wiring installation kit cost growth		-1,500
	DIRCM other support excess		-1,000
37	**H-1 SERIES**	**11,012**	**8,412**
	Obsolescence ECP installation funding unjustified growth		-2,600
38	**EP-3 SERIES**	**83,181**	**73,681**
	OSIP 11-01 JMOD obsolescence carryover		-5,100
	Obsolescence ECP installation funding growth		-2,700
	Other support growth		-1,700
39	**P-3 SERIES**	**171,466**	**170,466**
	HFIP modification kit procurement ahead of need		-1,000
41	**TRAINER A/C SERIES**	**22,090**	**18,790**
	Training equipment growth		-3,300
44	**FEWSG**	**2,773**	**1,773**
	Other support growth		-1,000

P-1		Budget Request	Conference
46	**E-6 SERIES**	**165,253**	**148,053**
	OSIP 008-10 support funding growth		-2,000
	OSIP 013-10 support funding growth		-1,000
	Service life extension program install early to need		-7,800
	Block I install cost savings		-1,200
	Block II FAB-T non-recurring engineering early to need		-5,200
47	**EXECUTIVE HELICOPTERS SERIES**	**58,011**	**77,511**
	OSIP 009-02 excess installation funding		-4,500
	Navy requested transfer from RDTE,N line 98 for VH-3/VH-60 sustainment		24,000
48	**SPECIAL PROJECT AIRCRAFT**	**12,248**	**11,048**
	Install equipment non-recurring unjustified growth		-1,200
49	**T-45 SERIES**	**57,779**	**45,179**
	Correction of Deficiencies contract support growth		-6,600
	Avionics Obsolescence contract support growth		-6,000
51	**JPATS SERIES**	**1,524**	**524**
	Unobligated balances		-1,000
53	**COMMON ECM EQUIPMENT**	**92,072**	**63,772**
	IDECM Block IV concurrency		-25,500
	DIRCM A kit savings		-2,800
54	**COMMON AVIONICS CHANGES**	**147,093**	**136,293**
	OSIP 01-02 other support growth		-2,000
	CNS/ATM other support growth		-8,800
56	**ID SYSTEMS**	**37,330**	**32,030**
	OSIP 015-03 support growth		-5,300
57	**P-8 SERIES**	**2,930**	**0**
	P-8 modifications ahead of need		-2,930
59	**RQ-7 SERIES**	**11,419**	**0**
	TCDL contract delay		-11,419
60	**V-22 (TILT/ROTOR ACFT) OSPREY**	**60,264**	**55,764**
	Deficiencies modifications other support growth		-2,500
	Reliability modifications other support growth		-2,000
61	**SPARES AND REPAIR PARTS**	**1,331,961**	**1,163,294**
	F/A-18E/F initial spares cost growth		-23,967
	F-35 initial spares execution		-100,000
	P-8A initial spares execution		-36,000
	E-2D initial spares cost growth		-8,700
62	**COMMON GROUND EQUIPMENT**	**351,685**	**363,685**
	Navy requested transfer from RDTE,N line 98 for VH-60 trainer		12,000
66	**SPECIAL SUPPORT EQUIPMENT**	**24,395**	**21,395**
	Unjustified support increase		-3,000

MQ–8 UNMANNED AERIAL VEHICLE

The conference agreement provides $191,986,000 for the procurement of 12 MQ–8 unmanned aerial vehicles and associated support equipment. Although the budget justification materials provided by the Navy were unclear about the MQ–8 model to be procured, the conferees understand that the Navy will actually procure the longer range MQ–8C variant. The conferees fully support this decision as the longer range will provide greater operational flexibility for the various missions the aircraft is expected to conduct.

WEAPONS PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	WEAPONS PROCUREMENT, NAVY		
	BALLISTIC MISSILES		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,309,102	1,308,102
	SUPPORT EQUIPMENT AND FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	3,492	3,492
	TOTAL, BALLISTIC MISSILES	1,312,594	1,309,594
	OTHER MISSILES		
	STRATEGIC MISSILES		
3	TOMAHAWK	303,306	297,606
	TACTICAL MISSILES		
4	AMRAAM	188,494	105,119
5	SIDEWINDER	47,098	42,198
6	JSOW	137,722	131,722
7	STANDARD MISSILE	420,324	356,878
8	RAM	66,197	66,197
9	HELLFIRE	22,703	22,703
11	AERIAL TARGETS	46,359	46,359
12	OTHER MISSILE SUPPORT	3,561	3,561
	MODIFICATION OF MISSILES		
13	ESSM	48,486	48,486
14	HARM MODS	73,061	71,561
	SUPPORT EQUIPMENT AND FACILITIES		
16	WEAPONS INDUSTRIAL FACILITIES	1,979	1,979
17	FLEET SATELLITE COMM FOLLOW-ON	238,215	238,215
	ORDNANCE SUPPORT EQUIPMENT		
19	ORDNANCE SUPPORT EQUIPMENT	52,255	52,255
	TOTAL, OTHER MISSILES	1,649,760	1,484,839

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	TORPEDOES AND RELATED EQUIPMENT		
	TORPEDOES AND RELATED EQUIP		
20	ASW TARGETS	31,803	31,803
	MOD OF TORPEDOES AND RELATED EQUIP		
21	MK-46 TORPEDO MODS	78,045	78,805
22	MK-48 TORPEDO ADCAP MODS	42,493	42,493
23	QUICKSTRIKE MINE	5,770	5,770
	SUPPORT EQUIPMENT		
24	TORPEDO SUPPORT EQUIPMENT	43,003	43,003
25	ASW RANGE SUPPORT	9 219	9,219
	DESTINATION TRANSPORTATION		
26	FIRST DESTINATION TRANSPORTATION	3,553	3,553
	TOTAL, TORPEDOES AND RELATED EQUIPMENT	213,886	212,446
	OTHER WEAPONS		
	GUNS AND GUN MOUNTS		
27	SMALL ARMS AND WEAPONS	15,037	15,037
	MODIFICATION OF GUNS AND GUN MOUNTS		
28	CIWS MODS	37,550	37,550
29	COAST GUARD WEAPONS	17,525	9,179
30	GUN MOUNT MODS	43,957	43,957
32	CRUISER MODERNIZATION WEAPONS	50,013	50,013
33	AIRBORNE MINE NEUTRALIZATION SYSTEMS	12,203	12,203
	TOTAL, OTHER WEAPONS	176,285	167,939
35	SPARES AND REPAIR PARTS.	55,953	49,614
	TOTAL, WEAPONS PROCUREMENT, NAVY	3,408,478	3,224,432

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
1	**TRIDENT II MODS**	**1,309,102**	**1,306,102**
	Support funding carryover		-10,000
	Cost growth		-3,000
	Program increase - Solid rocket motor industrial base sustainment		10,000
3	**TOMAHAWK**	**303,306**	**297,606**
	Submarine capsules cost growth		-5,700
4	**AMRAAM**	**188,494**	**105,119**
	All Up Round Missile contract delay		-83,375
5	**SIDEWINDER**	**47,098**	**42,198**
	Excess Block II support		-4,900
6	**JSOW**	**137,722**	**131,722**
	All Up Round Missile cost growth		-6,000
7	**STANDARD MISSILE**	**420,324**	**356,878**
	Support funding growth		-3,500
	Installation and check out funding growth		-1,900
	Unit Cost Efficiencies		-58,046
14	**HARM MODS**	**73,061**	**71,561**
	Production support growth		-1,500
21	**MK-54 TORPEDO MODS**	**78,045**	**76,605**
	MK-54 array cost growth		-1,440
29	**COAST GUARD WEAPONS**	**17,525**	**9,179**
	MK-110 57MM contract delay		-8,346
35	**SPARES AND REPAIR PARTS**	**55,953**	**49,614**
	CIWS replenishment spares execution		-6,339

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	PROCUREMENT OF AMMO NAVY & MARINE CORPS		
	PROC AMMO NAVY		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	64,766	63,666
3	AIRBORNE ROCKETS ALL TYPES	38,264	23,264
4	MACHINE GUN AMMUNITION	17 788	17,788
5	PRACTICE BOMBS	35,289	35,289
6	CARTRIDGES & CART ACTUATED DEVICES	49,416	46,716
7	AIR EXPENDABLE COUNTERMEASURES	60,677	60,677
8	JATOS	2,766	2,766
9	5 INCH/54 GUN AMMUNITION	19,006	10,901
10	INTERMEDIATE CALIBER GUN AMMUNITION	19,320	1,112
11	OTHER SHIP GUN AMMUNITION	21,938	19,018
12	SMALL ARMS & LANDING PARTY AMMO	51,819	46,039
13	PYROTECHNIC AND DEMOLITION	10,199	10,199
14	AMMUNITION LESS THAN $5 MILLION	4,107	4,107
	TOTAL, PROC AMMO, NAVY	395,355	341,542

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	PROC AMMO, MARINE CORPS		
	MARINE CORPS AMMUNITION		
15	SMALL ARMS AMMUNITION	58,812	58,812
16	LINEAR CHARGES ALL TYPES	21,434	17 660
17	40 MM, ALL TYPES	84,864	80,664
18	60MM, ALL TYPES	937	937
19	81MM, ALL TYPES	26,324	18,100
20	120MM, ALL TYPES	9,387	9,387
21	CTG 25MM ALL TYPES	3,889	3,889
22	GRENADES, ALL TYPES	13,452	13,452
23	ROCKETS, ALL TYPES	15,556	12,463
24	ARTILLERY, ALL TYPES	42,526	22,526
25	DEMOLITION MUNITIONS, ALL TYPES	22,786	22,786
26	FUZE, ALL TYPES	9,266	9,266
27	NON LETHALS	2,927	2,927
28	AMMO MODERNIZATION	8,557	8,557
29	ITEMS LESS THAN $5 MILLION	3,880	3,880
	TOTAL, PROC AMMO, MARINE CORPS	324,597	285,306
	TOTAL PROCUREMENT OF AMMO, NAVY & MARINE CORPS	719,952	626,848

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
1	**GENERAL PURPOSE BOMBS**	**64,766**	**63,666**
	BLU-109 cost growth		-1,100
3	**AIRBORNE ROCKETS, ALL TYPES**	**38,264**	**23,264**
	MK-66 rocket motor cost growth		-10,500
	Support funding carryover		-1,000
	MK-182 warhead exceeds production rate		-3,500
6	**CARTRIDGES & CART ACTUATED DEVICES**	**49,416**	**46,716**
	Initiator and Impulse cartridge unit cost growth		-2,700
9	**5 INCH/54 GUN AMMUNITION**	**19,006**	**10,901**
	Excess prior year multi-option fuze support funding		-7,105
	Support funding carryover		-1,000
10	**INTERMEDIATE CALIBER GUN AMMUNITION**	**19,320**	**1,112**
	MK295 cartridge contract delay		-18,208
11	**OTHER SHIP GUN AMMUNITION**	**21,938**	**19,018**
	30MM x 173 linked cartridge contract delay		-2,920
12	**SMALL ARMS & LANDING PARTY AMMO**	**51,819**	**46,039**
	Production engineering growth		-1,200
	A131 complete rounds cost growth		-2,500
	A576 LAP kit cost growth		-2,080
16	**LINEAR CHARGES, ALL TYPES**	**21,434**	**17,660**
	M913 LAP kit contract delay		-3,774
17	**40 MM, ALL TYPES**	**84,864**	**80,664**
	B542 LAP kit cost growth		-4,200
19	**81MM, ALL TYPES**	**26,324**	**18,100**
	M913 LAP kit contract delay		-8,224
23	**ROCKETS, ALL TYPES**	**15,556**	**12,463**
	C995 late contract award		-3,093
24	**ARTILLERY, ALL TYPES**	**42,526**	**22,526**
	TNT flake cost growth		-20,000

SHIPBUILDING AND CONVERSION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
2	CARRIER REPLACEMENT PROGRAM (AP-CY)	554,798	554,798
3	VIRGINIA CLASS SUBMARINE	3,232,215	3,221,314
4	VIRGINIA CLASS SUBMARINE (AP-CY)	1,524 761	1 461,361
6	CVN REFUELING OVERHAULS (AP-CY)	529,652	529,652
8	DDG 1000	453,727	453,727
9	DDG-51	1,980,709	1,980,709
10	DDG-51 (AP-CY)	100,723	100,723
11	LITTORAL COMBAT SHIP	1,802,093	1,755,093
	TOTAL, OTHER WARSHIPS	10,178,678	10,057,377
	AMPHIBIOUS SHIPS		
13	LPD-17	1,847,444	1,837,444
15	LHA REPLACEMENT (AP-CY)	2,018,691	1,999,191
17	INTRATHEATER CONNECTOR	185,106	372,332
	TOTAL, AMPHIBIOUS SHIPS	4,051,241	4,208,967
	AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM COSTS		
18	OCEANOGRAPHIC SHIPS	89,000	89,000
19	MOORED TRAINING SHIP	155,200	131,200
20	OUTFITTING	292,871	270,639
21	SERVICE CRAFT	3,863	3,863
22	LCAC SLEP	84,076	84,076
23	COMPLETION OF PY SHIPBUILDING PROGRAMS	73,992	73,992
	TOTAL, AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM	699,002	652,770
	TOTAL, SHIPBUILDING & CONVERSION, NAVY	14,928,921	14,919,114

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
3	**VIRGINIA CLASS SUBMARINE**	**3,232,215**	**3,221,314**
	Sonar hardware pricing cost growth		-4,363
	Exterior Communications System other cost unjustfied growth		-1,000
	Propulsor cost growth		-5,538
4	**VIRGINIA CLASS SUBMARINE (AP-CY)**	**1,524,761**	**1,461,361**
	Nuclear long lead CFE advance procurement cost growth		-63,400
11	**LITTORAL COMBAT SHIP**	**1,802,093**	**1,755,093**
	Basic construction cost growth		-47,000
13	**LPD-17**	**1,847,444**	**1,837,444**
	Excess ECO funding		-10,000
15	**LHA REPLACEMENT**	**2,018,691**	**1,999,191**
	SLQ-32(V)2 pricing		-5,000
	SSDS support pricing		-5,000
	MK-12 IFF pricing		-1,000
	SPS-48 radar pricing		-2,000
	SPQ-9B radar pricing		-1,000
	RAM logistics pricing		-5,500
17	**JOINT HIGH SPEED VESSEL**	**185,106**	**372,332**
	Transfer from OP,A line 174 per Army and Navy Memorandum of Agreement		187,226
19	**MOORED TRAINING SHIP (AP)**	**155,200**	**131,200**
	Excess advance procurement		-24,000
20	**OUTFITTING**	**292,871**	**270,639**
	LCS-5 outfitting phasing		-2,000
	LCS-6 outfitting phasing		-2,000
	LCS-7 outfitting phasing		-782
	DDG-1001 and 1002 outfitting phasing		-1,750
	SSN-785 outfitting phasing		-6,000
	CVN-71 outfitting phasing		-5,000
	SSN-782 post delivery phasing		-4,700

OTHER PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OTHER PROCUREMENT, NAVY		
	SHIPS SUPPORT EQUIPMENT		
	SHIP PROPULSION EQUIPMENT		
1	LM-2500 GAS TURBINE	13,794	13,794
2	ALLISON 501K GAS TURBINE	8,643	8,643
	NAVIGATION EQUIPMENT		
3	OTHER NAVIGATION EQUIPMENT	22,982	20,582
	PERISCOPES		
4	SUB PERISCOPES & IMAGING EQUIP	60,860	57,033
	OTHER SHIPBOARD EQUIPMENT		
5	DDG MOD	119,522	117,522
6	FIREFIGHTING EQUIPMENT	17,637	17,637
7	COMMAND AND CONTROL SWITCHBOARD	3,049	3,049
8	POLLUTION CONTROL EQUIPMENT	22,266	22,266
9	SUBMARINE SUPPORT EQUIPMENT	15,892	14,122
10	VIRGINIA CLASS SUPPORT EQUIPMENT	100,693	93,487
11	SUBMARINE BATTERIES	42,296	42,296
12	STRATEGIC PLATFORM SUPPORT EQUIP	25,228	25,228
13	DSSP EQUIPMENT	2,600	2,600
14	CG-MODERNIZATION	590,349	573,349
16	UNDERWATER EOD PROGRAMS	18,499	17,499
17	ITEMS LESS THAN $5 MILLION	113,809	93,401
18	CHEMICAL WARFARE DETECTORS	5,508	5,508
19	SUBMARINE LIFE SUPPORT SYSTEM	13,397	13,397
	REACTOR PLANT EQUIPMENT		
20	REACTOR POWER UNITS	436,838	436,838
21	REACTOR COMPONENTS	271,600	271,600
	OCEAN ENGINEERING		
22	DIVING AND SALVAGE EQUIPMENT	11,244	9,644
	SMALL BOATS		
23	STANDARD BOATS	39,793	33,653
	TRAINING EQUIPMENT		
24	OTHER SHIPS TRAINING EQUIPMENT	29,913	29,913
	PRODUCTION FACILITIES EQUIPMENT		
25	OPERATING FORCES IPE	54,642	54,642
	OTHER SHIP SUPPORT		
26	NUCLEAR ALTERATIONS	144,175	144,175
27	LCS MODULES	79,583	63,448

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	LOGISTICS SUPPORT		
28	LSD MIDLIFE	143,483	132,733
	TOTAL SHIPS SUPPORT EQUIPMENT	2,408,295	2,318,059
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
	SHIP RADARS		
29	RADAR SUPPORT	18,818	10,618
	SHIP SONARS		
30	SPQ-9B RADAR	24,613	18,236
31	AN/SQQ-89 SURF ASW COMBAT SYSTEM	73,829	71,771
32	SSN ACOUSTICS	212,913	212,913
33	UNDERSEA WARFARE SUPPORT EQUIPMENT	29,686	25,686
34	SONAR SWITCHES AND TRANSDUCERS	13,537	13,537
35	ELECTRONIC WARFARE MILDEC	18,141	16,841
	ASW ELECTRONIC EQUIPMENT		
36	SUBMARINE ACOUSTIC WARFARE SYSTEM	20,554	20,554
37	SSTD	2,257	1,257
38	FIXED SURVEILLANCE SYSTEM	60,141	60,141
39	SURTASS	29,247	25,547
40	TACTICAL SUPPORT CENTER	13,453	13,453
	ELECTRONIC WARFARE EQUIPMENT		
41	AN/SLQ-32	43,096	39,902
	RECONNAISSANCE EQUIPMENT		
42	SHIPBOARD IW EXPLOIT	103,645	100,745
43	AUTOMATED IDENTIFICATION SYSTEM (AIS)	1,364	1,364
	SUBMARINE SURVEILLANCE EQUIPMENT		
44	SUBMARINE SUPPORT EQUIPMENT PROG	100,793	89,241
	OTHER SHIP ELECTRONIC EQUIPMENT		
45	COOPERATIVE ENGAGEMENT CAPABILITY	23,332	19,332
46	TRUSTED INFORMATION SYSTEM (TIS)	426	426
47	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	33,017	33,017
48	ATDLS	942	942
49	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	7,896	7,896
50	MINESWEEPING SYSTEM REPLACEMENT	27,868	27,868
51	SHALLOW WATER MCM	1,048	1,048
52	NAVSTAR GPS RECEIVERS (SPACE)	9,926	9,926
53	ARMED FORCES RADIO AND TV	4,370	4,370

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
54	STRATEGIC PLATFORM SUPPORT EQUIP	4,143	4,143
	TRAINING EQUIPMENT		
55	OTHER TRAINING EQUIPMENT	45,989	35,189
	AVIATION ELECTRONIC EQUIPMENT		
56	MATCALS	8,136	13,368
57	SHIPBOARD AIR TRAFFIC CONTROL	7,394	7,394
58	AUTOMATIC CARRIER LANDING SYSTEM	18,518	17,018
59	NATIONAL AIR SPACE SYSTEM	26,054	24,581
60	AIR STATION SUPPORT EQUIPMENT	7,213	7,213
61	MICROWAVE LANDING SYSTEM	7,138	7,138
62	ID SYSTEMS	33,170	31,470
63	TAC A/C MISSION PLANNING SYS(TAMPS)	8,941	8,941
	OTHER SHORE ELECTRONIC EQUIPMENT		
64	DEPLOYABLE JOINT COMMAND AND CONT	8,994	8,994
65	TADIX B	13,529	13,529
66	GCCS-M EQUIPMENT TACTICAL/MOBILE	12,776	10,876
67	DCGS-N	11,201	11,201
68	CANES	195,141	96,088
69	RADIAC	6,201	6,201
70	CANES-INTELL	75,084	72,313
71	GPETE	6,010	6,010
72	INTEG COMBAT SYSTEM TEST FACILITY	4,441	4,441
73	EMI CONTROL INSTRUMENTATION	4,741	4,741
74	ITEMS LESS THAN $5 MILLION	51,716	42,416
	SHIPBOARD COMMUNICATIONS		
75	SHIPBOARD TACTICAL COMMUNICATIONS	26,197	1,494
76	SHIP COMMUNICATIONS AUTOMATION	177,510	255,110
77	MARITIME DOMAIN AWARENESS (MDA)	24,022	24,022
78	COMMUNICATIONS ITEMS UNDER $5M	33,644	27,544
	SUBMARINE COMMUNICATIONS		
79	SUBMARINE BROADCAST SUPPORT	10,357	10,357
80	SUBMARINE COMMUNICATION EQUIPMENT	75,447	74,047
	SATELLITE COMMUNICATIONS		
81	SATELLITE COMMUNICATIONS SYSTEMS	25,522	25,522
82	NAVY MULTIBAND TERMINAL (NMT)	109,022	107,242

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	SHORE COMMUNICATIONS		
83	JCS COMMUNICATIONS EQUIPMENT	2,186	2,186
84	ELECTRICAL POWER SYSTEMS	1,329	1,329
85	NAVAL SHORE COMMUNICATIONS	2,418	2,418
	CRYPTOGRAPHIC EQUIPMENT		
86	INFO SYSTEMS SECURITY PROGRAM (ISSP)	119,857	109,394
	CRYPTOLOGIC EQUIPMENT		
87	CRYPTOLOGIC COMMUNICATIONS EQUIP	14,820	14,820
	OTHER ELECTRONIC SUPPORT		
88	COAST GUARD EQUIPMENT	6,848	6,848
89	OTHER DRUG INTERDICTION SUPPORT	2,290	---
	DRUG INTERDICTION SUPPORT		
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	2,062,911	1,922,229
	AVIATION SUPPORT EQUIPMENT		
	SONOBUOYS		
90	SONOBUOYS - ALL TYPES	96,314	94,814
	AIRCRAFT SUPPORT EQUIPMENT		
91	WEAPONS RANGE SUPPORT EQUIPMENT	40,697	50,197
92	EXPEDITIONARY AIRFIELDS	8,561	8,561
93	AIRCRAFT REARMING EQUIPMENT	8,941	5,587
94	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	19,777	19,777
95	METEOROLOGICAL EQUIPMENT	22,003	19,478
96	OTHER PHOTOGRAPHIC EQUIPMENT.	1,595	1,595
97	AVIATION LIFE SUPPORT	66,031	60,919
98	AIRBORNE MINE COUNTERMEASURES	49,668	33,515
99	LAMPS MK III SHIPBOARD EQUIPMENT	18,471	12,908
100	PORTABLE ELECTRONIC MAINTENANCE AIDS	7,875	7,875
101	OTHER AVIATION SUPPORT EQUIPMENT	12,553	12,553
	TOTAL, AVIATION SUPPORT EQUIPMENT	352,486	327,779
	ORDNANCE SUPPORT EQUIPMENT		
	SHIP GUN SYSTEM EQUIPMENT		
102	NAVAL FIRES CONTROL SYSTEM	2,049	2,049
103	GUN FIRE CONTROL EQUIPMENT	4,488	4,488
	SHIP MISSILE SYSTEMS EQUIPMENT		
104	NATO SEASPARROW	8,926	8,926
105	RAM GMLS	4,321	3,128

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
106 SHIP SELF DEFENSE SYSTEM	60,700	54,324
107 AEGIS SUPPORT EQUIPMENT	43,148	43,148
108 TOMAHAWK SUPPORT EQUIPMENT	72,861	70,261
109 VERTICAL LAUNCH SYSTEMS	732	732
110 MARITIME INTEGRATED PLANNING SYSTEM-MIPS	4,823	4,823
FBM SUPPORT EQUIPMENT		
111 STRATEGIC MISSILE SYSTEMS EQUIP	187,807	187,807
ASW SUPPORT EQUIPMENT		
112 SSN COMBAT CONTROL SYSTEMS	81,596	89,096
113 SUBMARINE ASW SUPPORT EQUIPMENT	5,241	5,241
114 SURFACE ASW SUPPORT EQUIPMENT	5,816	5,816
115 ASW RANGE SUPPORT EQUIPMENT	7,842	7,842
OTHER ORDNANCE SUPPORT EQUIPMENT		
116 EXPLOSIVE ORDNANCE DISPOSAL EQUIP	98,847	96,947
117 ITEMS LESS THAN $5 MILLION	4,073	4,073
OTHER EXPENDABLE ORDNANCE		
118 ANTI-SHIP MISSILE DECOY SYSTEM	32,716	32,716
119 SURFACE TRAINING DEVICE MODS	5,814	5,814
120 SUBMARINE TRAINING DEVICE MODS	36,777	36,777
TOTAL, ORDNANCE SUPPORT EQUIPMENT	668,577	664,008
CIVIL ENGINEERING SUPPORT EQUIPMENT		
121 PASSENGER CARRYING VEHICLES	6,271	4,771
122 GENERAL PURPOSE TRUCKS	3,202	3 202
123 CONSTRUCTION & MAINTENANCE EQUIP	9,850	9,850
124 FIRE FIGHTING EQUIPMENT	14,315	14,315
125 TACTICAL VEHICLES	16,502	16,502
126 AMPHIBIOUS EQUIPMENT	3,235	3,235
127 POLLUTION CONTROL EQUIPMENT	7,175	7,175
128 ITEMS UNDER $5 MILLION	20 727	10,727
129 PHYSICAL SECURITY VEHICLES	1,142	1,142
TOTAL, CIVIL ENGINEERING SUPPORT EQUIPMENT	82,419	70,919

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	SUPPLY SUPPORT EQUIPMENT		
	SUPPLY SUPPORT EQUIPMENT		
130	MATERIALS HANDLING EQUIPMENT	14,972	9,972
131	OTHER SUPPLY SUPPORT EQUIPMENT	4,453	4,453
132	FIRST DESTINATION TRANSPORTATION	6,416	6,416
133	SPECIAL PURPOSE SUPPLY SYSTEMS	51,894	51 894
	TOTAL, SUPPLY SUPPORT EQUIPMENT	77,735	72,735
	PERSONNEL AND COMMAND SUPPORT EQUIPMENT		
	TRAINING DEVICES		
134	TRAINING SUPPORT EQUIPMENT	16,353	16,353
	COMMAND SUPPORT EQUIPMENT		
135	COMMAND SUPPORT EQUIPMENT	28,693	26,321
136	EDUCATION SUPPORT EQUIPMENT	2,197	2,197
137	MEDICAL SUPPORT EQUIPMENT	7,175	14,175
138	NAVAL MIP SUPPORT EQUIPMENT	1,457	1,457
140	OPERATING FORCES SUPPORT EQUIPMENT	15,330	15,330
141	C4ISR EQUIPMENT	136	136
142	ENVIRONMENTAL SUPPORT EQUIPMENT	18,639	18,639
143	PHYSICAL SECURITY EQUIPMENT	177,240	177,240
144	ENTERPRISE INFORMATION TECHNOLOGY	143,022	143,022
	TOTAL, PERSONNEL AND COMMAND SUPPORT EQUIPMENT	410,242	414,870
149	SPARES AND REPAIR PARTS	208,384	208,384
	CLASSIFIED PROGRAMS	14,402	14,402
	TOTAL OTHER PROCUREMENT, NAVY	6,285,451	6,013,385

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
3	**OTHER NAVIGATION EQUIPMENT**	**22,982**	**20,582**
	ECDIS-N installation funding carryover		-1,000
	Support funding carryover		-1,400
4	**SUB PERISCOPES & IMAGING EQUIP**	**60,860**	**57,033**
	ISIS capability insertion procurement ahead of need		-3,827
5	**DDG MOD**	**119,522**	**117,522**
	Engineering services carryover		-2,000
9	**SUBMARINE SUPPORT EQUIPMENT**	**15,892**	**14,122**
	SSTG governor procurement ahead of need		-1,770
10	**VIRGINIA CLASS SUPPORT EQUIPMENT**	**100,693**	**93,487**
	ISEA labs growth		-2,100
	SCS modernization backfit funding ahead of need		-2,106
	Technology insertion/technology refresh growth		-3,000
14	**CG-MODERNIZATION**	**590,349**	**573,349**
	Shore site upgrade growth		-11,000
	Engineering services carryover		-6,000
16	**UNDERWATER EOD PROGRAMS**	**18,499**	**17,499**
	Support funding carryover		-1,000
17	**ITEMS LESS THAN $5 MILLION**	**113,809**	**93,401**
	Machalts growth		-2,700
	Voltage regulator procurement ahead of need		-3,480
	LCS impellers/impeller assembly procurement ahead of need		-10,859
	AS-39 modernization traveling crane funding previously appropriated		-3,369
22	**DIVING AND SALVAGE EQUIPMENT**	**11,244**	**9,644**
	Outfitting equipment package cost growth		-1,600
23	**STANDARD BOATS**	**39,793**	**33,653**
	Medium sized force protection boats cost growth		-2,000
	7M RIB contract delay		-4,140
27	**LCS MODULES**	**79,583**	**63,448**
	Engineering change proposal growth		-4,715
	AN/AQS-20A contract delay		-8,920
	Production support excess to need		-2,500
28	**LSD MIDLIFE**	**143,483**	**132,733**
	Air conditioner plant upgrades installation ahead of need		-2,000
	RO desalinator units installation funding ahead of need		-6,750
	Steering control upgrade installation funding ahead of need		-2,000
29	**RADAR SUPPORT**	**18,818**	**10,618**
	Excess ECO funding		-1,800
	Radar procurement ahead of need		-6,400
30	**SPQ-9B RADAR**	**24,613**	**18,236**
	Radar procurement ahead of need		-6,377

P-1		Budget Request	Conference
31	**AN/SQQ-89 SURF ASW COMBAT SYSTEM**	**73,829**	**71,771**
	Sonar upgrade cost growth		-2,058
33	**UNDERSEA WARFARE SUPPORT EQUIPMENT**	**29,686**	**25,686**
	Mission integration installation funding ahead of need		-4,000
35	**ELECTRONIC WARFARE MILDEC**	**18,141**	**16,841**
	ICADS cost growth		-1,300
37	**SSTD**	**2,257**	**1,257**
	Excess support funding		-1,000
39	**SURTASS**	**29,247**	**25,547**
	ICP installation funding ahead of need		-1,500
	ICP procurement ahead of need		-2,200
41	**AN/SLQ-32**	**43,096**	**39,902**
	Block 1B3 Units - no longer required		-3,194
42	**SHIPBOARD IW EXPLOIT**	**103,645**	**100,745**
	Paragon Systems - change to procurement strategy		-2,900
44	**SUBMARINE SUPPORT EQUIPMENT PROG**	**100,793**	**89,241**
	Support funding carryover		-2,000
	ICADF antenna installation delay		-7,286
	Tech and capability insertion procurement ahead of need		-2,266
45	**COOPERATIVE ENGAGEMENT CAPABILITY**	**23,332**	**19,332**
	Signal data processor backfit kit procurement ahead of need		-2,000
	PAAA Backfit installation funding - no longer required		-2,000
55	**OTHER TRAINING EQUIPMENT**	**45,989**	**35,189**
	COTS obsolescence excessive growth		-10,800
56	**MATCALS**	**8,136**	**13,368**
	Support funding carryover		-2,000
	Radar upgrade transfer from title IX		7,232
58	**AUTOMATIC CARRIER LANDING SYSTEM**	**18,518**	**17,018**
	ECO growth		-1,500
59	**NATIONAL AIR SPACE SYSTEM**	**26,054**	**24,581**
	Digital Airport Surveillance Radar cost growth		-1,473
62	**ID SYSTEMS**	**33,170**	**31,470**
	IFF upgrade kit procurement ahead of need		-1,700
66	**GCCS-M EQUIPMENT TACTICAL/MOBILE**	**12,776**	**10,876**
	Tactical/Mobile C4I Systems Increment 2.1 ahead of need		-1,900
68	**CANES**	**195,141**	**96,088**
	Installation ahead of need		-7,153
	Support funding carryover		-2,300
	Navy requested transfer to RDTE,N line 201		-12,000
	Navy requested transfer to line 76		-77,600
70	**CANES-INTELL**	**75,084**	**72,313**
	Installation ahead of need		-2,771

P-1		Budget Request	Conference
74	**ITEMS LESS THAN $5 MILLION**	**51,716**	**42,416**
	SPS-48 radar cost growth		-2,500
	SPS-48 radar upgrade procurement ahead of need		-6,800
75	**SHIPBOARD TACTICAL COMMUNICATIONS**	**26,197**	**1,494**
	Fixed station JTRS suite procurement ahead of need		-24,703
76	**SHIP COMMUNICATIONS AUTOMATION**	**177,510**	**255,110**
	Navy requested transfer from line 68		77,600
78	**COMMUNICATIONS ITEMS UNDER $5M**	**33,644**	**27,544**
	HMS radios contract delay		-3,300
	BFTN installation ahead of need		-2,800
80	**SUBMARINE COMMUNICATION EQUIPMENT**	**75,447**	**74,047**
	Support funding carryover		-1,400
82	**NAVY MULTIBAND TERMINAL (NMT)**	**109,022**	**107,242**
	Submarine terminal cost growth		-1,780
86	**INFO SYSTEMS SECURITY PROGRAM (ISSP)**	**119,857**	**109,394**
	Excess installation funding		-3,789
	125 KMI kit procurement ahead of need		-2,074
	VACM program delay		-4,600
89	**OTHER DRUG INTERDICTION SUPPORT**	**2,290**	**0**
	Transfer to Drug Interdiction and Counter-drug Activities, Defense		-2,290
90	**SONOBUOYS - ALL TYPES**	**96,314**	**94,814**
	AN/SSQ-110 cost growth		-1,500
91	**WEAPONS RANGE SUPPORT EQUIPMENT**	**40,697**	**50,197**
	Threat presentation program growth		-3,000
	Test and Training range upgrades		12,500
93	**AIRCRAFT REARMING EQUIPMENT**	**8,941**	**5,587**
	Munitions trailer contract delay		-2,354
	Ordnance trailer contract delay		-1,000
95	**METEOROLOGICAL EQUIPMENT**	**22,003**	**19,478**
	Meteorological Mobile Facility (Replacement) Next Generation contract delay		-2,525
97	**AVIATION LIFE SUPPORT**	**66,031**	**60,919**
	Flight deck cranial cost growth		-5,112
98	**AIRBORNE MINE COUNTERMEASURES**	**49,668**	**33,515**
	AQS-20A contract delay		-6,903
	Production line set up excess funding		-9,250
99	**LAMPS MK III SHIPBOARD EQUIPMENT**	**18,471**	**12,908**
	Modification kit procurement ahead of need		-5,563
105	**RAM GMLS**	**4,321**	**3,128**
	Installation funding ahead of need		-1,193

P-1	Budget Request	Conference
106 SHIP SELF DEFENSE SYSTEM	**60,700**	**54,324**
SSDS modification kit procurement ahead of need		-6,376
108 TOMAHAWK SUPPORT EQUIPMENT	**72,861**	**70,261**
Support funding carryover		-2,600
112 SSN COMBAT CONTROL SYSTEMS	**81,596**	**89,096**
Naval Intelligence Fusion Tool transfer from title IX		7,500
116 EXPLOSIVE ORDNANCE DISPOSAL EQUIP	**98,847**	**96,947**
Product improvement funding growth		-1,900
121 PASSENGER CARRYING VEHICLES	**6,271**	**4,771**
Non-SOCOM related contract delays		-1,500
128 ITEMS UNDER $5 MILLION	**20,727**	**10,727**
Contract delays		-10,000
130 MATERIALS HANDLING EQUIPMENT	**14,972**	**9,972**
Contract delays		-5,000
135 COMMAND SUPPORT EQUIPMENT	**28,693**	**26,321**
US Fleet Forces equipment growth		-1,372
SPAWAR excess to need		-1,000
137 MEDICAL SUPPORT EQUIPMENT	**7,175**	**14,175**
Medical and dental outfitting kit cost growth		-3,000
Improved T-AH tender boats		10,000

PROCUREMENT, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	PROCUREMENT, MARINE CORPS		
	WEAPONS AND COMBAT VEHICLES		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	9,894	9,894
2	LAV PIP	147,051	147,051
	ARTILLERY AND OTHER WEAPONS		
3	EXPEDITIONARY FIRE SUPPORT SYSTEM	11,961	11,961
4	155MM LIGHTWEIGHT TOWED HOWITZER	5,552	5,552
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	14,695	14,695
6	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	14,868	14,868
	OTHER SUPPORT		
7	MODIFICATION KITS	53,932	53,932
8	WEAPONS ENHANCEMENT PROGRAM	13,795	13,795
	TOTAL, WEAPONS AND COMBAT VEHICLES	271,748	271,748
	GUIDED MISSILES AND EQUIPMENT		
	GUIDED MISSILES		
9	GROUND BASED AIR DEFENSE	12,287	12,287
11	FOLLOW ON TO SMAW	46,563	46,563
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	19,606	19,606
	OTHER SUPPORT		
13	MODIFICATION KITS	4,140	4,140
	TOTAL, GUIDED MISSILES AND EQUIPMENT	82,596	82,596

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
	COMMAND AND CONTROL SYSTEMS		
14	COMBAT OPERATIONS CENTER	16,755	16,755
	REPAIR AND TEST EQUIPMENT		
15	REPAIR AND TEST EQUIPMENT	24,071	24,071
	OTHER SUPPORT (TEL)		
16	COMBAT SUPPORT SYSTEM	25,461	25,461
	COMMAND AND CONTROL		
18	ITEMS UNDER $5 MILLION (COMM & ELEC)	5,926	5,926
19	AIR OPERATIONS C2 SYSTEMS	44,152	44,152
	RADAR + EQUIPMENT (NON-TEL)		
20	RADAR SYSTEMS	40,352	40,352
	INTELL/COMM EQUIPMENT (NON-TEL)		
21	FIRE SUPPORT SYSTEM	8,793	4,470
22	INTELLIGENCE SUPPORT EQUIPMENT	64,276	64,276
24	RQ-11 UAV	2,104	2,104
25	DCGS-MC	10,789	10,789
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
28	NIGHT VISION EQUIPMENT	6,847	6,847
	OTHER SUPPORT (NON-TEL)		
29	COMMON COMPUTER RESOURCES	218,869	218,869
30	COMMAND POST SYSTEMS	84,856	84,856
31	RADIO SYSTEMS	89,479	124,770
32	COMM SWITCHING & CONTROL SYSTEMS	16,598	16,598
33	COMM & ELEC INFRASTRUCTURE SUPPORT	47,505	47,505
33	CLASSIFIED PROGRAMS	1,606	1,606
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	708,439	739,407
	SUPPORT VEHICLES		
	ADMINISTRATIVE VEHICLES		
34	COMMERCIAL PASSENGER VEHICLES	894	894
35	COMMERCIAL CARGO VEHICLES	14,231	14,231
	TACTICAL VEHICLES		
37	MOTOR TRANSPORT MODIFICATIONS	8,389	8,389
38	MEDIUM TACTICAL VEHICLE REPLACEMENT	5,833	5,833
39	LOGISTICS VEHICLE SYSTEM REP	972	972
40	FAMILY OF TACTICAL TRAILERS	21,848	21,848

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OTHER SUPPORT		
42	ITEMS LESS THAN $5 MILLION	4,503	4,503
	TOTAL, SUPPORT VEHICLES	56,670	56,670
	ENGINEER AND OTHER EQUIPMENT		
	ENGINEER AND OTHER EQUIPMENT		
43	ENVIRONMENTAL CONTROL EQUIP ASSORT	2,599	2,599
44	BULK LIQUID EQUIPMENT	16,255	16,255
45	TACTICAL FUEL SYSTEMS	26,853	26,853
46	POWER EQUIPMENT ASSORTED	27,247	27,247
47	AMPHIBIOUS SUPPORT EQUIPMENT	5,533	5,533
48	EOD SYSTEMS	61,753	61,753
	MATERIALS HANDLING EQUIPMENT		
49	PHYSICAL SECURITY EQUIPMENT	16,627	16,627
50	GARRISON MOBILE ENGR EQUIP	10,827	10,827
51	MATERIAL HANDLING EQUIP	37,055	37,055
52	FIRST DESTINATION TRANSPORTATION	1,462	1,462
	GENERAL PROPERTY		
53	FIELD MEDICAL EQUIPMENT	24,079	24,079
54	TRAINING DEVICES	10,277	10,277
55	CONTAINER FAMILY	3,123	3,123
56	FAMILY OF CONSTRUCTION EQUIPMENT	18,137	18,137
59	RAPID DEPLOYABLE KITCHEN	5,026	5,026
	OTHER SUPPORT		
60	ITEMS LESS THAN $5 MILLION	5,206	5,206
	TOTAL, ENGINEER AND OTHER EQUIPMENT	272,059	272,059
61	SPARES AND REPAIR PARTS	90	90
	TOTAL, PROCUREMENT, MARINE CORPS	1,391,602	1,422,570

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	Conference
21	**FIRE SUPPORT SYSTEM**	**8,793**	**4,470**
	CLRF excess to need		-4,323
31	**RADIO SYSTEMS**	**89,479**	**124,770**
	Enterprise - Land Mobile Radios infrastructure		45,000
	JTRS Milestone C Delay		-10,709
	CBNIRF Equipment - Urgent unfunded requirement		1,000

AIRCRAFT PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	AIRCRAFT PROCUREMENT, AIR FORCE		
	COMBAT AIRCRAFT		
	TACTICAL FORCES		
1	F-35	3,340,615	3,289,615
2	F-35 (AP-CY)	323,477	228,977
3	F-22A	104,118	104,118
	TOTAL, COMBAT AIRCRAFT	3,768,210	3,622,710
	AIRLIFT AIRCRAFT		
	TACTICAL AIRLIFT		
4	C-17A (MYP)	---	225,000
	OTHER AIRLIFT		
5	C-130J	72,879	136,379
6	C-130J ADVANCE PROCUREMENT (CY)	---	120,000
7	HC-130J	332,899	332,899
9	MC-130J	582,466	582,466
13	JOINT CARGO AIRCRAFT	479,896	479,896
	TOTAL, AIRLIFT AIRCRAFT	1,468,140	1,876,640
	OTHER AIRCRAFT		
	TRAINER AIRCRAFT		
15	USAFA POWERED FLIGHT PROGRAM	1,060	1,060
	OTHER AIRCRAFT		
	HELICOPTERS		
17	COMM VERT LIFT SPT PLATFORM (UH-1N)	52,800	52,800
19	V-22 OSPREY	339,865	339,865
20	V-22 OSPREY (AP-CY)	20,000	20,000
	MISSION SUPPORT AIRCRAFT		
23	CIVIL AIR PATROL A/C	2,190	8,990
24	HH-60M	104,711	104,711
25	LIGHT ATTACK ARMED RECON AIRCRAFT	158,549	115,049

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OTHER AIRCRAFT		
29	TARGET DRONES	64,268	59,268
30	C-37A	77,842	77,842
31	RQ-4 UAV	323,964	323,964
32	RQ-4 UAV (AP-CY)	71,500	71,500
33	MC 130 IN BA 04	108,470	108,470
34	MQ-9	813,092	---
	TOTAL, OTHER AIRCRAFT	2,137,251	1,282,459
	MODIFICATION OF INSERVICE AIRCRAFT		
	STRATEGIC AIRCRAFT		
35	B-2A	41,315	31,015
36	B-1B	198,007	198,007
37	B-52	93,897	93,897
	TACTICAL AIRCRAFT		
38	A-10	153,128	55,028
39	F-15	222,386	255,586
40	F-16	73,346	56,746
41	F-22A	232,032	232,032
	AIRLIFT AIRCRAFT		
43	C-5	11,741	11,741
45	C-5M	851,859	851,859
46	C-5M (AP-CY)	112,200	112,200
47	C-9C	9	9
48	C-17A	202,179	202,179
49	C-21	328	328
50	C-32A	12,157	1,757
51	C-37A	21,986	486
52	C-130 AMP	235,635	208,135
	TRAINER AIRCRAFT		
53	GLIDER MODS	123	123
54	T6	15,086	15,086
55	T-1	238	238
56	T-38	31,032	31,032

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OTHER AIRCRAFT		
57	KC-10A (ATCA)	27,220	9,820
58	C-12	1,777	1,777
59	MC-12W	16,767	16,767
60	C-20 MODS	241	241
61	VC-25A MOD	387	387
62	C-40	206	206
63	C-130	45,876	56,276
64	C-130 MODS INTEL	3,593	3,593
65	C130J MODS	38,174	38,174
66	C-135	62,210	62,210
67	COMPASS CALL MODS	256,624	290,324
68	RC-135	162,211	162,211
69	E-3	135,031	135,031
70	E-4	57,829	57,829
71	E-8	29,058	22,558
72	H-1	5,280	5,280
73	H-60	34,371	58,971
74	RQ-4 UAV MODS	89,177	89,177
75	HC/MC-130 MODIFICATIONS	431	431
76	OTHER AIRCRAFT	115,338	68,238
77	MQ-1 MODS	158,446	158,446
78	MQ-9 MODS	181,302	149,744
79	MQ-9 PAYLOAD - UAS	74,866	74,866
80	CV-22 MODS	14,715	14,715
	OTHER MODIFICATIONS		
	TOTAL, MODIFICATION OF INSERVICE AIRCRAFT	4,019,814	3,834,756
	AIRCRAFT SPARES AND REPAIR PARTS		
81	INITIAL SPARES/REPAIR PARTS	1,030,364	927,364
	TOTAL, AIRCRAFT SPARES AND REPAIR PARTS	1,030,364	927,364

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		
	COMMON SUPPORT EQUIPMENT		
82	AIRCRAFT REPLACEMENT SUPPORT EQUIP	92,394	90,318
	POST PRODUCTION SUPPORT		
83	B-1	4,743	4,743
84	B-2A	101	101
85	B-2A	49,319	49,319
87	C-5	521	521
89	KC-10A (ATCA)	5,691	5,691
90	C-17A	183,696	75,115
91	C-130	25,646	25,646
93	C-135	2,434	2,434
94	F-15 POST PRODUCTION SUPPORT	2,076	2,076
95	F-16 POST PRODUCTION SUPPORT	4,537	4,537
97	OTHER AIRCRAFT	40,025	23,225
	INDUSTRIAL PREPAREDNESS		
98	INDUSTRIAL PREPAREDNESS	21,050	21,050
	WAR CONSUMABLES		
99	WAR CONSUMABLES	87,220	---
	OTHER PRODUCTION CHARGES		
100	OTHER PRODUCTION CHARGES	1,072,858	1,034,858
	DARP		
104	DARP	48,875	48,875
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES	1,641,186	1,388,509
	CLASSIFIED PROGRAMS	16,502	16,502
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	14,082,527	12,950,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	Conference
1	**F-35**	**3,340,615**	**3,289,615**
	Reduce by one aircraft		-151,000
	Concurrency costs		100,000
2	**F-35 (AP-CY)**	**323,477**	**228,977**
	Reduce advance procurement		-94,500
4	**C-17A (MYP)**	**0**	**225,000**
	Operational loss replacement of one aircraft		225,000
5	**C-130J**	**72,879**	**136,379**
	Transfer to Department of Homeland Security		63,500
6	**C-130J (AP-CY)**	**0**	**120,000**
	Unfunded requirement for advance procurement for 12 C/HC/MC/AC-130Js		120,000
23	**CIVIL AIR PATROL AIRCRAFT**	**2,190**	**8,990**
	Program increase		6,800
25	**LIGHT ATTACK ARMED RECONNAISSANCE (LAAR)**	**158,549**	**115,049**
	Reduction of three aircraft		-43,500
29	**TARGET DRONES**	**64,268**	**59,268**
	Slow execution		-5,000
34	**MQ-9**	**813,092**	**0**
	Block 5 to Block 1 adjustment		-64,000
	ASIP-2C sensors early to need		-29,500
	Transfer to title IX		-719,592
35	**B-2A**	**41,315**	**31,015**
	Excess to need		-10,300
38	**A-10**	**153,128**	**55,028**
	PATS-70 maintenance testers and spares		42,500
	Program reduction - Wing Replacement Program		-140,600
39	**F-15**	**222,386**	**255,586**
	Mode 5/IFF early to need		-14,000
	AESA Radar for ANG F-15s		47,200
40	**F-16**	**73,346**	**56,746**
	Mode 5/IFF early to need		-16,600
50	**C-32A**	**12,157**	**1,757**
	Program reduction - SLC3S-A		-10,400
51	**C-37A**	**21,986**	**486**
	Program reduction - SLC3S-A		-21,500
52	**C-130 AMP**	**235,635**	**208,135**
	Program reduction - kits early to need		-19,600
	Install kits early to need		-7,900

P-1		Budget Request	Conference
57	**KC-10A (ATCA)**	**27,220**	**9,820**
	CNS/ATM early to need		-17,400
63	**C-130**	**45,876**	**56,276**
	Air Force requested transfer from RDTE, AF line 81:		
	HC-130 T-1 modification integration		2,500
	HC-130 Loadmaster crashworthy seats		6,000
	HC-130 Low cost modifications		1,900
67	**COMPASS CALL MODS**	**256,624**	**290,324**
	Avionics modernization phase I		33,700
71	**E-8 (JSTARS)**	**29,058**	**22,558**
	Program reduction - reengining		-6,500
73	**H-60**	**34,371**	**58,971**
	Air Force requested transfer from RDTE, AF line 81:		
	H-60 Support Stand		2,000
	HH-60G SATCOM antenna		1,800
	HH-60G Obsolete Equipment Replacement		15,800
	HH-60G Cockpit reconfiguration/re-wiring		5,000
76	**OTHER AIRCRAFT**	**115,338**	**68,238**
	FAB-T early to need		-47,100
78	**MQ-9 MODS**	**181,302**	**149,744**
	Block 5 fielding early to need		-31,558
81	**INITIAL SPARES AND REPAIR PARTS**	**1,030,364**	**927,364**
	General reduction for low execution rate		-103,000
82	**AIRCRAFT REPLACEMENT SUPPORT EQUIPMENT**	**92,394**	**90,318**
	F-15 ESTS contract delay		-2,076
90	**C-17**	**183,696**	**75,115**
	Transition to post production		-108,581
97	**OTHER AIRCRAFT**	**40,025**	**23,225**
	F-16 Block 40/50 MTC		-16,800
99	**WAR CONSUMABLES**	**87,220**	**0**
	Transfer to title IX		-87,220
100	**OTHER PRODUCTION CHARGES**	**1,072,858**	**1,034,858**
	Classified adjustment		-38,000

RETIREMENT OF B–1 AIRCRAFT

The fiscal year 2012 budget request includes a proposal to retire six B–1 bomber aircraft. The conferees understand that the B–1 fleet continues to operate almost constantly over Afghanistan in support of troops on the ground and that the B–1 is a critical component of the Nation's long-range strike capabilities. The Air Force proposed to reinvest less than 40 percent of the savings from aircraft retirements in the B–1 modernization program across the Future Years Defense Program. The conferees are concerned that premature retirement of six B–1 aircraft could negatively impact long-range strike capabilities. Therefore, the conferees direct the Secretary of the Air Force to reinvest a larger portion of savings realized from B–1 aircraft retirements, to the extent authorized by law, in the sustainment and modernization of the B–1 fleet.

MISSILE PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	MISSILE PROCUREMENT, AIR FORCE		
	BALLISTIC MISSILES		
	MISSILE REPLACEMENT EQUIPMENT - BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	67,745	67,745
	OTHER MISSILES		
	TACTICAL		
2	JASSM	236,193	236,193
3	SIDEWINDER (AIM-9X)	88,769	88,769
4	AMRAAM	309,561	202,176
5	PREDATOR HELLFIRE MISSILE	46,830	46,830
6	SMALL DIAMETER BOMB	7,523	7,523
	INDUSTRIAL FACILITIES		
7	INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION	726	726
	TOTAL, OTHER MISSILES	689,602	582,217
	MODIFICATION OF INSERVICE MISSILES		
	CLASS IV		
8	ADVANCED CRUISE MISSILE	39	39
9	MM III MODIFICATIONS	125,953	125,953
10	AGM-65D MAVERICK	266	266
11	AGM-88A HARM	25,642	25,642
12	AIR LAUNCH CRUISE MISSILE	14,987	14,987
	TOTAL, MODIFICATION OF INSERVICE MISSILES	166,887	166,887

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	SPARES AND REPAIR PARTS		
13	INITIAL SPARES/REPAIR PARTS	43,241	43,241
	OTHER SUPPORT		
	SPACE PROGRAMS		
14	ADVANCED EHF	552,833	552,833
16	WIDEBAND GAPFILLER SATELLITES	468,745	794,745
18	GPS III SPACE SEGMENT	433,526	433,526
19	GPS III SPACE SEGMENT (AP-CY)	81,811	81,811
20	SPACEBORNE EQUIP (COMSEC)	21,568	21,568
21	GLOBAL POSITIONING (SPACE)	67,689	107,689
22	DEF METEOROLOGICAL SAT PROG (SPACE)	101,397	101,397
23	EVOLVED EXPENDABLE LAUNCH VEH (SPACE)	1,740,222	1,708,222
24	SBIR HIGH (SPACE)	81,389	81,389
25	SBIR HIGH (SPACE) (AP-CY)	243,500	243,500
	SPECIAL PROGRAMS		
31	SPECIAL UPDATE PROGRAMS	154,727	154,727
	TOTAL, OTHER SUPPORT	3,947,407	4,281,407
	CLASSIFIED PROGRAMS	1,159,135	939,380
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	6,074,017	6,080,877

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	Conference
4	**AMRAAM**	**309,561**	**202,176**
	Production delays		-107,385
16	**WIDEBAND GAPFILLER SATELLITES**	**468,745**	**794,745**
	Transfer from P, DW line 20 for WGS-9		335,000
	Reduction to support funding growth		-9,000
21	**GLOBAL POSITIONING (SPACE)**	**67,689**	**107,689**
	GPS IIF production support		40,000
23	**EVOLVED EXPENDABLE LAUNCH VEHICLE (SPACE)**	**1,740,222**	**1,708,222**
	Excess to need due to efficiencies		-32,000
999	**CLASSIFIED PROGRAMS**	**1,159,135**	**939,380**
	Classified adjustment		-219,755

SPACE ACQUISITION AND THE EVOLUTIONARY ACQUISITION FOR SPACE EFFICIENCY ACTIVITIES

The conferees continue to support block buys of satellites that are evolved from previous designs as described in the "Evolutionary Acquisition for Space Efficiency (EASE)" concept. However, the conferees remain concerned that the details associated with the technology insertion program are missing in the budget justification material. Therefore, the conferees direct that of the funds appropriated for the Advanced Extremely High Frequency (AEHF) system Capabilities/Affordability Insertion Program (CAIP), no more than 50 percent shall be available for obligation until the Secretary of the Air Force submits a report to the congressional defense committees on the individual CAIP efforts with a description of the technology insertion plans being pursued. Further, the conferees direct the Secretary of the Air Force to include the detailed budget definition for each of the CAIP efforts in the R–3 documents for the fiscal year 2013 and future budget submissions. The conferees also direct that not more than the specified amounts shall be obligated for the AEHF CAIP/Space Modernization Initiative unless the Secretary of the Air Force notifies the congressional defense committees in writing 15 days prior to the obligation of funds which exceeds the following amounts: $28,300,000 for cryptology parts obsolescence; $20,000,000 for radiation hardened parts technologies; $3,200,000 for remotely piloted aircraft concept definition; $58,700,000 for protected military satellite communications (MILSATCOM) designs for affordability; $7,000,000 for hosted payloads; and $25,000,000 for MILSATCOM architecture and support.

In addition, the conferees reiterate their opposition to using advance appropriations for procurement of satellites and recommend that an alternative concept be proposed in future budget submissions.

Finally, the conferees are disappointed that it took the Department of Defense over two years to develop a 15–year space strategic plan. It is the intention of the conferees that such plans be regularly developed and updated; therefore, the conferees direct that the next 15–year space strategic plan be delivered with the fiscal year 2014 budget submission.

PROCUREMENT OF AMMUNITION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	PROCUREMENT OF AMMO, AIR FORCE		
1	ROCKETS	23,919	23,919
2	CARTRIDGES	89,771	89,771
	BOMBS		
3	PRACTICE BOMBS	38,756	33,876
4	GENERAL PURPOSE BOMBS	168,557	133,557
5	JOINT DIRECT ATTACK MUNITION	76,649	76,649
	FLARE, IR MJU-7B		
6	CAD/PAD	42,410	42,410
7	EXPLOSIVE ORDINANCE DISPOSAL (EOD)	3,119	3,119
8	SPARES AND REPAIR PARTS	998	998
9	MODIFICATIONS	1,132	1,132
10	ITEMS LESS THAN $5,000,000	5,075	5,075
	FUZES		
11	FLARES	46,749	46,749
12	FUZES	34,735	34,735
	TOTAL, PROCUREMENT OF AMMO, AIR FORCE	531,870	491,990
	WEAPONS		
13	SMALL ARMS	7,195	7,195
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	539,065	499,185

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	Conference
3	**PRACTICE BOMBS**	**38,756**	**33,876**
	BDU-50C/B - Unjustified cost growth		-4,880
4	**GENERAL PURPOSE BOMBS**	**168,557**	**133,557**
	BLU-109 - Incorrect cost estimate		-35,000

OTHER PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OTHER PROCUREMENT, AIR FORCE		
	VEHICULAR EQUIPMENT		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLE	5,621	5,621
	CARGO + UTILITY VEHICLES		
2	FAMILY MEDIUM TACTICAL VEHICLE	18,411	18,411
3	CAP VEHICLES	917	917
4	ITEMS LESS THAN $5M (CARGO)	18,694	18,694
	SPECIAL PURPOSE VEHICLES		
5	SECURITY AND TACTICAL VEHICLES	5,982	85
6	ITEMS LESS THAN $5M (SPECIAL)	20,677	20,677
	FIRE FIGHTING EQUIPMENT		
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	22,881	22,881
	MATERIALS HANDLING EQUIPMENT		
8	ITEMS LESS THAT $5,000,000	14,978	14,978
	BASE MAINTENANCE SUPPORT		
9	RUNWAY SNOW REMOVAL & CLEANING EQUIP	16,556	16,556
10	ITEMS LESS THAN $5M	30,225	30,225
	TOTAL, VEHICULAR EQUIPMENT	154,942	149,045
	ELECTRONICS AND TELECOMMUNICATIONS EQUIP		
	COMM SECURITY EQUIPMENT(COMSEC)		
11	COMSEC EQUIPMENT	135,169	135,169
12	MODIFICATIONS (COMSEC)	1,263	1,263
	INTELLIGENCE PROGRAMS		
14	INTELLIGENCE TRAINING EQUIPMENT	2,645	2,645
15	INTELLIGENCE COMM EQUIP	21,762	21,762
16	ADVANCE TECH SENSORS	899	899
17	MISSION PLANNING SYSTEMS	18,529	18,529
	ELECTRONICS PROGRAMS		
18	TRAFFIC CONTROL/LANDING	32,473	32,473
19	NATIONAL AIRSPACE SYSTEM	51,426	51,426
20	BATTLE CONTROL SYSTEM - FIXED	32,468	32,468
21	THEATER AIR CONTROL SYS IMPRO	22,813	22,813
22	WEATHER OBSERVATION FORECAST	14,619	14,619
23	STRATEGIC COMMAND AND CONTROL	39,144	38,144
24	CHEYENNE MOUNTAIN COMPLEX	25,992	25,992
25	TAC SIGNIT SPT	217	217

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	SPECIAL COMM-ELECTRONICS PROJECTS		
27	GENERAL INFORMATION TECHNOLOGY	52,263	52,263
28	AF GLOBAL COMMAND & CONTROL SYSTEM	16,951	16,951
29	MOBILITY COMMAND AND CONTROL	26,433	17,033
30	AIR FORCE PHYSICAL SECURITY SYSTEM	90,015	90,015
31	COMBAT TRAINING RANGES	23,955	36,455
32	C3 COUNTERMEASURES	7,518	7,518
33	GCSS-AF FOS	72,641	72,641
34	THEATER BATTLE MGT C2 SYS	22,301	22,301
35	AIR OPERATIONS CENTER (AOC)	15,525	15,525
	AIR FORCE COMMUNICATIONS		
36	INFORMATION TRANSPORT SYSTEMS	49,377	49,377
37	BASE INFORMATION INFRASTRUCTURE	41,239	41,239
38	AFNET	228,978	128,978
39	VOICE SYSTEMS	43,603	23,603
40	USCENTCOM	30,983	30,983
	DISA PROGRAMS		
41	SPACE BASED IR SENSOR PROG SPACE	49,570	49,570
42	NAVSTAR GPS SPACE	2,008	2,008
43	NUDET DETECTION SYS (NDS) SPACE	4,863	4,863
44	AF SATELLITE CONTROL NETWORK SPACE	61,386	61,386
45	SPACELIFT RANGE SYSTEM SPACE	125,947	125,947
46	MILSATCOM SPACE	104,720	36,570
47	SPACE MODS SPACE	28,075	28,075
48	COUNTERSPACE SYSTEM	20,718	20,718
	ORGANIZATION AND BASE		
49	TACTICAL C-E EQUIPMENT	227,866	153,626
50	COMBAT SURVIVOR EVADER LOCATER	22,184	7,184
51	RADIO EQUIPMENT	11,408	11,408
52	CCTV/AUDIOVISUAL EQUIPMENT	11,559	11,559
53	BASE COMM INFRASTRUCTURE	105,977	80,977
	MODIFICATIONS		
54	COMM ELECT MODS	76,810	76,810
	TOTAL, ELECTRONICS AND TELECOMMUNICATIONS EQUIP	1,974,292	1,674,002

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP		
	PERSONAL SAFETY AND RESCUE EQUIP		
55	NIGHT VISION GOGGLES	20,008	1,008
56	ITEMS LESS THAN $5,000,000 (SAFETY)	25,499	12,598
	DEPOT PLANT + MATERIALS HANDLING EQ		
57	MECHANIZED MATERIAL HANDLING	37,829	37,829
	BASE SUPPORT EQUIPMENT		
58	BASE PROCURED EQUIPMENT	16,483	16,483
59	CONTINGENCY OPERATIONS	16,754	16,754
60	PRODUCTIVITY CAPITAL INVESTMENT	3,653	903
61	MOBILITY EQUIPMENT	30,345	20,345
62	ITEMS LESS THAN $5M (BASE SUPPORT)	2,819	2,819
	SPECIAL SUPPORT PROJECTS		
64	DARP RC135	23,341	23,341
65	DISTRIBUTED GROUND SYSTEMS	212,146	212,146
67	SPECIAL UPDATE PROGRAM	410,069	410,069
68	DEFENSE SPACE RECONNAISSANCE PROGRAM	41,066	41,066
	TOTAL, OTHER BASE MAINTENANCE AND SUPPORT EQUIP	840,012	795,361
	SPARE AND REPAIR PARTS		
69	SPARES AND REPAIR PARTS	14,630	14,630
	CLASSIFIED PROGRAMS	14,618,160	14,770,526
	TOTAL, OTHER PROCUREMENT, AIR FORCE	17,602,036	17,403,564

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	Conference
5	**SECURITY AND TACTICAL VEHICLES**	**5,982**	**85**
	HMMWV - Excess to need		-2,956
	Guardian Angel contract delay		-2,941
23	**STRATEGIC COMMAND AND CONTROL**	**39,144**	**38,144**
	JFHQ equipment		-1,000
29	**MOBILITY COMMAND AND CONTROL**	**26,433**	**17,033**
	Wing LAN infrastructure - slow execution		-2,000
	SLICC/Viper II excess to need		-7,400
31	**COMBAT TRAINING RANGES**	**23,955**	**36,455**
	Test and Training Range upgrades		12,500
38	**AFNET**	**228,978**	**128,978**
	Reduce program growth		-100,000
39	**VOICE SYSTEMS**	**43,603**	**23,603**
	Reduce program growth		-20,000
46	**MILSATCOM SPACE**	**104,720**	**36,570**
	FAB-T advance procurement ahead of need		-68,150
49	**TACTICAL C-E EQUIPMENT**	**227,866**	**153,626**
	JTRS Handhelds/Manpacks - pricing		-44,500
	JTRS AMF - Milestone C slip		-12,600
	JTC Training and Rehearsal System ahead of need		-17,140
50	**COMBAT SURVIVOR EVADER LOCATER**	**22,184**	**7,184**
	CSEL Contract delay		-15,000
53	**BASE COMM INFRASTRUCTURE**	**105,977**	**80,977**
	Slow execution		-25,000
55	**NIGHT VISION GOGGLES**	**20,008**	**1,008**
	Night Vision Cueing and Display contract delay		-19,000
56	**ITEMS LESS THAN $5 MILLION - SAFETY/RESCUE**	**25,499**	**12,598**
	Laser Eye Protection contract delay		-5,800
	MACH early to need		-7,101
60	**PRODUCTIVITY CAPITAL INVESTMENT**	**3,653**	**903**
	Unjustified program growth		-2,750
61	**MOBILITY EQUIPMENT**	**30,345**	**20,345**
	Power Generation - reduce growth		-10,000
999	**CLASSIFIED PROGRAMS**	**14,618,160**	**14,770,526**
	Classified adjustment		152,366

PROCUREMENT, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT		
	MAJOR EQUIPMENT, DCAA		
2	MAJOR EQUIPMENT ITEMS LESS THAN $5M	1,473	1,473
	MAJOR EQUIPMENT, DCMA		
3	MAJOR EQUIPMENT	2,076	2,076
	MAJOR EQUIPMENT, DHRA		
4	PERSONNEL ADMINISTRATION	11,019	11,019
	MAJOR EQUIPMENT, DISA		
14	INFORMATION SYSTEMS SECURITY	19,952	19,952
15	GLOBAL COMMAND AND CONTROL SYS	5,324	5,324
16	GLOBAL COMBAT SUPPORT SYSTEM	2,955	2,955
17	TELEPORT PROGRAM	54,743	54,743
18	ITEMS LESS THAN $5M	174,805	174,805
19	NET CENTRIC ENTERPRISE SERVICES (NCES)	3,429	3,429
20	DEFENSE INFORMATION SYSTEMS NETWORK	500,932	84,932
21	PUBLIC KEY INFRASTRUCTURE	1,788	1,788
22	CYBER SECURITY INITIATIVE	24,085	24,085
	MAJOR EQUIPMENT, DLA		
23	MAJOR EQUIPMENT	11,537	11,537
	MAJOR EQUIPMENT, DMACT		
24	A - WEAPON SYSTEM COST	14,542	14,542
	MAJOR EQUIPMENT, DODEA		
25	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,444	1,444
12	EQUIPMENT	971	971
12	OTHER CAPITAL EQUIPMENT	974	974
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
28	VEHICLES	200	200
29	OTHER MAJOR EQUIPMENT	12,806	12,806
	MAJOR EQUIPMENT, DTSA		
30	MAJOR EQUIPMENT	447	447
	MAJOR EQUIPMENT, MDA		
33	THAAD SYSTEM	833,150	709,150
34	AEGIS BMD	565,393	565,393
35	BMDS AN/TPY-2 RADARS	380,195	380,195

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	MAJOR EQUIPMENT, NSA		
43	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	5,787	5,787
	MAJOR EQUIPMENT, OSD		
45	MAJOR EQUIPMENT, OSD	47,123	47,123
46	MAJOR EQUIPMENT, INTELLIGENCE	20,176	20,176
	MAJOR EQUIPMENT, TJS		
47	MAJOR EQUIPMENT, TJS	29,729	29,729
	MAJOR EQUIPMENT, WHS		
48	MAJOR EQUIPMENT, WHS	31,974	31,974
	TOTAL, MAJOR EQUIPMENT	2,759,029	2,219,029
	SPECIAL OPERATIONS COMMAND		
	AVIATION PROGRAMS		
49	SOF ROTARY WING UPGRADES AND SUSTAINMENT	41,411	41,411
51	MH-60 SOF MODERNIZATION PROGRAM	171,456	145,456
52	NON-STANDARD AVIATION	272,623	217,623
54	SOF U-28	5,100	5,100
55	MH-47 CHINOOK	142,783	142,783
56	RQ-11 UAV	486	486
57	CV-22 SOF MODIFICATION	118,002	118,002
58	MQ-1 UAV	3,025	3,025
59	MQ-9 UAV	3,024	3,024
60	RQ-7 UNMANNED AERIAL VEHICLE	450	450
61	STUASLO	12,276	12,276
62	AC-130J	74,891	74,891
63	C-130 MODIFICATIONS	19,665	23,165
64	AIRCRAFT SUPPORT	6,207	6,207
	SHIPBUILDING		
65	UNDERWATER SYSTEMS	6,999	6,999
	AMMUNITION PROGRAMS		
67	SOF ORDNANCE REPLENISHMENT	116,009	106,009
68	SOF ORDNANCE ACQUISITION	28,281	18,281

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OTHER PROCUREMENT PROGRAMS		
69	COMM EQUIPMENT & ELECTRONICS	87,489	164,489
70	SOF INTELLIGENCE SYSTEMS	74,702	74,702
71	SMALL ARMS & WEAPONS	9,196	9,196
72	DCGS-SOF	15,621	15,621
76	SOF COMBATANT CRAFT SYSTEMS	6,899	70,899
77	SPARES AND REPAIR PARTS	594	594
78	TACTICAL VEHICLES	33,915	33,915
79	MISSION TRAINING AND PREPARATIONS SYSTEMS	46,242	46,242
81	COMBAT MISSION REQUIREMENTS	50,000	20,000
82	MILCON COLLATERAL EQUIPMENT	18,723	18,723
85	SOF AUTOMATION SYSTEMS	51,232	51,232
86	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	7,782	7,782
87	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	22,960	22,960
88	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	362	362
89	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SY	15,758	15,758
90	SOF TACTICAL RADIO SYSTEMS	76,459	148,459
93	MISCELLANEOUS EQUIPMENT	1,895	1,895
94	SOF OPERATIONAL ENHANCEMENTS	246,893	249,893
95	MILITARY INFORMATION SUPPORT OPERATIONS	4,142	4,142
	TOTAL, SPECIAL OPERATIONS COMMAND	1,793,552	1,882,052
	CHEMICAL/BIOLOGICAL DEFENSE		
96	INSTALLATION FORCE PROTECTION	15,900	15,900
97	INDIVIDUAL PROTECTION	71,376	71,376
98	DECONTAMINATION	6,466	6,466
99	JOINT BIOLOGICAL DEFENSE PROGRAM	11,143	4,143
100	COLLECTIVE PROTECTION	9,414	9,414
101	CONTAMINATION AVOIDANCE	139,948	139,948
	TOTAL, CHEMICAL/BIOLOGICAL DEFENSE	254,247	247,247
	CLASSIFIED PROGRAMS	558,420	545,100
	TOTAL, PROCUREMENT, DEFENSE-WIDE	5,365,248	4,893,428

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
20	**DEFENSE INFORMATION SYSTEMS NETWORK**	**500,932**	**84,932**
	Commercial Satellite - Transfer to MP,AF line 16		-416,000
33	**THAAD SYSTEM**	**833,150**	**709,150**
	Excess to production capacity		-124,000
51	**MH-60 SOF MODERNIZATION PROGRAM**	**171,456**	**145,456**
	Maintain fiscal year 2011 production rate due to extended modification periods		-26,000
52	**NON-STANDARD AVIATION**	**272,623**	**217,623**
	AvFID fixed-wing aircraft		-45,000
	AvFID rotary-wing simulator		-10,000
63	**C-130 MODIFICATIONS**	**19,665**	**23,165**
	Program increase - unfunded requirement		3,500
67	**SOF ORDNANCE REPLENISHMENT**	**116,009**	**106,009**
	Prior year funding carryover		-10,000
68	**SOF ORDNANCE ACQUISITION**	**28,281**	**18,281**
	Aviation ammunition - prior year funding carryover		-10,000
69	**COMMUNICATION EQUIPMENT & ELECTRONICS**	**87,489**	**164,489**
	Program increase - SOF Deployable Nodes unfunded requirement		77,000
76	**SOF COMBATANT CRAFT SYSTEMS**	**6,899**	**70,899**
	Program increase - HSAC unfunded requirement		64,000
81	**COMBAT MISSION REQUIREMENTS**	**50,000**	**20,000**
	Excess to need		-30,000
90	**SOF TACTICAL RADIO SYSTEMS**	**76,459**	**148,459**
	Program increase - unfunded requirement		72,000
94	**SOF OPERATIONAL ENHANCEMENTS**	**246,893**	**249,893**
	Program increase - Electronic Warfare unfunded requirement		3,000
99	**JOINT BIOLOGICAL DEFENSE PROGRAM**	**11,143**	**4,143**
	Next Generation Diagnostic System ahead of need		-7,000
	CLASSIFIED PROGRAMS	**558,420**	**545,100**
	Classified adjustment		-13,320

SM–3 BLOCK IB MISSILE

The fiscal year 2012 budget request includes $565,393,000 for the procurement of SM–3 Block IB missiles in support of Aegis Ballistic Missile Defense. The conferees have been informed by the Missile Defense Agency (MDA) that following a recent flight test failure, those funds are partially ahead of need. The conferees have also been informed that funding is required for a failure review of the SM–3 Block IB, sustainment of the industrial base, and the procurement of SM–3 Block IA missiles before SM–3 Block IB missiles will be procured. The conferees understand that the details of the specific funding requirements are currently being analyzed by MDA and direct MDA to submit a prior approval reprogramming request prior to executing funds from this line.

SPECIAL OPERATIONS COMMAND AVIATION FOREIGN INTERNAL DEFENSE

The conferees are aware of ongoing reviews of the proposed expansion of the Aviation Foreign Internal Defense (AvFID) mission in the Special Operations Command. While these reviews are not yet complete, the conferees believe that the rapid expansion of this mission, as proposed in the fiscal year 2012 budget request, must be tempered. The agreement contains reductions of $45,000,000 from procurement of AvFID fixed-wing aircraft, $10,000,000 from procurement of an AvFID rotary-wing aircraft simulator, and $17,607,000 from operation and maintenance for aircraft that will not deliver until fiscal year 2013. The agreement fully funds the procurement of two AvFID rotary-wing aircraft and associated support equipment.

The conferees direct that no funds provided for fixed-wing Aviation Foreign Internal Defense aircraft may be obligated until 30 days after submission of a report by the Commander, Special Operations Command to the congressional defense committees describing how the funds will be used to support the AvFID or the non-standard aviation (NSAV) missions, a summary of AvFID and NSAV funding contained in the fiscal year 2013 budget request and the Future Years Defense Program, and an analysis of alternatives used to justify the described program. The report shall be submitted not later than February 15, 2012.

DEFENSE PRODUCTION ACT PURCHASES

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P–1	Budget request	Conference
DEFENSE PRODUCTION ACT:		
GALLIUM NITRIDE RADAR AND ELECTRONIC WARFARE MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	8,373	8,373
GALLIUM NITRIDE ADVANCED ELECTRONIC WARFARE MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	2,321	2,321
LITHIUM ION (LI ION) BATTERY PRODUCTION FOR SPACE	770	770
CADMIUM ZINC TELLURIDE SUBSTRATE PRODUCTION	1,900	1,900

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

P–1	Budget request	Conference
READ OUT INTEGRATED CIRCUIT FOUNDRY IMPROVEMENT AND SUSTAINABILITY	1,200	1,200
SPACE QUALIFIED SOLAR CELL SUPPLY CHAIN	600	600
TRAVELING WAVE TUBE AMPLIFIERS	1,310	1,310
COMPLEMENTARY METAL OXIDE SEMICONDUCTOR FOCAL PLAN ARRAYS FOR VISIBLE SENSORS FOR STAR TRACKERS	1,800	1,800
ADVANCED PROJECTS	1,690	1,690
PROGRAM INCREASE		150,000
TOTAL, DEFENSE PRODUCTION ACT	19,964	169,964

LONG TERM CONTRACTS

The conferees believe that the time and money being invested by the Department of Defense in biofuels and alternative energy will reap dividends not only for the Nation's armed forces, but eventually for the Nation itself. The conferees want the Department to be in the best position possible to take advantage of the expected breakthroughs in this area and encourage the Department to eventually pursue extended multi-year contracts, pursuant to the Financial Management Regulation, for biofuels products in order to maximize efficiencies of scale for the best purchase price.

ADDITIONAL FUNDING

The conferees recognize the critical role the Defense Production Act program serves in strengthening the Nation's industrial base. Therefore, the conferees provide $150,000,000 over the budget request to supplement this important program. As stated in the Senate report, the conferees direct the Under Secretary of Defense (Acquisition, Technology and Logistics) to award this funding to multiple projects using full and open competition and to notify the congressional defense committees not later than 30 days in advance of this funding being obligated.

TITLE IV—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides $72,420,675,000 in Title IV, Research, Development, Test and Evaluation, instead of $72,983,469,000 as proposed by the House and $71,033,956,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
RECAPITULATION		
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.....	9,683,980	8,745,492
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY.....	17,956,431	17,753,940
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE.	27,737,701	26,535,996
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE.....	19,755,678	19,193,955
OPERATIONAL TEST AND EVALUATION, DEFENSE.....	191,292	191,292
GRAND TOTAL, RDT&E.....	75,325,082	72,420,675

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase "only for" or "only to" in this report are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount specifically addressed in the explanatory statement.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The conferees direct the Department of Defense to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2006 Department of Defense Appropriations bill (H.R. 109–119). Specifically, the dollar threshold for reprogramming funds will remain at $20,000,000 for procurement and $10,000,000 for research, development, test and evaluation. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative. Therefore, if the combined value of transfers into or out of a procurement (P–1) or research, development, test and evaluation (R–1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

REPROGRAMMING REPORTING REQUIREMENTS

The conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles III and IV of this Act as required in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006.

DEPARTMENT OF DEFENSE AND SERVICE CYBER ACTIVITIES

The conferees acknowledge the threat to and from the cyber realm has been well documented; however, the resources being expended against the threat have not. In order to better evaluate the planning and resourcing for Department of Defense cyber activities, the conferees direct the Commander, United States Cyber Command, in coordination with the Secretary of Defense and each of the Service Secretaries, to provide the congressional defense committees separate budget justification material, in the form of the budget documents as defined in the Department's own Financial Management Regulation, that details the year-to-year budgets, schedule, and milestone goals over the Future Years Defense Program for the individual programs that support the goals of the cyber initiative. The programs detailed must include cyberspace operations, computer network operations, information assurance, and

full spectrum cyber operations for the Department of Defense and the Services.

The conferees suggest that the Department continue to refine what activities, budget lines, and programs should be considered cyber in order to better coordinate and track these budgets.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
	BASIC RESEARCH		
1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	21,064	21,064
2	DEFENSE RESEARCH SCIENCES	213,942	213,942
3	UNIVERSITY RESEARCH INITIATIVES	80,977	80,977
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	120,937	140,937
	TOTAL, BASIC RESEARCH	436,920	456,920
	APPLIED RESEARCH		
5	MATERIALS TECHNOLOGY	30,258	50,758
6	SENSORS AND ELECTRONIC SURVIVABILITY	43,521	43,521
7	TRACTOR HIP	14,230	14,230
8	AVIATION TECHNOLOGY	44,610	44,610
9	ELECTRONIC WARFARE TECHNOLOGY	15,790	15,790
10	MISSILE TECHNOLOGY	50,685	67,185
11	ADVANCED WEAPONS TECHNOLOGY	20,034	20,034
12	ADVANCED CONCEPTS AND SIMULATION	20,933	20,933
13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	64,306	64,306
14	BALLISTICS TECHNOLOGY	59,214	59,214
15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,877	4,877
16	JOINT SERVICE SMALL ARMS PROGRAM	8,244	8,244
17	WEAPONS AND MUNITIONS TECHNOLOGY	39,813	54,813
18	ELECTRONICS AND ELECTRONIC DEVICES	62,962	62,962
19	NIGHT VISION TECHNOLOGY	57,203	55,203
20	COUNTERMINE SYSTEMS	20,280	32,780
21	HUMAN FACTORS ENGINEERING TECHNOLOGY	21,801	21,801
22	ENVIRONMENTAL QUALITY TECHNOLOGY	20,837	20,837
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	26,116	26,116
24	COMPUTER AND SOFTWARE TECHNOLOGY	8,591	8,591
25	MILITARY ENGINEERING TECHNOLOGY	80,317	80,317
26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,946	18,946
27	WARFIGHTER TECHNOLOGY	29,835	46,335

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
28	MEDICAL TECHNOLOGY	105,929	105,929
	TOTAL, APPLIED RESEARCH	869,332	948,332
	ADVANCED TECHNOLOGY DEVELOPMENT		
29	WARFIGHTER ADVANCED TECHNOLOGY	52,979	52,979
30	MEDICAL ADVANCED TECHNOLOGY	68,171	102,971
31	AVIATION ADVANCED TECHNOLOGY	62,193	62,193
32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	77,077	77,077
33	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	106,145	146,145
34	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	5,312	5,312
35	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	10,298	10,298
36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	57,963	69,963
37	TRACTOR HIKE	8,155	8,155
38	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,936	17,936
39	TRACTOR ROSE	12,597	12,597
40	MILITARY HIV RESEARCH	6,796	22,796
41	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	12,191	12,191
42	TRACTOR NAIL	4,278	4,278
43	TRACTOR EGGS	2,261	2,261
44	ELECTRONIC WARFARE TECHNOLOGY	23,677	23,677
45	MISSILE AND ROCKET ADVANCED TECHNOLOGY	90,602	90,602
46	TRACTOR CAGE	10,315	10,315
47	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	183,150	228,150
48	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	31,541	31,541
49	JOINT SERVICE SMALL ARMS PROGRAM	7,686	7,686
50	NIGHT VISION ADVANCED TECHNOLOGY	42,414	42,414
51	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	15,959	15,959
52	MILITARY ENGINEERING ADVANCED TECHNOLOGY	36,516	36,516
53	ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY	30,600	30,600
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	976,812	1,124,612

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	DEMONSTRATION & VALIDATION		
55	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	36,009	24,009
56	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	9,612	9,612
58	LANDMINE WARFARE AND BARRIER - ADV DEV	35,383	19,293
59	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	9,501	4,501
60	TANK AND MEDIUM CALIBER AMMUNITION	39,693	39,693
61	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	101,408	64,408
62	SOLDIER SUPPORT AND SURVIVABILITY	9,747	3,843
63	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - AD	5,766	5,766
65	ENVIRONMENTAL QUALITY TECHNOLOGY	4,946	4,946
66	WARFIGHTER INFORMATION NETWORK-TACTICAL	297,955	182,955
67	NATO RESEARCH AND DEVELOPMENT	4,765	4,765
68	AVIATION - ADV DEV	7,107	7,107
69	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	19,509	12,509
70	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION	5,258	5,258
71	MEDICAL SYSTEMS - ADV DEV	34,997	34,997
72	SOLDIER SYSTEMS - ADVANCED DEVELOPMENT	19,598	17,752
73	INTEGRATED BROADCAST SERVICE	1,496	1,496
74	TECHNOLOGY MATURATION INITIATIVES	10,181	10,181
75	TRACTOR JUTE	15,609	15,609
76	JOINT COOPERATIVE TARGET IDENTIFICATION - GROUND (JCTI	41,652	15,052
77	ENDURANCE UAVS	42,892	42,892
	TOTAL, DEMONSTRATION & VALIDATION	753,084	526,644
	ENGINEERING & MANUFACTURING DEVELOPMENT		
78	AIRCRAFT AVIONICS	144,687	119,687
79	ARMED, DEPLOYABLE OH-58D	166,132	82,442
80	ELECTRONIC WARFARE DEVELOPMENT	101,265	34,265
82	ALL SOURCE ANALYSIS SYSTEM	17,412	7,412
83	TRACTOR CAGE	26,577	26,577
84	INFANTRY SUPPORT WEAPONS	73,728	83,474
85	MEDIUM TACTICAL VEHICLES	3,961	3,961
87	JAVELIN	17,340	9,940
88	FAMILY OF HEAVY TACTICAL VEHICLES	5,478	5,478

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
89	AIR TRAFFIC CONTROL	22,922	22,922
90	LIGHT TACTICAL WHEELED VEHICLES	---	70,000
93	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	383,872	298,872
95	FCS UNMANNED GROUND VEHICLES	143,840	36,000
96	FCS UNATTENDED GROUND SENSORS	499	---
98	NIGHT VISION SYSTEMS - SDD	59,265	59,265
99	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,075	2,075
100	NON-SYSTEM TRAINING DEVICES - SDD	30,021	30,021
101	TERRAIN INFORMATION - SDD	1,596	1,596
102	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD	83,010	83,010
103	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	28,305	28,305
104	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	14,375	14,375
105	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD	15,803	15,803
107	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	22,226	22,226
108	WEAPONS AND MUNITIONS - SDD	13,828	13,828
109	LOGISTICS AND ENGINEER EQUIPMENT - SDD	251,104	173,311
110	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD	137,811	81,811
111	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT	27,160	27,160
112	LANDMINE WARFARE/BARRIER - SDD	87,426	76,326
113	ARTILLERY MUNITIONS	42,627	37,627
115	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	123,935	93,935
116	RADAR DEVELOPMENT	2,890	2,890
117	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	794	794
118	FIREFINDER	10,358	10,358
119	SOLDIER SYSTEMS - WARRIOR DEM/VAL	48,309	61,409
120	ARTILLERY SYSTEMS	120,146	120,146
121	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	406,605	390,000
122	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,398	7,398
123	INFORMATION TECHNOLOGY DEVELOPMENT	37,098	32,098
124	ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMH	68,693	68,693
125	JOINT AIR-TO-GROUND MISSILE (JAGM)	127,095	127,095
126	SLAMRAAM	19,931	1,531
127	PAC-2/MSE MISSILE	88,993	88,993

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
128	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	270,607	270,607
129	MANNED GROUND VEHICLE	884,387	449,387
130	AERIAL COMMON SENSOR	31,465	31,465
131	TROJAN - RH12	3,920	3,920
132	ELECTRONIC WARFARE DEVELOPMENT	13,819	13,819
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	4,190,788	3,242,307
	RDT&E MANAGEMENT SUPPORT		
133	THREAT SIMULATOR DEVELOPMENT	16,992	26,158
134	TARGET SYSTEMS DEVELOPMENT	11,247	11,247
135	MAJOR T&E INVESTMENT	49,437	49,437
136	RAND ARROYO CENTER	20,384	20,384
137	ARMY KWAJALEIN ATOLL	145,606	145,606
138	CONCEPTS EXPERIMENTATION PROGRAM	28,800	28,800
140	ARMY TEST RANGES AND FACILITIES	262,456	312,456
141	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	70,227	70,227
142	SURVIVABILITY/LETHALITY ANALYSIS	43,483	43,483
143	DOD HIGH ENERGY LASER TEST FACILITY	18	18
144	AIRCRAFT CERTIFICATION	5,630	5,630
145	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,182	7,182
146	MATERIEL SYSTEMS ANALYSIS	19,669	19,669
147	EXPLOITATION OF FOREIGN ITEMS	5,445	5,445
148	SUPPORT OF OPERATIONAL TESTING	68,786	68,786
149	ARMY EVALUATION CENTER	63,302	63,302
150	SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)	3,420	3,420
151	PROGRAMWIDE ACTIVITIES	83,054	83,054
152	TECHNICAL INFORMATION ACTIVITIES	63,872	54,872
	ANALYSIS OF ALTERNATIVE PILOT	---	500
153	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	57,142	57,142
154	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,961	4,961
155	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	17,558	17,558
	TOTAL, RDT&E MANAGEMENT SUPPORT	1,048,671	1,099,337

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATIONAL SYSTEMS DEVELOPMENT		
158	MLRS PRODUCT IMPROVEMENT PROGRAM	66,641	66,641
159	WEAPONS CAPABILITY MODIFICATIONS UAV	24,142	7,500
160	AEROSTAT JOINT PROJECT OFFICE	344,655	327,855
162	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	29,546	29,546
163	COMBAT VEHICLE IMPROVEMENT PROGRAMS	53,307	36,207
164	MANEUVER CONTROL SYSTEM	65,002	42,414
165	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	163,205	149,705
166	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	823	823
167	DIGITIZATION	8,029	8,029
169	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	44,560	54,560
171	TRACTOR CARD	42,554	42,554
172	JOINT TACTICAL GROUND SYSTEM	27,630	27,630
173	JOINT HIGH SPEED VESSEL (JHSV)	3,044	---
175	SECURITY AND INTELLIGENCE ACTIVITIES	2,854	2,854
176	INFORMATION SYSTEMS SECURITY PROGRAM	61,220	15,709
176A	FAMILY OF BIOMETRICS	---	45,511
177	GLOBAL COMBAT SUPPORT SYSTEM	100,505	160,745
178	SATCOM GROUND ENVIRONMENT (SPACE)	12,104	12,104
179	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	23,937	23,937
181	TACTICAL UNMANNED AERIAL VEHICLES	40,650	26,550
182	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	44,198	31,699
183	MQ-1 SKY WARRIOR A UAV	137,038	122,038
184	RQ-11 UAV	1,938	1,938
185	RQ-7 UAV	31,940	31,940
187	BIOMETRICS ENABLED INTELLIGENCE	15,018	15,018
188	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,297	59,297
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,403,837	1,342,804
999	CLASSIFIED PROGRAMS	4,536	4,536
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	9,683,980	8,745,492

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

R-1		Budget Request	Conference
4	**UNIVERSITY AND INDUSTRY RESEARCH CENTERS**	**120,937**	**140,937**
	Historically Black Colleges and Universities		20,000
5	**MATERIALS TECHNOLOGY**	**30,258**	**50,758**
	Nanotechnology research		8,000
	Silicon carbide research		12,500
10	**MISSILE TECHNOLOGY**	**50,685**	**67,185**
	Restore unjustified reductions for missile lethality and precision research		16,500
17	**WEAPONS AND MUNITIONS TECHNOLOGY**	**39,813**	**54,813**
	Program increase		15,000
19	**NIGHT VISION TECHNOLOGY**	**57,203**	**55,203**
	Program growth adjustment		-2,000
20	**COUNTERMINE SYSTEMS**	**20,280**	**32,780**
	Unexploded ordnance and landmine detection research		12,500
27	**WARFIGHTER TECHNOLOGY**	**29,835**	**46,335**
	Power generation research		16,500
30	**MEDICAL ADVANCED TECHNOLOGY**	**68,171**	**102,971**
	Peer-Reviewed Neurotoxin Exposure Treatment Parkinsons Research Program		16,000
	Peer-Reviewed Neurofibromatosis Research Program		12,800
	Peer-Reviewed Military Burn Research Program		6,000
33	**COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY**	**106,145**	**146,145**
	Alternative energy research		40,000
36	**ELECTRONIC WARFARE ADVANCED TECHNOLOGY**	**57,963**	**69,963**
	Cyber security/information assurance research		12,000
40	**MILITARY HIV RESEARCH**	**6,796**	**22,796**
	Program increase		16,000
47	**HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM**	**183,150**	**228,150**
	Restore unjustified reduction		45,000

R-1		Budget Request	Conference
55	**ARMY MISSILE DEFENSE SYSTEMS INTEGRATION**	**36,009**	**24,009**
	TR7 Schedule delays		-12,000
58	**LANDMINE WARFARE AND BARRIER - ADV DEV**	**35,383**	**19,293**
	Excess to Army requirement		-16,090
59	**SMOKE, OBSCURANT AND TARGET DEFEATING SYSTEM-ADVANCE DEVELOPMENT**	**9,501**	**4,501**
	Program growth adjustment		-5,000
61	**ADVANCED TANK ARMAMENT SYSTEM (ATAS)**	**101,408**	**64,408**
	Program growth adjustment		-37,000
62	**SOLDIER SUPPORT AND SURVIVABILITY**	**9,747**	**3,843**
	Rapid Equipping Force- Lack of baseline requirement		-5,904
66	**WARFIGHTER INFORMATION NETWORK-TACTICAL**	**297,955**	**182,955**
	Increment III program acceleration		-115,000
69	**LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV**	**19,509**	**12,509**
	G11-LAMPS - Army requested transfer to Line 109		-7,000
72	**SOLDIER SYSTEMS - ADVANCED DEVELOPMENT**	**19,598**	**17,752**
	S53 efforts - Transfer to VS4		-1,846
76	**JOINT COOPERATIVE TARGET IDENTIFICATION - GROUND (JCTI-G) TECHNOLOGY DEVELOPMENT**	**41,652**	**15,052**
	Army identified excess to requirement		-26,600
78	**AIRCRAFT AVIONICS**	**144,687**	**119,687**
	JTRS AMF integration delays		-15,000
	JPALS excessive growth		-10,000
79	**ARMED, DEPLOYABLE OH-58D**	**166,132**	**82,442**
	OH-58D Project 538 support for continued service		-20,000
	Project 53Z - Technology Development funding requested ahead of need		-78,690
	Project 53Z Armed Scout Helicopter excursion to Analysis of Alternatives, and flight demonstration, as requested by Army		15,000
80	**ELECTRONIC WARFARE DEVELOPMENT**	**101,265**	**34,265**
	CIRCM program delays		-67,000

R-1		Budget Request	Conference
82	**ALL SOURCE ANALYSIS SYSTEM**	**17,412**	**7,412**
	Machine Foreign Language Translation System contract award delay		-10,000
84	**INFANTRY SUPPORT WEAPONS**	**73,728**	**83,474**
	Army requested transfer for Engineering and Manufacturing Development Testing from WTCV,A line 17		16,046
	Army requested transfer for re-testing of Lightweight .50 Caliber Machine Gun following a parts failure from WTCV,A line 20		1,700
	S61 - High concurrency of incremental efforts		-8,000
87	**JAVELIN**	**17,340**	**9,940**
	Excess to requirement		-7,400
90	**LIGHT TACTICAL WHEELED VEHICLES**	**0**	**70,000**
	Armored HMMWV survivability enhancements		50,000
	Transfer from line 109 for fiscal year 2012 HMMWV Competitive RECAP (MECV) - Army identified shortfall		20,000
93	**FCS SYSTEMS OF SYSTEMS ENGINERING AND PROGRAM MANAGEMENT**	**383,872**	**298,872**
	Unjustified requirement		-85,000
95	**FCS UNMANNED GROUND VEHICLES**	**143,840**	**36,000**
	Program adjustment		-107,840
96	**FCS UNATTENDED GROUND SENSORS**	**499**	**0**
	Program termination		-499
109	**LOGISTICS AND ENGINEER EQUIPMENT - SDD**	**251,104**	**173,311**
	Project 194 - LAMPS - Army requested transfer from line 69, project G11		7,000
	Project L50 - JLTV Restructure		-64,793
	Project L50 - Transfer to line 90 for HMMWV Competitive RECAP (MECV) Army identified shortfall		-20,000
110	**COMMAND, CONTROL, COMMUNICATIONS SYST - SDD**	**137,811**	**81,811**
	JBC-P excessive growth		-56,000
112	**LANDMINE WARFARE/BARRIER - SDD**	**87,426**	**76,326**
	EHP - Contract award delay		-11,100

R-1	Budget Request	Conference
113 ARTILLERY MUNITIONS	**42,627**	**37,627**
Program growth adjustment		-5,000
115 ARMY TACTICAL COMMAND & CONTROL HARDWARE AND SOFTWARE	**123,935**	**93,935**
Project 334 - Excessive growth		-30,000
119 SOLDIER SYSTEMS - WARRIOR DEM/VAL	**48,309**	**61,409**
Nett Warrior - Army requested transfer from OP,A, line 147		7,600
Nett Warrior - Additional Army requested transfer from OP,A line 147 for NIE		5,500
121 PATRIOT/MEADS COMBINED AGGREGATE PROGRAM	**406,605**	**390,000**
Program decrease		-16,605
123 INFORMATION TECHNOLOGY DEVELOPMENT	**37,098**	**32,098**
Unsustained growth		-5,000
126 SLAMRAAM	**19,931**	**1,531**
Excess to program close-out requirement		-18,400
129 MANNED GROUND VEHICLE	**884,387**	**449,387**
Excessive Technology Ramp-up prior to completion of Analysis of Alternatives		-435,000
133 THREAT SIMULATOR DEVELOPMENT	**16,992**	**26,158**
Unfunded JFCOM mission transfer		9,166
140 ARMY TEST RANGES AND FACILITIES	**262,456**	**312,456**
Program increase		50,000
152 TECHNICAL INFORMATION ACTIVITIES	**63,872**	**54,872**
Project 733 - Analysis of Alternatives Pilot - Transfer to line 152A		-9,000
152A ANALYSIS OF ALTERNATIVES PILOT	**0**	**500**
Transfer from line 152 for Analysis of Alternatives Pilot		500
159 WEAPONS CAPABILITY MODIFICATIONS UAV	**24,142**	**7,500**
Funding excess to only the Analysis of Alternatives		-16,642

R-1	Budget Request	Conference
160 AEROSTAT JOINT PROJECT OFFICE	**344,655**	**327,855**
Program growth adjustment - Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System		-16,800
163 COMBAT VEHICLE IMPROVEMENT PROGRAMS	**53,307**	**36,207**
AMPV		-17,100
164 MANEUVER CONTROL SYSTEM	**65,002**	**42,414**
Unjustified growth		-22,588
165 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	**163,205**	**149,705**
Project 504 - Excess to Army Analysis of Alternatives requirement		-13,500
169 MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	**44,560**	**54,560**
Stinger SLEP - Army requested transfer from Missile Procurement, Army		10,000
173 JOINT HIGH SPEED VESSEL (JHSV)	**3,044**	**0**
Program transferred to Navy		-3,044
176 INFORMATION SYSTEMS SECURITY PROGRAM	**61,220**	**15,709**
Army requested transfer to line 176a		-45,511
176a FAMILY OF BIOMETRICS	**0**	**45,511**
Army requested transfer from line 176		45,511
177 GLOBAL COMBAT SUPPORT SYSTEM	**100,505**	**160,745**
Army requested transfer for GCSSA from OP,A line 116		47,240
Army requested transfer for Army Enterprise System Integration from OP,A line 116		13,000
181 TACTICAL UNMANNED AERIAL VEHICLES	**40,650**	**26,550**
Tactical SIGINT Package contract award delays and change to acquisition strategy		-14,100
182 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	**44,198**	**31,699**
Requirements increase		-12,499
183 MQ-1 SKY WARRIOR A UAV	**137,038**	**122,038**
Excessive growth		-15,000

ARMY MODERNIZATION AND ACQUISITION

The conferees agree with the Army's steps to improve acquisition processes through implementation of the Decker-Wagner Army Acquisition Review findings as well as introducing other metrics and monthly reports to enable and strengthen senior civilian oversight across all Army modernization portfolios. The conferees believe continued acquisition improvement is only achievable with a strong, stable acquisition workforce and therefore urge the Secretary of the Army and the Secretary of Defense to guard against misguided efforts that shrink the acquisition workforce as was done in the 1990s with disastrous results. The conferees also believe that even with improvements in acquisition processes and a stable workforce, these steps alone will not ensure that the Army will achieve its modernization objectives.

After both the House and Senate Appropriations Committees completed their reviews of the fiscal year 2012 budget request, the Army provided additional information for its top-ten priority programs. Of these top-ten programs, six programs had undergone significant acquisition strategy modifications causing schedule and programmatic perturbations. As a result of these changes, the Army identified over $1,000,000,000 from its original fiscal year 2012 budget request as excess to its funding requirements in fiscal year 2012. Additionally, the Army notified the congressional defense committees of over $309,000,000 in excess funds from its budget request due to program terminations and requested transfers of over $282,000,000 among ten different programs. This magnitude of change in funding across a multitude of programs, identified after submitting the budget only ten months prior, indicates a pervasive instability in Army programs.

While the conferees recognize that ten years of continuous war can force out-of-cycle changes, the Army's acquisition challenges precede the post-September 11, 2001 war efforts. Since 1995, the Army has spent $32,000,000,000 on development of 22 programs that were eventually cancelled. The conferees believe this history of programmatic instability indicates a lack of focus and discipline in the requirements generation process that must be corrected before the Army will see any improvement in its ability to successfully modernize. Improvement must begin with clearly documented, stable, and affordable requirements. The conferees are aware that Army acquisition has taken on the responsibility of vetting each requirement for technical maturity and affordability prior to initiating a contract action, but the conferees are concerned that this is a short-term correction to a larger institutional problem with the requirements generation process.

Furthermore, while the conferees congratulate the Army on the success of the newly implemented Network Integration Evaluations, which ensure new equipment is interoperable, effective, and adds benefit to deployed troops, the process has revealed that a handful of programs would not be effective if deployed. The evaluations are causing the Army to reevaluate, restructure, and even terminate several programs that began years ago with established requirements. Thus, the conferees question the long-standing requirements process that serves as the foundation for Army mod-

ernization. Therefore, in addition to implementing changes identified in the Decker-Wagner Army Acquisition Review, the Secretary of the Army is encouraged to undertake a similar examination of the requirements generation process.

FUTURE COMBAT SYSTEMS' SYSTEM OF SYSTEMS ENGINEERING AND PROGRAM MANAGEMENT AND NETWORK INTEGRATION EVALUATION

The conference agreement provides $298,872,000 for the Future Combat Systems' System of Systems Engineering and Program Management, instead of $311,872,000 as proposed by the House and $283,872,000 as proposed by the Senate. The conferees note that this line now funds the Army's bi-annual Network Integration Evaluations (NIE). The conferees support the NIE and direct the Army to regularly update the congressional defense committees on the cost, schedule, scope, and methods for the tests and other associated reviews to be accomplished in the NIE, as well as outcomes and findings. Additionally, the conferees are aware of the savings the Army has achieved in Future Combat Systems termination costs and the lower costs projected for the fiscal year 2012 NIE. The conferees note that the continued use of the former "Future Combat Systems" terminology has become a counter-productive distraction and recommend updating program descriptions to improve communications among those who review and shape defense appropriations and to more accurately reflect the purpose for which appropriations are requested. The conferees believe that funding requirements for the NIE should be presented distinctly and separately in future budget submissions.

ACTIVE AND SEMI-ACTIVE VEHICLE SUSPENSION COMPONENTS

The conferees are aware that the Army has begun the testing and development of active and semi-active vehicle suspension components with regenerative capabilities. The conferees understand that this technology may improve vehicle fuel efficiency and reduce maintenance. Accordingly, the conferees encourage the Army to continue the testing and development of this technology and to fully explore the potential benefits for application across vehicle programs.

SUPPORT FOR BASE REALIGNMENT AND CLOSURE 2005 ACTIONS

The conferees support actions taken by the Army and the Defense Logistics Agency to fully fund the integration of their information technology systems in a timely manner to support the 2005 Base Realignment and Closure (BRAC) Commission's mandate to transfer re-procurement of depot level repairables. The conferees are aware that although the BRAC Commission determined the transfer has the potential to save millions of dollars, the Government Accountability Office has recently concluded that the savings are jeopardized by inadequate up-front funding for BRAC implementation. The conferees note that the Army's Tank and Automotive Research, Development, and Engineering Command (TARDEC) manages the repository of all ground vehicle technical data for the Army, and has built infrastructure for use by all Army programs to store weapons system technical information, drawings,

and specifications. The conferees urge that the TARDEC use funds available for this effort to assist in meeting the 2005 BRAC recommendation for depot-level repairable transfer.

ARMORED MULTI-PURPOSE VEHICLE

The conferees recommend $14,300,000 for the Armored Multipurpose Vehicle instead of $31,400,000 as proposed by the House and no funding as proposed by the Senate. The conferees note that the requirement to find a replacement for the M113 series of vehicles has received scant attention for too long. The conferees believe that prompt and decisive action is needed to select and advance a near-term solution rather than continuing a long-term search for the perfect solution. The conferees note that the recommendation fully funds the Analysis of Alternatives, as requested by the Army. Subsequently, after notification to the congressional defense committees, available funds may be applied to expedite the acquisition effort.

GROUND COMBAT VEHICLE

The conferees recommend $449,387,000 for the Ground Combat Vehicle, instead of $768,053,000 as proposed by the House and $240,387,000 as proposed by the Senate. The conferees have been informed of a change to the acquisition strategy and note that the recommendation fully funds this revised strategy.

ARMED SCOUT HELICOPTER

The conferees recommend no funding for technology development of the Armed Scout Helicopter (ASH), instead of $63,690,000 as proposed by the House and $4,761,000 as proposed by the Senate, because contrary to plans submitted with the fiscal year 2012 budget submission, the Army does not plan to award a technology development contract in fiscal year 2012. The conferees recommend $15,000,000 for a flight demonstration of ASH capabilities, as requested by the Army. The conferees understand that this flight demonstration will occur in the spring of 2012, and direct the Army to brief the congressional defense committees in detail on the outcome of this demonstration not later than 30 days after its completion.

JOINT LIGHT TACTICAL VEHICLE

The budget request includes $243,940,000 within Army and Marine Corps accounts for the development of the Joint Light Tactical Vehicle (JLTV). The JLTV program has undergone significant changes since its inception and the submission of the fiscal year 2012 budget request. The principal reason for the changes is the discovery that the plan to acquire multiple variants of a limited number of vehicles with demanding performance specifications would result in an unaffordable program for both the Army and Marine Corps. As a result, the program will now pursue a competitively-selected single vehicle with a less complex design on a significantly accelerated timeline.

The conferees are encouraged to see the Army and Marine Corps taking definitive action to change their approach in evalu-

ating requirements, technology, key performance parameters, and costs as they apply to this acquisition program. Continuing on the nine year path of studies, development, and testing to field a lightweight tactical vehicle that will carry four passengers and 3,500 pounds of cargo onto the battlefield was unacceptable.

Recognizing the renewed focus and approach, the conference agreement provides $87,300,000 in Research, Development, Test and Evaluation, Army and $46,700,000 in Research, Development, Test and Evaluation, Navy for continued JLTV development, in accordance with revised estimates for the program. The conferees strongly encourage the Army and Marine Corps, in conjunction with the Under Secretary of Defense (Acquisition, Technology and Logistics), to examine the feasibility of accelerating a competition for production through more efficient testing and acquisition practices and by embracing off-the-shelf technology demonstrated by industry so that improved vehicles are delivered to the warfighter as soon as possible. Accordingly, the Army and Marine Corps are encouraged to acquire, test, and evaluate, as necessary, available off-the-shelf systems that meet the essential program requirements.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
	BASIC RESEARCH		
1	UNIVERSITY RESEARCH INITIATIVES	113,157	133,157
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,092	18,092
3	DEFENSE RESEARCH SCIENCES	446,123	454,123
	TOTAL, BASIC RESEARCH	577,372	605,372
	APPLIED RESEARCH		
4	POWER PROJECTION APPLIED RESEARCH	104,804	104,804
5	FORCE PROTECTION APPLIED RESEARCH	156,901	196,901
6	MARINE CORPS LANDING FORCE TECHNOLOGY	44,845	44,845
8	COMMON PICTURE APPLIED RESEARCH	65,448	65,448
9	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	101,205	101,205
10	RF SYSTEMS APPLIED RESEARCH	108,329	108,329
11	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	50,076	50,076
12	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,937	5,937
13	UNDERSEA WARFARE APPLIED RESEARCH	108,666	108,666
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,583	37,583
	TOTAL, APPLIED RESEARCH	783,794	823,794
	ADVANCED TECHNOLOGY DEVELOPMENT		
15	POWER PROJECTION ADVANCED TECHNOLOGY	114,270	114,270
16	FORCE PROTECTION ADVANCED TECHNOLOGY	64,057	45,234
17	COMMON PICTURE ADVANCED TECHNOLOGY	49,068	49,068
18	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	71,232	71,232
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	102,535	122,535
20	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	124,324	124,324
21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,286	11,286
22	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	18,119	56,819
23	UNDERSEA WARFARE ADVANCED TECHNOLOGY	37,121	42,121
24	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	50,157	50,157
25	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	6,048	6,048
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	648,217	693,094

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	DEMONSTRATION & VALIDATION		
26	AIR/OCEAN TACTICAL APPLICATIONS	94,972	84,972
27	AVIATION SURVIVABILITY	10,893	10,893
28	DEPLOYABLE JOINT COMMAND AND CONTROL	3,702	3,702
29	AIRCRAFT SYSTEMS	10,497	10,497
30	ASW SYSTEMS DEVELOPMENT	7,915	7,915
31	TACTICAL AIRBORNE RECONNAISSANCE	5,978	5,978
32	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,418	1,418
33	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	142,657	127,757
34	SURFACE SHIP TORPEDO DEFENSE	118,764	118,764
35	CARRIER SYSTEMS DEVELOPMENT	54,072	54,072
37	PILOT FISH	96,012	96,012
38	RETRACT LARCH	73,421	73,421
39	RETRACT JUNIPER	130,267	130,267
40	RADIOLOGICAL CONTROL	1,338	1,338
41	SURFACE ASW	29,797	29,797
42	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	856,326	861,706
43	SUBMARINE TACTICAL WARFARE SYSTEMS	9,253	9,253
44	SHIP CONCEPT ADVANCED DESIGN	14,308	14,308
45	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	22,213	22,213
46	ADVANCED NUCLEAR POWER SYSTEMS	463,683	463,683
47	ADVANCED SURFACE MACHINERY SYSTEMS	18,249	18,249
48	CHALK EAGLE	584,159	584,159
49	LITTORAL COMBAT SHIP (LCS)	286,784	292,784
50	COMBAT SYSTEM INTEGRATION	34,157	34,157
51	CONVENTIONAL MUNITIONS	4,753	4,753
52	MARINE CORPS ASSAULT VEHICLES	12,000	37,000
53	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	79,858	54,981

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
54	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	33,654	33,654
55	COOPERATIVE ENGAGEMENT	54,783	54,783
56	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	9,996	9,996
57	ENVIRONMENTAL PROTECTION	21,714	21,714
58	NAVY ENERGY PROGRAM	70,538	70,538
59	FACILITIES IMPROVEMENT	3,754	3,754
60	CHALK CORAL	79,415	79,415
61	NAVY LOGISTIC PRODUCTIVITY	4,137	4,137
62	RETRACT MAPLE	276,383	276,383
63	LINK PLUMERIA	52,721	52,721
64	RETRACT ELM	160,964	150,964
66	LINK EVERGREEN	144,985	144,985
67	SPECIAL PROCESSES	43,704	43,704
68	NATO RESEARCH AND DEVELOPMENT	9,140	9,140
69	LAND ATTACK TECHNOLOGY	421	421
70	NONLETHAL WEAPONS	40,992	40,992
71	JOINT PRECISION APPROACH AND LANDING SYSTEMS	121,455	118,255
75	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	64,107	64,107
76	ASE SELF-PROTECTION OPTIMIZATION	711	711
77	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE	62,044	62,044
78	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	22,665	3,450
79	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE	33,621	33,621
80	ASW SYSTEMS DEVELOPMENT - MIP	1,078	1,078
82	ELECTRONIC WARFARE DEVELOPMENT - MIP	625	625
	TOTAL, DEMONSTRATION & VALIDATION	4,481,053	4,435,241

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	ENGINEERING & MANUFACTURING DEVELOPMENT		
83	OTHER HELO DEVELOPMENT	35,651	42,651
84	AV-8B AIRCRAFT - ENG DEV	30,676	30,676
85	STANDARDS DEVELOPMENT	51,191	49,491
86	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	17,673	17,673
87	AIR/OCEAN EQUIPMENT ENGINEERING	5,922	5,922
88	P-3 MODERNIZATION PROGRAM	3,417	3,417
89	WARFARE SUPPORT SYSTEM	9,944	9,944
90	TACTICAL COMMAND SYSTEM	81,257	77,257
91	ADVANCED HAWKEYE	110,994	130,994
92	H-1 UPGRADES	72,569	67,569
93	ACOUSTIC SEARCH SENSORS	56,509	48,898
94	V-22A	84,477	84,477
95	AIR CREW SYSTEMS DEVELOPMENT	3,249	3,249
96	EA-18	17,100	17,100
97	ELECTRONIC WARFARE DEVELOPMENT	89,418	89,418
98	VH-71A EXECUTIVE HELO DEVELOPMENT	180,070	60,770
99	NEXT GENERATION JAMMER (NGJ)	189,919	170,919
100	JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	688,146	676,146
101	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	223,283	223,283
102	LPD-17 CLASS SYSTEMS INTEGRATION	884	884
103	SMALL DIAMETER BOMB (SDB)	47,635	29,635
104	STANDARD MISSILE IMPROVEMENTS	46,705	46,705
105	AIRBORNE MCM	41,142	41,142
106	NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENG.	24,898	24,898
107	FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM	121,150	75,700
108	ADVANCED ABOVE WATER SENSORS	227,358	247,358
109	SSN-688 AND TRIDENT MODERNIZATION	100,591	90,291
110	AIR CONTROL	5,521	5,521
111	SHIPBOARD AVIATION SYSTEMS	45,445	45,445

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
112	COMBAT INFORMATION CENTER CONVERSION	3,400	3,400
113	NEW DESIGN SSN	97,235	112,235
114	SUBMARINE TACTICAL WARFARE SYSTEM	48,466	48,466
115	SHIP CONTRACT DESIGN/LIVE FIRE T&E	161,099	121,099
116	NAVY TACTICAL COMPUTER RESOURCES	3,848	3,848
117	MINE DEVELOPMENT	3,933	3,933
118	LIGHTWEIGHT TORPEDO DEVELOPMENT	32,592	32,592
119	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	9,960	9,960
120	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	12,992	12,992
121	JOINT STANDOFF WEAPON SYSTEMS	7,506	7,506
122	SHIP SELF DEFENSE (DETECT & CONTROL)	71,222	71,222
123	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	6,631	6,631
124	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	184,095	184,095
125	INTELLIGENCE ENGINEERING	2,217	2,217
126	MEDICAL DEVELOPMENT	12,984	31,084
127	NAVIGATION/ID SYSTEM	50,178	39,378
128	JOINT STRIKE FIGHTER (JSF) - EMD	670,723	651,786
129	JOINT STRIKE FIGHTER (JSF)	677,486	658,549
130	INFORMATION TECHNOLOGY DEVELOPMENT	27,461	19,461
131	INFORMATION TECHNOLOGY DEVELOPMENT	58,764	29,764
132	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	55,050	55,050
133	CH-53K	629,461	624,461
135	JOINT AIR-TO-GROUND MISSILE (JAGM)	118,395	108,395
136	MULTI-MISSION MARITIME AIRCRAFT (MMA)	622,713	618,713
138	DDG-1000	261,604	257,604
139	TACTICAL COMMAND SYSTEM - MIP	979	979
141	TACTICAL CRYPTOLOGIC SYSTEMS	31,740	31,740
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	6,475,528	6,164,593

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	RDT&E MANAGEMENT SUPPORT		
142	THREAT SIMULATOR DEVELOPMENT	28,318	28,318
143	TARGET SYSTEMS DEVELOPMENT	44,700	44,700
144	MAJOR T&E INVESTMENT	37,957	37,957
145	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	2,970	2,970
146	STUDIES AND ANALYSIS SUPPORT - NAVY	23,454	17,454
147	CENTER FOR NAVAL ANALYSES	47,127	47,127
148	SMALL BUSINESS INNOVATIVE RESEARCH	10	10
149	TECHNICAL INFORMATION SERVICES	571	571
150	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	68,301	58,301
151	STRATEGIC TECHNICAL SUPPORT	3,277	3,277
152	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	73,917	73,917
153	RDT&E SHIP AND AIRCRAFT SUPPORT	136,531	136,531
154	TEST AND EVALUATION SUPPORT	335,367	335,367
155	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,634	16,634
156	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,228	4,228
157	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	7,642	7,642
158	MARINE CORPS PROGRAM WIDE SUPPORT	25,655	25,655
159	TACTICAL CRYPTOLOGIC ACTIVITIES	2,764	2,764
	TOTAL, RDT&E MANAGEMENT SUPPORT	859,423	843,423
	OPERATIONAL SYSTEMS DEVELOPMENT		
164	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT	198,298	198,298
165	MARINE CORPS COMBAT SERVICES SUPPORT	400	400
166	MARINE CORPS DATA SYSTEMS	1,650	1,650
167	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	88,873	88,873
168	SSBN SECURITY TECHNOLOGY PROGRAM	33,553	33,553
169	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	6,360	6,360
170	NAVY STRATEGIC COMMUNICATIONS	23,208	23,208
171	RAPID TECHNOLOGY TRANSITION (RTT)	30,021	30,021
172	F/A-18 SQUADRONS	151,030	145,161
173	E-2 SQUADRONS	6,696	6,696
174	FLEET TELECOMMUNICATIONS (TACTICAL)	1,739	1,739
175	SURFACE SUPPORT	3,377	3,377

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
176	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	8,819	8,819
177	INTEGRATED SURVEILLANCE SYSTEM	21,259	21,259
178	AMPHIBIOUS TACTICAL SUPPORT UNITS	5,214	5,214
179	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	42,244	42,244
180	CRYPTOLOGIC DIRECT SUPPORT	1,447	1,447
181	ELECTRONIC WARFARE (EW) READINESS SUPPORT	18,142	18,142
182	HARM IMPROVEMENT	11,147	11,147
183	TACTICAL DATA LINKS	69,224	69,224
184	SURFACE ASW COMBAT SYSTEM INTEGRATION	22,010	29,510
185	MK-48 ADCAP	39,288	46,788
186	AVIATION IMPROVEMENTS	123,012	100,423
187	NAVY SCIENCE ASSISTANCE PROGRAM	1,957	1,957
188	OPERATIONAL NUCLEAR POWER SYSTEMS	82,705	82,705
189	MARINE CORPS COMMUNICATIONS SYSTEMS	320,864	320,864
190	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	209,396	159,396
191	MARINE CORPS COMBAT SERVICES SUPPORT	45,172	27,072
192	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	14,101	14,101
193	TACTICAL AIM MISSILES	8,765	8,765
194	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,913	2,913
195	JOINT HIGH SPEED VESSEL (JHSV)	4,108	4,108
200	SATELLITE COMMUNICATIONS (SPACE)	263,712	263,712
201	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES	12,906	24,906
202	INFORMATION SYSTEMS SECURITY PROGRAM	25,229	37,229
203	WWMCCS/Global Command and Control System	1,250	1,250
204	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (MIP)	6,602	6,602
206	COBRA JUDY	40,605	40,605
207	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	904	904
208	JOINT MILITARY INTELLIGENCE PROGRAMS	4,099	4,099
209	TACTICAL UNMANNED AERIAL VEHICLES	9,353	9,353
210	AIRBORNE RECONNAISSANCE SYSTEMS	---	20,000

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
212	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS	23,785	23,785
213	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS	25,487	25,487
214	RQ-4 UAV	548,482	548,482
215	MQ-8 UAV	108,248	108,248
216	RQ-11 UAV	979	979
217	RQ-7 UAV	872	872
219	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	22,698	21,398
220	MEDIUM RANGE MARITIME UAS	15,000	15,000
221	RQ-21A	26,301	24,201
223	MODELING AND SIMULATION SUPPORT	8,292	8,292
224	DEPOT MAINTENANCE (NON-IF)	21,609	21,609
226	INDUSTRIAL PREPAREDNESS	54,031	54,031
227	MARITIME TECHNOLOGY (MARITECH)	5,000	5,000
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	2,822,436	2,781,478
999	CLASSIFIED PROGRAMS	1,308,608	1,406,945
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	17,956,431	17,753,940

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	Conference
1	**UNIVERSITY RESEARCH INITIATIVES**	**113,157**	**133,157**
	Program increase - Competitive based university research program		20,000
3	**DEFENSE RESEARCH SCIENCES**	**446,123**	**454,123**
	Nanotechnology research		8,000
5	**FORCE PROTECTION APPLIED RESEARCH**	**156,901**	**196,901**
	Alternative Energy		40,000
16	**FORCE PROTECTION ADVANCED TECHNOLOGY**	**64,057**	**45,234**
	Excess MRMUAS funding		-18,823
19	**ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLO(**	**102,535**	**122,535**
	Advanced Radar Innovation Fund		20,000
22	**WARFIGHTER PROTECTION ADVANCED TECHNOLOGY**	**18,119**	**56,819**
	Program increase - Bone Marrow Registry Program		31,500
	Program increase - Tactical Athlete Program		7,200
23	**UNDERSEA WARFARE ADVANCED TECHNOLOGY**	**37,121**	**42,121**
	Program increase - ASW research		5,000
26	**AIR/OCEAN TACTICAL APPLICATIONS**	**94,972**	**84,972**
	JMAPS program delay		-10,000
33	**SURFACE AND SHALLOW WATER MINE COUNTERMEAS**	**142,657**	**127,757**
	UUV program delay		-6,000
	Program execution		-8,900
42	**ADVANCED SUBMARINE SYSTEM DEVELOPMENT**	**856,326**	**861,706**
	Navy requested transfer from line 109 for submarine battery development		5,380
49	**LITTORAL COMBAT SHIP (LCS)**	**286,784**	**292,784**
	Program increase - Small business technology insertion (mission modules)		10,000
	Defer development of Irregular Warfare mission package		-4,000
52	**MARINE CORPS ASSAULT VEHICLES**	**12,000**	**37,000**
	Marine Corps requested transfer from line 190		25,000
53	**MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM**	**79,858**	**54,981**
	JLTV restructure		-24,877
64	**RETRACT ELM**	**160,964**	**150,964**
	Classified adjustment		-10,000
71	**JOINT PRECISION APPROACH AND LANDING SYSTEMS**	**121,455**	**118,255**
	Excess management services funding		-3,200
78	**PRECISION STRIKE WEAPONS DEVELOPMENT PROGRA**	**22,665**	**3,450**
	Excess support funding		-1,000
	FMU-164 fuze program termination		-18,215

R-1	Budget Request	Conference
83 OTHER HELO DEVELOPMENT	**35,651**	**42,651**
Navy requested transfer from line 98 for VH-3/VH-60 sustainment		7,000
85 STANDARDS DEVELOPMENT	**51,191**	**49,491**
Collision avoidance safety program delay		-1,700
90 TACTICAL COMMAND SYSTEM	**81,257**	**77,257**
NTCSS - reduce program growth		-4,000
91 ADVANCED HAWKEYE	**110,994**	**130,994**
Advanced Radar Innovation Fund		20,000
92 H-1 UPGRADES	**72,569**	**67,569**
Development support funding growth		-5,000
93 ACOUSTIC SEARCH SENSORS	**56,509**	**48,898**
Management services funding growth		-6,000
High Altitude ASW program delay		-1,611
98 VH-71A EXECUTIVE HELO DEVELOPMENT	**180,070**	**60,770**
Navy requested transfer to line 83		-7,000
Navy requested transfer to AP,N line 47		-24,000
Navy requested transfer to AP,N line 62		-12,000
Early to need		-76,300
99 NEXT GENERATION JAMMER (NGJ)	**189,919**	**170,919**
Technology development late contract award		-19,000
100 JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	**688,146**	**676,146**
Management services funding growth		-3,000
Transfer from OP,A line 39 for GMR correction of deficiencies		51,000
HMS capability enhancements unjustified request		-60,000
103 SMALL DIAMETER BOMB (SDB)	**47,635**	**29,635**
Defer integration on Joint Strike Fighter		-18,000
107 FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM	**121,150**	**75,700**
Delay to Technology Development contract award		-45,450
108 ADVANCED ABOVE WATER SENSORS	**227,358**	**247,358**
Advanced Radar Innovation Fund		20,000
109 SSN-688 AND TRIDENT MODERNIZATION	**100,591**	**90,291**
TB-33 program cancellation		-4,920
Navy requested transfer to line 42 for submarine battery development		-5,380
113 NEW DESIGN SSN	**97,235**	**112,235**
Program increase - Small business technology insertion		15,000

R-1	Budget Request	Conference
115 SHIP CONTRACT DESIGN/LIVE FIRE T&E	**161,099**	**121,099**
Ship to shore connector program delay		-40,000
126 MEDICAL DEVELOPMENT	**12,984**	**31,084**
Program increase - wound care research		13,000
Program increase - military dental research		5,100
127 NAVIGATION/ID SYSTEM	**50,178**	**39,378**
Mode 5 program delay		-10,800
128 JOINT STRIKE FIGHTER (JSF) - EMD	**670,723**	**651,786**
Block IV development ahead of need		-18,937
129 JOINT STRIKE FIGHTER (JSF)	**677,486**	**658,549**
Block IV development ahead of need		-18,937
130 INFORMATION TECHNOLOGY DEVELOPMENT	**27,461**	**19,461**
Program underexecution		-8,000
131 INFORMATION TECHNOLOGY DEVELOPMENT	**58,764**	**29,764**
Reduction to fourth quarter contract awards		-29,000
133 CH-53K	**629,461**	**624,461**
Management services funding growth		-5,000
135 JOINT AIR-TO-GROUND MISSILE (JAGM)	**118,395**	**108,395**
Program delay		-10,000
136 MULTI-MISSION MARITIME AIRCRAFT (MMA)	**622,713**	**618,713**
Program increase - Small business technology insertion		10,000
Increment 3 - development ahead of need		-14,000
138 DDG-1000	**261,604**	**257,604**
Government technical services growth		-4,000
146 STUDIES AND ANALYSIS SUPPORT - NAVY	**23,454**	**17,454**
Reduction to growth		-6,000
150 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPO	**68,301**	**58,301**
OASUW - defer new start		-10,000
172 F/A-18 SQUADRONS	**151,030**	**145,161**
Radar upgrade program delay		-5,869
184 SURFACE ASW COMBAT SYSTEM INTEGRATION	**22,010**	**29,510**
Program increase - Small business technology insertion		7,500
185 MK-48 ADCAP	**39,288**	**46,788**
Program increase - Small business technology insertion		7,500
186 AVIATION IMPROVEMENTS	**123,012**	**100,423**
Multi purpose bomb rack program termination		-22,589
190 MARINE CORPS GROUND COMBAT/SUPPORTING ARMS	**209,396**	**159,396**
Marine Corps requested transfer to line 52		-25,000
AAV upgrade program excess to need		-10,000
Marine Personnel Carrier ahead of need		-15,000

R-1		Budget Request	Conference
191	**MARINE CORPS COMBAT SERVICES SUPPORT**	**45,172**	**27,072**
	Program execution		-18,100
201	**CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES**	**12,906**	**24,906**
	Navy requested transfer from OP,N line 68		12,000
202	**INFORMATION SYSTEMS SECURITY PROGRAM**	**25,229**	**37,229**
	Cyber Security Research		12,000
210	**AIRBORNE RECONNAISSANCE SYSTEMS**	**0**	**20,000**
	Combat Dragon II demonstration		20,000
219	**SMALL (LEVEL 0) TACTICAL UAS (STUASL0)**	**22,698**	**21,398**
	Excess support funding		-1,300
221	**RQ-21A**	**26,301**	**24,201**
	Program delays		-2,100
999	**CLASSIFIED PROGRAMS**	**1,308,608**	**1,406,945**
	Classified adjustment		98,337

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE		
	BASIC RESEARCH		
1	DEFENSE RESEARCH SCIENCES	364,328	364,328
2	UNIVERSITY RESEARCH INITIATIVES	140,273	152,273
3	HIGH ENERGY LASER RESEARCH INITIATIVES	14,258	14,258
	TOTAL, BASIC RESEARCH	518,859	530,859
	APPLIED RESEARCH		
4	MATERIALS	136,230	144,230
5	AEROSPACE VEHICLE TECHNOLOGIES	147,628	147,628
6	HUMAN EFFECTIVENESS APPLIED RESEARCH	86,663	86,663
7	AEROSPACE PROPULSION	207,508	207,508
8	AEROSPACE SENSORS	134,787	134,787
9	SPACE TECHNOLOGY	115,285	115,285
10	CONVENTIONAL MUNITIONS	60,692	60,692
11	DIRECTED ENERGY TECHNOLOGY	111,156	141,156
12	DOMINANT INFORMATION SCIENCES AND METHODS	127,866	127,866
13	HIGH ENERGY LASER RESEARCH	54,059	54,059
	TOTAL, APPLIED RESEARCH	1,181,874	1,219,874
	ADVANCED TECHNOLOGY DEVELOPMENT		
14	ADVANCED MATERIALS FOR WEAPON SYSTEMS	39,738	60,738
15	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	5,780	5,780
16	ADVANCED AEROSPACE SENSORS	53,075	63,075
17	AEROSPACE TECHNOLOGY DEV/DEMO	67,474	67,474
18	AEROSPACE PROPULSION AND POWER TECHNOLOGY	120,953	120,953
19	ELECTRONIC COMBAT TECHNOLOGY	22,268	22,268
20	ADVANCED SPACECRAFT TECHNOLOGY	74,636	74,636
21	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	13,555	13,555
22	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	25,319	25,319
23	CONVENTIONAL WEAPONS TECHNOLOGY	54,042	45,542
24	ADVANCED WEAPONS TECHNOLOGY	28,683	48,683
25	MANUFACTURING TECHNOLOGY PROGRAM	40,103	40,103
26	BATTLESPACE KNOWLEDGE DEVELOPMENT & DEMONSTRATION	38,656	38,656

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
27	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	1,122	1,122
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	585,404	627,904
	ADVANCED COMPONENT DEVELOPMENT		
28	INTELLIGENCE ADVANCED DEVELOPMENT	4,013	4,013
29	PHYSICAL SECURITY EQUIPMENT	3,586	3,586
31	ADVANCED EHF MILSATCOM (SPACE)	421,687	401,687
32	POLAR MILSATCOM (SPACE)	122,991	102,991
33	SPACE CONTROL TECHNOLOGY	45,755	45,755
34	COMBAT IDENTIFICATION TECHNOLOGY	38,496	38,496
35	NATO RESEARCH AND DEVELOPMENT	4,424	4,424
36	INTERNATIONAL SPACE COOPERATIVE R&D	642	642
37	SPACE PROTECTION PROGRAM (SPP)	9,819	7,319
38	INTEGRATED BROADCAST SERVICE	20,046	20,046
39	INTERCONTINENTAL BALLISTIC MISSILE	67,202	69,702
40	WIDEBAND GAPFILLER SYSTEM RDT&E (SPACE)	12,804	12,804
41	POLLUTION PREVENTION (DEM/VAL)	2,075	2,075
42	JOINT PRECISION APPROACH AND LANDING SYSTEMS	20,112	20,112
43	NEXT GENERATION BOMBER	197,023	297,023
44	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	60,250	31,250
45	TECHNOLOGY TRANSFER	2,553	2,553
46	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM	38,248	33,248
47	JOINT DUAL ROLE AIR DOMINANCE MISSILE	29,759	29,759
48	REQUIREMENTS ANALYSIS AND MATURATION	24,217	24,217
50	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	24,467	24,467
53	OPERATIONALLY RESPONSIVE SPACE	86,543	111,543
54	TECH TRANSITION PROGRAM	2,773	2,773
55	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SAT.	444,900	43,000
55A	WEATHER SATELLITE FOLLOW-ON	---	125,000
	TOTAL, ADVANCED COMPONENT DEVELOPMENT	1,684,385	1,458,485

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	ENGINEERING & MANUFACTURING DEVELOPMENT		
56	GLOBAL BROADCAST SERVICE (GBS)	5,680	5,680
57	NUCLEAR WEAPONS SUPPORT	18,538	18,538
58	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	21,780	21,780
59	ELECTRONIC WARFARE DEVELOPMENT	26,880	16,880
61	TACTICAL DATA NETWORKS ENTERPRISE	52,355	48,105
62	PHYSICAL SECURITY EQUIPMENT	51	51
63	SMALL DIAMETER BOMB (SDB)	132,891	132,891
64	COUNTERSPACE SYSTEMS	31,913	31,913
65	SPACE SITUATION AWARENESS SYSTEMS	273,689	241,089
66	AIRBORNE ELECTRONIC ATTACK	47,100	41,000
67	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	621,629	621,629
69	ARMAMENT/ORDNANCE DEVELOPMENT	10,055	7,755
70	SUBMUNITIONS	2,427	2,427
71	AGILE COMBAT SUPPORT	11,878	7,978
73	LIFE SUPPORT SYSTEMS	11,280	9,280
74	COMBAT TRAINING RANGES	28,106	8,106
75	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	10	10
76	INTELLIGENCE EQUIPMENT	995	995
77	JOINT STRIKE FIGHTER (JSF)	1,387,926	1,387,926
78	INTERCONTINENTAL BALLISTIC MISSILE	158,477	148,477
79	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	20,028	15,028
80	NEXT GENERATION AERIAL REFUELING AIRCRAFT	877,084	877,084
81	CSAR HH-60 RECAPITALIZATION	94,113	11,113
83	HC/MC-130 RECAP RDT&E	27,071	22,071
85	NUCLEAR WEAPONS MODERNIZATION	93,867	93,867
86	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS	23,721	13,721
88	FULL COMBAT MISSION TRAINING	39,826	29,826
89	JOINT CARGO AIRCRAFT (JCA)	27,089	27,089
90	CV-22	20,723	13,223
91	AIRBORNE SENIOR LEADER C3 (SLC3S)	12,535	---
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	4,079,717	3,855,532

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	RDT&E MANAGEMENT SUPPORT		
92	THREAT SIMULATOR DEVELOPMENT	22,420	22,420
93	MAJOR T&E INVESTMENT	62,206	62,206
94	RAND PROJECT AIR FORCE	27,579	27,579
96	INITIAL OPERATIONAL TEST & EVALUATION	17,767	17,767
97	TEST AND EVALUATION SUPPORT	654,475	704,475
98	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	158,096	158,096
99	SPACE TEST PROGRAM (STP)	47,926	47,926
100	FACILITIES RESTORATION & MODERNIZATION - TEST & EVAL	44,547	44,547
101	FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT	27,953	27,953
102	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,953	13,953
103	ACQUISITION AND MANAGEMENT SUPPORT	31,966	31,966
104	GENERAL SKILL TRAINING	1,510	1,510
106	INTERNATIONAL ACTIVITIES	3,798	3,798
	TOTAL, RDT&E MANAGEMENT SUPPORT	1,114,196	1,164,196
	OPERATIONAL SYSTEMS DEVELOPMENT		
107	GPS III - OPERATIONAL CONTROL SEGMENT	390,889	366,889
108	COMMON VERTICAL LIFT SUPPORT PLATFORM	5,365	5,365
109	AIR FORCE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	91,866	91,866
110	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	35,467	35,467
112	B-52 SQUADRONS	133,261	93,996
113	AIR-LAUNCHED CRUISE MISSILE (ALCM)	803	803
114	B-1B SQUADRONS	33,011	33,011
115	B-2 SQUADRONS	340,819	280,319
116	STRAT WAR PLANNING SYSTEM - USSTRATCOM	23,072	23,072
117	NIGHT FIST - USSTRATCOM	5,421	2,000
119	ATMOSPHERIC EARLY WARNING SYSTEM	4,485	---
120	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION	12,672	6,672
121	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	14	14
122	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRAN	19,934	19,934
123	MQ-9 UAV	146,824	126,824
125	A-10 SQUADRONS	11,051	11,051
126	F-16 SQUADRONS	143,869	131,069

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
127	F-15E SQUADRONS	207,531	194,831
128	MANNED DESTRUCTIVE SUPPRESSION	13,253	13,253
129	F-22 SQUADRONS	718,432	571,432
130	F-35 SQUADRONS	47,841	9,967
131	TACTICAL AIM MISSILES	8,023	8,023
132	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	77,830	77,830
133	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,436	1,436
134	COMBAT RESCUE AND RECOVERY	2,292	2,292
135	COMBAT RESCUE - PARARESCUE	927	927
136	AF TENCAP	20,727	20,727
137	PRECISION ATTACK SYSTEMS PROCUREMENT	3,128	3,128
138	COMPASS CALL	18,509	18,509
139	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	182,967	172,967
141	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	5,796	5,796
142	AIR AND SPACE OPERATIONS CENTER (AOC)	121,880	121,880
143	CONTROL AND REPORTING CENTER (CRC)	3,954	3,954
144	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	135,961	118,661
145	TACTICAL AIRBORNE CONTROL SYSTEMS	8,309	8,309
146	ADVANCED COMMUNICATIONS SYSTEMS	90,083	44,883
148	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,428	5,428
149	THEATER BATTLE MANAGEMENT (TBM) C4I	15,528	15,528
150	TACTICAL AIR CONTROL PARTY--MOD	15,978	9,678
152	C2ISR TACTICAL DATA LINK	1,536	1,536
153	COMMAND AND CONTROL (C2) CONSTELLATION	18,102	18,102
154	JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM	121,610	74,610
155	SEEK EAGLE	18,599	18,599
156	USAF MODELING AND SIMULATION	23,091	23,091
157	WARGAMING AND SIMULATION CENTERS	5,779	5,779
158	DISTRIBUTED TRAINING AND EXERCISES	5,264	3,264
159	MISSION PLANNING SYSTEMS	69,918	63,418
160	INFORMATION WARFARE SUPPORT	2,322	2,322
161	CYBER COMMAND ACTIVITIES	702	702
168	SPACE SUPERIORITY INTELLIGENCE	11,866	8,866

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
169	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	5,845	4,845
170	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	43,811	43,811
171	INFORMATION SYSTEMS SECURITY PROGRAM	101,788	92,788
172	GLOBAL COMBAT SUPPORT SYSTEM	449	449
173	GLOBAL COMMAND AND CONTROL SYSTEM	3,854	3,854
175	MILSATCOM TERMINALS	238,729	196,729
175A	FAB-T ALTERNATIVE	---	42,000
177	AIRBORNE SIGINT ENTERPRISE	121,748	108,248
180	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,604	4,604
181	CYBER SECURITY INITIATIVE	2,026	2,026
182	DOD CYBER CRIME CENTER	282	282
183	SATELLITE CONTROL NETWORK (SPACE)	18,337	18,337
184	WEATHER SERVICE	31,084	31,084
185	AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC)	63,367	21,367
186	AERIAL TARGETS	50,620	45,620
189	SECURITY AND INVESTIGATIVE ACTIVITIES	366	366
190	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	39	39
192	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	133,601	133,601
193	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL)	17,893	17,893
195	SPACE AND MISSILE TEST AND EVALUATION CENTER	196,254	188,754
196	SPACE WARFARE CENTER	2,961	2,961
197	SPACELIFT RANGE SYSTEM (SPACE)	9,940	9,940
198	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS	1,271	1,271
200	ENDURANCE UNMANNED AERIAL VEHICLES	52,425	45,925
201	AIRBORNE RECONNAISSANCE SYSTEMS	106,877	103,877
202	MANNED RECONNAISSANCE SYSTEMS	13,049	13,049
203	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	90,724	85,724
204	PREDATOR UAV (JMIP)	14,112	11,642
205	RQ-4 UAV	423,462	423,462
206	NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA)	7,348	7,348
207	GPS III SPACE SEGMENT	463,081	458,081
208	JSPOC MISSION SYSTEM	118,950	81,450

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
209	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	14,736	14,736
210	NUDET DETECTION SYSTEM (SPACE)	81,989	81,989
212	SPACE SITUATION AWARENESS OPERATIONS	31,956	31,956
213	INFORMATION OPS TECHNOLOGY INTEGRATION & TOOL DEVELOP.	23,931	23,931
214	SHARED EARLY WARNING (SEW)	1,663	1,663
215	C-130 AIRLIFT SQUADRON	24,509	6,509
216	C-5 AIRLIFT SQUADRONS	24,941	12,941
217	C-17 AIRCRAFT	128,169	94,269
218	C-130J PROGRAM	39,537	39,537
219	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	7,438	7,438
220	LIGHT MOBILITY AIRCRAFT (LIMA)	1,308	---
221	KC-135S	6,161	6,161
222	KC-10S	30,868	30,868
223	OPERATIONAL SUPPORT AIRLIFT	82,591	42,591
225	SPECIAL TACTICS / COMBAT CONTROL	7,118	5,218
226	DEPOT MAINTENANCE (NON-IF)	1,531	1,531
228	LOGISTICS SUPPORT ACTIVITIES	944	944
229	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	140,284	140,284
230	SUPPORT SYSTEMS DEVELOPMENT	10,990	50,990
232	OTHER FLIGHT TRAINING	322	322
233	JOINT NATIONAL TRAINING CENTER	11	11
235	OTHER PERSONNEL ACTIVITIES	113	113
236	JOINT PERSONNEL RECOVERY AGENCY	2,483	2,483
237	CIVILIAN COMPENSATION PROGRAM	1,508	1,508
238	PERSONNEL ADMINISTRATION	8,041	1,041
239	AIR FORCE STUDIES AND ANALYSIS AGENCY	928	928
240	FACILITIES OPERATION--ADMINISTRATION	12,118	12,118
241	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	101,317	76,317
242	MANAGEMENT HQ--ADP SUPPORT (AF)	299	299
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	6,510,126	5,768,203
	CLASSIFIED PROGRAMS	12,063,140	11,910,943
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE	27,737,701	26,535,996

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

R-1		Budget Request	Conference
2	UNIVERSITY RESEARCH INITIATIVES	140,273	152,273
	Cyber Security research		12,000
4	MATERIALS	136,230	144,230
	Nanotechnology research		8,000
11	DIRECTED ENERGY TECHNOLOGY	111,156	141,156
	Space Situational Awareness		30,000
14	ADVANCED MATERIALS FOR WEAPONS SYSTEMS	39,738	60,738
	Silicon Carbide research		12,500
	Advanced Materials research		8,500
16	ADVANCED AEROSPACE SENSORS	53,075	63,075
	Program increase		10,000
23	CONVENTIONAL WEAPONS TECHNOLOGY	54,042	45,542
	High Velocity Penetrating Weapon - ahead of need		-8,500
24	ADVANCED WEAPONS TECHNOLOGY	28,683	48,683
	Space Situational Awareness		20,000
31	ADVANCED EHF MILSATCOM (SPACE)	421,687	401,687
	Excess to need - poor justification		-20,000
32	POLAR MILSATCOM (SPACE)	122,991	102,991
	Development schedule delay		-20,000
37	SPACE PROTECTION PROGRAM (SPP)	9,819	7,319
	Excess to need		-2,500
39	ICBM - DEM/VAL	67,202	69,702
	Program increase		2,500
43	NEXT GENERATION BOMBER	197,023	297,023
	Program increase		100,000
44	BMC2 SENSOR DEVELOPMENT	60,250	31,250
	3DELRR contract delays		-29,000
46	HARD & DEEPLY BURIED TARGET DEFEAT SYSTEM	38,248	33,248
	Program reduction		-5,000
53	OPERATIONALLY RESPONSIVE SPACE	86,543	111,543
	Responsive Launch		25,000
55	NATIONAL POLAR-ORBITING OP ENV SATELLITE	444,900	43,000
	DWSS program termination		-444,900
	Termination liability		43,000
55A	WEATHER SATELLITE FOLLOW-ON	0	125,000
	Weather Satellite Follow-on Activities		125,000

R-1		Budget Request	Conference
59	**ELECTRONIC WARFARE DEVELOPMENT**	**26,880**	**16,880**
	MALD-J Increment 2 - Technology Development contract delay		-10,000
61	**TACTICAL DATA NETWORKS ENTERPRISE**	**52,355**	**48,105**
	STRATCOM DNC2 contract delays		-3,000
	CLIP - contract delays		-1,250
65	**SPACE SITUATION AWARENESS SYSTEMS**	**273,689**	**241,089**
	Space Fence - poor justification		-20,000
	Space Based Space Surveillance excess to need		-12,600
66	**AIRBORNE ELECTRONIC ATTACK**	**47,100**	**41,000**
	Electronic Attack Pod delayed start		-3,500
	AEA SoS contract delays		-2,600
69	**ARMAMENT/ORDNANCE DEVELOPMENT**	**10,055**	**7,755**
	Universal Armament Interface contract delay		-2,300
71	**AGILE COMBAT SUPPORT**	**11,878**	**7,978**
	BEAR - ahead of need		-3,900
73	**LIFE SUPPORT SYSTEMS**	**11,280**	**9,280**
	Integrated Aircrew Ensemble contract award delays		-2,000
74	**COMBAT TRAINING RANGES**	**28,106**	**8,106**
	Joint Threat Emitter Increment 2 - rephased program		-12,000
	Air Combat Training Systems (P5) Upgrades - contract delay		-8,000
78	**ICBM - EMD**	**158,477**	**148,477**
	Support Equipment - contract savings		-10,000
79	**EVOLVED EXPENDABLE LAUNCH VEHICLE EMD**	**20,028**	**15,028**
	Program underexecution due to schedule delay		-5,000
81	**CSAR HH-60 RECAPITALIZATION**	**94,113**	**11,113**
	Excess to need - Air Force requested transfer to AP, AF lines 63 and 73		-83,000
83	**HC/MC-130 RECAP**	**27,071**	**22,071**
	Contract savings		-5,000
86	**LAAR SQUADRONS**	**23,721**	**13,721**
	Program reduction		-10,000
88	**FULL COMBAT MISSION TRAINING**	**39,826**	**29,826**
	Block 40/50 Mission Training Center excess to need		-10,000
90	**CV-22**	**20,723**	**13,223**
	Slow execution/ contract delay		-7,500
91	**AIRBORNE SENIOR LEADER C3 (SLC3S)**	**12,535**	**0**
	Program termination		-12,535
97	**TEST AND EVALUATION (T&E) SUPPORT**	**654,475**	**704,475**
	Program increase		50,000

R-1	Budget Request	Conference
107 GPS III - OPERATIONAL CONTROL SEGMENT	**390,889**	**366,889**
Directorate support - reduction to growth		-24,000
112 B-52 SQUADRONS	**133,261**	**93,996**
SR2 excess to requirement		-11,265
EHF contract delays		-13,000
1760 IWBU contract delays		-10,000
IFF Mode S/5 Development contract delays		-5,000
115 B-2 SQUADRONS	**340,819**	**280,319**
Mixed loads capability		22,000
EHF Increment 2 contract delay		-82,500
117 NIGHT FIST - USSTRATCOM	**5,421**	**2,000**
Program reduction		-3,421
119 ATMOSPHERIC EARLY WARNING SYSTEM	**4,485**	**0**
Unjustified request		-4,485
120 REGION/SECTOR OP CONTROL CENTER MODERNIZATION	**12,672**	**6,672**
BCS-F excess to requirement		-6,000
123 MQ-9 DEVELOPMENT AND FIELDING	**146,824**	**126,824**
Ka Migration contract delays		-14,000
SAR contract delays		-1,000
EO/IR Sensor Development contract delays		-5,000
126 F-16 SQUADRONS	**143,869**	**131,069**
SLEP contract delay		-12,800
127 F-15E SQUADRONS	**207,531**	**194,831**
ADCP excess to requirement		-12,700
129 F-22 SQUADRONS	**718,432**	**571,432**
Reduce program growth		-147,000
130 F-35 SQUADRONS	**47,841**	**9,967**
Block 4 development early to need		-37,874
139 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM (CIP)	**182,967**	**172,967**
Excess to requirement		-10,000
144 AWACS	**135,961**	**118,661**
Poor program execution		-17,300
146 ADVANCED COMMUNICATIONS SYSTEMS	**90,083**	**44,883**
JTRS Integration and Engineering Support schedule delays		-5,200
Common Processing Environment schedule delays		-40,000
150 TACTICAL AIR CONTROL PARTY-MOD	**15,978**	**9,678**
VCS - Program termination and restructure		-4,300
JETS contract delays		-2,000

R-1	Budget Request	Conference
154 JOINT STARS	**121,610**	**74,610**
PME-DMS contract delays		-14,000
Unjustified request based on program restructure		-33,000
158 DISTRIBUTED TRAINING AND EXERCISES	**5,264**	**3,264**
Unjustified growth		-2,000
159 MISSION PLANNING SYSTEMS	**69,918**	**63,418**
CAF Increment IV critical change delay		-6,500
168 SPACE SUPERIORITY INTELLIGENCE	**11,866**	**8,866**
Program underexecution due to schedule delays		-3,000
169 E-4B NATIONAL AIRBORNE OPERATIONS CENTER	**5,845**	**4,845**
Secure, Survivable Communications delayed program start		-1,000
171 INFORMATION SYSTEMS SECURITY PROGRAM	**101,788**	**92,788**
Crypto Mod program delays		-9,000
175 MILSATCOM TERMINALS	**238,729**	**196,729**
Transfer to line 175a		-42,000
175a FAB-T ALTERNATIVE	**0**	**42,000**
FAB-T alternative		42,000
177 AIRBORNE SIGINT ENTERPRISE (JMIP)	**121,748**	**108,248**
ASIP 2C contract delays		-12,000
RQ-4 program delays		-1,500
185 AIR TRAFFIC CONTROL/APPROACH/LANDING SYSTEM (ATCALS)	**63,367**	**21,367**
D-RAPCON test articles early to need		-42,000
186 AERIAL TARGETS	**50,620**	**45,620**
QF-16 excess to need		-5,000
195 SPACE AND MISSILE T&E CENTER	**196,254**	**188,754**
Excess to need		-7,500
200 ENDURANCE UAVS	**52,425**	**45,925**
Funded in PA 11-14 prior approval reprogramming		-6,500
201 AIRBORNE RECONNAISSANCE SYSTEMS	**106,877**	**103,877**
Broad Area Surveillance Sensors - terminate program and transfer content to Imagery and Targeting Support for WAMI		-18,200
Imagery and Targeting Support		15,200
203 DISTRIBUTED COMMON GROUND SYSTEM	**90,724**	**85,724**
Contract delays due to program reprioritization		-5,000
204 MQ-1 PREDATOR DEVELOPMENT/FIELDING	**14,112**	**11,642**
Common Sensor Payload ahead of need		-2,470
207 GPS III SPACE SEGMENT	**463,081**	**458,081**
GPS III CIP - poor justification		-5,000

R-1	Budget Request	Conference
208 JSPOC MISSION SYSTEM	**118,950**	**81,450**
Excess to need		-37,500
215 C-130 AIRLIFT SQUADRONS	**24,509**	**6,509**
Contract delays		-18,000
216 C-5 AIRLIFT SQUADRONS	**24,941**	**12,941**
RERP Program rephased		-12,000
217 C-17 AIRCRAFT	**128,169**	**94,269**
Contract delays		-33,900
220 LIGHT MOBILITY AIRCRAFT (LIMA)	**1,308**	**0**
Funded in fiscal year 2011		-1,308
223 OPERATIONAL SUPPORT AIRLIFT	**82,591**	**42,591**
VC-25A funding ahead of need		-40,000
225 SPECIAL TACTICS/COMBAT CONTROL	**7,118**	**5,218**
Line of Sight contract delay		-1,900
230 SUPPORT SYSTEMS DEVELOPMENT	**10,990**	**50,990**
Alternative Energy research		40,000
238 PERSONNEL ADMINISTRATION	**8,041**	**1,041**
Contract delays		-7,000
241 FINANCIAL MANAGEMENT INFORMATION SYSTEMS	**101,317**	**76,317**
DEAMS excess to requirement		-25,000
999 CLASSIFIED PROGRAMS	**12,063,140**	**11,910,943**
Classified adjustment		-152,197

INTEGRATED AIRCREW ENSEMBLE

The conference agreement provides $3,980,000 for the Integrated Aircrew Ensemble (IAE), a decrease of $2,000,000 below the request. The conferees understand that the IAE will provide more fully integrated upgrades to various flight safety gear and special protections in unique threat environments and is not a redesign of the current flight suit. Given existing and prospective budget constraints, the conferees urge the Air Force to proceed with the program in a requirements-focused and fiscally sustainable manner.

KC–46A

The conferees direct the Secretary of the Air Force to submit the reports regarding the KC–46A required in House Report 112–110 on a quarterly basis, with the first report to be submitted not later than March 30, 2012.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSE-WIDE		
	BASIC RESEARCH		
1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH..	47,737	47,737
2	DEFENSE RESEARCH SCIENCES.....	290,773	290,773
3	BASIC RESEARCH INITIATIVES.....	14,731	7,731
5	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE.....	37,870	37,870
6	NATIONAL DEFENSE EDUCATION PROGRAM.....	101,591	86,591
7	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	52,617	52,617
	TOTAL, BASIC RESEARCH.....	545,319	523,319
	APPLIED RESEARCH		
8	JOINT MUNITIONS TECHNOLOGY.....	21,592	20,592
9	BIOMEDICAL TECHNOLOGY.....	110,000	95,000
11	LINCOLN LABORATORY RESEARCH PROGRAM.....	37,916	37,916
12	SYSTEMS 2020 APPLIED RESEARCH.....	4,381	---
13	INFORMATION AND COMMUNICATIONS TECHNOLOGY.....	400,499	354,125
14	COGNITIVE COMPUTING SYSTEMS.....	49,365	49,365
15	MACHINE INTELLIGENCE.....	61,351	52,276
16	BIOLOGICAL WARFARE DEFENSE.....	30,421	30,421
17	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	219,873	219,873
18	JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT.....	9,235	4,235
19	CYBER SECURITY RESEARCH.....	9,735	4,735
20	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APP	14,923	8,923
21	TACTICAL TECHNOLOGY.....	206,422	202,422
22	MATERIALS AND BIOLOGICAL TECHNOLOGY.....	237,837	222,837
23	ELECTRONICS TECHNOLOGY.....	215,178	215,178
24	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.....	196,954	196,954
25	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT.....	26,591	41,591
	TOTAL, APPLIED RESEARCH.....	1,852,273	1,756,443

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	ADVANCED TECHNOLOGY DEVELOPMENT		
27	JOINT MUNITIONS ADVANCED TECH INSENSITIVE MUNITIONS AD	24,771	15,771
28	SO/LIC ADVANCED DEVELOPMENT	45,028	45,028
29	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,019	77,019
30	COUNTERPROLIFERATION INITIATIVES--PROLIF PREV & DEFEAT	283,073	283,073
31	BALLISTIC MISSILE DEFENSE TECHNOLOGY	75,003	75,003
32	JOINT ADVANCED CONCEPTS	7,903	6,803
33	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	20,372	20,372
34	SYSTEMS 202 ADVANCED TECHNOLOGY DEVELOPMENT	4,381	---
35	AGILE TRANSPO FOR THE 21ST CENTURY (AT21) - THEATER CA	998	998
36	SPECIAL PROGRAM--MDA TECHNOLOGY	61,458	61,458
37	ADVANCED AEROSPACE SYSTEMS	98,878	98,878
38	SPACE PROGRAMS AND TECHNOLOGY	97,541	97,541
39	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEV	229,235	229,235
40	JOINT ELECTRONIC ADVANCED TECHNOLOGY	7,287	7,287
41	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	187,707	176,707
42	NETWORKED COMMUNICATIONS CAPABILITIES	23,890	23,890
43	JOINT DATA MANAGEMENT RESEARCH	9,235	4,235
44	BIOMETRICS SCIENCE AND TECHNOLOGY	10,762	10,762
45	CYBER SECURITY ADVANCED RESEARCH	10,709	5,709
46	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADV	18,179	13,179
47	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROG	17,888	47,888
48	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	26,972	26,972
49	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	9,756	9,756
50	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	23,887	23,887
51	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	41,976	29,976
52	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	66,409	66,409
53	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	91,132	61,132
54	JOINT WARFIGHTING PROGRAM	10,547	10,547
55	ADVANCED ELECTRONICS TECHNOLOGIES	160,286	150,286
58	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	296,537	261,606
59	CLASSIFIED DARPA PROGRAMS	107,226	107,226
60	NETWORK-CENTRIC WARFARE TECHNOLOGY	235,245	208,503

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
61	SENSOR TECHNOLOGY	271,802	271,802
	DEFENSE RAPID INNOVATION PROGRAM	---	200,000
63	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	13,579	13,579
64	SOFTWARE ENGINEERING INSTITUTE	30,424	30,424
65	QUICK REACTION SPECIAL PROJECTS	89,925	60,765
66	JOINT EXPERIMENTATION	58,130	39,130
67	MODELING AND SIMULATION MANAGEMENT OFFICE	37,029	31,029
68	DIRECTED ENERGY RESEARCH	96,329	50,000
69	NEXT GENERATION AEGIS MISSILE	123,456	13,456
70	TEST & EVALUATION SCIENCE & TECHNOLOGY	99,593	99,593
72	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	20,444	20,444
73	CWMD SYSTEMS	7,788	4,288
74	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	35,242	30,242
75	AVIATION ENGINEERING ANALYSIS	837	837
76	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECH	4,924	4,924
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	3,270,792	3,127,649
	DEMONSTRATION & VALIDATION		
77	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	36,798	30,798
78	RETRACT LARCH	21,040	21,040
79	WALKOFF	112,142	112,142
80	JOINT ROBOTICS PROGRAM	11,129	11,129
81	ADVANCE SENSOR APPLICATIONS PROGRAM	18,408	18,408
82	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	63,606	63,606
83	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	290,452	290,452
84	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,161,001	1,161,001
86	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	261,143	213,155
87	BALLISTIC MISSILE DEFENSE SENSORS	222,374	222,374
88	BALLISTIC MISSILE DEFENSE TEST & TARGETS	1,071,039	85,690
88A	BMD TESTS	---	488,382
88B	BMD TARGETS	---	454,999
89	BALLISTIC MISSILE DEFENSE ENABLING PROGRAMS	373,563	415,531
90	SPECIAL PROGRAMS - MDA	296,554	296,554
91	AEGIS BMD	960,267	990,267

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
92	SPACE SURVEILLANCE & TRACKING SYSTEM	96,353	96,353
93	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	7,951	7,951
94	BALLISTIC MISSILE DEFENSE C2BMC	364,103	364,103
96	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	41,225	41,225
91 97	BALLISTIC MISSILE DEFENSE INTERGRATION AND OPERATIONS CENTER (MDIOC)	69,325	69,325
98	REGARDING TRENCH	15,797	15,797
99	SEA BASED X-BAND RADAR (SBX)	177,058	177,058
101	ISRAELI COOPERATIVE PROGRAMS	106,100	235,700
102	HUMANITARIAN DEMINING	14,996	14,996
103	COALITION WARFARE	12,743	12,743
104	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,221	35,321
105	DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	25,120	25,120
107	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RES	10,309	7,509
108	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	13,024	13,024
109	JOINT FIRES INTEGRATION & INTEROPERABILITY TEAM	9,290	9,290
110	LAND-BASED SM-3 (LBSM3)	306,595	306,595
111	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	424,454	474,454
112	PRECISION TRACKING SPACE SYSTEM RDT&E	160,818	80,818
113	AIRBORNE INFRARED (ABIR)	46,877	---
115	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,358	3,358
116	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	---	25,000
117	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	7,220	7,220
118	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	204,824	179,824
	TOTAL, DEMONSTRATION & VALIDATION	7,020,277	7,078,312
	ENGINEERING & MANUFACTURING DEVELOPMENT		
119	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	400,608	316,608
120	JOINT ROBOTICS PROGRAM	2,782	2,782
121	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	49,198	38,824
122	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	17,395	17,395
123	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	5,888	5,888
124	INFORMATION TECHNOLOGY DEVELOPMENT	12,228	12,228
127	HOMELAND PERSONNEL SECURITY INITIATIVE	389	389

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
128	DEFENSE EXPORTABILITY PROGRAM	1,929	1,929
129	OUSD(C) IT DEVELOPMENT INITIATIVES	4,993	4,993
130	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	134,285	94,285
131	DCMO POLICY AND INTEGRATION	41,808	41,808
133	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITY	14,950	14,950
135	GLOBAL COMBAT SUPPORT SYSTEM	19,837	19,837
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	706,290	571,916
	RDT&E MANAGEMENT SUPPORT		
137	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,658	6,658
138	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	4,731	4,731
139	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	140,231	160,231
140	ASSESSMENTS AND EVALUATIONS	2,757	2,757
141	THERMAL VICAR	7,827	7,827
142	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	10,479	10,479
143	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	34,213	34,213
144	USD(A&T)--CRITICAL TECHNOLOGY SUPPORT	1,486	1,486
145	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	64,524	64,524
146	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	79,859	79,859
147	CLASSIFIED PROGRAM USD(P)	---	100,000
148	FOREIGN COMPARATIVE TESTING	19,080	19,080
149	SYSTEMS ENGINEERING	41,884	41,884
150	NUCLEAR MATTERS - PHYSICAL SECURITY	4,261	4,261
151	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	9,437	9,437
152	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,549	6,549
153	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,806	92,806
160	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTR	1,924	1,924
161	DEFENSE TECHNOLOGY ANALYSIS	16,135	16,135
163	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	56,269	56,269
164	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	49,810	49,810
165	DEVELOPMENT TEST AND EVALUATION	15,805	19,305
166	DARPA AGENCY RELOCATION	1,000	1,000
167	MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)	66,689	66,689

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
168	BUDGET AND PROGRAM ASSESSMENTS	4,528	4,528
169	AVIATION SAFETY TECHNOLOGIES	6,925	6,925
170	OPERATIONS SECURITY (OPSEC)	1,777	1,777
171	JOINT STAFF ANALYTICAL SUPPORT	18	18
174	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	12,209	12,209
175	INFORMATION TECHNOLOGY RAPID ACQUISITION	4,288	4,288
176	CYBER SECURITY INITIATIVE	10,000	5,000
177	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	15,002	15,002
179	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	861	861
180	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION	59,958	38,090
182	MANAGEMENT HEADQUARTERS - MDA	28,908	28,908
183	IT SOFTWARE DEV INITIATIVES	167	167
999	CLASSIFIED PROGRAMS	82,627	82,627
	TOTAL, RDT&E MANAGEMENT SUPPORT	961,682	1,058,314
	OPERATIONAL SYSTEMS DEVELOPMENT		
185	DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	8,706	6,206
186	REGIONAL INTERNATIONAL OUTREACH & PARTNERSHIP FOR PEAC	2,165	2,165
187	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SY	288	288
188	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS D	15,956	15,956
189	JOINT INTEGRATION AND INTEROPERABILITY	29,880	29,880
190	CLASSIFIED PROGRAMS	2,402	2,402
191	C4I INTEROPERABILITY	72,403	72,403
193	JOINT/ALLIED COALITION INFORMATION SHARING	7,093	7,093
200	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	481	481
201	DEFENSE INFO INFRASTRUCTURE ENGINEERING & INTEGRATION	8,366	15,866
202	LONG HAUL COMMUNICATIONS (DCS)	11,324	11,324
203	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	12,514	12,514
204	PUBLIC KEY INFRASTRUCTURE (PKI)	6,548	6,548
205	KEY MANAGEMENT INFRASTRUCTURE (KMI)	33,751	33,751
206	INFORMATION SYSTEMS SECURITY PROGRAM	11,753	11,753
207	INFORMATION SYSTEMS SECURITY PROGRAM	348,593	348,593
208	INFORMATION SYSTEMS SECURITY PROGRAM	5,500	5,500
211	GLOBAL COMMAND AND CONTROL SYSTEM	54,739	54,739

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
212	JOINT SPECTRUM CENTER	29,154	29,154
213	NET-CENTRIC ENTERPRISE SERVICES (NCES)	1,830	1,830
214	JOINT MILITARY DECEPTION INITIATIVE	1,241	1,241
215	TELEPORT PROGRAM	6,418	6,418
217	SPECIAL APPLICATIONS FOR CONTINGENCIES	5,045	5,045
220	CYBER SECURITY INITIATIVE	411	411
222	CYBER SECURITY INITIATIVE	4,341	4,341
223	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	13,008	13,008
227	POLICY R&D PROGRAMS	6,603	6,603
229	NET CENTRICITY	14,926	14,926
232	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	4,303	1,303
235	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,154	3,154
237	MQ-1 PREDATOR A UAV	2,499	2,499
239	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,660	2,660
240	INT'L INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT	1,444	1,444
248	INDUSTRIAL PREPAREDNESS	23,103	23,103
249	LOGISTICS SUPPORT ACTIVITIES	2,466	2,466
250	MANAGEMENT HEADQUARTERS (JCS)	2,730	2,730
252	MQ-9 UAV	2,499	2,499
253	RQ-11 UAV	3,000	1,500
254	RQ-7 UAV	450	450
256	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEV	89,382	74,382
257	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	799	799
258	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	27,916	27,916
259	SOF OPERATIONAL ENHANCEMENTS	60,915	65,415
260	SPECIAL OPERATIONS CV-22 DEVELOPMENT	10,775	10,775
263	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	4,617	4,617
265	MC130J SOF TANKER RECAPITALIZATION	18,571	18,571
266	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	1,392	1,392
268	SOF WEAPONS SYSTEMS	2,610	2,610
269	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	2,971	2,971
270	SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS	3,000	3,000

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
271	SOF TACTICAL VEHICLES	3,522	3,522
272	SOF MUNITIONS	1,500	1,500
273	SOF ROTARY WING AVIATION	51,123	51,123
274	SOF UNDERWATER SYSTEMS	92,424	68,424
275	SOF SURFACE CRAFT	14,475	14,475
276	SOF PSYOP	2,990	2,990
277	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	8,923	8,923
278	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	9,473	9,473
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,171,125	1,137,125
999	CLASSIFIED PROGRAMS	4,227,920	3,940,877
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DEF-WIDE	19,755,678	19,193,955

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	Conference
3	**BASIC RESEARCH INITIATIVES**	**14,731**	**7,731**
	Reduction to new starts		-7,000
6	**NATIONAL DEFENSE EDUCATION PROGRAM**	**101,591**	**86,591**
	Excessive growth		-15,000
8	**JOINT MUNITIONS TECHNOLOGY**	**21,592**	**20,592**
	Excessive growth		-1,000
9	**BIOMEDICAL TECHNOLOGY**	**110,000**	**95,000**
	Unsustained funding		-15,000
12	**SYSTEMS 2020 APPLIED RESEARCH**	**4,381**	**0**
	Duplication of effort		-4,381
13	**INFORMATION AND COMMUNICATIONS TECHNOLOGY**	**400,499**	**354,125**
	IT-03 unsustained funding		-12,900
	IT-04 unsustained funding		-13,474
	Reduction to new starts		-20,000
15	**MACHINE INTELLIGENCE**	**61,351**	**52,276**
	Unsustained growth		-9,075
18	**JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT**	**9,235**	**4,235**
	Excessive growth		-5,000
19	**CYBER SECURITY RESEARCH**	**9,735**	**4,735**
	Program increase		-5,000
20	**HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH**	**14,923**	**8,923**
	Excessive growth		-6,000
21	**TACTICAL TECHNOLOGY**	**206,422**	**202,422**
	Reduction to new starts		-4,000
22	**MATERIALS AND BIOLOGICAL TECHNOLOGY**	**237,837**	**222,837**
	Excessive growth		-15,000
25	**SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT**	**26,591**	**41,591**
	Program increase - unfunded requirement		15,000
27	**JOINT MUNITIONS ADVANCED TECHNOLOGY INSENSITIVE MUNITIONS ADVANCED TECHNOLOGY**	**24,771**	**15,771**
	Excessive growth		-9,000
32	**JOINT ADVANCED CONCEPTS**	**7,903**	**6,803**
	Unsustained growth		-1,100
34	**SYSTEMS 202 ADVANCED TECHNOLOGY DEVELOPMENT**	**4,381**	**0**
	Lack of transition plan		-4,381

R-1		Budget Request	Conference
41	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	187,707	176,707
	Excessive growth		-11,000
43	JOINT DATA MANAGEMENT RESEARCH	9,235	4,235
	Delay of fiscal year 2011 new start		-5,000
45	CYBER SECURITY ADVANCED RESEARCH	10,709	5,709
	Program adjustment		-5,000
46	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED TECHNOLOGY	18,179	13,179
	Excessive growth		-5,000
47	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	17,888	47,888
	Industrial Base Innovation Fund program - Program adjustment		30,000
51	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	41,976	29,976
	Excessive growth		-12,000
53	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	91,132	61,132
	90nm Next Generation Foundry		-30,000
55	ADVANCED ELECTRONICS TECHNOLOGIES	160,286	150,286
	Reduction to new starts		-10,000
58	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	296,537	261,606
	CCC-01 unsustained growth		-7,490
	CCC-02 unsustained growth		-3,850
	CCC-CLS unsustained growth		-10,591
	Reduction to new starts		-13,000
60	NETWORK-CENTRIC WARFARE TECHNOLOGY	235,245	208,503
	NET-01 unsustained growth		-11,742
	Reduction to new starts		-15,000
61A	DEFENSE RAPID INNOVATION PROGRAM		200,000
	Defense Rapid Innovation Program - Program adjustment		200,000
65	QUICK REACTION SPECIAL PROJECTS	89,925	60,765
	P832		-4,160
	P826/P828 excessive growth		-25,000
66	JOINT EXPERIMENTATION	58,130	39,130
	Program adjustment		-19,000
67	MODELING AND SIMULATION MANAGEMENT OFFICE	37,029	31,029
	Excessive growth		-6,000
68	DIRECTED ENERGY RESEARCH	96,329	50,000
	Program adjustment		-46,329

R-1		Budget Request	Conference
69	**NEXT GENERATION AEGIS MISSILE**	**123,456**	**13,456**
	Transfer to lines 91 for SM-3 IB and line 111 for SM-3 IIA for program adjustments		-110,000
73	**COMBATING WEAPONS OF MASS DESTRUCTION SYSTEMS**	**7,788**	**4,288**
	Program reduction		-3,500
74	**SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT**	**35,242**	**30,242**
	Excess to need		-5,000
77	**NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT**	**36,798**	**30,798**
	Unexecutable growth		-6,000
86	**CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM**	**261,143**	**213,155**
	JPID program restructure		-13,988
	INATS schedule delays		-13,000
	VAC FILO execution delays		-9,000
	IBP schedule delay		-12,000
88	**BALLISTIC MISSILE DEFENSE TEST & TARGETS**	**1,071,039**	**85,690**
	Transfer to lines 88a, 88b, and 89		-985,349
88a	**BMD Tests**		**488,382**
	Transfer from line 88		488,382
88b	**BMD Targets**		**454,999**
	Transfer from line 88		454,999
89	**BALLISTIC MISSILE DEFENSE ENABLING PROGRAMS**	**373,563**	**415,531**
	Transfer from line 88		41,968
91	**AEGIS BMD**	**960,267**	**990,267**
	Transfer from line 69 Next Generation Aegis Missile for SM-3 Block IB production improvements program adjustment		30,000
101	**ISRAELI COOPERATIVE PROGRAMS**	**106,100**	**235,700**
	Arrow 3		13,000
	Arrow System Improvement Program (ASIP)		47,200
	David's Sling Weapon System		69,400
104	**DEPARTMENT OF DEFENSE CORROSION PROGRAM**	**3,221**	**35,321**
	Program adjustment		32,100
107	**HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH & ENGINEERING**	**10,309**	**7,509**
	Excessive growth		-2,800
111	**AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT**	**424,454**	**474,454**
	Transfer from line 69 Next Generation Aegis Missile for Risk Reduction program adjustment		50,000

R-1		Budget Request	Conference
112	PRECISION TRACKING SPACE SYSTEM RDT&E	160,818	80,818
	Unjustified program		-80,000
113	AIRBORNE INFRARED (ABIR)	46,877	0
	Program adjustment		-46,877
116	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	0	25,000
	Restore unjustified reduction		25,000
118	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	204,824	179,824
	Program adjustment		-25,000
119	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	400,608	316,608
	Decontamination Family of Systems schedule delays		-10,000
	Bioscavenger program delays		-24,000
	MCMI, Duplication with other government programs		-50,000
121	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	49,198	38,824
	Technology Innovation Fund		-25,374
	Cyber threat discovery - program adjustment		15,000
130	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	134,285	94,285
	Program growth		-40,000
139	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	140,231	160,231
	Restore unjustified reduction		20,000
147	CLASSIFIED PROGRAM USD(P)	0	100,000
	Classified program USD(P)		100,000
165	DEVELOPMENT TEST AND EVALUATION	15,805	19,305
	Fiscal year 2012 WSARA shortfall - program adjustment		3,500
176	CYBER SECURITY INITIATIVE	10,000	5,000
	Execution delays		-5,000
180	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION	59,958	38,090
	P754 - Duplication with Service initiatives		-21,868
185	DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	8,706	6,206
	Excessive growth		-2,500
201	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	8,366	15,866
	Cybersecurity pilots program adjustment		7,500
232	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	4,303	1,303
	Unjustified increase		-3,000

R-1		Budget Request	Conference
253	**RQ-11 UAV**	**3,000**	**1,500**
	Lack of full funding		-1,500
256	**SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT**	**89,382**	**74,382**
	MC-130 TF/TA radar contract award delay		-15,000
259	**SOF OPERATIONAL ENHANCEMENTS**	**60,915**	**65,415**
	Program Increase - Electronic Warfare unfunded requirement		4,500
274	**SOF UNDERWATER SYSTEMS**	**92,424**	**68,424**
	Excessive growth		-24,000
	CLASSIFIED PROGRAMS	**4,227,920**	**3,940,877**
	Classified adjustment		-289,043
	File sanitization tool (FiST) - program adjustment		2,000

DEFENSE ADVANCED RESEARCH PROJECTS AGENCY

The conferees recommend a total of $166,122,000 in undistributed reductions throughout the Defense Advanced Research Projects Agency (DARPA). The conferees direct the Director of DARPA to provide a report to the congressional defense committees, not later than 60 days after enactment of this Act, detailing by program element and project the application of each undistributed reduction.

PROMPT GLOBAL STRIKE

The fiscal year 2012 budget request includes $204,824,000 to continue the Prompt Global Strike program. The conferees recommend $179,824,000, a reduction of $25,000,000, based on program delays caused by two consecutive flight test failures of the Hypersonic Technology Vehicle 2. The conferees remain supportive of the Prompt Global Strike program and direct that the reduction not be applied to the Advanced Hypersonic Weapon program, which just completed a successful flight demonstration.

SPECIAL OPERATIONS COMMAND UNDERSEA MOBILITY CONCEPTS

The fiscal year 2012 budget request includes $92,242,000 for several programs that are designed to collectively fill the capability gap that remains following termination of the Advanced SEAL Delivery System and its successor, the Joint Multi-Mission Submersible. The conferees note that unobligated prior year appropriations, combined with funds provided in the Department of Defense Appropriations Act, 2012, would allow the Special Operations Command (SOCOM) to award several commercial contracts to develop a Family of Systems to meet its requirement. The conferees direct the Commander, SOCOM to provide separate cost estimates for the Technology Development and Engineering and Manufacturing Development phases for each of the projects in support of Undersea Mobility, as well as the estimated procurement costs, with the fiscal year 2013 budget submission.

ISRAELI COOPERATIVE PROGRAMS

The fiscal year 2012 budget request includes $106,100,000 to continue Israeli Cooperative Programs, a decrease of over $100,000,000 from amounts appropriated in fiscal year 2011. The conferees find the request insufficient and provide an additional $129,600,000 to address Israel's security requirements. Within this amount, $15,000,000 shall be used only for the Low Rate Initial Production activities as included in the David's Sling Weapon System project agreement between the two governments.

MEDICAL COUNTERMEASURES INITIATIVE

The conferees recommend $101,670,000, instead of $151,670,000 as proposed by the House and no funding as proposed by the Senate, for the Medical Countermeasures Initiative (MCMI) System Development and Demonstration. The conferees support the purpose of the MCMI program but are concerned that synergies with other government programs have not been sufficiently explored and that the government is creating slightly distinct, yet

largely redundant capabilities. Therefore, the conferees direct the Assistant Secretary of Defense (Nuclear, Chemical, and Biological Defense Programs) to continue efforts to reduce costs and program overlap.

90NM NEXT GENERATION FOUNDRY

The recommendation includes no funding for the requested 90nm Next Generation Foundry, due to the lack of justification in support of the budget submission. However, the conferees recognize the criticality of ensuring a safe and stable supply of microchips to the Department of Defense and will revisit this issue in the future.

OPERATIONAL TEST AND EVALUATION, DEFENSE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	CONFERENCE
	OPERATIONAL TEST AND EVALUATION, DEFENSE		
	RDT&E MANAGEMENT SUPPORT		
1	OPERATIONAL TEST AND EVALUATION	60,444	60,444
2	LIVE FIRE TESTING	12,126	12,126
3	OPERATIONAL TEST ACTIVITIES AND ANALYSES	118,722	118,722
	TOTAL, RDT&E MANAGEMENT SUPPORT	191,292	191,292
	TOTAL, OPERATIONAL TEST AND EVALUATION, DEFENSE	191,292	191,292

TITLE V—REVOLVING AND MANAGEMENT FUNDS

The conference agreement provides $2,675,529,000 in Title V, Revolving and Management Funds as proposed by the House, instead of $2,262,529,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
TITLE V		
REVOLVING AND MANAGEMENT FUNDS		
Defense Working Capital Funds	1,575,010	1,575,010
National Defense Sealift Fund	1,126,384	1,100,519
Total, title V, Revolving and Management Funds	2,701,394	2,675,529

DEFENSE WORKING CAPITAL FUNDS

The conference agreement provides $1,575,010,000 for the Defense Working Capital Funds as proposed by the House, instead of $1,562,010,000 as proposed by the Senate.

NATIONAL DEFENSE SEALIFT FUND

The conference agreement provides $1,100,519,000 for the National Defense Sealift Fund as proposed by the House, instead of $700,519,000 as proposed by the Senate.

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[in thousands of dollars]

	Budget request	Conference
STRATEGIC SHIP ACQUISITION	450,026	424,161
Revised Mobile Landing Platform acquisition strategy		-25,865
DoD MOBILIZATION ASSETS	318,645	318,645
SEALIFT RESEARCH AND DEVELOPMENT	48,443	48,443
READY RESERVE FORCE OPERATION AND MAINTENANCE	309,270	309,270
Total, National Defense Sealift Fund	1,126,384	1,100,519

TITLE VI—OTHER DEPARTMENT OF DEFENSE PROGRAMS

The conference agreement provides $35,593,020,000 in Title VI, Other Department of Defense Programs, instead of $35,677,681,000 as proposed by the House and $35,628,483,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
TITLE VI		
OTHER DEPARTMENT OF DEFENSE PROGRAMS		
Defense Health Program:		
Operation and maintenance	30,902,546	30,582,235
Procurement	632,518	632,518
Research, development, test and evaluation	663,706	1,267,306
Total, Defense Health Program 1/	32,198,770	32,482,059
Chemical Agents and Munitions Destruction, Defense:		
Operation and maintenance	1,147,691	1,147,691
Procurement	---	---
Research, development, test and evaluation	406,731	406,731
Total, Chemical Agents 2/	1,554,422	1,554,422
Drug Interdiction and Counter-Drug Activities, Defense	1,156,282	1,209,620
Joint Improvised Explosive Device Defeat Fund 2/	220,634	---
Joint Urgent Operational Needs Fund	100,000	---
Office of the Inspector General 1/	289,519	346,919
Total, title VI, Other Department of Defense Programs	35,519,627	35,593,020

DEFENSE HEALTH PROGRAM

The conference agreement provides $32,482,059,000 for the Defense Health Program, instead of $32,347,559,000 as proposed by the House and $32,536,070,000 as proposed by the Senate. The conference agreement on items addressed either by the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
DEFENSE HEALTH PROGRAM		
OPERATION AND MAINTENANCE		
IN-HOUSE CARE	8,148,856	8,158,856
PRIVATE SECTOR CARE	16,377,272	16,047,272
CONSOLIDATED HEALTH SUPPORT	2,193,821	2,213,821
INFORMATION MANAGEMENT	1,422,697	1,422,697
MANAGEMENT ACTIVITIES	312,102	307,102
EDUCATION AND TRAINING	705,347	693,647
BASE OPERATIONS/COMMUNICATIONS	1,742,451	1,738,840
SUBTOTAL, OPERATION AND MAINTENANCE	30,902,546	30,582,235
PROCUREMENT		
DEFENSE HEALTH PROGRAM	632,518	632,518
RESEARCH DEVELOPMENT TEST AND EVALUATION		
DEFENSE HEALTH PROGRAM	663,706	1,267,306
TOTAL, DEFENSE HEALTH PROGRAM	32,198,770	32,482,059

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	Conference
OPERATION AND MAINTENANCE	**30,902,546**	**30,582,235**
IN-HOUSE CARE	**8,148,856**	**8,158,856**
Program Increase - Suicide Prevention		10,000
PRIVATE SECTOR CARE	**16,377,272**	**16,047,272**
TRICARE Historical Underexecution		-330,000
CONSOLIDATED HEALTH SUPPORT	**2,193,821**	**2,213,821**
Wounded Warrior Military Adaptive Sports Program		10,000
Program Increase - Suicide Prevention		10,000
INFORMATION MANAGEMENT	**1,422,697**	**1,422,697**
MANAGEMENT ACTIVITIES	**312,102**	**307,102**
Strategic Communications		-3,000
Contract savings from website consolidation		-2,000
EDUCATION AND TRAINING	**705,347**	**693,647**
Unjustified Growth for Travel		-11,700
BASE OPERATIONS AND COMMUNICATIONS	**1,742,451**	**1,738,840**
Adjustment for Civilian Pay Error		-3,611
PROCUREMENT	**632,518**	**632,518**
RESEARCH AND DEVELOPMENT	**663,706**	**1,267,306**
Peer-Reviewed Alcohol and Substance Abuse Disorders Research		4,500
Peer-Reviewed ALS Research		6,400
Peer-Reviewed Alzheimer Research		12,000
Peer-Reviewed Autism Research		5,100
Peer-Reviewed Bone Marrow Failure Disease Research		3,200
Peer-Reviewed Breast Cancer Research		120,000
Peer-Reviewed Cancer Research		12,800
Peer-Reviewed Duchenne Muscular Dystrophy Research		3,200
Peer-Reviewed Gulf War Illness Research		10,000
Peer-Reviewed Hemorrhage Control Research		10,000
Peer-Reviewed Lung Cancer Research		10,200
Peer-Reviewed Medical Research		50,000
Peer-Reviewed Multiple Sclerosis Research		3,800
Peer-Reviewed Orthopedic Research		30,000
Peer-Reviewed Ovarian Cancer Research		16,000
Peer-Reviewed Prostate Cancer Research		80,000
Peer-Reviewed Restorative Transplantation Research		15,000
Peer-Reviewed Spinal Cord Research		9,600
Peer-Reviewed Traumatic Brain Injury and Psychological Health Research		135,500
Peer-Reviewed Tuberous Sclerosis Complex Research		5,100
Peer-Reviewed Vision Research		3,200
Global HIV/AIDS Prevention		8,000
Joint Warfighter Medical Research		50,000

DEFENSE HEALTH PROGRAM REPROGRAMMING PROCEDURES

The conferees remain concerned over the transfer of funds from Direct (or In-house) Care to pay for contractor-provided medical care. To limit such transfers and continue oversight within the Defense Health Program operation and maintenance account, the conferees include bill language which caps the funds available for Private Sector Care under the TRICARE program subject to prior approval reprogramming procedures. The bill language and accompanying statement language included by the conferees should not be interpreted by the Department of Defense as limiting the amount of funds that may be transferred to the Direct Care System from other budget activities within the Defense Health Program. In addition, the conferees continue to designate the funding for the Direct Care System as a special interest item. Any transfer of funds from the Direct (or In-house) Care budget activity into the Private Sector Care budget activity or any other budget activity will require the Department of Defense to follow prior approval reprogramming procedures.

The Department shall also provide written notification to the House and Senate Appropriations Committees of cumulative transfers in excess of $15,000,000 out of the Private Sector Care budget activity. The conferees further direct the Assistant Secretary of Defense (Health Affairs) to provide quarterly reports to the House and Senate Appropriations Committees on budget execution data for all of the Defense Health Program accounts and to adequately reflect changes to the budget activities requested by the Services in future budget submissions.

CARRYOVER

For fiscal year 2012, the conferees recommend one percent carryover authority for the operation and maintenance account of the Defense Health Program. The conferees direct the Assistant Secretary of Defense (Health Affairs) to submit a detailed spending plan for any fiscal year 2011 designated carryover funds to the congressional defense committees not fewer than 15 days prior to executing the carryover funds.

PEER-REVIEWED CANCER RESEARCH PROGRAM

The conference agreement provides $12,800,000 for a Peer-Reviewed Cancer Research Program that would research cancers not addressed in the breast, prostate, ovarian, and lung cancer research programs currently executed by the Department of Defense, and specifically by the U.S. Army Medical Research and Materiel Command.

The funds provided are directed to be used to conduct research in the following areas: melanoma and other skin cancers, pediatric brain tumors, genetic cancer research, pancreatic cancer, kidney cancer, blood cancer, colorectal cancer, mesothelioma, and listeria vaccine for infectious disease and cancer.

The funds provided under the Peer-Reviewed Cancer Research Program shall only be used for the purposes listed above. The Assistant Secretary of Defense (Health Affairs) is directed to provide a report not later than 60 days after enactment of this Act to the

congressional defense committees on the status of the Peer-Reviewed Cancer Research Program. For each research area, the report should include the funding amount awarded, the progress of the research, and the relevance of the research for servicemembers and their families.

JOINT WARFIGHTER MEDICAL RESEARCH PROGRAM

The conference agreement provides $50,000,000 for the Joint Warfighter Medical Research Program. Funds shall be used to augment and accelerate high priority Department of Defense and Service medical requirements and to continue prior year initiatives that are close to achieving their objectives and yielding a benefit to military medicine. The funds shall not be used for new projects or for basic research. The funding shall be awarded at the Department's discretion following a review of medical research and development gaps, as well as unfinanced medical requirements of the Services. Further, the conferees direct the Assistant Secretary of Defense (Health Affairs) to provide a report not later than 120 days after enactment of this Act to the congressional defense committees, which lists the projects that receive funding. The report should include the amount of funding provided to each project and a thorough description of each project's research.

PEER-REVIEWED MEDICAL RESEARCH PROGRAM

The conference agreement provides $50,000,000 for a Peer-Reviewed Medical Research Program. The conferees direct the Secretary of Defense, in conjunction with the Service Surgeons General, to select medical research projects of clear scientific merit and direct relevance to military health. Research areas considered under this funding are restricted to: arthritis, composite tissue transplantation, drug abuse, dystonia, epilepsy, food allergies, Fragile X syndrome, hereditary angioedema, inflammatory bowel disease, interstitial cystitis, lupus, malaria, nanomedicine for drug delivery science, neuroblastoma, osteoporosis and related bone disease, Paget's disease, polycystic kidney disease, post-traumatic osteoarthritis, scleroderma, tinnitus, and tuberculosis. The conferees emphasize that the additional funding provided under the Peer-Reviewed Medical Research Program shall be devoted only to the purposes listed above.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

The conference agreement on items addressed either by the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE		
CHEM DEMILITARIZATION - OPERATION AND MAINTENANCE.....	1,147,691	1,147,691
CHEM DEMILITARIZATION - RESEARCH, DEV., TEST & EVAL...	406,731	406,731
TOTAL, CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.....	1,554,422	1,554,422

TOOELE CHEMICAL AGENT DISPOSAL FACILITY

House Report 112–110 directs the Secretary of Defense to submit a report to the congressional defense committees detailing the closure requirements and potential reuse of the Tooele Chemical Agent Disposal Facility. This report is no longer required.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides $1,209,620,000 for Drug Interdiction and Counter-Drug Activities, Defense, instead of $1,208,147,000 as proposed by the House and $1,205,072,000 as proposed by the Senate. The conference agreement on items addressed either by the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

		Budget request	Conference
DRUG INTERDICTION & COUNTER-DRUG ACTIVITIES		1,156,282	1,209,620
PC:			
2360	EUCOM Tactical Analysis Team Support—Previously Denied New Start		−952
3217	Navy Counter-Drug Activities—ROTHR—Transfer from OP,N line 89		2,290
7403	National Guard Counter-Drug Program State Plans		50,000
9205	EUCOM Counternarcotics Operations Support		−2,000
9380	Young Marines—Drug Demand Reduction		4,000

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

The conference agreement on items addressed either by the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

Line		Budget request	Conference
4	STAFF AND INFRASTRUCTURE	220,634	0
	Transfer to title IX		−220,634
	TOTAL, JOINT IED DEFEAT FUND	220,634	0

The conference agreement does not recommend funding for the Joint Improvised Explosive Device Defeat Fund in the base budget. The agreement addresses the funding requirements of the Joint Improvised Explosive Device Defeat Organization in title IX.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement on items addressed either by the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Conference
OPERATION AND MAINTENANCE	286,919	341,419

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

	Budget request	Conference
Program Increase	.....	54,500
PROCUREMENT	1,000	1,000
RESEARCH, DEVELOPMENT, TEST AND EVALUATION	1,600	4,500
Program Increase	.....	2,900
TOTAL, OFFICE OF THE INSPECTOR GENERAL	289,519	346,919

TITLE VII—RELATED AGENCIES

The conference agreement provides $1,061,591,000 in Title VII, Related Agencies, instead of $971,925,000 as proposed by the House and $1,107,413,000 as proposed by the Senate. The conference agreement on items addressed either by the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	CONFERENCE
TITLE VII		
RELATED AGENCIES		
Central Intelligence Agency Retirement and Disability System Fund	513,700	513,700
Intelligence Community Management Account (ICMA)	592,213	547,891
Total, title VII, Related agencies	1,105,913	1,061,591

CLASSIFIED ANNEX

Adjustments to classified programs are addressed in a separate detailed and comprehensive classified annex. The Intelligence Community, Department of Defense, and other organizations are expected to fully comply with the recommendations and directions in the classified annex accompanying the Department of Defense Appropriations Act, 2012.

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

The conference agreement provides $513,700,000 for the Central Intelligence Agency Retirement and Disability Fund, as proposed by both the House and the Senate.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

The conference agreement provides $547,891,000 for the Intelligence Community Management Account, instead of $458,225,000 as proposed by the House and $593,713,000 as proposed by the Senate.

TITLE VIII—GENERAL PROVISIONS

The conference agreement incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed in conference follow:

The conference agreement modifies a provision proposed by the House and Senate which provides general transfer authority not to exceed $3,750,000,000.

The conference agreement retains a provision proposed by the Senate which prohibits the use of funds to demilitarize or dispose of certain small firearms. The House bill contained a similar provision but made it permanent.

The conference agreement retains a provision proposed by the House concerning incentive payments authorized by section 504 of the Indian Financing Act (25 U.S.C. 1544). The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which provides funding from various appropriations for the Civil Air Patrol Corporation. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate related to funding provided for Federally Funded Research and Development Centers. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House which provides that the Office of Economic Adjustment may use funds made available under Operation and Maintenance, Defense-Wide to make grants and supplement other federal funds in accordance with guidance provided. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate which prohibits the conversion of any activity or function performed by civilian employees of the Department of Defense to

contractor with certain exceptions. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the House and the Senate recommending rescissions. The rescissions agreed to are:

(RESCISSIONS)

2002 Appropriations:	
National Defense Sealift Fund:	
Ready Reserve Force	$20,444,000
2003 Appropriations:	
National Defense Sealift Fund:	
Ready Reserve Force	8,500,000
2004 Appropriations:	
National Defense Sealift Fund:	
Ready Reserve Force	6,500,000
2010 Appropriations:	
Aircraft Procurement, Army:	
Common Ground Equipment	5,100,000
Procurement of Weapons and Tracked Combat Vehicles, Army:	
Handgun	3,379,000
Lightweight .50 Caliber Machine Gun	974,000
Procurement of Ammunition, Army:	
Artillery Fuzes, All Types	19,000,000
Scorpion, Intelligent Munitions Systems	2,674,000
Other Procurement, Army:	
Armored Security Vehicle	13,000,000
Lightweight Counter Mortar Radar	15,000,000
Installation Info Infrastructure Mod Program	5,800,000
Special Equipment for User Testing	17,000,000
Explosive Ordnance Disposal Equipment	5,347,000
Items Less than $5 Million (ENG SPT)	2,500,000
Aircraft Procurement, Navy:	
P–8A	90,000,000
Aircraft Procurement, Air Force:	
C–130	17,471,000
T–38	11,326,000
KC–10A (ATCA)	4,100,000
Missile Procurement, Air Force:	
NPOESS	3,889,000
Other Procurement, Air Force:	
Global Combat Support System (DEAMS)	12,200,000
Procurement, Defense-Wide:	
Maritime Equipment Modifications	716,000
2011 Appropriations:	
Aircraft Procurement, Army:	
Airborne Avionics	21,500,000
Missile Procurement, Army:	
Surface-Launched AMRAAM System	99,800,000
Procurement of Weapons and Tracked Combat Vehicles, Army:	
Lightweight .50 Caliber Machine Gun	18,834,000
Procurement of Ammunition, Army:	
Artillery Fuzes, All Types	15,000,000
Other Procurement, Army	
Armored Security Vehicle	80,000,000
Joint Tactical Radio System	70,000,000
Lightweight Counter Mortar Radar	80,000,000
BCT Unattended Ground Sensor	14,636,000
BCT Network	74,000,000
Special Equipment for User Testing	26,000,000
Ground Soldier System	93,800,000
Aircraft Procurement, Navy:	
P–8A	55,000,000
F–18 Series	23,000,000
Weapons Procurement, Navy:	
Standard Missile Mods	21,427,000

Sidewinder	2,900,000
Airborne Mine Neutralization Systems	9,949,000
Procurement of Ammunition, Navy and Marine Corps:	
General Purpose Bombs	8,612,000
Intermediate Caliber Gun Ammunition	19,650,000
Other Procurement, Navy	
Reactor Power Units	6,700,000
Navy Multiband Terminal	48,600,000
Physical Security Equipment	4,298,000
Shipbuilding and Conversion, Navy:	
Littoral Combat Ship AP	110,351,000
Aircraft Procurement, Air Force:	
C–130J AP	30,000,000
F–15	31,340,000
C–130	25,000,000
B–2A (Multi Display Units)	22,579,000
T–38	18,600,000
C–37A	11,731,000
C–40	10,475,000
C–32A	10,411,000
Other Production Charges (NATO)	17,000,000
KC–10A (ATCA)	4,100,000
B–52	1,733,000
Other Production Charges (MQ–1)	37,244,000
Missile Procurement, Air Force:	
GPS III Space Segment	122,500,000
SBIRS High (Space) AP	25,000,000
JASSM	46,400,000
Other Procurement, Air Force:	
Tactical Air Control Party Vehicular Communication System	26,949,000
Global Combat Support System	7,733,000
Combat Training Ranges	3,700,000
Theater Battle Management Command and Control System	1,000,000
Modular Aircrew Common Helmet	6,217,000
Special Update Program	2,972,000
Joint Tactical Radio System Ground Mobile Radio	4,297,000
Procurement, Defense-Wide:	
Contamination Avoidance	1,626,000
Installation Force Protection	1,083,000
Individual Protection	892,000
Collective Protection	329,000
Decontamination	258,000
Joint Bio Defense Program (Medical)	124,000
Research, Development, Test and Evaluation, Army:	
FCS UAV	16,700,000
FCS UAV	6,000,000
FCS Unattended Ground Sensors	5,800,000
Manned Ground Vehicle—GCV	45,000,000
Joint Air-to-Ground Missile	49,700,000
Landmine Warfare Barrier—Scorpion	24,200,000
MLRS PIP—GMLRS AW	5,700,000
Aerial Common Sensor—EMARSS	24,425,000
Aerial Common Sensor—EMARSS Excess Carryover	79,100,000
Ground Combat Vehicle—Change to Acquisition Strategy	100,000,000
Research, Development, Test and Evaluation, Navy:	
Common Mobile Aircrew Restraint System	5,100,000
Multi-Purpose Bomb Rack	10,000,000
FMU–164 Fuze	19,671,000
Retract Elm	5,878,000
Small Diameter Bomb	2,600,000
Joint Air-to-Ground Missile	7,400,000
Navy Meteorological and Ocean Sensors—Space	15,038,000
Research, Development, Test and Evaluation, Air Force:	
JSpOC Mission System	3,500,000
Space Situational Awareness Systems	18,000,000
Agile Combat Support	2,800,000

Joint Strike Fighter	85,000,000
Joint Cargo Aircraft	7,750,000
Evaluation and Analysis Program	17,997,000
Special Evaluation System	47,252,000
Combined Advanced Applications	19,845,000
Defense Reconnaissance Support Activities (SPACE)	11,800,000
Tactical Air Control Party—Mod	2,450,000
B–2	22,000,000
AWACS	19,700,000
Research, Development, Test and Evaluation, Defense-Wide:	
DARPA Undistributed Rescission	126,589,000
DARPA Defense Research Sciences	1,827,000
DTRA Weapons of Mass Destruction Defeat Technologies	10,435,000
DARPA Tactical Technology	10,084,000
DARPA Materials and Biological Technology	1,000,000
DARPA Electronics Technology	500,000
DTRA Counterproliferation Initiatives—Proliferation Prevention and Defeat	11,950,000
DARPA Classified Programs	4,000,000
DARPA Command, Control, and Communications Systems	3,000,000
DARPA Space Programs and Technology	1,000,000
DARPA Advanced Electronics Technologies	1,000,000
DARPA Network-Centric Warfare Technology	1,000,000
MDA BMD Midcourse Defense Segment	23,005,000
OSD UAS Common Development	3,007,000
BTA R&D Activities	6,019,000
DTRA Weapons of Mass Destruction Defeat Capabilities	603,000
BTA DIMHRS	392,000
JIAMDO	18,369,000
OSD Technical Studies, Support, and Analysis	12,321,000
OSD Policy R&D Programs	3,711,000
OSD Net Centricity	3,233,000
JCS Management Headquarters	239,000
ISSP	11,000,000
Defense Health Program:	
Research, Development, Test and Evaluation	257,000

The conference agreement retains a provision proposed by the Senate for the procurement of ball and roller bearings, except for the purchase of "commercial items" as defined by section 4(12) of the Office of Federal Procurement Policy Act under certain limitations. The House bill contained a similar provision as defined by section 103 of title 41, United States Code.

The conference agreement retains a provision proposed by the House which prohibits the use of funds to perform repairs or maintenance of military family housing units. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate concerning reporting requirements for any new start advanced concept technology demonstration project or joint capability demonstration project. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House concerning a grant to the Fisher House Foundation, Inc. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate which makes available funds to reimburse the Department of Homeland Security for costs associated with processing and adjudication of applications for naturalization. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate related to funding for the Israeli Cooperative Defense programs. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate regarding Fleet Forces Command control of Navy forces assigned to the Pacific and United States Transportation Command operational and administrative control of C–130 and KC–135 forces assigned to the Pacific and European Air Force Commands. The House bill contained a similar provision but did not include restrictions related to the Transportation Command.

The conference agreement modifies a provision proposed by the Senate regarding the transfer of funds provided within Research, Development, Test and Evaluation, Army and Research, Development, Test and Evaluation, Air Force. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits the use of funds for nuclear armed interceptors of a missile defense system. The Senate bill contained a similar provision but made it permanent.

The conference agreement retains a provision proposed by the House which provides funding to the United Service Organizations and the Red Cross. The Senate bill contained a similar provision but did not provide funding to the Red Cross.

The conference agreement modifies a provision proposed by the Senate which provides funding of up to $200,000,000 from Operation and Maintenance, Defense-Wide, to be combined with funds from the Department of State, should a Global Security Contingency Fund be created. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which requires submission of P–1 exhibit and R–1 exhibits for National Intelligence programs based on certain dollar thresholds. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which reduces funding appropriated in Operation and Maintenance, Army to reflect excess cash balances in the Working Capital Funds. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate which requires submission of a baseline for reprogramming at the project level. The House bill contained a similar provision which required submission of the baseline at the subproject level.

The conference agreement modifies a provision proposed by the House establishing prior approval reprogramming and transfer procedures for National Intelligence Programs. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate which provides for the transfer of funds by the Director of National Intelligence to other departments and agencies for purposes of government-wide information sharing activities. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which provides funds for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House which extends the period of time during which claims for retroactive stop-loss special pay may be submitted. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House which places a limitation on the total number of Senior Executive Service employees in the Office of the Director of National Intelligence and requires submission of certain reports. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding Anti-Deficiency Act violations in the military personnel accounts. The provision requires the Inspector General of the Department of Defense to conduct a review of the violations and make recommendations for corrective actions to be implemented. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House to provide grants through the Office of Economic Adjustment to assist the civilian population of Guam. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding parking spaces provided by the BRAC 133 project. The Senate contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits the Secretary of the Air Force from transferring Air Force Material Command functions until after the Secretary transmits a report. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding reporting requirements for civilian personnel end strength by appropriation account. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides funding from Research, Development, Test and Evaluation, Army to conduct research on alternative energy resources for the deployed forces. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which requires the Department to report on the feasibility of using commercially available telecommunications expense management solutions. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to separate the National Intelligence Program from the Department of Defense budget. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House which provides general transfer authority of $2,000,000,000 for funds made available for the intelligence community. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations. The Senate bill contained no similar provision.

The conference agreement modifies language proposed by the House which prohibits the use of current and prior year funds from

being used to transfer detainees from Naval Station Guantanamo Bay, Cuba to the United States. The Senate bill contained a similar provision.

The conference agreement modifies a provision proposed by the House which requires certain certifications prior to the transfer of detainees from Naval Station Guantanamo Bay, Cuba to foreign countries. The Senate bill contained a similar provision.

The conference agreement modifies language proposed by the House which prohibits the use of current and prior year funds from being used to construct, renovate, or modify U.S. facilities to house any detainees at Naval Station Guantanamo Bay, Cuba. The Senate bill contained a similar provision.

The conference agreement modifies a provision proposed by the House which provides funds to conduct an assessment of the current and prospective situation on the ground in Afghanistan and Pakistan. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which directs the Secretary of Defense to submit a report regarding the efficiency savings identified in the fiscal year 2012–2016 budgets. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House which prohibits funding from being used to enter into agreements with corporations with unpaid tax liabilities. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House which prohibits funding from being used to enter into agreements with a corporation that was convicted of a federal criminal violation in the past 24 months. The Senate bill contained no similar provision.

The conference agreement includes a new provision which creates a Military Intelligence Program Transfer Fund. The House bill and Senate bill contained no similar provisions.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to violate the Trafficking Victims Protection Act of 2000. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to violate the Child Soldier Prevention Act of 2008. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to violate the War Powers Resolution. The Senate bill contained no similar provision.

TITLE IX—OVERSEAS CONTINGENCY OPERATIONS

The conference agreement provides $115,082,635,000 in Title IX, Overseas Contingency Operations, instead of $118,669,277,000 as proposed by the House and $117,583,000,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

REPORTING REQUIREMENTS

The conferees direct that the Department continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on the monthly basis in the Cost of War Execution report as required by Department of Defense Financial Management Regulation, Chapter 23, Volume 12. The conferees further direct the Department to continue providing Cost of War reports to the congressional defense committees that include the following information by appropriation account: funding appropriated, funding allocated, monthly obligations, monthly disbursements, cumulative fiscal year obligations, and cumulative fiscal year disbursements.

The conferees expect that in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriations accounts for purposes other than those specified in this report. The conferees direct the Department of Defense to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this title.

MILITARY ACTIVITIES IN LIBYA

General provisions 10003 and 10017, included in the House version of the Department of Defense Appropriations bill, restricted the use of Department of Defense funding for certain activities in or against Libya. The conference agreement does not include those provisions. Since the House passage of the Department of Defense Appropriations bill, political conditions in Libya have changed and power has transferred to a new regime.

As part of a greater NATO force, the United States participated in, and took direct forceful action against the country of Libya to topple its former regime. The action was successful and fortunately no American lives were lost during this incursion. However, the conferees insist that when determining that military engagements are necessary, the President is subject to the terms of the War Powers Resolution (50 U.S.C. 1541 et seq.).

EXTREMIST ORGANIZATIONS

The conferees are aware that certain governments and organizations such as the Government of Iran, Hamas, and Hizbullah have policies and practices counter to the best interests of the United States. The conferees reiterate that extremist governments and organizations should not be funded by this Act and that the conferees will closely monitor the expenditure of funds by the Department of Defense regarding such matters.

HUMAN RIGHTS ABUSES

The House included language directing reports on human rights abuses. The conferees direct the initial report be completed not later than 60 days after enactment of this Act and quarterly throughout the fiscal year.

MILITARY PERSONNEL

The conference agreement provides $11,639,252,000 for Military Personnel, instead of $10,813,624,000 as proposed by the House and $11,657,252,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[in thousands of dollars]

M-1	Budget Request	Conference
MILITARY PERSONNEL, ARMY		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	783,035	783,035
RETIRED PAY ACCRUAL	205,290	205,290
BASIC ALLOWANCE FOR HOUSING	221,322	221,322
BASIC ALLOWANCE FOR SUBSISTENCE	27,183	27,183
INCENTIVE PAYS	7,381	7,381
SPECIAL PAYS	64,012	64,012
ALLOWANCES	31,498	31,498
SEPARATION PAY	850	850
SOCIAL SECURITY TAX	59,901	59,901
TOTAL, BA-1	1,400,472	1,400,472
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	1,820,510	1,820,510
RETIRED PAY ACCRUAL	478,020	478,020
BASIC ALLOWANCE FOR HOUSING	694,535	694,535
INCENTIVE PAYS	15,145	15,145
SPECIAL PAYS	313,753	313,753
ALLOWANCES	182,153	182,153
SEPARATION PAY	6,192	6,192
SOCIAL SECURITY TAX	139,271	139,271
TOTAL, BA-2	3,649,579	3,649,579
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	305,468	305,468
SUBSISTENCE-IN-KIND	1,155,870	1,155,870
TOTAL, BA-4	1,461,338	1,461,338
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL		
OPERATIONAL TRAVEL	56,308	56,308
ROTATIONAL TRAVEL	29,861	29,861
SEPARATION TRAVEL	23,685	23,685
TOTAL, BA-5	109,854	109,854
BA-6: OTHER MILITARY PERSONNEL COSTS		
INTEREST ON UNIFORMED SERVICES SAVINGS	9,674	9,674
DEATH GRATUITIES	29,000	29,000
UNEMPLOYMENT BENEFITS	289,232	289,232
RESERVE INCOME REPLACEMENT PROGRAM	472	472
SGLI EXTRA HAZARD PAYMENTS	125,924	125,924
TRAMATIC INJURY PROTECTION COVERAGE	29,790	29,790
TOTAL, BA-6	484,092	484,092
UNDISTRIBUTED ADJUSTMENTS		90,000
Undistributed transfer from title I		90,000
TOTAL, MILITARY PERSONNEL, ARMY	7,105,335	7,195,335

M-1	Budget Request	Conference
MILITARY PERSONNEL, NAVY		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	133,868	133,868
RETIRED PAY ACCRUAL	32,533	32,533
BASIC ALLOWANCE FOR HOUSING	41,612	41,612
BASIC ALLOWANCE FOR SUBSISTENCE	4,334	4,334
INCENTIVE PAYS	2,993	2,993
SPECIAL PAYS	27,504	27,504
ALLOWANCES	13,898	13,898
SOCIAL SECURITY TAX	10,242	10,242
TOTAL, BA-1	266,984	266,984
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	171,419	171,419
RETIRED PAY ACCRUAL	41,655	41,655
BASIC ALLOWANCE FOR HOUSING	83,688	83,688
INCENTIVE PAYS	940	940
SPECIAL PAYS	102,127	102,127
ALLOWANCES	29,854	29,854
SEPARATION PAY	61	61
SOCIAL SECURITY TAX	13,113	13,113
TOTAL, BA-2	442,857	442,857
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	19,651	19,651
SUBSISTENCE-IN-KIND	15,845	15,845
TOTAL, BA-4	35,496	35,496
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	5,123	5,123
OPERATIONAL TRAVEL	23,490	23,490
ROTATIONAL TRAVEL	29,573	29,573
SEPARATION TRAVEL	3,077	3,077
TOTAL, BA-5	61,263	61,263
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	1,300	1,300
UNEMPLOYMENT BENEFITS	50,111	50,111
SGLI EXTRA HAZARD PAYMENTS	61,023	61,023
TOTAL, BA-6	112,434	112,434
UNDISTRIBUTED ADJUSTMENT		340,200
Undistributed transfer from title I		340,200
TOTAL, MILITARY PERSONNEL, NAVY	919,034	1,259,234
MILITARY PERSONNEL, MARINE CORPS		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	80,579	80,579
RETIRED PAY ACCRUAL	19,581	19,581
BASIC ALLOWANCE FOR HOUSING	25,949	25,949
BASIC ALLOWANCE FOR SUBSISTENCE	2,513	2,513
SPECIAL PAYS	10,799	10,799
ALLOWANCES	6,607	6,607
SEPARATION PAY	7,427	7,427
SOCIAL SECURITY TAX	6,164	6,164
TOTAL, BA-1	159,619	159,619

M-1	Budget Request	Conference
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	149,515	149,515
RETIRED PAY ACCRUAL	36,331	36,331
BASIC ALLOWANCE FOR HOUSING	83,814	83,814
SPECIAL PAYS	82,196	82,196
ALLOWANCES	36,520	36,520
SEPARATION PAY	7,085	7,085
SOCIAL SECURITY TAX	11,438	11,438
TOTAL, BA-2	406,899	406,899
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	20,286	20,286
TOTAL, BA-4	20,286	20,286
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ROTATIONAL TRAVEL	16,142	16,142
TOTAL, BA-5	16,142	16,142
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	14,100	14,100
UNEMPLOYMENT BENEFITS	19,942	33,942
Marine Corps Identified Shortfall		14,000
SGLI EXTRA HAZARD PAYMENTS	38,372	38,372
TOTAL, BA-6	72,414	86,414
UNDISTRIBUTED ADJUSTMENT		25,000
Undistributed Transfer from title I		25,000
TOTAL, MILITARY PERSONNEL, MARINE CORPS	675,360	714,360
MILITARY PERSONNEL, AIR FORCE		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	209,858	209,858
RETIRED PAY ACCRUAL	51,095	51,095
BASIC ALLOWANCE FOR HOUSING	62,658	62,658
BASIC ALLOWANCE FOR SUBSISTENCE	7,105	7,105
SPECIAL PAYS	19,631	19,631
ALLOWANCES	9,952	9,952
SOCIAL SECURITY TAX	16,049	16,049
TOTAL, BA-1	376,348	376,348
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	425,491	425,491
RETIRED PAY ACCRUAL	103,567	103,567
BASIC ALLOWANCE FOR HOUSING	178,846	178,846
SPECIAL PAYS	82,061	82,061
ALLOWANCES	29,422	29,422
SOCIAL SECURITY TAX	32,550	32,550
TOTAL, BA-2	851,937	851,937
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	43,965	43,965
SUBSISTENCE-IN-KIND	71,506	71,506
TOTAL, BA-4	115,471	115,471
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	6,096	6,096
TOTAL, BA-5	6,096	6,096

M-1	Budget Request	Conference
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	2,000	2,000
UNEMPLOYMENT BENEFITS	19,924	19,924
SGLI EXTRA HAZARD PAYMENTS	64,577	64,577
TOTAL, BA-6	86,501	86,501
UNDISTRIBUTED ADJUSTMENT		56,028
Undistributed Transfer from title I		56,028
TOTAL, MILITARY PERSONNEL, AIR FORCE	1,436,353	1,492,381
RESERVE PERSONNEL, ARMY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	77,212	77,212
SCHOOL TRAINING	7,591	7,591
SPECIAL TRAINING	122,359	122,359
TOTAL, BA-1	207,162	207,162
TOTAL, RESERVE PERSONNEL, ARMY	207,162	207,162
RESERVE PERSONNEL, NAVY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SCHOOL TRAINING	4,144	4,144
SPECIAL TRAINING	37,508	37,508
ADMINISTRATION AND SUPPORT	2,878	2,878
TOTAL, BA-1	44,530	44,530
TOTAL, RESERVE PERSONNEL, NAVY	44,530	44,530
RESERVE PERSONNEL, MARINE CORPS		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SCHOOL TRAINING	5,582	5,582
SPECIAL TRAINING	19,466	19,466
ADMINISTRATION AND SUPPORT	373	373
TOTAL, BA-1	25,421	25,421
TOTAL, RESERVE PERSONNEL, MARINE CORPS	25,421	25,421
RESERVE PERSONNEL, AIR FORCE		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	26,815	26,815
TOTAL, BA-1	26,815	26,815
TOTAL, RESERVE PERSONNEL, AIR FORCE	26,815	26,815
NATIONAL GUARD PERSONNEL, ARMY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	139,341	139,341
SCHOOL TRAINING	20,557	20,557
SPECIAL TRAINING	422,107	422,107
ADMINISTRATION AND SUPPORT	79,874	64,874
Unjustified growth		-15,000
TOTAL, BA-1	661,879	646,879
UNDISTRIBUTED ADJUSTMENT		17,700

M-1	Budget Request	Conference
Undistributed Transfer from title I		17,700
TOTAL, NATIONAL GUARD PERSONNEL, ARMY	**661,879**	**664,579**
NATIONAL GUARD PERSONNEL, AIR FORCE		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	**9,435**	**9,435**
TOTAL, BA-1	**9,435**	**9,435**
TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	**9,435**	**9,435**
TOTAL, MILITARY PERSONNEL	**11,111,324**	**11,639,252**

OPERATION AND MAINTENANCE

The conference agreement provides $89,016,326,000 for Operation and Maintenance, instead of $89,780,293,000 as proposed by the House and $90,546,851,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
	OPERATION AND MAINTENANCE, ARMY		
114	**THEATER LEVEL ASSETS**	**3,424,314**	**3,485,083**
	Transfer from title II - Chemical Defense Equipment Sustainment		8,579
	Transfer from title II - Combined Arms Training Strategy		23,198
	Transfer from title II - Theater Demand Reduction		18,692
	Transfer from title II - UAS--Gray Eagle Satellite Service		10,300
115	**LAND FORCES OPERATIONS SUPPORT**	**1,534,886**	**1,707,704**
	Transfer from title II - MRAP Vehicle Sustainment at Combat Training Centers		6,420
	Transfer from title II - Combat Training Center Role Players		30,091
	Transfer from title II - Fox Nuclear Biological and Chemical Reconnaissance Vehicle Contract Logistics Support		12,062
	Transfer from title II - Joint Maneuver Readiness Center Opposing Force Augmentation		4,545
	Transfer from title II - Joint Readiness Training Center Opposing Force Augmentation		26,940
	Transfer from title II - National Training Center Tier Two Level Maintenance Contract		24,000
	Transfer from title II - National Training Center War Fighter Focus		26,650
	Transfer from title II - Sustainment Brigade and Functional Brigade Warfighter Exercise		20,285
	Transfer from title II - Theater Demand Reduction		14,984
	Transfer from title II - Tube-Launched, Optically-Tracked, Wire-Guided Missile Improved Target Acquisition System Contract Logistics Support		6,841
116	**AVIATION ASSETS**	**87,166**	**155,278**
	Transfer from title II - Combined Arms Training Strategy		6,607
	Transfer from title II - Theater Demand Reduction		61,505
121	**FORCE READINESS OPERATIONS SUPPORT**	**2,675,821**	**2,816,477**
	Transfer from title II - Body Armor Sustainment		71,660
	Transfer from title II - Rapid Equipping Force Readiness		9,294
	Transfer from title II - Battle Simulation Centers		59,702
122	**LAND FORCES FORCES SYSTEMS READINESS**	**579,000**	**605,332**
	Transfer from title II - Fixed Wing Life Cycle Contract Support		21,171
	Transfer from title II - Capability Development and Integration		5,161
123	**LAND FORCES DEPOT MAINTENANCE**	**1,000,000**	**1,000,000**
131	**BASE OPERATIONS SUPPORT**	**951,371**	**1,191,707**
	Transfer from title II - Overseas Security Guards		200,000
	Transfer from title II - Senior Leader Initiative: Comprehensive Soldier Fitness Program		30,000
	Transfer from title II - Training Range Maintenance		10,336
132	**FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION**	**250,000**	**250,000**
135	**ADDITIONAL ACTIVITIES**	**22,998,441**	**24,872,494**
	Transfer from title II and Program Reduction - Military Information Support Operations		-40,625
	Synchronization Pre-Deployment and Operational Tracker Fully Funded in O&M DW Base Request in fiscal year 2012		-12,000
	Transfer from title II SAG 111 - Combined Arms Training Strategy		217,376
	Transfer from title II SAG 111 - MRAP Vehicle Sustainment		2,539
	Transfer from title II SAG 111 - Theater Demand Reduction		148,194
	Transfer from title II SAG 112 - Combined Arms Training Strategy		11,752

O-1		Budget Request	Conference
	Transfer from title II SAG 112 - Theater Demand Reduction		2,282
	Transfer from title II SAG 113 - Combined Arms Training Strategy		74,852
	Transfer from title II SAG 321 - Survivability and Maneuverability Training		15,183
	Transfer from title II - Readiness (transfer from BA-1 undistributed)		1,454,500
136	**COMMANDERS EMERGENCY RESPONSE PROGRAM**	**425,000**	**400,000**
	CERP Iraq	25,000	0
	Unjustified Request for CERP Iraq		-25,000
	CERP Afghanistan	400,000	400,000
137	**RESET**	**3,955,429**	**3,955,429**
411	**SECURITY PROGRAMS**	**2,476,766**	**2,436,766**
	ARGUS A-160 deployment delays		-40,000
421	**SERVICEWIDE TRANSPORTATION**	**3,507,186**	**3,507,186**
422	**CENTRAL SUPPLY ACTIVITIES**	**50,740**	**50,740**
424	**AMMUNITION MANAGEMENT**	**84,427**	**84,427**
432	**SERVICEWIDE COMMUNICATIONS**	**66,275**	**40,075**
	Transfer to title II - Automated Biometric Identification System		-26,200
434	**OTHER PERSONNEL SUPPORT**	**143,391**	**143,391**
435	**OTHER SERVICE SUPPORT**	**92,067**	**92,067**
	Department of Defense-Identified Excess to Requirement		-2,000,000
	TOTAL, OPERATION AND MAINTENANCE, ARMY	**44,302,280**	**44,794,156**
	OPERATION AND MAINTENANCE, NAVY		
1A1A	**MISSION AND OTHER FLIGHT OPERATIONS**	**1,058,114**	**1,301,614**
	Unjustified Growth for Temporary Duty		-20,000
	Transfer from title II - Flying Hours		180,945
	Transfer from title II - MV 22B Pricing Variance		82,555
1A2A	**FLEET AIR TRAINING**	**7,700**	**7,700**
1A3A	**AVIATION TECHNICAL DATA & ENGINEERING SVCS**	**9,200**	**9,200**
1A4A	**AIR OPERATIONS AND SAFETY SUPPORT**	**12,934**	**12,934**
1A4N	**AIR SYSTEMS SUPPORT**	**39,566**	**39,566**
1A5A	**AIRCRAFT DEPOT MAINTENANCE**	**174,052**	**174,052**
1A6A	**AIRCRAFT DEPOT OPERATIONS SUPPORT**	**1,586**	**1,586**
1A9A	**AVIATION LOGISTICS**	**50,852**	**50,852**
1B1B	**MISSION AND OTHER SHIP OPERATIONS**	**1,132,948**	**1,107,948**
	Realignment of Funding to SAG 2C1H not Accounted for in Budget Documentation		-25,000
1B2B	**SHIP OPERATIONS SUPPORT & TRAINING**	**26,822**	**26,822**
1B4B	**SHIP DEPOT MAINTENANCE**	**998,172**	**998,172**
1C1C	**COMBAT COMMUNICATIONS**	**26,533**	**26,533**
1C4C	**WARFARE TACTICS**	**22,657**	**22,657**
1C5C	**OPERATIONAL METEOROLOGY AND OCEANOGRAPHY**	**28,141**	**28,141**
1C6C	**COMBAT SUPPORT FORCES**	**1,932,640**	**2,125,441**
	Transfer from title II - Naval Expeditionary Combat Command Increases		192,801
1C7C	**EQUIPMENT MAINTENANCE**	**19,891**	**19,891**
1CCH	**COMBATANT COMMANDERS CORE OPERATIONS**	**5,465**	**5,465**
1CCM	**COMBATANT COMMANDERS DIRECT MISSION SUPPORT**	**2,093**	**14,393**
	Transfer from title II and Program Reduction - Military Information Support Operations		4,000
	Transfer from title II - JSOTF-Philippines		8,300
1D3D	**IN-SERVICE WEAPONS SYSTEMS SUPPORT**	**125,460**	**134,460**
	Transfer from title II - Naval Expeditionary Combat Command		9,000

O-1		Budget Request	Conference
1D4D	WEAPONS MAINTENANCE	201,083	166,083
	Unjustified Growth for Weapons Sustainment		-35,000
1D7D	OTHER WEAPON SYSTEMS SUPPORT	1,457	1,457
BSIT	ENTERPRISE INFORMATION	5,095	0
	Navy-Identified Excess for Network Management Systems		-5,095
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	26,793	26,793
BSS1	BASE OPERATING SUPPORT	352,210	394,880
	Civilian Pay Overstatement due to no Requirement for FTE in this SAG		-7,330
	Transfer from title II - Regional/Emergency Operations Center		50,000
	Transfer from title II - Readiness and Depot Maintenance (BA-1 Undistributed)		495,000
2A1F	SHIP PREPOSITIONING AND SURGE	29,010	29,010
2C1H	FLEET HOSPITAL PROGRAM	34,300	39,304
	Transfer from title II - Medical/Equipment costs for USNS MERCY		5,004
2C3H	COAST GUARD SUPPORT	258,278	0
	Direct Appropriation to Department of Homeland Security		-258,278
3B1K	SPECIALIZED SKILL TRAINING	69,961	72,961
	Transfer from title II - Naval Sea Systems Command Visit, Board, Search and Seizure/Explosive Ordnance DeviceTraining		3,000
3B4K	TRAINING SUPPORT	5,400	5,400
4A1M	ADMINISTRATION	2,348	2,348
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,142	18,699
	Transfer from title II - Family Readiness Programs		3,557
	Transfer from title II - Navy Manpower and Personnel System/NSIPS		9,000
4A5M	OTHER PERSONNEL SUPPORT	5,849	5,849
4A6M	SERVICEWIDE COMMUNICATIONS	28,511	28,511
4B1N	SERVICEWIDE TRANSPORTATION	263,593	238,593
	Unjustified Growth for Transportation Estimates		-25,000
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	17,414	17,414
4B7N	SPACE AND ELECTRONIC WARFARE SYSTEMS	1,075	1,075
4C1P	NAVAL INVESTIGATIVE SERVICE	6,564	6,564
999	OTHER PROGRAMS	16,658	16,658
	TOTAL, OPERATION AND MAINTENANCE, NAVY	7,006,567	7,674,026
	OPERATION AND MAINTENANCE, MARINE CORPS		
1A1A	OPERATIONAL FORCES	2,069,485	2,086,485
	Marine Corps Requested Transfer for Family of Shelters from P, MC line 38		17,000
1A2A	FIELD LOGISTICS	575,843	575,843
1A3A	DEPOT MAINTENANCE	251,100	363,100
	Transfer from title II - Depot Maintenance		112,000
BSS1	BASE OPERATING SUPPORT	82,514	82,514
	Transfer from title II - Readiness and Depot Maintenance (BA-1 Undistributed)		235,000
3B4D	TRAINING SUPPORT	209,784	209,784
4A3G	SERVICEWIDE TRANSPORTATION	376,495	376,495
4A4G	ADMINISTRATION	5,989	5,989
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	3,571,210	3,935,210

O-1		Budget Request	Conference
	OPERATION AND MAINTENANCE, AIR FORCE		
011A	PRIMARY COMBAT FORCES	2,115,901	2,185,901
	Transfer from title II - Theater Security Package		70,000
011C	COMBAT ENHANCEMENT FORCES	2,033,929	2,033,929
011D	AIR OPERATIONS TRAINING	46,844	46,844
011M	DEPOT MAINTENANCE	312,361	312,361
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	334,950	334,950
011Z	BASE OPERATING SUPPORT	641,404	641,404
012A	GLOBAL C3I AND EARLY WARNING	69,330	69,330
012C	OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	297,015	297,015
013C	SPACE CONTROL SYSTEMS	16,833	16,833
015A	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	46,390	91,550
	Transfer from title II and Program Reduction - Military Information Support Operations		27,800
	Transfer from title II - CENTCOM HQ C4		12,500
	Transfer from title II - CENTCOM Public Affairs		4,860
	Transfer from title II - Readiness and Depot Maintenance (BA-1 Undistributed)		470,000
021A	AIRLIFT OPERATIONS	3,533,338	3,133,338
	Reduction for Airlift Operations Transportation Rates		-400,000
021D	MOBILIZATION PREPAREDNESS	85,416	85,416
021M	DEPOT MAINTENANCE	161,678	161,678
021R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	9,485	9,485
021Z	BASE SUPPORT	30,033	30,033
031R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	908	908
031Z	BASE SUPPORT	2,280	2,280
032A	SPECIALIZED SKILL TRAINING	29,592	29,592
032B	FLIGHT TRAINING	154	154
032C	PROFESSIONAL DEVELOPMENT EDUCATION	691	691
032D	TRAINING SUPPORT	753	753
041A	LOGISTICS OPERATIONS	155,121	155,121
041Z	BASE SUPPORT	20,677	20,677
042A	ADMINISTRATION	3,320	3,320
042B	SERVICEWIDE COMMUNICATIONS	111,561	111,561
042G	OTHER SERVICEWIDE ACTIVITIES	605,223	605,223
043A	SECURITY PROGRAMS	54,000	54,000
	Unjustified Growth in Civilian Personnel Costs		-25,000
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	10,719,187	10,879,347
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
1PLT1	JOINT CHIEFS OF STAFF	2,000	2,000
1PL2	SPECIAL OPERATIONS COMMAND	3,269,939	3,298,739
	Transfer from title II and Program Reduction - Military Information Support Operations		53,800
	Unjustified Program Growth in Operating Support for Operation New Dawn		-25,000
ES18	DEFENSE MEDIA ACTIVITY	15,457	15,457
4GT6	DEFENSE CONTRACT AUDIT AGENCY	23,478	23,478
4GT9	DEFENSE INFORMATION SYSTEMS AGENCY	164,520	164,520
4GT0	DEFENSE CONTRACT MANAGEMENT AGENCY	87,925	87,925
4GTA	DEFENSE LEGAL SERVICES AGENCY	102,322	67,322
	Unjustified Program Growth		-35,000
46TJ	DEFENSE DEPENDENTS EDUCATION	194,100	267,100
	Transfer from title II - Child Care and Counseling		73,000

O-1		Budget Request	Conference
4GTD	DEFENSE SECURITY COOPERATION AGENCY	2,200,000	2,140,000
	Lift and Sustain	450,000	450,000
	Coalition Support Funds	1,750,000	1,690,000
	Coalition Support Funds: Excess to Need for Contract Renewal		-60,000
4GTN	OFFICE OF THE SECRETARY OF DEFENSE	143,870	143,870
9999	OTHER PROGRAMS	3,065,800	3,041,800
	Classified Adjustment		-24,000
	TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	9,269,411	9,252,211
	OPERATION AND MAINTENANCE, ARMY RESERVE		
113	ECHELONS ABOVE BRIGADE	84,200	84,200
115	LAND FORCES OPERATIONS SUPPORT	28,100	28,100
121	FORCES READINESS OPERATIONS SUPPORT	20,700	20,700
131	BASE OPERATIONS SUPPORT	84,500	84,500
	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	217,500	217,500
	OPERATION AND MAINTENANCE, NAVY RESERVE		
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	38,402	38,402
1A3A	INTERMEDIATE MAINTENANCE	400	400
1A5A	AIRCRAFT DEPOT MAINTENANCE	11,330	11,330
1B1B	MISSION AND OTHER SHIP OPERATIONS	10,137	10,137
1C6C	COMBAT SUPPORT FORCES	13,827	13,827
BSSR	BASE OPERATING SUPPORT	52	52
	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	74,148	74,148
	OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
1A1A	OPERATING FORCES	31,284	31,284
BSS1	BASE OPERATING SUPPORT	4,800	4,800
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	36,084	36,084
	OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
011A	PRIMARY COMBAT FORCES	4,800	4,800
011M	DEPOT MAINTENANCE	131,000	131,000
011Z	BASE OPERATING SUPPORT	6,250	6,250
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	142,050	142,050
	OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		
111	MANEUVER UNITS	89,930	89,930
116	AVIATION ASSETS	130,848	130,848
121	FORCE READINESS OPERATIONS SUPPORT	110,011	100,011

O-1		Budget Request	Conference
	Duplicate Request for Military Pay Support Contract (Requested in both SAG 121 and SAG 131)		-10,000
131	**BASE OPERATIONS SUPPORT**	**34,788**	**34,788**
133	**MANAGEMENT AND OPERATIONAL HEADQUARTERS**	**21,967**	**21,967**
	TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	**387,544**	**377,544**
	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
011G	**MISSION SUPPORT OPERATIONS**	**34,050**	**34,050**
	TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	**34,050**	**34,050**
	AFGHANISTAN INFRASTUCTURE FUND		
	POWER	**300,000**	**300,000**
	TRANSPORTATION	**100,000**	**100,000**
	WATER	**50,000**	**50,000**
	OTHER RELATED ACTIVITIES	**25,000**	**25,000**
	Fiscal year 2011 level		-75,000
	TOTAL, AFGHANISTAN INFRASTUCTURE FUND	**475,000**	**400,000**
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY	**7,055,102**	**6,521,897**
	Infrastructure	1,304,350	1,304,350
	Equipment and Transportation	1,667,905	1,432,490
	Revised Combined Security Transition Command Afghanistan requirement		-235,415
	Training and Operations	751,073	751,073
	Sustainment	3,331,774	3,033,984
	Revised Combined Security Transition Command Afghanistan requirement		-297,790
	AFGHAN NATIONAL POLICE	**5,700,149**	**4,633,354**
	Infrastructure	1,128,584	1,128,584
	Equipment and Transportation	1,530,420	601,915
	Revised Combined Security Transition Command Afghanistan requirement		-928,505
	Training and Operations	1,102,430	1,102,430
	Sustainment	1,938,715	1,800,425
	Revised Combined Security Transition Command Afghanistan requirement		-138,290
	RELATED ACTIVITIES	**44,749**	**44,749**
	Detainee Operations - Sustainment	21,187	21,187
	Detainee Operations - Training and Operations	7,344	7,344
	Detainee Operations - Infrastructure	15,000	15,000
	Detainee Operations - Equipment	1,218	1,218
	TOTAL, AFGHANISTAN SECURITY FORCES FUND	**12,800,000**	**11,200,000**
	TOTAL, OPERATION AND MAINTENANCE	**89,035,031**	**89,016,326**

PAKISTAN COUNTERINSURGENCY FUND

The House version of the Department of Defense Appropriations bill included $1,100,000,000 for the Pakistan Counterinsurgency Fund. The Senate included an appropriation for this fund in the State, Foreign Operations, and Related Agencies Appropriations bill. The fund is addressed in the State, Foreign Operations, and Related Agencies Division of this Act.

AFGHANISTAN RESOURCES OVERSIGHT COUNCIL

The conferees have modified Section 9009 of the Senate version of the Department of Defense Appropriations bill to include revised thresholds for contracts requiring approval of the Afghanistan Resources Oversight Council (AROC) and other responsibilities of the AROC. As outlined in this section, the AROC is responsible for approving all financial and activity plans for the Afghanistan Security Forces Fund (ASFF). The conferees direct the AROC to establish policies, regulations, and processes to include consideration of the extent of competition and the relevant qualifications and eligibility of contractors as part of the acquisition plan for major purchases of goods and services. The conferees further direct the AROC to establish business rules and criteria for reviewing ASFF construction and sustainment plans for infrastructure and to establish a plan for the oversight of contractor performance and services and goods rendered. These are critical steps in ensuring that proper oversight is conducted on one of the largest Department of Defense programs.

PROCUREMENT

The conference agreement provides $13,633,461,000 for Procurement, instead of $13,375,288,000 as proposed by the House and $15,518,701,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
	AIRCRAFT PROCUREMENT, ARMY		
2	C-12 CARGO AIRPLANE (OCO)	10,500	0
	No justified requirement		-10,500
4	MQ-1 UAV (OCO)	0	550,798
	Transfer from title III		550,798
5	RQ-11 (RAVEN) (OCO)	0	15,300
	Army requested acceleration of 84 war replacement air vehicles		15,300
8	AH-64 BLOCK II/WRA (OCO)	35,500	0
	Funding ahead of need		-35,500
12	UH-60 BLACKHAWK (OCO)	72,000	180,100
	Army requested acceleration of six War Replacement aircraft		108,100
17	KIOWA WARRIOR UPGRADE (OH-58 D)/WRA(OCO)	145,500	100,800
	Limit ramp rate on replacement aircraft by reducing four aircraft		-44,700
19	MQ-1 PAYLOAD - UAS (OCO)	10,800	146,983
	Transfer from title III		136,183
22	MULTI SENSOR ABN RECON (MIP) (OCO)	54,500	54,500
33	RQ-7 UAV MODS (OCO)	94,600	88,900
	Vader - Incompatible with Host Platform		-79,800
	Army requested acceleration of 57 War Replacement Aircraft		74,100
	TOTAL AIRCRAFT PROCUREMENT, ARMY	423,400	1,137,381
	MISSILE PROCUREMENT, ARMY		
4	HELLFIRE SYS SUMMARY (OCO)	107,556	107,556
9	GUIDED MLRS ROCKET (GMLRS) (OCO)	19,000	19,000
	TOTAL MISSILE PROCUREMENT, ARMY	126,556	126,556
	PROCUREMENT OF W&TCV, ARMY		
20	LIGHTWEIGHT .50 CALIBER MACHINE GUN (OCO)	5,427	5,427
29	COMMON REMOTELY OPERATED WEAPONS STATION (OCO)	14,890	14,890
33	M4 CARBINE MODS (OCO)	16,800	16,800
	TOTAL PROCUREMENT OF W&TCV, ARMY	37,117	37,117
	PROCUREMENT OF AMMUNITION, ARMY		
4	CTG, HANDGUN, ALL TYPES (OCO)	1,200	1,200
9	CTG, 30MM, ALL TYPES (OCO)	4,800	4,800
10	CTG, 40MM, ALL TYPES (OCO)	38,000	38,000
13	81MM MORTAR, ALL TYPES (OCO)	8,000	8,000
14	120MM MORTAR, ALL TYPES (OCO)	49,140	49,140
19	ARTILLERY PROJECTILE, 155MM, ALL TYPES (OCO)	10,000	10,000
22	ARTILLERY FUZES, ALL TYPES (OCO)	5,000	5,000
27	SHOULDER LAUNCHED MUNITIONS, ALL TYPES (OCO)	5,000	5,000
28	ROCKET, HYDRA 70, ALL TYPES (OCO)	53,841	53,841
29	DEMOLITION MUNITIONS, ALL TYPES (OCO)	16,000	16,000
31	SIGNALS, ALL TYPES (OCO)	7,000	7,000
32	SIMULATORS, ALL TYPES (OCO)	8,000	8,000

P-1		Budget Request	Conference
36	CAD/PAD ALL TYPES (OCO)	2,000	2,000
37	ITEMS LESS THAN $5 MILLION (OCO)	400	400
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	208,381	208,381
	OTHER PROCUREMENT, ARMY		
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV) (OCO)	11,094	11,094
7	FAMILY OF HEAVY TACTICAL VEHICLES (OCO)	47,214	47,214
23	NON-TACTICAL VEHICLES, OTHER (OCO)	3,600	3,600
25	WIN-T -GROUND FORCES TACTICAL NETWORK (OCO)	547	547
39	JOINT TACTICAL RADIO SYSTEM (OCO)	450	0
	Handheld, Manpack, Small Form-fit radios for LEMV#2 early to need		-450
42	AMC CRITICAL ITEMS - OPA2 (OCO)	8,141	8,141
49	GUNSHOT DETECTION SYSTEM (GDS) (OCO)	44,100	10,100
	Concurrent development		-34,000
51	MEDICAL COMM FOR CBT CASUALTY CARE (OCO)	6,443	6,443
56	INFORMATION SYSTEM SECURITY PROGRAM (OCO)	54,730	0
	Army requested transfer to line 56a		-54,730
56a	FAMILY OF BIOMETRICS (OCO)	0	54,730
	Transfer from line 56		54,730
58	BASE SUPPORT COMMUNICATIONS (OCO)	5,000	5,000
62	INSTALLATION INFO INFRASTRUCTURE MOD (OCO)	169,500	169,500
70	DCGS-A (MIP) (OCO)	83,000	83,000
	Transfer from title III		0
72	TROJAN (MIP) (OCO)	61,100	61,100
76	LIGHTWEIGHT COUNTER MORTAR RADAR (OCO)	54,100	54,100
79	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIES (OCO)	53,000	53,000
80	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES (OCO)	48,600	24,200
	ISR Task Force identified excess		-20,000
	Platforms unavailable		-4,400
84	SENSE THROUGH THE WALL (STTW) (OCO)	10,000	10,000
95	PROFILER (OCO)	2,000	2,000
96	MOD OF IN-SVC EQUIP (FIREFINDER RADARS) (OCO)	30,400	30,400
98	JOINT BATTLE COMMAND--PLATFORM (JBC-P) (OCO)	148,335	148,335
102	COUNTERFIRE RADARS (OCO)	110,548	110,548
105	FIRE SUPPORT C2 FAMILY (OCO)	15,081	15,081
106	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (OCO)	10,000	10,000
108	AIR & MSL DEFENSE PLANNING & CONTROL SYSTEM (OCO)	28,000	28,000
109	KNIGHT FAMILY (OCO)	42,000	42,000
114	NETWORK MANAGEMENT INITIALIZATION AND SERVICE (OCO)	32,800	32,800
115	MANEUVER CONTROL SYSTEM (OCO)	44,000	44,000
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE) (OCO)	18,000	18,000
121	AUTOMATED DATA PROCESSING EQUIP (OCO)	10,000	10,000
128	PROTECTIVE SYSTEMS (OCO)	11,472	11,472
129	FAMILY OF NON-LETHAL EQUIPMENT (OCO)	30,000	10,000
	Acoustic Hailing Device contract delay		-20,000
131	CBRN SOLDIER PROTECTION (OCO)	1,200	1,200
133	TACTICAL BRIDGING (OCO)	15,000	15,000
134	TACTICAL BRIDGING, FLOAT RIBBON (OCO)	26,900	26,900
138	EXPLOSIVE ORDNANCE DISPOSAL EQUIP (OCO)	3,205	3,205
149	FORCE PROVIDER (OCO)	68,000	68,000

P-1		Budget Request	Conference
158	COMBAT SUPPORT MEDICAL (OCO)	15,011	15,011
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS (OCO)	25,129	25,129
177	GENERATORS AND ASSOCIATED EQUIPMENT (OCO)	0	36,000
	Army identified unfunded requirement		36,000
180	ALL TERRAIN LIFTING ARMY SYSTEM (OCO)	1,800	1,800
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT (OCO)	43,000	22,000
	Unobligated prior year funds		-21,000
190	PHYSICAL SECURITY SYSTEMS (OPA3) (OCO)	4,900	4,900
	CLASSIFIED PROGRAMS (OCO)	795	795
	TOTAL OTHER PROCUREMENT, ARMY	1,398,195	1,334,345
	AIRCRAFT PROCUREMENT, NAVY		
11	UH-1Y/AH-1Z (OCO)	30,000	24,875
	Excessive unit cost growth		-5,125
19	E-2D ADV HAWKEYE (OCO)	163,500	0
	Combat loss aircraft funded in fiscal year 2011		-163,500
28	OTHER SUPPORT AIRCRAFT (OCO)	21,882	0
	Aircraft excess to requirement		-21,882
30	AEA SYSTEMS (OCO)	53,100	45,600
	Intrepid Tiger		-7,500
31	AV-8 SERIES (OCO)	53,485	53,485
32	F-18 SERIES (OCO)	46,992	46,992
34	AH-1W SERIES (OCO)	39,418	37,918
	ANVIS HUD install kit pricing		-1,500
35	H-53 SERIES (OCO)	70,747	63,747
	Excess Hot Day PPC modification hardware support		-2,000
	Excess non-recurring engineering for Blue Force Tracker modification		-5,000
37	H-1 SERIES (OCO)	6,420	0
	Top-owl modification funding		-6,420
38	EP-3 SERIES (OCO)	20,800	20,800
43	C-130 SERIES (OCO)	59,625	44,225
	Targeting Sight Systems excess to requirement		-10,200
	LAIRCM installation funding ahead of need		-5,200
45	CARGO/TRANSPORT A/C SERIES (OCO)	25,880	18,280
	Excess C-20G installation NRE		-4,000
	UC-12W excess to need		-3,600
48	SPECIAL PROJECT AIRCRAFT (OCO)	11,184	11,184
53	COMMON ECM EQUIPMENT (OCO)	27,200	24,200
	Other support excess		-3,000
54	COMMON AVIONICS CHANGES (OCO)	13,467	11,467
	OSIP 10-11 other support growth		-2,000
55	COMMON DEFENSIVE WEAPON SYSTEM (OCO)	3,300	3,300
60	V-22 (TILT/ROTOR ACFT) OSPREY (OCO)	30,000	25,500
	Deficiencies modifications other support growth		-2,500
	Reliability modifications other support growth		-2,000
61	SPARES AND REPAIR PARTS (OCO)	39,060	34,462
	Other Support Aircraft spares		-967
	MQ-8 spares excess to requirement		-3,631
62	COMMON GROUND EQUIPMENT (OCO)	10,800	10,800
65	OTHER PRODUCTION CHARGES (OCO)	4,100	4,100
	TOTAL AIRCRAFT PROCUREMENT, NAVY	730,960	480,935

P-1		Budget Request	Conference
	WEAPONS PROCUREMENT, NAVY		
9	HELLFIRE (OCO)	14,000	14,000
10	STAND OFF PRECISION GUIDED MUNITIONS (OCO)	20,000	20,000
27	SMALL ARMS AND WEAPONS (OCO)	7,070	7,070
	TOTAL WEAPONS PROCUREMENT, NAVY	41,070	41,070
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
3	AIRBORNE ROCKETS, ALL TYPES (OCO)	80,200	80,200
4	MACHINE GUN AMMUNITION (OCO)	22,400	22,400
7	AIR EXPENDABLE COUNTERMEASURES (OCO)	20,000	20,000
11	OTHER SHIP GUN AMMUNITION (OCO)	182	182
12	SMALL ARMS & LANDING PARTY AMMO (OCO)	4,545	4,545
13	PYROTECHNIC AND DEMOLITION (OCO)	1,656	1,656
14	AMMUNITION LESS THAN $5 MILLION (OCO)	6,000	6,000
	SMALL ARMS AMMUNITION (OCO)	19,575	19,575
16	LINEAR CHARGES, ALL TYPES (OCO)	6,691	6,691
17	40 MM, ALL TYPES (OCO)	12,184	12,184
18	60MM, ALL TYPES (OCO)	10,988	10,988
19	81MM, ALL TYPES (OCO)	24,515	24,515
20	120MM, ALL TYPES (OCO)	11,227	11,227
21	CTG 25MM, ALL TYPES (OCO)	802	802
22	GRENADES, ALL TYPES (OCO)	5,911	5,911
23	ROCKETS, ALL TYPES (OCO)	18,871	18,871
24	ARTILLERY, ALL TYPES (OCO)	57,003	57,003
25	DEMOLITION MUNITIONS, ALL TYPES (OCO)	7,831	7,831
26	FUZE, ALL TYPES (OCO)	5,177	5,177
27	NON LETHALS (OCO)	712	712
29	ITEMS LESS THAN $5 MILLION (OCO)	630	630
	TOTAL PROCUREMENT OF AMMO, NAVY & MARINE	317,100	317,100
	OTHER PROCUREMENT, NAVY		
23	STANDARD BOATS (OCO)	13,729	0
	Coastal force protection boats contract delay		-13,729
56	MATCALS (OCO)	7,232	0
	Radar upgrade - Transfer to title III		-7,232
66	TACTICAL/MOBILE C41 SYSTEMS (OCO)	4,000	0
	Unjustified request for tech refresh upgrades		-4,000
92	EXPEDITIONARY AIRFIELDS (OCO)	47,000	47,000
96	METEOROLOGICAL EQUIPMENT (OCO)	10,800	10,800
97	AVIATION LIFE SUPPORT (OCO)	14,000	14,000
101	OTHER AVIATION SUPPORT EQUIPMENT (OCO)	18,226	18,226
112	SSN COMBAT CONTROL SYSTEMS (OCO)	7,500	0
	Naval Intelligence Fusion Tool - Transfer to title III		-7,500
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP (OCO)	15,700	15,700
121	PASSENGER CARRYING VEHICLES (OCO)	2,628	2,628
123	CONSTRUCTION & MAINTENANCE EQUIP (OCO)	13,290	13,290
124	FIRE FIGHTING EQUIPMENT (OCO)	3,672	3,672
128	ITEMS UNDER $5 MILLION (OCO)	1,002	1,002
130	MATERIALS HANDLING EQUIPMENT (OCO)	3,644	3,644
134	TRAINING SUPPORT EQUIPMENT (OCO)	5,789	0
	Funding no longer required		-5,789

P-1		Budget Request	Conference
135	COMMAND SUPPORT EQUIPMENT (OCO)	3,310	3,310
140	OPERATING FORCES SUPPORT EQUIPMENT (OCO)	6,977	6,977
141	C4ISR EQUIPMENT (OCO)	24,762	24,762
143	PHYSICAL SECURITY EQUIPMENT (OCO)	78,241	70,641
	Intelligence kits - funding no longer required due to force structure reductions		-7,600
149	SPARES AND REPAIR PARTS (OCO)	473	473
	TOTAL OTHER PROCUREMENT, NAVY	281,975	236,125
	PROCUREMENT, MARINE CORPS		
2	LAV PIP (OCO)	23,962	23,962
4	155MM LIGHTWEIGHT TOWED HOWITZER (OCO)	16,000	16,000
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (OCO)	10,488	10,488
6	WEAPONS & COMBAT VEHICLES UNDER $5 M (OCO)	27,373	27,373
10	JAVELIN (OCO)	2,527	2,527
13	MODIFICATION KITS (OCO)	59,730	59,730
15	REPAIR AND TEST EQUIPMENT (OCO)	19,040	19,040
17	MODIFICATION KITS (OCO)	2,331	2,331
18	ITEMS UNDER $5 MILLION (COMM & ELEC) (OCO)	3,090	3,090
19	AIR OPERATIONS C2 SYSTEMS (OCO)	5,236	5,236
20	RADAR SYSTEMS (OCO)	26,506	26,506
21	FIRE SUPPORT SYSTEM (OCO)	35	35
24	INTELLIGENCE SUPPORT EQUIPMENT (OCO)	47,132	47,132
28	NIGHT VISION EQUIPMENT (OCO)	9,850	9,850
29	COMMON COMPUTER RESOURCES (OCO)	18,629	18,629
30	COMMAND POST SYSTEMS (OCO)	31,491	31,491
31	RADIO SYSTEMS (OCO)	87,027	87,027
32	COMM SWITCHING & CONTROL SYSTEMS (OCO)	54,177	124,177
	Marine Corps requested transfer from line 38 for Data Distribution System		50,000
	Marine Corps requested transfer from line 38 for Digital Technical Control System		20,000
33	COMM & ELEC INFRASTRUCTURE SUPPORT (OCO)	2,200	2,200
37	MOTOR TRANSPORT MODIFICATIONS (OCO)	95,800	95,800
38	MEDIUM TACTICAL VEHICLE REPLACEMENT (OCO)	392,391	92,391
	Marine Corps requested transfer to line 32 for Data Distribution System		-50,000
	Marine Corps requested transfer to line 32 for Digital Technical Control System		-20,000
	Marine Corps requested transfer to line 39 for LVSR		-148,000
	Marine Corps requested transfer to line 46 for Advanced Medium Mobile Power Sources		-20,000
	Marine Corps requested transfer to line 46 for Mobile Electric Power Distribution System		-35,000
	Marine Corps requested transfer to OM,MC line 1A1A for Family of Shelters		-27,000
39	LOGISTICS VEHICLE SYSTEM REP (OCO)	38,382	186,382
	Marine Corps requested transfer from line 38 for LVSR		148,000
40	FAMILY OF TACTICAL TRAILERS (OCO)	24,826	24,826
43	ENVIRONMENTAL CONTROL EQUIP ASSORT (OCO)	18,775	18,775
44	BULK LIQUID EQUIPMENT (OCO)	7,361	7,361

P-1		Budget Request	Conference
46	POWER EQUIPMENT ASSORTED (OCO)	51,895	106,895
	Marine Corps requested transfer from line 38 for Advanced Medium Mobile Power Sources		20,000
	Marine Corps requested transfer from line 38 for Mobile Electric Power Distribution System		35,000
48	EOD SYSTEMS (OCO)	57,237	57,237
49	PHYSICAL SECURITY EQUIPMENT (OCO)	42,900	42,900
51	MATERIAL HANDLING EQUIP (OCO)	42,553	42,553
53	FIELD MEDICAL EQUIPMENT (OCO)	8,307	8,307
54	TRAINING DEVICES (OCO)	5,200	5,200
55	CONTAINER FAMILY (OCO)	12	12
56	FAMILY OF CONSTRUCTION EQUIPMENT (OCO)	28,533	28,533
	TOTAL PROCUREMENT, MARINE CORPS	1,260,996	1,233,996
	AIRCRAFT PROCUREMENT, AIR FORCE		
19	V22 OSPREY (OCO)	70,000	0
	Combat loss replaced in fiscal year 2011		-70,000
24	HH-60M OPERATIONAL LOSS REPLACEMENT (OCO)	39,300	39,300
27	STUASLO (OCO)	2,472	2,472
34	MQ-9 (REAPER) (OCO)	0	719,592
	Transfer from title III		719,592
43	C-5 (OCO)	59,299	59,299
59	MC-12W (OCO)	17,300	17,300
63	C-130 (OCO)	164,041	164,041
63	C-130 INTEL (OCO)	4,600	4,600
65	C-130J MODS INTEL (OCO)	27,983	27,983
67	COMPASS CALL MODS (OCO)	12,000	12,000
75	HC/MC-130 MODIFICATIONS (OCO)	34,000	34,000
76	OTHER AIRCRAFT (OCO)	15,000	15,000
77	MQ-1 MODS (OCO)	2,800	2,800
81	INITIAL SPARES/REPAIR PARTS (OCO)	2,800	2,800
90	C-17A (OCO)	10,970	10,970
99	WAR CONSUMABLES (OCO)	0	87,220
	Transfer from title III		87,220
100	OTHER PRODUCTION CHARGES (OCO)	23,000	23,000
104	DARP (OCO)	42,300	13,400
	Excess to need		-28,900
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	527,865	1,235,777
	MISSILE PROCUREMENT, AIR FORCE		
5	PREDATOR HELLFIRE MISSILE (OCO)	16,120	28,920
	Increase in OEF usage rates		12,800
6	SMALL DIAMETER BOMB (OCO)	12,300	12,300
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	28,420	41,220

P-1		Budget Request	Conference
	PROCUREMENT OF AMMUNITION, AIR FORCE		
1	ROCKETS (OCO)	329	329
2	CARTRIDGES (OCO)	8,014	8,014
4	GENERAL PURPOSE BOMBS (OCO)	17,385	17,385
5	JOINT DIRECT ATTACK MUNITION (OCO)	34,100	50,600
	Increase in OEF usage rates		16,500
7	EXPLOSIVE ORDINANCE DISPOSAL (OCO)	1,200	1,200
11	FLARES (OCO)	11,217	11,217
12	FUZES (OCO)	8,765	8,765
13	SMALL ARMS (OCO)	11,500	11,500
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	92,510	109,010
	OTHER PROCUREMENT, AIR FORCE		
1	PASSENGER CARRYING VEHICLES (OCO)	2,658	0
	Unjustified request		-2,658
4	ITEMS LESS THAN $5M (CARGO) (OCO)	32,824	0
	Unjustified request		-32,824
6	ITEMS LESS THAN $5M (SPECIAL)(OCO)	110	110
7	FIRE FIGHTING/CRASH RESCUE VEHICLES (OCO)	1,662	1,662
8	ITEMS LESS THAN $5,000,000 (OCO)	772	772
10	ITEMS LESS THAN $5,000,000(VEHICLES)(OCO)	13,983	13,983
13	AIR FORCE PHYSICAL SECURITY (OCO)	500	500
22	WEATHER OBSERVATION FORECAST (OCO)	1,800	1,800
25	TAC SIGNIT SPT (OCO)	7,020	7,020
30	AIR FORCE PHYSICAL SECURITY SYSTEM (OCO)	25,920	25,920
49	TACTICAL C-E EQUIPMENT (OCO)	9,445	9,445
55	NIGHT VISION GOGGLES (OCO)	12,900	12,900
59	CONTINGENCY OPERATIONS (OCO)	18,100	18,100
61	MOBILITY EQUIPMENT (OCO)	9,800	9,800
62	ITEMS LESS THAN $5 MILLION (BASE S) (OCO)	8,400	8,400
65	DCGS-AF (OCO)	3,000	3,000
68	DEFENSE SPACE RECONNAISSANCE PROG (OCO)	64,400	64,400
	OTHER PROGRAMS (OCO)	2,991,347	2,910,698
	Classified adjustment		-80,649
	TOTAL, OTHER PROCUREMENT, AIR FORCE	3,204,641	3,088,510

P-1		Budget Request	Conference
	PROCUREMENT, DEFENSE-WIDE		
17	TELEPORT PROGRAM (OCO)	3,307	3,307
43	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) (OCO)	3,000	3,000
46	MAJOR EQUIPMENT, INTELLIGENCE (OCO)	8,300	8,300
50	MH-47 SERVICE LIFE EXTENSION PROGRAM (OCO)	40,500	0
	Funded in fiscal year 2011		-40,500
51	MH-60 SOF MODERNIZATION (OCO)	7,800	0
	Funded in fiscal year 2011		-7,800
52	NON-STANDARD AVIATION (OCO)	8,500	8,500
57	CV-22 SOF MODIFICATION (OCO)	15,000	0
	Funded in fiscal year 2011		-15,000
63	C-130 MODIFICATIONS (OCO)	4,800	4,800
67	SOF ORDNANCE REPLENISHMENT (OCO)	71,659	71,659
68	SOF ORDNANCE ACQUISITION (OCO)	25,400	15,400
	Prior year funding carryover		-10,000
69	COMMUNICATIONS EQUIPMENT & ELECTRONICS (OCO)	2,325	2,325
70	SOF INTELLIGENCE SYSTEMS (OCO)	43,558	49,058
	Village Stability Operations (VSO) unfunded requirement - program increase		5,500
71	SMALL ARMS AND WEAPONS (OCO)	6,488	8,488
	VSO unfunded requirement - program increase		2,000
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS (OCO)	2,601	2,601
78	TACTICAL VEHICLES (OCO)	15,818	19,818
	VSO unfunded requirement - program increase		4,000
85	SOF AUTOMATION SYSTEMS (OCO)	13,387	13,387
87	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE (OCO)	5,800	5,800
88	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS (OCO)	34,900	37,500
	VSO unfunded requirement - program increase		2,600
89	SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS (OCO)	3,531	3,531
90	SOF TACTICAL RADIO SYSTEMS (OCO)	2,894	2,894
93	MISCELLANEOUS EQUIPMENT (OCO)	7,220	7,220
94	SOF OPERATIONAL ENHANCEMENTS (OCO)	41,632	41,632
	CLASSIFIED PROGRAMS	101,548	96,548
	Program adjustment		-5,000
	TOTAL, PROCUREMENT, DEFENSE-WIDE	469,968	405,768

P-1		Budget Request	Conference
	NATIONAL GUARD & RESERVE EQUIPMENT		
	RESERVE EQUIPMENT		
	ARMY RESERVE	**0**	**145,000**
	Miscellaneous Equipment (OCO)		145,000
	NAVY RESERVE	**0**	**75,000**
	Miscellaneous Equipment (OCO)		75,000
	MARINE CORPS RESERVE	**0**	**65,000**
	Miscellaneous Equipment (OCO)		65,000
	AIR FORCE RESERVE	**0**	**75,000**
	Miscellaneous Equipment (OCO)		75,000
	NATIONAL GUARD EQUIPMENT		
	ARMY NATIONAL GUARD	**0**	**325,000**
	Miscellaneous Equipment (OCO)		325,000
	AIR NATIONAL GUARD	**0**	**315,000**
	Miscellaneous Equipment (OCO)		315,000
	TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	**0**	**1,000,000**
	MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND		
1	**MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND (OCO)**	**3,195,170**	**2,600,170**
	Funds previously provided by Department of Army		-595,000
	TOTAL, MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND		**2,600,170**
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	**JOINT URGENT OPERATIONAL NEEDS FUND (OCO)**	**100,000**	**0**
	Program reduction		-100,000

NATIONAL GUARD AND RESERVE EQUIPMENT

The conference agreement provides $1,000,000,000 for National Guard and Reserve Equipment. Of that amount, $325,000,000 is for the Army National Guard; $315,000,000 is for the Air National Guard; $145,000,000 is for the Army Reserve; $75,000,000 is for the Navy Reserve; $65,000,000 is for the Marine Corps Reserve; and $75,000,000 is for the Air Force Reserve to meet urgent equipment needs that may arise this fiscal year.

This funding will allow the Guard and reserve components to procure high priority equipment that may be used by these units for both their combat missions and their missions in support of State governors. The conferees direct that the National Guard and Reserve Equipment account shall be executed by the Chiefs of the National Guard and reserve components with priority consideration given to the following items: AB–FIST Gunnery Trainer Upgrades; Active Noise Cancellation Systems for ANG C–130; ANG Block 42 F–16 Engine Upgrades; ARC 210 Radios for ANG F–16s; Batteries and Battery Support Equipment; Bradley Modifications; C–130 Loadmaster Lookout Windows and Crashworthy Loadmaster Seats; C–130 Secure Line of Sight and Beyond Line of Sight Capability; CH–47 Door Gun Mounts; Chemical/Biological Protective Shelter; Civil Support Radios; Combined Arms Virtual Trainers; Command Posts—Tactical Operations Centers and Standardized Integrated Command Post Systems; Communications Aerial Platforms; External and Internal Fuel Tanks; F–15 Active Electronically Scanned Array Radars; Field Engineering, Logistics, and Maintenance Equipment; General Engineering Equipment; Generation 4 Advanced Targeting Pods; HC–130 Integrated EW Suites (ALQ–213) with VECTS; Helicopter Firefighting Equipment; Helmet Mounted Cueing Systems; HMMWV Ambulances; Homeland Defense Communications Equipment; Integrated Vehicle Health Management Systems; Joint Threat Emitters; Large Aircraft Infrared Countermeasures; Light Utility Helicopters; Lightweight Airborne Recovery Systems; LITENING Upgrades; MRAP Vehicle Virtual Trainers; Personal Protective Equipment and Weapons; Reduced Size Crashworthy External and Extended Range Fuel Systems (RCEFS) for Apaches and Chinooks; Remotely Operated Video Enhanced Receivers; SATCOM Ground Stations; Security Force Mobility Bag Upgrades; Self-Contained Live Fire Shooting Ranges; Shadow Tactical Unmanned Aircraft Systems; Simulation Training Systems; Tactical Communications Equipment; Tactical Radios; Tactical Trailers; Thermal Imaging Systems; Unit Maintenance Aerial Recovery Kits; Virtual Convoy Operations Trainers; Virtual Door Gunner Trainers; and Wideband Imagery Dissemination.

MINE RESISTANT AMBUSH PROTECTED AND MRAP-ALL TERRAIN VEHICLES

The conference agreement provides $2,600,170,000 to address Mine Resistant Ambush Protected (MRAP) vehicle and MRAP-All Terrain Vehicle (M-ATV) requirements, as identified by the Department of Defense. The request was reduced by an amount previously provided by the Department of the Army to the MRAP Joint Program Office to support operations and maintenance from within

funds available to the Army. The Department shall continue to adhere to the execution and reporting requirements contained in section 8122 of Public Law 110–116.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides $526,358,000 for Research, Development, Test and Evaluation, instead of $436,758,000 as proposed by the House and $581,958,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	Conference
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY		
62	SOLDIER SUPPORT AND SURVIVABILITY (OCO)	0	10,000
	Duraplex Antenna - Transfer from JIEDDO, Defeat the Device		10,000
140	ARMY TEST RANGES AND FACILITIES (OCO)	8,513	8,513
	TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	8,513	18,513
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY		
54	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT (OCO)	1,500	1,500
97	ELECTRONIC WARFARE DEVELOPMENT (OCO)	5,600	5,600
119	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT (OCO)	3,500	3,500
126	MEDICAL DEVELOPMENT (OCO)	1,950	1,950
172	F/A-18 SQUADRONS (OCO)	2,000	2,000
189	MARINE CORPS COMMUNICATIONS SYSTEMS (OCO)	1,500	1,500
192	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (OCO)	4,050	4,050
999	OTHER PROGRAMS (OCO)	33,784	33,784
	TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	53,884	53,884
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE		
140	ISR INNOVATIONS (OCO)	0	50,000
	Program continuation		50,000
200	ENDURANCE UNMANNED AERIAL VEHICLES (OCO)	73,000	140,600
	Excess to need		-10,000
	Blue Devil Block 1 - Transfer from JIEDDO, Attack the Network		58,600
	Air Force identified shortfall		19,000
999	OTHER PROGRAMS (OCO)	69,000	69,000
	TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	142,000	259,600
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE WIDE		
152	GENERAL SUPPORT TO USD (OCO)	9,200	9,200
202	LONG-HAUL COMMUNICATIONS DCS (OCO)	10,500	10,500
207	INFORMATION SYSTEMS SECURITY PROGRAM (OCO)	32,850	32,850
211	GLOBAL COMMAND AND CONTROL SYSTEM (OCO)	2,000	2,000
229	SOF OPERATIONAL ENHANCEMENTS (OCO)	0	12,000
	Tactical SIGINT geolocation capability to address shortfalls identified in the field		12,000
254	RQ-7 UAV (OCO)	2,450	2,450
999	OTHER PROGRAMS (OCO)	135,361	125,361
	Program adjustment		-10,000
	TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE WIDE	192,361	194,361

REVOLVING AND MANAGEMENT FUNDS

The conference agreement provides $435,013,000 for the Defense Working Capital Funds as proposed by the House, instead of $396,513,000 as proposed by the Senate.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The conference agreement provides $1,228,288,000 for the Defense Health Program as proposed by the Senate, instead of $1,248,288,000 as proposed by the House. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Conference
OPERATION AND MAINTENANCE	1,228,288	1,228,288
IN-HOUSE CARE	641,996	641,996
PRIVATE SECTOR CARE	464,869	464,869
CONSOLIDATED HEALTH SUPPORT	95,994	95,994
INFORMATION MANAGEMENT	5,548	5,548
MANAGEMENT ACTIVITIES	751	751
EDUCATION AND TRAINING	16,859	16,859
BASE OPERATIONS AND COMMUNICATIONS	2,271	2,271

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides $456,458,000 for Drug Interdiction and Counter-Drug Activities, Defense, instead of $469,458,000 as proposed by the House and $463,458,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Conference
AFGHANISTAN AIR MOBILITY	149,000	141,000
Mi-17s—Change in acquisition strategy		−8,000
COUNTER NARCOTICS POLICE AFGHANISTAN TRAINING	46,250	46,250
COUNTER NARCOTICS POLICE AFGHANISTAN FACILITIES	7,000	7,000
AFGHANISTAN BORDER POLICE FACILITIES	40,000	40,000
AFGHANISTAN BORDER POLICE TRAINING	32,000	32,000
AFGHANISTAN BORDER POLICE EQUIPMENT	2,500	2,500
OTHER PROGRAM SUPPORT—AFGHANISTAN	7,000	7,000
INTELLIGENCE AND TECHNOLOGY	49,509	44,509
CTF-Kabul HQ Facility funding no longer required		−5,000
PAKISTAN	40,650	30,650
Reduce program growth		−10,000
TAJIKISTAN	27,425	27,425
TURKMENISTAN	23,800	23,800
KYRGYZSTAN	33,598	33,598
KAZAKHSTAN	9,976	9,976
UZBEKISTAN	14,750	14,750
OTHER REGIONAL PROGRAMS	3,000	3,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS—Continued

[In thousands of dollars]

	Budget request	Conference
PROGRAM ADJUSTMENT		−7,000
TOTAL, DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES (OCO)	486,458	456,458

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[in thousands of dollars]

	JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND		
1	ATTACK THE NETWORK (OCO)	1,368,800	936,400
	Blue Devil Block 1—Transfer to RDTE,AF line 200		−58,600
	Broad Agency Announcement S&T Response unjustified request		−76,000
	Information Fusion unjustified program growth		−17,000
	Transfer to Staff and Infrastructure		−280,800
2	DEFEAT THE DEVICE (OCO)	961,200	733,400
	Duraplex Antenna—Transfer to RDTE,A line 62		−10,000
	IDD 2.0 Detection Dog—Transfer from Train the Force		4,200
	Transfer to Staff and Infrastructure		−72,000
	Program Adjustment		−150,000
3	TRAIN THE FORCE (OCO)	247,500	129,350
	Train the Force Response—Duplication of Service Title 10 Responsibilities		−-18,050
	IDD 2.0 Detection Dog—Transfer to Defeat the Device		−4,200
	Transfer to Staff and Infrastructure		−90,900
	Program Adjustment		−5,000
4	STAFF AND INFRASTRUCTURE (OCO)	0	642,834
	Civilian Pay Freeze		−1,500
	Transfer from title VI		220,634
	Transfer from Attack the Network		280,800
	Transfer from Defeat the Device		72,000
	Transfer from Train the Force		90,900
	Program Adjustment		−20,000
	TOTAL, JOINT IED DEFEAT FUND	2,577,500	2,441,984

The conference agreement provides funding for the Joint Improvised Explosive Device Defeat Organization (JIEDDO) in title IX. The conferees believe that the requirements are war related and should be funded through Overseas Contingency Operations funding.

The conferees direct JIEDDO to submit to the congressional defense committees monthly commitment, obligation, and expenditure data by line of operation and by year of appropriation. Further, the conferees direct JIEDDO to submit to the congressional defense committees monthly reports of obligation data on a project by project basis by line of operation. The conferees also continue the direction that JIEDDO follow standard reprogramming proce-

dures when transferring a cumulative amount of $20,000,000 or more between lines of operation.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $11,055,000 for the Office of the Inspector General, as proposed by both the House and the Senate.

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Conference
OPERATION AND MAINTENANCE	11,055	11,055
TOTAL, OFFICE OF THE INSPECTOR GENERAL	11,055	11,055

GENERAL PROVISIONS—THIS TITLE

The conference agreement for title IX incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed in conference follow:

The conference agreement retains a provision proposed by the Senate which provides for general transfer authority within title IX. The House bill contained a similar provision.

The conference agreement modifies a provision proposed by the Senate concerning the Afghanistan Resources Executive Council approval of funding for projects under the Afghanistan Security Forces Fund, Afghanistan Infrastructure Fund, and the Commanders Emergency Response Program. The House bill contained a similar provision.

The conference agreement modifies a provision proposed by the Senate concerning funding and guidelines for the Task Force for Business and Stability Operations in Afghanistan. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate concerning transition activities of the Office of Security Cooperation in Iraq and security assistance teams. The House bill contained a similar provision.

The conference agreement modifies a provision proposed by the Senate which reduces funding from title IX military personnel and operation and maintenance accounts to reflect reduced troop strength in theater. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the House and the Senate recommending rescissions. The rescissions agreed to are:

(RESCISSIONS)

2010 Appropriations:	
Overseas Contingency Operations Transfer Fund:	
Unobligated Balances	$356,810,000
Procurement of Ammunition, Army:	
Non-Lethal Capabilities	20,000,000
Artillery Fuzes, All Types	1,000,000

Other Procurement, Air Force:	
Intelligence Comm Equipment	2,250,000

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE I				
MILITARY PERSONNEL				
Military Personnel, Army	41,403,653	43,596,949	43,298,409	+1,894,756
Military Personnel, Navy	25,912,449	27,154,384	26,803,334	+890,885
Military Personnel, Marine Corps	13,210,161	13,573,546	13,635,136	+424,975
Military Personnel, Air Force	27,105,755	28,304,432	28,096,708	+990,953
Reserve Personnel, Army	4,333,165	4,386,077	4,289,407	-43,758
Reserve Personnel, Navy	1,940,191	1,960,634	1,935,544	-4,647
Reserve Personnel, Marine Corps	612,191	653,212	644,722	+32,531
Reserve Personnel, Air Force	1,650,797	1,729,823	1,712,705	+61,908
National Guard Personnel, Army	7,511,296	7,623,335	7,585,645	+74,349
National Guard Personnel, Air Force	3,060,098	3,114,149	3,088,929	+28,831
Total, title I, Military Personnel	126,739,756	132,096,541	131,090,539	+4,350,783
TITLE II				
OPERATION AND MAINTENANCE				
Operation and Maintenance, Army	33,306,117	34,735,216	31,072,902	-2,233,215
Operation and Maintenance, Navy	37,809,239	39,364,688	38,120,821	+311,582
Operation and Maintenance, Marine Corps	5,539,740	5,960,437	5,542,937	+3,197
Operation and Maintenance, Air Force	36,062,989	36,195,133	34,985,486	-1,077,503

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Operation and Maintenance, Defense-Wide	30,210,810	30,940,409	30,152,008	-58,802
Operation and Maintenance, Army Reserve	2,840,427	3,109,176	3,071,733	+231,306
Operation and Maintenance, Navy Reserve	1,344,264	1,323,134	1,305,134	-39,130
Operation and Maintenance, Marine Corps Reserve	275,484	271,443	271,443	-4,041
Operation and Maintenance, Air Force Reserve	3,291,027	3,274,359	3,274,359	-16,668
Operation and Maintenance, Army National Guard	6,454,624	7,041,432	6,924,932	+470,308
Operation and Maintenance, Air National Guard	5,963,839	6,136,280	6,098,780	+134,941
Overseas Contingency Operations Transfer Account	---	5,000	---	---
United States Court of Appeals for the Armed Forces	14,068	13,861	13,861	-207
Environmental Restoration, Army	464,581	346,031	346,031	-118,550
Environmental Restoration, Navy	304,867	308,668	308,668	+3,801
Environmental Restoration, Air Force	502,653	525,453	525,453	+22,800
Environmental Restoration, Defense-Wide	10,744	10,716	10,716	-28
Environmental Restoration, Formerly Used Defense Sites	316,546	276,495	326,495	+9,949
Overseas Humanitarian, Disaster, and Civic Aid	108,032	107,662	107,662	-370
Cooperative Threat Reduction Account	522,512	508,219	508,219	-14,293
Department of Defense Acquisition Workforce Development Fund	217,561	305,501	105,501	-112,060
Total, title II, Operation and maintenance	165,560,124	170,759,313	163,073,141	-2,486,983

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE III				
PROCUREMENT				
Aircraft Procurement, Army	5,254,791	7,061,381	5,360,334	+105,543
Missile Procurement, Army	1,570,108	1,478,718	1,461,223	-108,885
Procurement of Weapons and Tracked Combat Vehicles, Army	1,461,086	1,933,512	2,070,405	+609,319
Procurement of Ammunition, Army	1,847,066	1,992,625	1,884,424	+37,358
Other Procurement, Army	8,145,665	9,682,592	7,924,214	-221,451
Aircraft Procurement, Navy	16,170,868	18,587,033	17,675,734	+1,504,866
Weapons Procurement, Navy	3,221,957	3,408,478	3,224,432	+2,475
Procurement of Ammunition, Navy and Marine Corps	790,527	719,952	626,848	-163,679
Shipbuilding and Conversion, Navy	15,366,658	14,928,921	14,919,114	-447,544
Other Procurement, Navy	5,804,963	6,285,451	6,013,385	+208,422
Procurement, Marine Corps	1,236,436	1,391,602	1,422,570	+186,134
Aircraft Procurement, Air Force	13,483,739	14,082,527	12,950,000	-533,739
Missile Procurement, Air Force	5,424,764	6,074,017	6,080,877	+656,113
Advanced Extremely High Frequency Communications Satellites, Advanced appropriation FY 2013	---	803,417	---	---
Advanced appropriation FY 2014	---	699,611	---	---
Advanced appropriation FY 2015 through FY 2017	---	1,709,467	---	---
Total, Advanced appropriations	---	3,212,495	---	---
Procurement of Ammunition, Air Force	731,487	539,065	499,185	-232,302
Other Procurement, Air Force	17,568,091	17,602,036	17,403,564	-164,527

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Procurement, Defense-Wide	4,009,321	5,365,248	4,893,428	+884,107
Defense Production Act Purchases	34,346	19,964	169,964	+135,618
Total, title III, Procurement	102,121,873	114,365,617	104,579,701	+2,457,828
FY 2012	(102,121,873)	(111,153,122)	(104,579,701)	(+2,457,828)

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Research, Development, Test and Evaluation, Army	9,710,998	9,683,980	8,745,492	-965,506
Research, Development, Test and Evaluation, Navy	17,736,303	17,956,431	17,753,940	+17,637
Research, Development, Test and Evaluation, Air Force	26,517,405	27,737,701	26,535,996	+18,591
Research, Development, Test and Evaluation, Defense-Wide	20,797,412	19,755,678	19,193,955	-1,603,457
Operational Test and Evaluation, Defense	194,910	191,292	191,292	-3,618
Total, title IV, Research, Development, Test and Evaluation	74,957,028	75,325,082	72,420,675	-2,536,353

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE V				
REVOLVING AND MANAGEMENT FUNDS				
Defense Working Capital Funds	1,434,536	1,575,010	1,575,010	+140,474
National Defense Sealift Fund	1,474,866	1,126,384	1,100,519	-374,347
Total, title V, Revolving and Management Funds	2,909,402	2,701,394	2,675,529	-233,873
TITLE VI				
OTHER DEPARTMENT OF DEFENSE PROGRAMS				
Defense Health Program:				
Operation and maintenance	29,671,764	30,902,546	30,582,235	+910,471
Procurement	534,921	632,518	632,518	+97,597
Research, development, test and evaluation	1,175,513	663,706	1,267,306	+91,793
Total, Defense Health Program 1/	31,382,198	32,198,770	32,482,059	+1,099,861
Chemical Agents and Munitions Destruction, Defense:				
Operation and maintenance	1,067,364	1,147,691	1,147,691	+80,327
Procurement	7,132	---	---	-7,132
Research, development, test and evaluation	392,811	406,731	406,731	+13,920
Total, Chemical Agents 2/	1,467,307	1,554,422	1,554,422	+87,115

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Drug Interdiction and Counter-Drug Activities, Defense	1,156,957	1,156,282	1,209,620	+52,663
Joint Improvised Explosive Device Defeat Fund 2/.....	---	220,634	---	---
Joint Urgent Operational Needs Fund.....	---	100,000	---	---
Office of the Inspector General 1/.....	306,794	289,519	346,919	+40,125
Total, title VI, Other Department of Defense Programs.....	34,313,256	35,519,627	35,593,020	+1,279,764
TITLE VII				
RELATED AGENCIES				
Central Intelligence Agency Retirement and Disability System Fund.....	292,000	513,700	513,700	+221,700
Intelligence Community Management Account (ICMA).....	649,732	592,213	547,891	-101,841
Total, title VII, Related agencies.....	941,732	1,105,913	1,061,591	+119,859
TITLE VIII				
GENERAL PROVISIONS				
Additional transfer authority (Sec.8005).....	(4,000,000)	(5,000,000)	(3,750,000)	(-250,000)
Indian Financing Act incentives (Sec.8019).....	15,000	---	15,000	---
FFRDC (Sec.8023).....	-125,000	---	-150,245	-25,245
Overseas Military Facility Invest Recovery (Sec.8028).	1,000	1,000	1,000	---

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rescissions (Sec.8040)	-2,013,536	---	-2,575,217	-561,681
O&M, Defense-wide transfer authority (Sec.8051)	(30,000)	(30,000)	(30,000)	---
O&M, Def-wide to HUD (transfer authority)	---	(22,930)	---	---
O&M, Defense-wide to Interior (transfer authority)	---	(10,070)	---	---
Fisher House Foundation (Sec.8069)	4,000	---	4,000	---
National grants (Sec.8079)	65,200	---	44,000	-21,200
Shipbuilding reappropriation (Sec.8083)	---	20,000	---	---
Shipbuilding & conversion funds, Navy (Sec.8084)	10,000	8,000	8,000	-2,000
Global Security Contingency Fund (O&M, Defense-wide transfer) (Sec.8089)	---	---	(200,000)	(+200,000)
Working Capital Fund excess cash balances (Sec.8091)	-1,983,000	---	-515,000	+1,468,000
Fisher House transfer authority (Sec.8097)	(11,000)	(11,000)	(11,000)	---
ICMA transfer authority (Sec.8098)	(24,000)	(20,000)	(20,000)	(-4,000)
Business Transformation (transfer authority)	(50,000)	---	---	(-50,000)
Tanker Replacement Transfer Fund	538,875	---	---	-538,875
Alternative Energy Resources for Deployed Forces (Sec.8114)	---	---	10,000	+10,000
Operation and Maintenance, Defense-Wide	300,000	---	---	-300,000
Energy Security Pilot Projects	20,000	---	---	-20,000
Revised economic assumptions	-1,477,000	---	---	+1,477,000
Operation and Maintenance, Defense-Wide (Sec.8118)	250,000	---	250,000	---
Civilian pay freeze reduction	-723,000	---	---	+723,000
MIP Transfer Fund (Sec.8126)	---	---	310,758	+310,758
Total, Title VIII, General Provisions	-5,117,461	29,000	-2,597,704	+2,519,757

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE IX				
OVERSEAS CONTINGENCY OPERATIONS (OCO) 3/				
Military Personnel				
Military Personnel, Army (OCO)	11,107,033	7,105,335	7,195,335	-3,911,698
Military Personnel, Navy (OCO)	1,308,719	919,034	1,259,234	-49,485
Military Personnel, Marine Corps (OCO)	732,920	675,360	714,360	-18,560
Military Personnel, Air Force (OCO)	1,843,442	1,436,353	1,492,381	-351,061
Reserve Personnel, Army (OCO)	268,031	207,162	207,162	-60,869
Reserve Personnel, Navy (OCO)	48,912	44,530	44,530	-4,382
Reserve Personnel, Marine Corps (OCO)	45,437	25,421	25,421	-20,016
Reserve Personnel, Air Force (OCO)	27,002	26,815	26,815	-187
National Guard Personnel, Army (OCO)	853,022	661,879	664,579	-188,443
National Guard Personnel, Air Force (OCO)	16,860	9,435	9,435	-7,425
Total, Military Personnel	16,251,378	11,111,324	11,639,252	-4,612,126
Operation and Maintenance				
Operation & Maintenance, Army (OCO)	59,162,782	44,302,280	44,794,156	-14,368,626
Operation & Maintenance, Navy (OCO)	8,970,724	7,006,567	7,674,026	-1,296,698
Coast Guard (by transfer) (OCO)	---	(258,278)	---	---
Operation & Maintenance, Marine Corps (OCO)	4,008,022	3,571,210	3,935,210	-72,812
Operation & Maintenance, Air Force (OCO)	12,969,643	10,719,187	10,879,347	-2,090,296

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Operation & Maintenance, Defense-Wide (OCO)	9,276,990	9,269,411	9,252,211	-24,779
Coalition support funds (OCO)	(1,600,000)	---	(1,690,000)	(+90,000)
Operation & Maintenance, Army Reserve (OCO)	206,784	217,500	217,500	+10,716
Operation & Maintenance, Navy Reserve (OCO)	93,559	74,148	74,148	-19,411
Operation & Maintenance, Marine Corps Reserve (OCO)	29,685	36,084	36,084	+6,399
Operation & Maintenance, Air Force Reserve (OCO)	188,807	142,050	142,050	-46,757
Operation & Maintenance, Army National Guard (OCO)	497,849	387,544	377,544	-120,305
Operation & Maintenance, Air National Guard (OCO)	402,983	34,050	34,050	-368,933
Overseas Contingency Operations Transfer Fund (OCO)	---	---	---	---
Subtotal, Operation and Maintenance	95,807,828	75,760,031	77,416,326	-18,391,502
Afghanistan Infrastructure Fund (OCO)	400,000	475,000	400,000	---
Afghanistan Security Forces Fund (OCO)	11,619,283	12,800,000	11,200,000	-419,283
Iraq Security Forces Fund (OCO)	1,500,000	---	---	-1,500,000
Pakistan Counterinsurgency Capability Fund (OCO)	800,000	---	---	-800,000
Total, Operation and Maintenance	110,127,111	89,035,031	89,016,326	-21,110,785

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Procurement				
Aircraft Procurement, Army (OCO)	2,720,138	423,400	1,137,381	-1,582,757
Missile Procurement, Army (OCO)	343,828	126,556	126,556	-217,272
Procurement of Weapons and Tracked Combat Vehicles, Army (OCO)	896,996	37,117	37,117	-859,879
Procurement of Ammunition, Army (OCO)	369,885	208,381	208,381	-161,504
Other Procurement, Army (OCO)	6,401,832	1,398,195	1,334,345	-5,067,487
Aircraft Procurement, Navy (OCO)	1,169,549	730,960	480,935	-688,614
Weapons Procurement, Navy (OCO)	90,502	41,070	41,070	-49,432
Procurement of Ammunition, Navy and Marine Corps (OCO)	558,024	317,100	317,100	-240,924
Other Procurement, Navy (OCO)	316,835	281,975	236,125	-80,710
Procurement, Marine Corps (OCO)	1,589,119	1,260,996	1,233,996	-355,123
Aircraft Procurement, Air Force (OCO)	1,991,955	527,865	1,235,777	-756,178
Missile Procurement, Air Force (OCO)	56,621	28,420	41,220	-15,401
Procurement of Ammunition, Air Force (OCO)	292,959	92,510	109,010	-183,949
Other Procurement, Air Force (OCO)	2,868,593	3,204,641	3,088,510	+219,917
Procurement, Defense-Wide (OCO)	1,262,499	469,968	405,768	-856,731
National Guard and Reserve Equipment (OCO)	850,000	---	1,000,000	+150,000
Mine Resistant Ambush Protected Vehicle Fund (OCO)	3,415,000	3,195,170	2,600,170	-814,830
Total, Procurement	25,194,335	12,344,324	13,633,461	-11,560,874

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Research, Development, Test and Evaluation				
Research, Development, Test & Evaluation, Army (OCO)	143,234	8,513	18,513	-124,721
Research, Development, Test & Evaluation, Navy (OCO)	104,781	53,884	53,884	-50,897
Research, Development, Test & Evaluation, Air Force (OCO)	484,382	142,000	259,600	-224,782
Research, Development, Test and Evaluation, Defense-Wide (OCO)	222,616	192 361	194,361	-28,255
Total, Research, Development, Test and Evaluation	955,013	396,758	526,358	-428,655
Revolving and Management Funds				
Defense Working Capital Funds (OCO)	485,384	435,013	435,013	-50,371
Other Department of Defense Programs				
Defense Health Program:				
Operation and maintenance (OCO)	1,398,092	1,228,288	1,228,288	-169,804
Research, development, test & evaluation (OCO)	24,000	---	---	-24,000
Total, Defense Health Program 1/	1,422,092	1,228,288	1,228,288	-193,804

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Drug Interdiction and Counter-Drug Activities, Defense (OCO)	440,510	486,458	456,458	+15,948
Joint IED Defeat Fund (OCO)	2,793,768	2,577,500	2,441,984	-351,784
Joint Urgent Operational Needs Fund (OCO)	---	100,000	---	---
Office of the Inspector General (OCO)	10,529	11,055	11,055	+526
Total, Other Department of Defense Programs	4,666,899	4,403,301	4,137,785	-529,114
TITLE IX General Provisions				
Additional transfer authority (OCO) (Sec.9002)	(4,000,000)	(4,000,000)	(4,000,000)	---
National Intelligence for Overseas Contingency Operations (transfer authority) (OCO)	(3,375)	---	---	(-3,375)
Troop reduction (OCO) (Sec.9014)	---	---	-4,042,500	-4,042,500
Rescissions (OCO) (Sec.9015)	---	---	-380,060	-380,060
Total, General Provisions	---	---	-4,422,560	-4,422,560
Total, Title IX	157,680,120	117,725,751	114,965,635	-42,714,485
Total for the bill (net)	660,105,830	649,628,238	622,862,127	-37,243,703
Less appropriations for subsequent years	---	-3,212,495	---	---
Net grand total	660,105,830	646,415,743	622,862,127	-37,243,703

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
CONGRESSIONAL BUDGET RECAP				
Scorekeeping adjustments:				
Lease of defense real property (permanent)	8,884	22,000	22,000	+13,116
Disposal of defense real property (permanent)	10,317	9,000	9,000	-1,317
O&M, Defense-wide transfer to Department of State:				
Defense function	---	---	-200,000	-200,000
Non-defense function	---	---	200,000	+200,000
O&M, Defense-wide transfer to HUD:				
Defense function	---	-22,930	---	---
Non-defense function	---	22,930	---	---
O&M, Defense-wide transfer to Interior Department:				
Defense function	---	-10,070	---	---
Non-defense function	---	10,070	---	---
Tricare accrual (permanent, indefinite auth.) 4/	10,872,070	10,733,000	10,733,000	-139,070
(OCO) 3/	143,000	117,000	117,000	-26,000
Total, scorekeeping adjustments	11,034,271	10,881,000	10,881,000	-153,271
Adjusted total (includ. scorekeeping adjustments)	671,140,101	657,296,743	633,743,127	-37,396,974
Appropriations	(673,153,637)	(657,296,743)	(636,318,344)	(-36,835,293)
Rescissions	(-2,013,536)	---	(-2,575,217)	(-561,681)
Total mandatory and discretionary	671,140,101	657,296,743	633,743,127	-37,396,974
Mandatory	(292,000)	(513,700)	(513,700)	(+221,700)
Discretionary	(670,848,101)	(656,783,043)	(633,229,427)	(-37,618,674)

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
RECAPITULATION				
Title I - Military Personnel	126,739,756	132,096,541	131,090,539	+4,350,783
Title II - Operation and Maintenance	165,560,124	170,759,313	163,073,141	-2,486,983
Title III - Procurement	102,121,873	114,365,617	104,579,701	+2,457,828
Title IV - Research, Development, Test and Evaluation	74,957,028	75,325,082	72,420,675	-2,536,353
Title V - Revolving and Management Funds	2,909,402	2,701,394	2,675,529	-233,873
Title VI - Other Department of Defense Programs	34,313,256	35,519,627	35,593,020	+1,279,764
Title VII - Related Agencies	941,732	1,105,913	1,061,591	+119,859
Title VIII - General Provisions (net)	-5,117,461	29,000	-2,597,704	+2,519,757
Title IX - Overseas Contingency Operations (OCO) 3/	157,680,120	117,725,751	114,965,635	-42,714,485
Total, Department of Defense	660,105,830	649,628,238	622,862,127	-37,243,703
Scorekeeping adjustments	11,034,271	10,881,000	10,881,000	-153,271
Less appropriations for subsequent years	---	-3,212,495	---	---
Total mandatory and discretionary	671,140,101	657,296,743	633,743,127	-37,396,974

FOOTNOTES:
1/ Included in Budget under Operation and Maintenance
2/ Included in Budget under Procurement
3/ Global War on Terrorism and other activities (GWOT) pursuant to FY 2012 budget resolution (H.Con.Res. 34). The President proposes overseas contingency operations
4/ Contributions to Department of Defense Retiree Health Care Fund (Sec. 725, P.L. 108-375)(CBO est)

DIVISION B—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2012 JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The language and allocations set forth in House Report 112–118 and Senate Report 112–75 should be complied with unless specifically addressed to the contrary in the conference report and statement of managers. Report language included by the House which is not contradicted by the report of the Senate or the conference, and Senate report language which is not contradicted by the report of the House or the conference is approved by the committee of conference. The statement of managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate report address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House report and Senate report are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

Funds for the individual programs and activities within the accounts in this Act are displayed in the detailed table at the end of the explanatory statement for this Act. Funding levels that are not displayed in the detailed table are identified in this explanatory statement.

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables included in this title set forth the dispositions with respect to the individual appropriations, projects, and activities of the Corps of Engineers. The conference agreement includes no new starts as proposed by the House and Senate. Additional items of the Act are discussed below.

INVESTIGATIONS

The conference agreement provides $125,000,000 for Investigations as proposed by the Senate, instead of $104,000,000 as proposed by the House. The Act does not include language regarding expenditure of funds as proposed by the House.

The allocation for projects and activities within the Investigations account is shown in the following table:

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			CONFERENCE		
	RECON	FEASIBILITY	PED	RECON	FEASIBILITY	PED
ALASKA						
MATANUSKA RIVER WATERSHED, AK	---	100	---	---	96	---
YAKUTAT HARBOR, AK	---	100	---	---	96	---
CALIFORNIA						
CALIFORNIA COASTAL SEDIMENT MASTER PLAN, CA	---	900	---	---	861	---
COYOTE & BERRYESSA CREEKS, CA	---	---	500	---	---	276
LOS ANGELES COUNTY, CA	---	80	---	---	77	---
MALIBU CREEK WATERSHED, CA	---	210	---	---	201	---
CENTRAL VALLEY INTEGRATED FLOOD MANAGEMENT STUDY, CA	---	300	---	---	287	---
SAC-SAN JOAQUIN DELTA ISLANDS AND LEVEES, CA	---	1,015	---	---	971	---
SAN PABLO BAY WATERSHED, CA	---	500	---	---	478	---
SOLANA BEACH, CA	---	133	---	---	127	---
SUTTER COUNTY, CA	---	339	---	---	324	---
UPPER PENITENCIA CREEK, CA	---	177	---	---	169	---
YUBA RIVER FISH PASSAGE, CA	100	---	---	---	---	---
FLORIDA						
LAKE WORTH INLET, PALM BEACH COUNTY, FL	---	293	---	---	280	---
MILE POINT, FL	---	50	---	---	48	---
GEORGIA						
SAVANNAH HARBOR EXPANSION, GA	---	---	600	---	---	---
TYBEE ISLAND, GA	---	200	---	---	---	---
HAWAII						
ALA WAI CANAL, OAHU, HI	---	400	---	---	383	---
ILLINOIS						
DES PLAINES RIVER, IL (PHASE II)	---	500	---	---	478	---
ILLINOIS RIVER BASIN RESTORATION , IL	---	400	---	---	383	---
INTERBASIN CONTROL OF GREAT LAKES-MISSISSIPPI RIVER AQUATIC NUISANCE SPECIES, IL, IN, OH & WI	---	3,000	---	---	2,870	---
INDIANA						
INDIANA HARBOR, IN	---	---	300	---	---	---
KANSAS						
TOPEKA, KS	---	---	100	---	---	96
LOUISIANA						
BAYOU SORREL LOCK, LA	---	---	2,000	---	---	1,913
CALCASIEU LOCK, LA	---	1,000	---	---	957	---
LOUISIANA COASTAL AREA COMPREHENSIVE PLAN, LA	---	100	---	---	---	---
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	---	10,845	5,400	---	4,520	5,166

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			CONFERENCE		
	RECON	FEASIBILITY	PED	RECON	FEASIBILITY	PED
MARYLAND						
CHESAPEAKE BAY COMPREHENSIVE PLAN, MD, PA & VA	250	---	---	---	---	---
EASTERN SHORE, MID CHESAPEAKE BAY ISLAND, MD	---	---	169	---	---	58
MASSACHUSETTS						
PILGRIM LAKE, TRURO & PROVINCETOWN, MA	---	113	---	---	---	---
MINNESOTA						
MINNESOTA RIVER WATERSHED STUDY, MN & SD (MINNESOTA RIVER AUTHORITY)	---	350	---	---	335	---
MISSOURI						
KANSAS CITYS, MO & KS	---	330	---	---	316	---
MISSOURI RIVER DEGRADATION, MO	---	600	---	---	574	---
MONTANA						
YELLOWSTONE RIVER CORRIDOR, MT	---	200	---	---	191	---
NEW HAMPSHIRE						
MERRIMACK RIVER WATERSHED STUDY, NH & MA	---	200	---	---	191	---
NEW JERSEY						
DELAWARE RIVER COMPREHENSIVE, NJ	---	290	---	---	277	---
HUDSON - RARITAN ESTUARY, HACKENSACK MEADOWLANDS, NJ	---	---	100	---	---	96
HUDSON - RARITAN ESTUARY, LOWER PASSAIC RIVER, NJ	---	200	---	---	191	---
NEW MEXICO						
RIO GRANDE BASIN, NM, CO & TX	---	300	---	---	287	---
NEW YORK						
HUDSON - RARITAN ESTUARY, NY & NJ	---	400	---	---	383	---
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY	---	---	170	---	---	163
WESTCHESTER COUNTY STREAMS, BYRAM RIVER BASIN, NY & CT	---	200	---	---	191	---
NORTH CAROLINA						
CURRITUCK SOUND, NC	---	400	---	---	383	---
NEUSE RIVER BASIN, NC	---	---	450	---	---	431
SURF CITY AND NORTH TOPSAIL BEACH, NC	---	---	300	---	---	287
NORTH DAKOTA						
FARGO, ND - MOORHEAD, MN METROPOLITAN AREA	---	---	12,000	---	---	11,480
RED RIVER OF THE NORTH BASIN, ND, MN, SD & MANITOBA, CANADA	---	433	---	---	414	---
OREGON						
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	---	300	---	---	287	---
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR	---	250	---	---	239	---
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR	---	213	---	---	204	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			CONFERENCE		
	RECON	FEASIBILITY	PED	RECON	FEASIBILITY	PED
PENNSYLVANIA						
SCHUYLKILL RIVER BASIN, WISSAHICKON CREEK BASIN, PA	---	200	---	---	191	---
UPPER OHIO NAVIGATION STUDY, PA	---	1,363	---	---	1,304	---
PUERTO RICO						
CANO MARTIN PEÑA, PR	---	100	---	---	---	---
SOUTH CAROLINA						
EDISTO ISLAND, SC	---	100	---	---	96	---
TEXAS						
BRAZOS ISLAND HARBOR, BROWNSVILLE CHANNEL, TX	---	726	---	---	695	---
DALLAS FLOODWAY, UPPER TRINITY RIVER BASIN, TX	---	700	---	---	670	---
GIWW, HIGH ISLAND TO BRAZOS RIVER REALIGNMENTS, TX	---	200	---	---	191	---
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX	---	400	---	---	383	---
LOWER COLORADO RIVER BASIN, TX	---	425	---	---	407	---
NUECES RIVER AND TRIBUTARIES, TX	---	650	---	---	622	---
SABINE PASS TO GALVESTON BAY, TX	---	200	---	---	191	---
VIRGINIA						
CHOWAN RIVER, VA	124	---	---	119	---	---
JOHN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216)	---	365	---	---	349	---
LYNNHAVEN RIVER BASIN, VA	---	---	300	---	---	287
UPPER RAPPAHANNOCK RIVER BASIN COMPREHENSIVE, VA	---	200	---	---	191	---
WASHINGTON						
MOUNT SAINT HELENS, WA	---	225	---	---	215	---
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA	---	400	---	---	383	---
SUBTOTAL, PROJECTS LISTED UNDER STATES	474	31,675	22,389	119	23,957	20,253
NATIONAL PROGRAMS						
ADDITIONAL FUNDING FOR ONGOING WORK						
FLOOD AND STORM DAMAGE REDUCTION	---	---	---	---	2,000	---
FLOOD CONTROL	---	---	---	---	9,000	---
SHORE PROTECTION	---	---	---	---	3,000	---
NAVIGATION	---	---	---	---	2,000	---
COASTAL AND DEEP-DRAFT	---	---	---	---	10,000	---
INLAND	---	---	---	---	3,000	---
SMALL, REMOTE, OR SUBSISTENCE	---	---	---	---	1,500	---
OTHER AUTHORIZED PROJECT PURPOSES	---	---	---	---	1,240	---
ENVIRONMENTAL RESTORATION OR COMPLIANCE	---	---	---	---	1,000	---
REMOTE, COASTAL, OR SMALL WATERSHED	---	---	---	---	2,000	---
COORDINATION STUDIES WITH OTHER AGENCIES						
ACCESS TO WATER DATA	---	350	---	---	335	---
COMMUTTEE ON MARINE TRANSPORTATION SYSTEMS	---	100	---	---	96	---
OTHER COORDINATION PROGRAMS	---	4,090	---	---	---	---
CALFED	---	(100)	---	---	96	---
CHESAPEAKE BAY PROGRAM	---	(75)	---	---	72	---
COORDINATION WITH OTHER RESOURCE AGENCIES	---	(200)	---	---	191	---
GULF OF MEXICO	---	(100)	---	---	96	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			CONFERENCE		
	RECON	FEASIBILITY	PED	RECON	FEASIBILITY	PED
INTERAGENCY AND INTERNATIONAL SUPPORT	---	(600)	---	---	574	---
INTERAGENCY WATER RESOURCE DEVELOPMENT	---	(955)	---	---	914	---
INVENTORY OF DAMS	---	(400)	---	---	383	---
LAKE TAHOE	---	(100)	---	---	96	---
PACIFIC NW FOREST CASE	---	(10)	---	---	10	---
SPECIAL INVESTIGATIONS	---	(1,550)	---	---	1,483	---
PLANNING ASSISTANCE TO STATES	---	5,000	---	---	5,284	---
COLLECTION AND STUDY OF BASIC DATA						
AUTOMATED INFORMATION SYSTEMS SUPPORT TRI-CADD	---	350	---	---	335	---
COASTAL FIELD DATA COLLECTION	---	1,000	---	---	957	---
ENVIRONMENTAL DATA STUDIES	---	75	---	---	72	---
FLOOD DAMAGE DATA	---	220	---	---	210	---
FLOOD PLAIN MANAGEMENT SERVICES	---	9,000	---	---	9,110	---
HYDROLOGIC STUDIES	---	250	---	---	239	---
INTERNATIONAL WATER STUDIES	---	200	---	---	191	---
PRECIPITATION STUDIES	---	225	---	---	215	---
REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT	---	75	---	---	72	---
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	---	50	---	---	48	---
STREAM GAGING	---	600	---	---	574	---
TRANSPORTATION SYSTEMS	---	350	---	---	335	---
RESEARCH AND DEVELOPMENT	---	17,252	---	---	16,505	---
OTHER - MISCELLANEOUS						
INDEPENDENT PEER REVIEW	---	500	---	---	478	---
NATIONAL FLOOD RISK MANAGEMENT PROGRAM	---	3,000	---	---	2,870	---
NATIONAL SHORELINE	---	175	---	---	167	---
PLANNING SUPPORT PROGRAM	---	3,100	---	---	2,966	---
TRIBAL PARTNERSHIP PROGRAM	---	1,000	---	---	957	---
WATER RESOURCES PRINCIPLES AND GUIDELINES	---	500	---	---	---	---
WATER RESOURCES PRIORITIES STUDY	---	2,000	---	---	---	---
SUBTOTAL, NATIONAL PROGRAMS	0	49,462	0	0	80,671	0
TOTAL, INVESTIGATIONS	474	81,137	22,389	119	104,628	20,253

Additional Funding for Ongoing Work.—The fiscal year 2012 budget request does not reflect the extent of need for project studies funding. The Corps has numerous continuing studies that will be suspended under the limits of the budget request. These studies could lead to projects with significant economic benefits, particularly by increasing national competitiveness through marine transportation improvements and by avoiding damages caused by flooding and coastal storms. The conference agreement includes additional funds to continue ongoing studies. While this additional funding is shown in the feasibility column, the Corps should utilize these funds in any applicable phase of work. The intent of these funds is for ongoing work that either was not included in the Administration's request or was inadequately budgeted. In no case shall funds be used to initiate new studies within this account.

A study shall be eligible for this funding if it has received funding, other than through a reprogramming, in at least one of the previous three fiscal years. Funding associated with each category may be allocated to any eligible study within that category; funding associated with each subcategory may be allocated only to eligible studies within that subcategory. The list of subcategories is not meant to be exhaustive. The conferees direct that priority in allocating these funds be given to completing or accelerating ongoing studies which will enhance the nation's economic development, job growth and international competitiveness, or are for projects located in areas that have suffered recent natural disasters.

Within 45 days of enactment of this Act, the Corps shall provide to the House and Senate Committees on Appropriations a work plan delineating how these funds are to be distributed and in which phase the work is to be accomplished. A document providing the Administration's criteria for justifying the funding decisions made shall accompany this work plan. No funds shall be obligated for any project under this program which has not been justified in such a report.

Water Resources Principles and Guidelines.—No funds are provided for the line item proposed for Water Resources Principles and Guidelines, as this is considered a new start. No funds provided to the Corps shall be used to develop or implement rules or guidance if an update or replacement to the document dated March 10, 1983, and entitled "Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies" is finalized during the fiscal year period covered by the Energy and Water Development Act for 2012. The Corps shall continue to use the Water Resources Principles and Guidelines in effect as of the date of enactment of this Act during that same period.

CONSTRUCTION

The conference agreement provides $1,694,000,000 for Construction, instead of $1,565,191,000 as proposed by the House and $1,610,000,000 as proposed by the Senate. The Act does not include a rescission of $50,000,000 as proposed by the House. The Act does not include language regarding expenditure of funds as proposed by the House.

The allocation for projects and activities within the Construction account is shown in the following table:

CORPS OF ENGINEERS - CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
CALIFORNIA		
AMERICAN RIVER WATERSHED (COMMON FEATURES), CA	25,548	25,037
AMERICAN RIVER WATERSHED (FOLSOM DAM MODIFICATIONS), CA	21,000	20,580
AMERICAN RIVER WATERSHED (FOLSOM DAM RAISE), CA	1,000	980
HAMILTON AIRFIELD WETLANDS RESTORATION, CA	8,250	8,085
HAMILTON CITY, CA	8,000	---
NAPA RIVER, SALT MARSH RESTORATION, CA	9,500	7,000
OAKLAND HARBOR (50 FOOT PROJECT), CA	350	343
SACRAMENTO DEEPWATER SHIP CHANNEL, CA	3,500	3,430
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	10,000	9,800
SANTA ANA RIVER MAINSTEM, CA	20,500	20,090
SANTA PAULA CREEK, CA	2,078	2,036
SOUTH SACRAMENTO COUNTY STREAMS, CA	5,000	4,900
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	18,000	12,600
YUBA RIVER BASIN, CA	2,000	1,960
FLORIDA		
BREVARD COUNTY, CANAVERAL HARBOR, FL	350	343
DADE COUNTY, FL	15,202	14,898
DUVAL COUNTY, FL	100	98
FORT PIERCE BEACH, FL	350	343
HERBERT HOOVER DIKE, FL (SEEPAGE CONTROL)	85,000	85,000
JACKSONVILLE HARBOR, FL	7,000	6,860
MANATEE COUNTY, FL	100	98
NASSAU COUNTY, FL	700	686
SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	162,724	
Central and Southern Florida, FL	---	93,872
Everglades and South Florida Ecosystem Restoration	---	3,000
Kissimmee	---	45,614
ST JOHN'S COUNTY, FL	350	343
TAMPA HARBOR, FL	3,000	2,940
GEORGIA		
LOWER SAVANNAH RIVER BASIN, GA	45	44
RICHARD B RUSSELL DAM AND LAKE, GA & SC	3,200	3,136
SAVANNAH HARBOR DISPOSAL AREAS, GA & SC	5,040	4,939
SAVANNAH HARBOR EXPANSION, GA	---	588
ILLINOIS		
ALTON TO GALE ORGANIZED LEVEE DISTRICTS, IL & MO	500	490
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	2,250	2,205
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL	13,500	23,584
DES PLAINES RIVER, IL	1,000	980
EAST ST LOUIS, IL	1,350	1,323
LOCK AND DAM 27, MISSISSIPPI RIVER, IL (MAJOR REHAB)	100	98
MCCOOK AND THORNTON RESERVOIRS, IL	12,000	11,760
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY	150,000	147,000

CORPS OF ENGINEERS - CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
UPPER MISSISSIPPI RIVER RESTORATION, IL, IA, MN, MO & WI	18,150	17,787
WOOD RIVER LEVEE, DEFICIENCY CORRECTION AND RECONSTRUCTION, IL	830	813
INDIANA		
LITTLE CALUMET RIVER, IN	9,000	7,100
IOWA		
MISSOURI RIVER FISH AND WILDLIFE RECOVERY, IA, KS, MO, MT, NE, ND & SD	72,888	71,430
KANSAS		
TURKEY CREEK BASIN, KS & MO	4,000	3,920
KENTUCKY		
WOLF CREEK DAM, LAKE CUMBERLAND, KY	132,000	132,000
LOUISIANA		
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)	5,500	5,390
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	10,620	---
MARYLAND		
ASSATEAGUE, MD	1,000	700
CHESAPEAKE BAY OYSTER RECOVERY, MD & VA	5,000	4,900
POPLAR ISLAND, MD	12,000	11,760
MASSACHUSETTS		
MUDDY RIVER, MA	4,000	3,920
MINNESOTA		
CROOKSTON, MN	1,250	1,225
MISSOURI		
BLUE RIVER CHANNEL, KANSAS CITY, MO	3,000	2,940
CLEARWATER LAKE, MO	32,900	32,900
KANSAS CITYS, MO & KS	500	490
MISSISSIPPI RIVER BETWEEN THE OHIO AND MISSOURI RIVERS (REG WORKS), MO & IL	7,320	7,174
MONARCH - CHESTERFIELD, MO	1,351	1,324
ST LOUIS FLOOD PROTECTION, MO	100	98
NEW JERSEY		
GREAT EGG HARBOR INLET AND PECK BEACH, NJ	500	490
LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NJ	7,650	7,497

CORPS OF ENGINEERS - CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
RARITAN BAY AND SANDY HOOK BAY(PORT MONMOUTH), NJ	3,000	2,940
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	6,000	5,880
NEW MEXICO		
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE, NM	10,000	9,800
NEW YORK		
ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT, NY	100	98
FIRE ISLAND INLET TO MONTAUK POINT, NY	1,350	750
LONG BEACH ISLAND, NY	300	294
NEW YORK AND NEW JERSEY HARBOR, NY & NJ	65,014	63,714
OHIO		
DOVER DAM, MUSKINGUM RIVER, OH (DAM SAFETY ASSURANCE)	5,000	5,000
OKLAHOMA		
CANTON LAKE, OK	11,100	11,100
OREGON		
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA	2,000	1,960
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	4,200	4,116
PENNSYLVANIA		
EMSWORTH LOCKS AND DAM, OHIO RIVER, PA	3,000	---
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	1,000	1,000
PRESQUE ISLE PENINSULA, PA (PERMANENT)	1,500	1,470
PUERTO RICO		
PORTUGUES AND BUCANA RIVERS, PR	45,000	44,100
RIO PUERTO NUEVO, PR	7,000	6,860
TENNESSEE		
CENTER HILL LAKE, TN	78,700	50,000
TEXAS		
BRAYS BAYOU, HOUSTON, TX	3,000	2,940
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	600	588
LOWER COLORADO RIVER BASIN (WHARTON/ONION), TX	5,000	---
VIRGINIA		
LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, VA, WV & KY	5,000	4,900

CORPS OF ENGINEERS - CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
NORFOLK HARBOR AND CHANNELS, CRANEY ISLAND, VA	27,400	26,852
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	1,075	1,054
WASHINGTON		
COLUMBIA RIVER FISH MITIGATION, WA, OR & ID	128,405	125,837
DUWAMISH AND GREEN RIVER BASIN, WA	2,060	1,800
LOWER SNAKE RIVER FISH AND WILDLIFE COMPENSATION, WA, OR & ID	1,500	1,470
MOUNT SAINT HELENS SEDIMENT CONTROL, WA	6,500	6,370
MUD MOUNTAIN DAM, WA	1,000	980
WEST VIRGINIA		
BLUESTONE LAKE, WV	70,000	70,000
SUBTOTAL, PROJECTS LISTED UNDER STATES	1,423,950	1,332,814
REMAINING ITEMS		
ADDITIONAL FUNDING FOR ONGOING WORK		
FLOOD AND STORM DAMAGE REDUCTION	---	19,772
FLOOD CONTROL	---	59,316
SHORE PROTECTION	---	39,544
NAVIGATION	---	74,145
OTHER AUTHORIZED PROJECT PURPOSES	---	7,909
ENVIRONMENTAL RESTORATION OR COMPLIANCE	---	8,897
ENVIRONMENTAL INFRASTRUCTURE	---	29,660
HYDROPOWER	---	13,840
AQUATIC PLANT CONTROL	---	3,000
CONTINUING AUTHORITIES PROGRAM		
AQUATIC ECOSYSTEM RESTORATION (SECTION 206)	---	7,909
BENEFICIAL USE OF DREDGED MATERIAL (SECTION 204, 207, 993)	---	3,954
EMERGENCY STREAMBANK AND SHORELINE PROTECTION (SECTION 14)	---	3,954
FLOOD CONTROL PROJECTS (SECTION 205)	---	18,783
MITIGATION OF SHORE DAMAGES (SECTION 111)	---	2,966
NAVIGATION PROGRAM (SECTION 107)	---	2,966
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONMENT (SECTION 1135)	---	7,909
SHORE PROTECTION (SECTION 103)	---	989
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	37,155	37,155
EMPLOYEES' COMPENSATION	15,000	14,700
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE	70	69
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE	825	809
ESTUARY RESTORATION PROGRAM	2,000	1960
PERIODIC REVIEW OF BCRS	1,000	980
SUBTOTAL, REMAINING ITEMS	56,050	361,186
TOTAL, CONSTRUCTION	1,480,000	1,694,000

Napa River, Salt Marsh Restoration, California.—The conferees support language in the Senate report regarding this project.

Savannah Harbor Expansion, Georgia.—The budget request for this item that was proposed in the Investigations account has been moved to this account where it has been funded for the past 3 fiscal years.

Chicago Sanitary and Ship Canal Dispersal Barrier, Illinois.—The budget request includes funding for this project in both the Construction and Operation and Maintenance accounts. Since the submission, however, the Corps informed the Committees that the entire amount is required in the Construction account and no funding is needed in the Operation and Maintenance account. The conference agreement accommodates this shift in funding.

Norfolk Harbor, Craney Island, Virginia.—The conferees support language in the Senate report regarding this project.

Additional Funding for Ongoing Work.—The Corps has ongoing, authorized Construction projects that would cost tens of billions of dollars to complete, yet the Administration continues to request a mere fraction of the funding necessary to complete those projects. The conference agreement includes additional funds to continue ongoing projects and activities to enhance the nation's economic growth and international competitiveness. The intent of these funds is for ongoing work that either was not included in the Administration's request or was inadequately budgeted. None of these funds may be used to start new projects. None of these funds shall be used for projects in the Continuing Authorities Program. Funding associated with each category may be allocated to any eligible project within that category; funding associated with each subcategory may be allocated only to eligible projects within that subcategory. The list of subcategories is not meant to be exhaustive.

The Corps shall evaluate all ongoing projects that have received funding, other than through a reprogramming, in at least one of the previous three fiscal years. Priority in allocating these funds should consider the following: number of jobs created directly by the funded activity; the benefits of the funded work to the national economy; ability to obligate the funds allocated within the fiscal year, including consideration of the ability of the non-federal sponsor to provide any required cost-share; ability to complete the project, separable element, or project phase within the funds allocated; for flood and storm damage reduction, population at risk and economic activity or public infrastructure at risk; and for navigation, number of jobs or level of economic activity to be supported by completion of the project, separable element, or project phase.

Within 45 days of enactment of this Act, the Corps shall provide to the House and Senate Committees on Appropriations a work plan delineating how these funds are to be distributed. A document detailing the Administration's specific criteria and project evaluations used to justify the funding decisions shall accompany this work plan. No funds shall be obligated for any project under this program which has not been justified in such a report.

Continuing Authorities Program.—The conferees believe the various sections of the Continuing Authorities Program provide a useful tool for the Corps to undertake small localized projects without the lengthy study and authorization process typical of most larger

Corps projects. The conference agreement rejects the Administration's proposal to reprogram prior-year appropriations to fund only sections 111, 204, 206, and 1135 in fiscal year 2012. Instead a total of $49,430,000 is provided for eight CAP sections. The management of the program should continue consistent with the guidelines outlined in the Senate report.

Inland Waterways Users Board.—The conferees note that the terms of all members of the Inland Waterways Users Board (IWUB) have expired and no appointments to reconstitute the Board have been forthcoming from the Secretary of the Army. The IWUB was created by Congress in the 1986 Water Resources Development Act for the express purpose of providing expert advice to the U.S. Army Corps of Engineers and to the Congress on the implementation of the inland waterways navigation infrastructure modernization programs. This aging system is vital to the movement of commerce. The conferees direct the Secretary of the Army to act on the appointments to the IWUB as expeditiously as possible.

MISSISSIPPI RIVER AND TRIBUTARIES

The conference agreement provides $252,000,000 for Mississippi River and Tributaries, instead of $210,000,000 as proposed by the House and $250,000,000 as proposed by the Senate. The Act does not include language regarding expenditure of funds as proposed by the House.

The allocation for projects and activities within the Mississippi River and Tributaries account is shown in the following table:

MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
INVESTIGATIONS		
MEMPHIS METRO AREA, STORM WATER MGMT STUDY, TN	100	98
CONSTRUCTION		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	45,570	44,694
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	24,180	23,715
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	1,900	1,863
ATCHAFALAYA BASIN, LA	6,300	6,179
OPERATION AND MAINTENANCE		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	61,230	60,053
HELENA HARBOR, PHILLIPS COUNTY, AR	122	120
INSPECTION OF COMPLETED WORKS, AR	189	185
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	7,951	7,798
LOWER ARKANSAS RIVER, NORTH BANK, AR	223	219
LOWER ARKANSAS RIVER, SOUTH BANK, AR	150	147
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA	1,884	1,848
WHITE RIVER BACKWATER, AR	896	879
INSPECTION OF COMPLETED WORKS, IL	110	108
INSPECTION OF COMPLETED WORKS, KY	60	59
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	1,468	1,440
ATCHAFALAYA BASIN, LA	8,918	8,747
BATON ROUGE HARBOR, DEVIL SWAMP, LA	42	41
BAYOU COCODRIE AND TRIBUTARIES, LA	48	47
BONNET CARRE, LA	2,145	2,104
INSPECTION OF COMPLETED WORKS, LA	697	684
LOWER RED RIVER, SOUTH BANK LEVEES, LA	377	370
MISSISSIPPI DELTA REGION, LA	438	430
OLD RIVER, LA	6,954	6,820
TENSAS BASIN, RED RIVER BACKWATER, LA	2,473	2,425
INSPECTION OF COMPLETED WORKS, MO	125	123
ST FRANCIS BASIN, AR & MO	4,174	4,094
WAPPAPELLO LAKE, MO	4,167	4,087
GREENVILLE HARBOR, MS	18	18
INSPECTION OF COMPLETED WORKS, MS	109	107
VICKSBURG HARBOR, MS	32	31
YAZOO BASIN, ARKABUTLA LAKE, MS	4,606	4,517
YAZOO BASIN, BIG SUNFLOWER RIVER, MS	185	181
YAZOO BASIN, ENID LAKE, MS	4,386	4,302

MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
YAZOO BASIN, GREENWOOD, MS	807	791
YAZOO BASIN, GRENADA LAKE, MS	4,511	4,424
YAZOO BASIN, MAIN STEM, MS	1,019	999
YAZOO BASIN, SARDIS LAKE, MS	5,687	5,578
YAZOO BASIN, TRIBUTARIES, MS	967	948
YAZOO BASIN, WILL M WHITTINGTON AUX CHAN, MS	378	371
YAZOO BASIN, YAZOO BACKWATER AREA, MS	517	507
YAZOO BASIN, YAZOO CITY, MS	731	717
INSPECTION OF COMPLETED WORKS, TN	60	59
MEMPHIS HARBOR, MCKELLAR LAKE, TN	1,394	1,367
REMAINING ITEMS		
COLLECTION AND STUDY OF BASIC DATA	500	490
MAPPING	1,202	1,179
ADDITIONAL FUNDING FOR ONGOING WORK		
DREDGING	---	5,000
FLOOD CONTROL	---	24,000
OTHER AUTHORIZED PROJECT PURPOSES	---	17,037
TOTAL	210,000	252,000

Additional Funding for Ongoing Work.—After a flood such as was experienced this year on the Mississippi River, the value of prior investments in the Mississippi River and Tributaries Project cannot be disputed. Yet considerable work remains to complete this vital project in the heart of our nation. The budget request reflects neither the need nor the importance of this project. Therefore, the conferees provide additional funds to continue ongoing studies, projects or maintenance. The conferees direct that these funds be used for flood control, navigation, water supply, ground water protection, waterfowl management, bank stabilization and environmental restoration work. The intent of these funds is for ongoing work primarily along the Mississippi River tributaries that either was not included in the Administration's request or was inadequately budgeted. While this additional funding is shown under remaining items, the Corps should utilize these funds in any applicable phase of work. None of these funds may be used to start new projects or activities.

The conferees direct that priority in allocating these funds be given to completing or accelerating ongoing work which will enhance the region and Nation's economic development, job growth and international competitiveness, or is located in areas that have suffered recent natural disasters. Within 45 days of enactment of this Act, the Corps shall provide to the House and Senate Committees on Appropriations a work plan delineating how these funds are to be distributed. A document providing the Administration's criteria for justifying the funding decisions made shall accompany this work plan. No funds shall be obligated for any project under this program which has not been justified in such a report.

OPERATION AND MAINTENANCE

The conference agreement provides $2,412,000,000 for Operation and Maintenance, instead of $2,368,925,000 as proposed by the House and $2,360,000,000 as proposed by the Senate. The Act includes legislative language proposed by the House directing the Corps to allocate no more than 99 percent of the funds provided in this Act for Operation and Maintenance prior to the fourth quarter. This measure is intended to allow Headquarters flexibility to respond to national emergencies. The Act does not include language regarding expenditure of funds as proposed by the House.

The allocation for projects and activities within the Operation and Maintenance account is shown in the following table:

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ALABAMA		
ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL	250	245
ALABAMA RIVER LAKES, AL	13,120	12,862
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	21,429	21,008
GULF INTRACOASTAL WATERWAY, AL	5,335	5,230
INSPECTION OF COMPLETED WORKS, AL	30	29
MOBILE HARBOR, AL	23,360	22,901
PROJECT CONDITION SURVEYS, AL	100	98
TENNESSEE - TOMBIGBEE WATERWAY WILDLIFE MITIGATION, AL & MS	1,847	1,811
TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	23,141	22,686
WALTER F GEORGE LOCK AND DAM, AL & GA	7,744	7,592
ALASKA		
ANCHORAGE HARBOR, AK	14,000	13,725
CHENA RIVER LAKES, AK	2,948	2,890
DILLINGHAM HARBOR, AK	987	967
HOMER HARBOR, AK	453	444
INSPECTION OF COMPLETED WORKS, AK	194	190
NINILCHIK HARBOR, AK	420	411
NOME HARBOR, AK	1,066	1,045
PROJECT CONDITION SURVEYS, AK	500	490
ARIZONA		
ALAMO LAKE, AZ	1,758	1,723
INSPECTION OF COMPLETED WORKS, AZ	87	85
PAINTED ROCK DAM, AZ	1,307	1,281
SCHEDULING RESERVOIR OPERATIONS, AZ	48	47
WHITLOW RANCH DAM, AZ	288	282
ARKANSAS		
BEAVER LAKE, AR	5,784	5,670
BLAKELY MT DAM, LAKE OUACHITA, AR	7,241	7,099
BLUE MOUNTAIN LAKE, AR	1,854	1,817
BULL SHOALS LAKE, AR	6,050	5,931
DARDANELLE LOCK AND DAM, AR	7,914	7,758
DEGRAY LAKE, AR	5,712	5,599
DEQUEEN LAKE, AR	1,687	1,654
DIERKS LAKE, AR	1,421	1,393
GILLHAM LAKE, AR	1,345	1,319

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
GREERS FERRY LAKE, AR	5,654	5,542
HELENA HARBOR, PHILLIPS COUNTY, AR	100	98
INSPECTION OF COMPLETED WORKS, AR	397	389
MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR	26,610	26,087
MILLWOOD LAKE, AR	2,558	2,507
NARROWS DAM, LAKE GREESON, AR	4,342	4,257
NIMROD LAKE, AR	2,182	2,139
NORFORK LAKE, AR	9,091	8,912
OUACHITA AND BLACK RIVERS, AR & LA	7,451	7,304
OZARK - JETA TAYLOR LOCK AND DAM, AR	6,064	5,944
PROJECT CONDITION SURVEYS, AR	8	7
CALIFORNIA		
BLACK BUTTE LAKE, CA	2,337	2,291
BUCHANAN DAM, HV EASTMAN LAKE, CA	2,032	1,992
CHANNEL ISLANDS HARBOR, CA	525	514
COYOTE VALLEY DAM, LAKE MENDOCINO, CA	3,647	3,575
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	5,624	5,513
FARMINGTON DAM, CA	470	460
HIDDEN DAM, HENSLEY LAKE, CA	2,272	2,227
HUMBOLDT HARBOR AND BAY, CA	2,800	2,745
INSPECTION OF COMPLETED WORKS, CA	3,854	3,778
ISABELLA LAKE, CA	1,721	1,687
LOS ANGELES COUNTY DRAINAGE AREA, CA	5,083	4,983
MARINA DEL REY, CA	3,170	3,107
MERCED COUNTY STREAMS, CA	399	391
MOJAVE RIVER DAM, CA	332	325
MORRO BAY HARBOR, CA	1,590	1,559
NEW HOGAN LAKE, CA	2,456	2,407
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA	1,897	1,860
OAKLAND HARBOR, CA	8,755	8,583
OCEANSIDE HARBOR, CA	1,520	1,490
PINE FLAT LAKE, CA	3,291	3,226
PROJECT CONDITION SURVEYS, CA	1,710	1,676
RICHMOND HARBOR, CA	8,146	7,986
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA	1,299	1,273
SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	125	122
SAN DIEGO HARBOR, CA	3,800	3,725
SAN FRANCISCO BAY DELTA MODEL STRUCTURE, CA	986	966
SAN FRANCISCO HARBOR AND BAY, CA (DRIFT REMOVAL)	1,979	1,940
SAN FRANCISCO HARBOR, CA	2,548	2,498
SAN JOAQUIN RIVER, PORT OF STOCKTON, CA	3,746	3,672
SAN PABLO BAY AND MARE ISLAND STRAIT, CA	3,470	3,402

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
SANTA ANA RIVER BASIN, CA	3,530	3,460
SANTA BARBARA HARBOR, CA	2,040	2,000
SCHEDULING RESERVOIR OPERATIONS, CA	1,648	1,616
SUCCESS LAKE, CA	2,564	2,513
SUISUN BAY CHANNEL, CA	2,770	2,715
TERMINUS DAM, LAKE KAWEAH, CA	2,346	2,300
VENTURA HARBOR, CA	2,805	2,749
YUBA RIVER, CA	97	95
COLORADO		
BEAR CREEK LAKE, CO	569	558
CHATFIELD LAKE, CO	1,269	1,244
CHERRY CREEK LAKE, CO	1,162	1,139
INSPECTION OF COMPLETED WORKS, CO	260	254
JOHN MARTIN RESERVOIR, CO	2,629	2,577
SCHEDULING RESERVOIR OPERATIONS, CO	740	725
TRINIDAD LAKE, CO	1,701	1,667
CONNECTICUT		
BLACK ROCK LAKE, CT	582	570
COLEBROOK RIVER LAKE, CT	641	628
HANCOCK BROOK LAKE, CT	376	368
HOP BROOK LAKE, CT	1,022	1,002
INSPECTION OF COMPLETED WORKS, CT	368	360
LONG ISLAND SOUND DMMP, CT	1,000	980
MANSFIELD HOLLOW LAKE, CT	672	659
NORTHFIELD BROOK LAKE, CT	437	428
PROJECT CONDITION SURVEYS, CT	850	833
STAMFORD HURRICANE BARRIER, CT	463	454
THOMASTON DAM, CT	839	822
WEST THOMPSON LAKE, CT	686	672
DELAWARE		
INSPECTION OF COMPLETED WORKS, DE	15	14
INTRACOASTAL WATERWAY, DELAWARE RIVER TO CHESAPEAKE BAY, DE & MD	18,648	18,282
PROJECT CONDITION SURVEYS, DE	105	102
WILMINGTON HARBOR, DE	3,250	3,186
DISTRICT OF COLUMBIA		
INSPECTION OF COMPLETED WORKS, DC	154	151

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
POTOMAC AND ANACOSTIA RIVERS, DC (DRIFT REMOVAL)	875	858
PROJECT CONDITION SURVEYS, DC	40	39
WASHINGTON HARBOR, DC	25	24
FLORIDA		
CANAVERAL HARBOR, FL	5,150	5,049
CENTRAL & SOUTHERN FLORIDA, FL	15,063	14,767
INSPECTION OF COMPLETED WORKS, FL	1,350	1,323
JACKSONVILLE HARBOR, FL	6,500	6,372
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA	8,159	7,998
OKEECHOBEE WATERWAY, FL	2,008	1,968
PALM BEACH HARBOR, FL	2,850	2,794
PANAMA CITY HARBOR, FL	2,015	1,975
PORT EVERGLADES HARBOR, FL	2,000	1,961
PROJECT CONDITION SURVEYS, FL	1,575	1,544
REMOVAL OF AQUATIC GROWTH, FL	3,750	3,676
SCHEDULING RESERVOIR OPERATIONS, FL	32	31
SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	5,276	5,172
TAMPA HARBOR, FL	6,287	6,163
GEORGIA		
ALLATOONA LAKE, GA	6,335	6,210
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL & FL	638	625
BRUNSWICK HARBOR, GA	3,000	2,941
BUFORD DAM AND LAKE SIDNEY LANIER, GA	8,346	8,182
CARTERS DAM AND LAKE, GA	7,722	7,570
HARTWELL LAKE, GA & SC	10,549	10,342
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, GA	85	83
INSPECTION OF COMPLETED WORKS, GA	141	138
J STROM THURMOND LAKE, GA & SC	9,786	9,594
PROJECT CONDITION SURVEYS, GA	149	146
RICHARD B RUSSELL DAM AND LAKE, GA & SC	7,305	7,161
SAVANNAH HARBOR, GA	17,452	17,109
SAVANNAH RIVER BELOW AUGUSTA, GA	85	83
WEST POINT DAM AND LAKE, GA & AL	7,857	7,702
HAWAII		
BARBERS POINT HARBOR, HI	266	260
INSPECTION OF COMPLETED WORKS, HI	984	965
NAWILIWILI HARBOR, HI	250	245
PROJECT CONDITION SURVEYS, HI	931	913

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
IDAHO		
ALBENI FALLS DAM, ID	1,404	1,376
DWORSHAK DAM AND RESERVOIR, ID	2,695	2,642
INSPECTION OF COMPLETED WORKS, ID	312	305
LUCKY PEAK LAKE, ID	2,918	2,860
SCHEDULING RESERVOIR OPERATIONS, ID	514	504
ILLINOIS		
CALUMET HARBOR AND RIVER, IL & IN	3,983	3,905
CARLYLE LAKE, IL	5,340	5,235
CHICAGO HARBOR, IL	2,158	2,115
CHICAGO RIVER, IL	523	512
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL	10,565	---
FARM CREEK RESERVOIRS, IL	432	423
ILLINOIS WATERWAY (MVR PORTION), IL & IN	31,937	31,309
ILLINOIS WATERWAY (MVS PORTION), IL & IN	2,181	2,138
INSPECTION OF COMPLETED WORKS, IL	1,945	1,907
KASKASKIA RIVER NAVIGATION, IL	1,539	1,509
LAKE MICHIGAN DIVERSION, IL	725	711
LAKE SHELBYVILLE, IL	6,865	6,730
MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS (MVR PORTION), IL	49,748	48,771
MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS (MVS PORTION), IL	23,582	23,118
PROJECT CONDITION SURVEYS, IL	111	108
REND LAKE, IL	5,436	5,329
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	689	675
INDIANA		
BROOKVILLE LAKE, IN	1,155	1,132
BURNS WATERWAY HARBOR, IN	176	172
CAGLES MILL LAKE, IN	1,087	1,066
CECIL M HARDEN LAKE, IN	1,178	1,155
INDIANA HARBOR, IN	6,675	6,544
INSPECTION OF COMPLETED WORKS, IN	645	632
J EDWARD ROUSH LAKE, IN	2,270	2,225
MISSISSINEWA LAKE, IN	1,231	1,207
MONROE LAKE, IN	1,252	1,227
PATOKA LAKE, IN	1,118	1,096
PROJECT CONDITION SURVEYS, IN	185	181
SALAMONIE LAKE, IN	1,073	1,052
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	129	126

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
IOWA		
CORALVILLE LAKE, IA	4,298	4,214
INSPECTION OF COMPLETED WORKS, IA	552	541
MISSOURI RIVER - SIOUX CITY TO THE MOUTH, IA, KS, MO & NE	6,199	6,077
RATHBUN LAKE, IA	2,184	2,141
RED ROCK DAM AND LAKE RED ROCK, IA	4,639	4,548
SAYLORVILLE LAKE, IA	5,275	5,171
KANSAS		
CLINTON LAKE, KS	2,140	2,098
COUNCIL GROVE LAKE, KS	2,237	2,193
EL DORADO LAKE, KS	1,086	1,065
ELK CITY LAKE, KS	871	854
FALL RIVER LAKE, KS	1,308	1,282
HILLSDALE LAKE, KS	849	832
INSPECTION OF COMPLETED WORKS, KS	339	332
JOHN REDMOND DAM AND RESERVOIR, KS	1,453	1,424
KANOPOLIS LAKE, KS	1,619	1,587
MARION LAKE, KS	1,800	1,765
MELVERN LAKE, KS	2,068	2,027
MILFORD LAKE, KS	2,073	2,032
PEARSON - SKUBITZ BIG HILL LAKE, KS	1,323	1,297
PERRY LAKE, KS	2,358	2,311
POMONA LAKE, KS	2,371	2,324
SCHEDULING RESERVOIR OPERATIONS, KS	150	147
TORONTO LAKE, KS	699	685
TUTTLE CREEK LAKE, KS	2,239	2,195
WILSON LAKE, KS	1,607	1,575
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	10,091	9,893
BARREN RIVER LAKE, KY	2,362	2,315
BIG SANDY HARBOR, KY	1,655	1,622
BUCKHORN LAKE, KY	1,615	1,583
CARR CREEK LAKE, KY	1,765	1,730
CAVE RUN LAKE, KY	990	970
DEWEY LAKE, KY	1,792	1,757
FALLS OF THE OHIO NATIONAL WILDLIFE, KY & IN	21	20
FISHTRAP LAKE, KY	1,969	1,930
GRAYSON LAKE, KY	1,515	1,485

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
GREEN AND BARREN RIVERS, KY	2,280	2,235
GREEN RIVER LAKE, KY	2,222	2,178
INSPECTION OF COMPLETED WORKS, KY	865	848
KENTUCKY RIVER, KY	10	9
LAUREL RIVER LAKE, KY	1,589	1,558
MARTINS FORK LAKE, KY	1,224	1,200
MIDDLESBORO CUMBERLAND RIVER BASIN, KY	240	235
NOLIN LAKE, KY	2,487	2,438
OHIO RIVER LOCKS AND DAMS, KY, IL, IN & OH	33,561	32,901
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN, OH, PA & WV	5,582	5,472
PAINTSVILLE LAKE, KY	1,195	1,171
PROJECT CONDITION SURVEYS, KY	7	6
ROUGH RIVER LAKE, KY	2,514	2,464
TAYLORSVILLE LAKE, KY	1,205	1,181
WOLF CREEK DAM, LAKE CUMBERLAND, KY	7,559	7,410
YATESVILLE LAKE, KY	1,135	1,113
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF & BLACK, LA	7,152	7,011
BAYOU BODCAU RESERVOIR, LA	2,057	2,016
BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA	1,191	1,168
BAYOU PIERRE, LA	24	23
BAYOU TECHE AND VERMILION RIVER, LA	15	14
BAYOU TECHE, LA	132	129
CADDO LAKE, LA	220	215
CALCASIEU RIVER AND PASS, LA	15,474	15,170
FRESHWATER BAYOU, LA	1,695	1,662
GULF INTRACOASTAL WATERWAY, LA	30,575	29,974
HOUMA NAVIGATION CANAL, LA	885	867
INSPECTION OF COMPLETED WORKS, LA	814	798
J BENNETT JOHNSTON WATERWAY, LA	7,717	7,565
MERMENTAU RIVER, LA	1,250	1,225
MISSISSIPPI RIVER OUTLETS AT VENICE, LA	1,272	1,247
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO, LA	68,000	66,664
PROJECT CONDITION SURVEYS, LA	60	58
REMOVAL OF AQUATIC GROWTH, LA	200	196
WALLACE LAKE, LA	239	234
MAINE		
DISPOSAL AREA MONITORING, ME	1,050	1,029
INSPECTION OF COMPLETED WORKS, ME	117	114
PROJECT CONDITION SURVEYS, ME	800	784

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ME	20	19
MARYLAND		
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD	13,879	13,606
BALTIMORE HARBOR, MD (DRIFT REMOVAL)	400	392
CUMBERLAND, MD AND RIDGELEY, WV	150	147
INSPECTION OF COMPLETED WORKS, MD	171	167
JENNINGS RANDOLPH LAKE, MD & WV	1,955	1,916
PROJECT CONDITION SURVEYS, MD	500	490
SCHEDULING RESERVOIR OPERATIONS, MD	64	62
SUSQUEHANNA-HAVRE DE GRACE, MD	180	176
WICOMICO RIVER, MD	1,500	1,471
MASSACHUSETTS		
BARRE FALLS DAM, MA	687	673
BIRCH HILL DAM, MA	839	822
BUFFUMVILLE LAKE, MA	609	597
CAPE COD CANAL, MA	17,457	17,114
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	300	294
CONANT BROOK LAKE, MA	278	272
EAST BRIMFIELD LAKE, MA	558	547
HODGES VILLAGE DAM, MA	580	568
INSPECTION OF COMPLETED WORKS, MA	437	428
KNIGHTVILLE DAM, MA	692	678
LITTLEVILLE LAKE, MA	643	630
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER, MA	446	437
PROJECT CONDITION SURVEYS, MA	1,100	1,078
TULLY LAKE, MA	781	765
WEST HILL DAM, MA	686	672
WESTVILLE LAKE, MA	633	620
MICHIGAN		
CHANNELS IN LAKE ST CLAIR, MI	722	708
CHARLEVOIX HARBOR, MI	325	318
DETROIT RIVER, MI	5,817	5,702
GRAND HAVEN HARBOR, MI	743	728
HOLLAND HARBOR, MI	10	9
INSPECTION OF COMPLETED WORKS, MI	200	196
KEWEENAW WATERWAY, MI	12	11
MUSKEGON HARBOR, MI	700	686
PROJECT CONDITION SURVEYS, MI	600	588

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ROUGE RIVER, MI	960	941
SAGINAW RIVER, MI	550	539
SEBEWAING RIVER, MI	20	19
ST CLAIR RIVER, MI	643	630
ST MARYS RIVER, MI	26,031	25,519
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	2,576	2,525
MINNESOTA		
BIGSTONE LAKE - WHETSTONE RIVER, MN & SD	236	231
DULUTH - SUPERIOR HARBOR, MN & WI	7,581	7,432
INSPECTION OF COMPLETED WORKS, MN	377	369
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	611	599
MINNESOTA RIVER, MN	270	264
MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS (MVP PORTION), MN	44,993	44,109
ORWELL LAKE, MN	409	401
PROJECT CONDITION SURVEYS, MN	86	84
RED LAKE RESERVOIR, MN	163	159
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	3,357	3,291
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	452	443
MISSISSIPPI		
BILOXI HARBOR, MS	25	24
EAST FORK, TOMBIGBEE RIVER, MS	258	253
GULFPORT HARBOR, MS	1,801	1,765
INSPECTION OF COMPLETED WORKS, MS	70	68
MOUTH OF YAZOO RIVER, MS	40	39
OKATIBBEE LAKE, MS	1,605	1,573
PASCAGOULA HARBOR, MS	5,655	5,543
PEARL RIVER, MS & LA	133	130
PROJECT CONDITION SURVEYS, MS	82	80
MISSOURI		
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	6,330	6,205
CLEARWATER LAKE, MO	3,288	3,223
HARRY S TRUMAN DAM AND RESERVOIR, MO	7,801	7,647
INSPECTION OF COMPLETED WORKS, MO	2,255	2,210
LITTLE BLUE RIVER LAKES, MO	907	889
LONG BRANCH LAKE, MO	1,018	998
MISSISSIPPI RIVER BETWEEN THE OHIO AND MISSOURI RIVERS (REG WORKS), MO & IL	25,571	25,068
POMME DE TERRE LAKE, MO	2,415	2,367
PROJECT CONDITION SURVEYS, MO	14	13

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
SCHEDULING RESERVOIR OPERATIONS, MO	400	392
SMITHVILLE LAKE, MO	1,257	1,232
STOCKTON LAKE, MO	3,895	3,818
TABLE ROCK LAKE, MO & AR	7,082	6,943
UNION LAKE, MO	7	6
MONTANA		
FT PECK DAM AND LAKE, MT	15,366	15,064
INSPECTION OF COMPLETED WORKS, MT	200	196
LIBBY DAM, MT	1,736	1,702
SCHEDULING RESERVOIR OPERATIONS, MT	147	144
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	7,434	7,288
HARLAN COUNTY LAKE, NE	2,722	2,668
INSPECTION OF COMPLETED WORKS, NE	345	338
MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	137	134
PAPILLION CREEK, NE	835	818
SALT CREEKS AND TRIBUTARIES, NE	1,267	1,242
NEVADA		
INSPECTION OF COMPLETED WORKS, NV	185	181
MARTIS CREEK LAKE, NV & CA	954	935
PINE AND MATHEWS CANYONS LAKES, NV	304	298
NEW HAMPSHIRE		
BLACKWATER DAM, NH	644	631
EDWARD MACDOWELL LAKE, NH	775	760
FRANKLIN FALLS DAM, NH	769	754
HOPKINTON - EVERETT LAKES, NH	1,489	1,460
INSPECTION OF COMPLETED WORKS, NH	91	89
OTTER BROOK LAKE, NH	653	640
PORTSMOUTH HARBOR AND PISCATAQUA RIVER, NH	500	490
PROJECT CONDITION SURVEYS, NH	250	245
SURRY MOUNTAIN LAKE, NH	735	720
NEW JERSEY		
BARNEGAT INLET, NJ	350	343
COLD SPRING INLET, NJ	360	353

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
DELAWARE RIVER AT CAMDEN, NJ	15	14
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	21,410	20,989
INSPECTION OF COMPLETED WORKS, NJ	238	233
MANASQUAN RIVER, NJ	300	294
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	60	58
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ	570	559
PROJECT CONDITION SURVEYS, NJ	1,575	1,544
RARITAN RIVER TO ARTHUR KILL CUT-OFF, NJ	65	63
RARITAN RIVER, NJ	60	58
NEW MEXICO		
ABIQUIU DAM, NM	3,738	3,664
COCHITI LAKE, NM	3,240	3,176
CONCHAS LAKE, NM	3,317	3,251
GALISTEO DAM, NM	938	919
INSPECTION OF COMPLETED WORKS, NM	843	826
JEMEZ CANYON DAM, NM	1,155	1,132
RIO GRANDE ENDANGERED SPECIES COLLABORATIVE PROGRAM, NM	2,425	2,377
SANTA ROSA DAM AND LAKE, NM	1,814	1,778
SCHEDULING RESERVOIR OPERATIONS, NM	548	537
TWO RIVERS DAM, NM	1,053	1,032
UPPER RIO GRANDE WATER OPERATIONS MODEL STUDY, NM	1,312	1,286
NEW YORK		
ALMOND LAKE, NY	696	682
ARKPORT DAM, NY	354	347
BAY RIDGE AND RED HOOK CHANNELS, NY	60	58
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	1,324	1,298
BUFFALO HARBOR, NY	950	931
BUTTERMILK CHANNEL, NY	60	58
EAST RIVER, NY	130	127
EAST SIDNEY LAKE, NY	823	807
FLUSHING BAY AND CREEK, NY	60	58
HUDSON RIVER CHANNEL, NY	60	58
HUDSON RIVER, NY (MAINT)	2,150	2,108
HUDSON RIVER, NY (O & C)	1,700	1,667
INSPECTION OF COMPLETED WORKS, NY	959	940
JAMAICA BAY, NY	3,360	3,294
LITTLE SODUS BAY HARBOR, NY	5	4
MOUNT MORRIS DAM, NY	2,861	2,804
NEW YORK AND NEW JERSEY CHANNELS, NY	40	39
NEW YORK HARBOR, NY	6,558	6,429

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
NEW YORK HARBOR, NY & NJ (DRIFT REMOVAL)	9,200	9,019
NEW YORK HARBOR, NY (PREVENTION OF OBSTRUCTIVE DEPOSITS)	1,100	1,078
NEWTOWN CREEK, NY	60	58
PROJECT CONDITION SURVEYS, NY	1,990	1,951
ROCHESTER HARBOR, NY	5	4
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	900	882
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	642	629
WHITNEY POINT LAKE, NY	822	806
NORTH CAROLINA		
B EVERETT JORDAN DAM AND LAKE, NC	1,833	1,797
CAPE FEAR RIVER ABOVE WILMINGTON, NC	806	790
FALLS LAKE, NC	2,014	1,974
INSPECTION OF COMPLETED WORKS, NC	261	255
MANTEO (SHALLOWBAG) BAY, NC	1,000	980
MOREHEAD CITY HARBOR, NC	5,900	5,784
PROJECT CONDITION SURVEYS, NC	700	686
ROLLINSON CHANNEL, NC	50	49
SILVER LAKE HARBOR, NC	250	245
W KERR SCOTT DAM AND RESERVOIR, NC	3,449	3,381
WILMINGTON HARBOR, NC	12,445	12,200
NORTH DAKOTA		
BOWMAN HALEY, ND	151	148
GARRISON DAM, LAKE SAKAKAWEA, ND	10,519	10,312
HOMME LAKE, ND	208	203
INSPECTION OF COMPLETED WORKS, ND	262	256
LAKE ASHTABULA AND BALDHILL DAM, ND	1,249	1,224
PIPESTEM LAKE, ND	702	688
SCHEDULING RESERVOIR OPERATIONS, ND	137	134
SOURIS RIVER, ND	351	344
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ND	28	27
OHIO		
ALUM CREEK LAKE, OH	1,462	1,433
BERLIN LAKE, OH	2,613	2,561
CAESAR CREEK LAKE, OH	1,599	1,568
CLARENCE J BROWN DAM, OH	1,274	1,249
CLEVELAND HARBOR, OH	9,665	9,475
DEER CREEK LAKE, OH	1,275	1,250
DELAWARE LAKE, OH	2,363	2,316

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
DILLON LAKE, OH	1,354	1,327
FAIRPORT HARBOR, OH	1,000	980
INSPECTION OF COMPLETED WORKS, OH	610	598
LORAIN HARBOR, OH	1,056	1,035
MASSILLON LOCAL PROTECTION PROJECT, OH	29	28
MICHAEL J KIRWAN DAM AND RESERVOIR, OH	1,356	1,329
MISSISSIPPI FLOOD CONTROL, OH	1,993	1,954
MOSQUITO CREEK LAKE, OH	1,454	1,425
MUSKINGUM RIVER LAKES, OH	12,381	12,138
NORTH BRANCH KOKOSING RIVER LAKE, OH	444	435
PAINT CREEK LAKE, OH	1,740	1,706
PROJECT CONDITION SURVEYS, OH	305	299
ROSEVILLE LOCAL PROTECTION PROJECT, OH	35	34
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH	270	264
TOLEDO HARBOR, OH	5,982	5,864
TOM JENKINS DAM, OH	655	642
WEST FORK OF MILL CREEK LAKE, OH	838	821
WILLIAM H HARSHA LAKE, OH	1,069	1,048
OKLAHOMA		
ARCADIA LAKE, OK	591	579
BIRCH LAKE, OK	987	967
BROKEN BOW LAKE, OK	2,058	2,017
CANTON LAKE, OK	3,902	3,825
COPAN LAKE, OK	1,420	1,392
EUFAULA LAKE, OK	6,049	5,930
FORT GIBSON LAKE, OK	4,992	4,894
FORT SUPPLY LAKE, OK	1,089	1,067
GREAT SALT PLAINS LAKE, OK	711	697
HEYBURN LAKE, OK	634	621
HUGO LAKE, OK	1,549	1,519
HULAH LAKE, OK	772	757
INSPECTION OF COMPLETED WORKS, OK	201	197
KAW LAKE, OK	2,149	2,107
KEYSTONE LAKE, OK	7,071	6,932
MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, OK	6,827	6,693
OOLOGAH LAKE, OK	4,369	4,283
OPTIMA LAKE, OK	32	31
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK	128	125
PINE CREEK LAKE, OK	1,254	1,229
ROBERT S. KERR LOCK AND DAM AND RESERVOIR, OK	5,399	5,293
SARDIS LAKE, OK	1,002	982
SCHEDULING RESERVOIR OPERATIONS, OK	1,000	980

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
SKIATOOK LAKE, OK	1,767	1,732
TENKILLER FERRY LAKE, OK	4,055	3,975
WAURIKA LAKE, OK	1,537	1,507
WEBBERS FALLS LOCK AND DAM, OK	4,913	4,816
WISTER LAKE, OK	1,231	1,207
OREGON		
APPLEGATE LAKE, OR	931	913
BLUE RIVER LAKE, OR	561	550
BONNEVILLE LOCK AND DAM, OR & WA	6,640	6,509
CHETCO RIVER, OR	561	550
COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WA & PORTLAND, OR	24,378	23,899
COLUMBIA RIVER AT THE MOUTH, OR & WA	12,857	12,604
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, OR	693	679
COOS BAY, OR	4,793	4,699
COQUILLE RIVER, OR	298	292
COTTAGE GROVE LAKE, OR	1,299	1,273
COUGAR LAKE, OR	1,682	1,649
DETROIT LAKE, OR	830	813
DORENA LAKE, OR	1,100	1,078
ELK CREEK LAKE, OR	60	58
FALL CREEK LAKE, OR	1,130	1,108
FERN RIDGE LAKE, OR	1,771	1,736
GREEN PETER - FOSTER LAKES, OR	1,658	1,625
HILLS CREEK LAKE, OR	702	688
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, OR	20	19
INSPECTION OF COMPLETED WORKS, OR	575	563
JOHN DAY LOCK AND DAM, OR & WA	4,394	4,308
LOOKOUT POINT LAKE, OR	1,835	1,799
LOST CREEK LAKE, OR	3,487	3,418
MCNARY LOCK AND DAM, OR & WA	5,309	5,204
PROJECT CONDITION SURVEYS, OR	200	196
ROGUE RIVER AT GOLD BEACH, OR	574	562
SCHEDULING RESERVOIR OPERATIONS, OR	95	93
SIUSLAW RIVER, OR	551	540
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	7,400	7,255
WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	104	101
WILLAMETTE RIVER BANK PROTECTION, OR	459	450
WILLOW CREEK LAKE, OR	685	671
YAQUINA BAY & HARBOR, OR	1,962	1,923

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
PENNSYLVANIA		
ALLEGHENY RIVER, PA	4,000	3,921
ALVIN R BUSH DAM, PA	816	800
AYLESWORTH CREEK LAKE, PA	384	376
BELTZVILLE LAKE, PA	1,473	1,444
BLUE MARSH LAKE, PA	2,891	2,834
CONEMAUGH RIVER LAKE, PA	1,356	1,329
COWANESQUE LAKE, PA	2,446	2,398
CROOKED CREEK LAKE, PA	2,086	2,045
CURWENSVILLE LAKE, PA	893	875
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	1,095	1,073
EAST BRANCH CLARION RIVER LAKE, PA	1,660	1,627
FOSTER JOSEPH SAYERS DAM, PA	898	880
FRANCIS E WALTER DAM, PA	1,216	1,192
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	400	392
INSPECTION OF COMPLETED WORKS, PA	1,101	1,079
JOHNSTOWN, PA	80	78
KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,565	1,534
LOYALHANNA LAKE, PA	1,611	1,579
MAHONING CREEK LAKE, PA	2,005	1,965
MONONGAHELA RIVER, PA	17,018	16,683
OHIO RIVER LOCKS AND DAMS, PA, OH & WV	23,140	22,685
OHIO RIVER OPEN CHANNEL WORK, PA, OH & WV	626	613
PROJECT CONDITION SURVEYS, PA	120	117
PROMPTON LAKE, PA	623	610
PUNXSUTAWNEY, PA	63	61
RAYSTOWN LAKE, PA	4,507	4,418
SCHEDULING RESERVOIR OPERATIONS, PA	46	45
SCHUYLKILL RIVER, PA	250	245
SHENANGO RIVER LAKE, PA	2,426	2,378
STILLWATER LAKE, PA	514	504
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA	112	109
TIOGA - HAMMOND LAKES, PA	2,752	2,697
TIONESTA LAKE, PA	2,421	2,373
UNION CITY LAKE, PA	390	382
WOODCOCK CREEK LAKE, PA	1,431	1,403
YORK INDIAN ROCK DAM, PA	883	865
YOUGHIOGHENY RIVER LAKE, PA & MD	2,210	2,166
PUERTO RICO		
SAN JUAN HARBOR, PR	2,700	2,647

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
RHODE ISLAND		
FOX POINT BARRIER, NARRANGANSETT BAY, RI	558	547
GREAT SALT POND, BLOCK ISLAND, RI	250	245
INSPECTION OF COMPLETED WORKS, RI	90	88
PROJECT CONDITION SURVEYS, RI	450	441
WOONSOCKET, RI	420	411
SOUTH CAROLINA		
CHARLESTON HARBOR, SC	13,841	13,569
COOPER RIVER, CHARLESTON HARBOR, SC	5,408	5,301
INSPECTION OF COMPLETED WORKS, SC	65	63
PROJECT CONDITION SURVEYS, SC	875	858
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD	8,285	8,122
COLD BROOK LAKE, SD	296	290
COTTONWOOD SPRINGS LAKE, SD	222	217
FORT RANDALL DAM, LAKE FRANCIS CASE, SD	8,818	8,644
INSPECTION OF COMPLETED WORKS, SD	189	185
LAKE TRAVERSE, SD & MN	554	543
OAHE DAM, LAKE OAHE, SD & ND	10,318	10,115
SCHEDULING RESERVOIR OPERATIONS, SD	84	82
TENNESSEE		
CENTER HILL LAKE, TN	6,020	5,901
CHEATHAM LOCK AND DAM, TN	6,346	6,221
CHICKAMAUGA LOCK, TENNESSEE RIVER, TN	3,098	3,037
CORDELL HULL DAM AND RESERVOIR, TN	6,358	6,233
DALE HOLLOW LAKE, TN	5,925	5,808
INSPECTION OF COMPLETED WORKS, TN	34	33
J PERCY PRIEST DAM AND RESERVOIR, TN	4,380	4,294
OLD HICKORY LOCK AND DAM, TN	8,106	7,946
PROJECT CONDITION SURVEYS, TN	8	7
TENNESSEE RIVER, TN	21,845	21,416
WOLF RIVER HARBOR, TN	109	106
TEXAS		
AQUILLA LAKE, TX	1,081	1,060
ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VIII, TX	1,593	1,562

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
BARDWELL LAKE, TX	1,861	1,824
BAYPORT SHIP CHANNEL, TX	3,776	3,702
BELTON LAKE, TX	3,516	3,447
BENBROOK LAKE, TX	2,464	2,415
BRAZOS ISLAND HARBOR, TX	3,878	3,802
BUFFALO BAYOU AND TRIBUTARIES, TX	3,670	3,598
CANYON LAKE, TX	3,580	3,509
CEDAR BAYOU, TX	350	343
CORPUS CHRISTI SHIP CHANNEL, TX	5,912	5,795
DENISON DAM, LAKE TEXOMA, TX	6,939	6,803
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	44	43
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX	3,464	3,396
FREEPORT HARBOR, TX	4,796	4,702
GALVESTON HARBOR AND CHANNEL, TX	3,738	3,664
GIWW, CHANNEL TO VICTORIA, TX	3,519	3,450
GIWW, CHOCOLATE BAYOU, TX	500	490
GRANGER DAM AND LAKE, TX	2,305	2,259
GRAPEVINE LAKE, TX	2,981	2,922
GREENS BAYOU, TX	800	784
GULF INTRACOASTAL WATERWAY, TX	24,277	23,800
HORDS CREEK LAKE, TX	1,635	1,603
HOUSTON SHIP CHANNEL, TX	18,188	17,831
INSPECTION OF COMPLETED WORKS, TX	1,343	1,317
JIM CHAPMAN LAKE, TX	1,586	1,555
JOE POOL LAKE, TX	1,956	1,917
LAKE KEMP, TX	183	179
LAVON LAKE, TX	3,062	3,001
LEWISVILLE DAM, TX	3,199	3,136
MATAGORDA SHIP CHANNEL, TX	4,307	4,222
NAVARRO MILLS LAKE, TX	2,867	2,810
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	2,447	2,399
O C FISHER DAM AND LAKE, TX	1,802	1,766
PAT MAYSE LAKE, TX	1,211	1,187
PROCTOR LAKE, TX	3,526	3,456
PROJECT CONDITION SURVEYS, TX	100	98
RAY ROBERTS LAKE, TX	1,922	1,884
SABINE - NECHES WATERWAY, TX	14,182	13,903
SAM RAYBURN DAM AND RESERVOIR, TX	5,045	4,946
SCHEDULING RESERVOIR OPERATIONS, TX	242	237
SOMERVILLE LAKE, TX	3,246	3,182
STILLHOUSE HOLLOW DAM, TX	2,087	2,046
TEXAS CITY SHIP CHANNEL, TX	4,667	4,575
TEXAS WATER ALLOCATION ASSESSMENT, TX	100	98
TOWN BLUFF DAM, B A STEINHAGEN LAKE, TX	2,935	2,877

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
WACO LAKE, TX	3,035	2,975
WALLISVILLE LAKE, TX	1,990	1,951
WHITNEY LAKE, TX	5,397	5,291
WRIGHT PATMAN DAM AND LAKE, TX	3,847	3,771
UTAH		
INSPECTION OF COMPLETED WORKS, UT	31	30
SCHEDULING RESERVOIR OPERATIONS, UT	642	629
VERMONT		
BALL MOUNTAIN, VT	889	871
INSPECTION OF COMPLETED WORKS, VT	79	77
NORTH HARTLAND LAKE, VT	748	733
NORTH SPRINGFIELD LAKE, VT	941	922
TOWNSHEND LAKE, VT	879	862
UNION VILLAGE DAM, VT	1,993	1,954
VIRGINIA		
ATLANTIC INTRACOASTAL WATERWAY - ACC, VA	1,742	1,708
ATLANTIC INTRACOASTAL WATERWAY - DSC, VA	1,156	1,133
CHINCOTEAGUE INLET, VA	600	588
GATHRIGHT DAM AND LAKE MOOMAW, VA	2,253	2,208
HAMPTON ROADS, NORFOLK & NEWPORT NEWS HARBOR, VA (DRIFT REMOVAL)	1,048	1,027
HAMPTON ROADS, VA (PREVENTION OF OBSTRUCTIVE DEPOSITS)	75	73
INSPECTION OF COMPLETED WORKS, VA	461	452
JAMES RIVER CHANNEL, VA	4,363	4,277
JOHN H KERR LAKE, VA & NC	10,629	10,420
JOHN W FLANNAGAN DAM AND RESERVOIR, VA	2,341	2,295
NORFOLK HARBOR, VA	11,050	10,833
NORTH FORK OF POUND RIVER LAKE, VA	486	476
PHILPOTT LAKE, VA	4,694	4,602
PROJECT CONDITION SURVEYS, VA	902	884
WASHINGTON		
CHIEF JOSEPH DAM, WA	708	694
EVERETT HARBOR AND SNOHOMISH RIVER, WA	2,445	2,397
GRAYS HARBOR, WA	8,500	8,333
HOWARD HANSON DAM, WA	3,050	2,990
ICE HARBOR LOCK AND DAM, WA	3,734	3,660
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, WA	70	68

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
INSPECTION OF COMPLETED WORKS, WA	730	715
LAKE WASHINGTON SHIP CANAL, WA	10,553	10,345
LITTLE GOOSE LOCK AND DAM, WA	2,062	2,021
LOWER GRANITE LOCK AND DAM, WA	2,823	2,767
LOWER MONUMENTAL LOCK AND DAM, WA	2,172	2,129
MILL CREEK LAKE, WA	3,021	2,961
MOUNT SAINT HELENS SEDIMENT CONTROL, WA	313	306
MUD MOUNTAIN DAM, WA	3,549	3,479
PROJECT CONDITION SURVEYS, WA	516	506
PUGET SOUND AND TRIBUTARY WATERS, WA	995	975
SCHEDULING RESERVOIR OPERATIONS, WA	453	444
SEATTLE HARBOR, WA	4,240	4,157
STILLAGUAMISH RIVER, WA	271	265
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	55	53
TACOMA, PUYALLUP RIVER, WA	145	142
THE DALLES LOCK AND DAM, WA & OR	3,236	3,172
WEST VIRGINIA		
BEECH FORK LAKE, WV	1,366	1,339
BLUESTONE LAKE, WV	2,039	1,999
BURNSVILLE LAKE, WV	2,695	2,642
EAST LYNN LAKE, WV	2,116	2,074
ELKINS, WV	60	58
INSPECTION OF COMPLETED WORKS, WV	528	517
KANAWHA RIVER LOCKS AND DAMS, WV	12,401	12,157
OHIO RIVER LOCKS AND DAMS, WV, KY & OH	34,232	33,559
OHIO RIVER OPEN CHANNEL WORK, WV, KY & OH	2,805	2,749
R D BAILEY LAKE, WV	2,407	2,359
STONEWALL JACKSON LAKE, WV	1,064	1,043
SUMMERSVILLE LAKE, WV	2,692	2,639
SUTTON LAKE, WV	2,587	2,536
TYGART LAKE, WV	1,406	1,378
WISCONSIN		
EAU GALLE RIVER LAKE, WI	741	726
FOX RIVER, WI	2,889	2,832
GREEN BAY HARBOR, WI	3,406	3,339
INSPECTION OF COMPLETED WORKS, WI	69	67
PROJECT CONDITION SURVEYS, WI	288	282
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI	19	18
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	524	513

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
WYOMING		
INSPECTION OF COMPLETED WORKS, WY	55	53
JACKSON HOLE LEVEES, WY	1,014	994
SCHEDULING RESERVOIR OPERATIONS, WY	111	108
SUBTOTAL, PROJECTS LISTED UNDER STATES	2,112,016	2,060,010
REMAINING ITEMS		
ADDITIONAL FUNDING FOR ONGOING WORK		
NAVIGATION MAINTENANCE	---	34,000
DEEP-DRAFT HARBOR AND CHANNEL	---	55,000
INLAND WATERWAYS	---	30,000
SMALL, REMOTE, OR SUBSISTENCE NAVIGATION	---	30,000
OTHER AUTHORIZED PROJECT PURPOSES	---	24,409
AQUATIC NUISANCE CONTROL RESEARCH	690	676
ASSET MANAGEMENT/FACILITIES AND EQUIPMENT MANAGEMENT (FEM)	4,750	4,657
BUDGET/MANAGEMENT SUPPORT FOR O&M BUSINESS PROGRAMS		
STEWARDSHIP SUPPORT PROGRAM	750	735
PERFORMANCE-BASED BUDGETING SUPPORT PROGRAM	4,000	3,921
RECREATION MANAGEMENT SUPPORT PROGRAM	1,650	1,618
OPTIMIZATION TOOLS FOR NAVIGATION	392	384
COASTAL AND OCEAN DATA SYSTEM	3,000	4,414
COASTAL INLET RESEARCH PROGRAM	2,700	2,647
RESPONSE TO CLIMATE CHANGE AT CORPS PROJECTS	5,000	4,902
CULTURAL RESOURCES (NAGPRA/CURATION)	4,500	4,412
DREDGE MCFARLAND READY RESERVE	12,000	11,760
DREDGE WHEELER READY RESERVE	12,000	11,760
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,150	1,127
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	6,300	6,176
DREDGING OPERATIONS TECHNICAL SUPPORT PROGRAM (DOTS)	2,820	2,764
EARTHQUAKE HAZARDS REDUCTION PROGRAM	270	264
FACILITY PROTECTION (CISP)	6,500	6,372
FERC HYDROPOWER COORDINATION	3,000	2,941
FISH & WILDLIFE OPERATING FISH HATCHERY REIMBURSEMENT	3,800	3,800
GREAT LAKES TRIBUTARY MODEL	1,080	1,059
GLOBAL CHANGE SUSTAINABILITY	10,000	---
INLAND WATERWAY NAVIGATION CHARTS	3,420	3,353
INTERAGENCY PERFORMANCE EVALUATION TASK FORCE/HURRICANE PROTECTION DECISION CHRONOLOGY (IPET/HPDC) LESSONS LEARNED IMPLEMENTATION	6,000	4,167
INSPECTION OF COMPLETED FEDERAL FLOOD CONTROL PROJECTS	26,780	26,254
MONITORING OF COMPLETED NAVIGATION PROJECTS	3,920	3,843
NATIONAL (LEVEE) FLOOD INVENTORY	21,000	20,587

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
NATIONAL (MULTIPLE PROJECT) NATURAL RESOURCES MANAGEMENT ACTIVITIES	4,230	4,147
NATIONAL COASTAL MAPPING PROGRAM	6,300	7,657
NATIONAL DAM SAFETY PROGRAM (PORTFOLIO RISK ASSESSMENT)	15,000	14,705
NATIONAL EMERGENCY PREPAREDNESS PROGRAM (NEPP)	6,750	6,617
NATIONAL PORTFOLIO ASSESSMENT FOR REALLOCATIONS	571	559
PROGRAM DEVELOPMENT TECHNICAL SUPPORT	300	294
PROTECT, CLEAR AND STRAIGHTEN CHANNELS	50	49
REMOVAL OF SUNKEN VESSELS	500	490
WATERBORNE COMMERCE STATISTICS	4,771	4,677
HARBOR MAINTENANCE FEE DATA COLLECTION	825	809
RECREATIONONESTOP (R1S) NATIONAL RECREATION RESERVATION SERVICE	65	63
REGIONAL SEDIMENT MANAGEMENT PROGRAM	1,800	2,892
RELIABILITY MODELS PROGRAM FOR MAJOR REHAB	300	294
SHORELINE USE PERMIT STUDY	250	245
SUSTAINABILITY AND ENERGY	12,300	---
WATER OPERATIONS TECHNICAL SUPPORT (WOTS)	500	490
SUBTOTAL, REMAINING ITEMS	201,984	351,990
TOTAL, OPERATION AND MAINTENANCE	2,314,000	2,412,000

Additional Funding for Ongoing Work.—The fiscal year 2012 budget request does not fund operation, maintenance, and rehabilitation of our nation's aging infrastructure sufficiently to ensure continued competitiveness in a global marketplace. Federal navigation channels maintained at only a fraction of authorized dimensions, and navigation locks and hydropower facilities well beyond their design life result in economic inefficiencies and risks infrastructure failure, which cause substantial economic losses. The conferees believe that investing in operation, maintenance, and rehabilitation of infrastructure today will save taxpayers money in the future.

The conference agreement includes additional funds to continue ongoing projects and activities. The intent of these funds is for ongoing work that either was not included in the Administration's request or was inadequately budgeted. None of these funds may be used to start new projects or programs. The conferees direct that priority in allocating these funds be given to completing ongoing work maintaining authorized depths and widths of harbors and shipping channels, including where contaminated sediments are present, and for addressing critical maintenance backlog. Particular emphasis should be placed on projects where there is a U.S. Coast Guard presence; that will enhance national, regional, or local economic development; or that will promote job growth or international competitiveness.

The conferees are concerned that the Administration's criteria for navigation maintenance does not allow small, remote, or subsistence harbors and waterways to properly compete for scarce navigation maintenance funds. The conferees urge the Corps to revise the criteria used for determining which navigation maintenance projects are funded in order to develop a reasonable and equitable allocation under this account. The criteria should include the economic impact that these projects provide to local and regional economies, in particular, those with national defense or public health and safety importance.

Funding associated with each category may be allocated to any eligible project within that category; funding associated with each subcategory may be allocated only to eligible projects within that subcategory. The list of subcategories is not meant to be exhaustive. Priority in allocating these funds should consider the following: number of jobs created directly by the funded activity; benefits to the local, regional or national economy; ability to obligate the funds allocated within the fiscal year; ability to complete the project, separable element, or project phase within the funds allocated; and risk of imminent failure or closure of the facility.

Within 45 days of enactment of this Act, the Corps shall provide to the House and Senate Committees on Appropriations a work plan delineating how these funds are to be distributed. A document providing the Administration's criteria for justifying the funding decisions made shall accompany this work plan. No funds shall be obligated for any project under this program which has not been justified in such a report.

Coastal and Ocean Systems Data.—The conferees have provided funding to ensure the maintenance of wave observations and the expansion of the national wave monitoring network as outlined

in the National Operational Wave Observation Plan. Funds are also included for continuation of integrated long-term beach surveys to monitor shoreline risk.

REGULATORY PROGRAM

The conference agreement provides $193,000,000 for the Regulatory Program as proposed by the Senate, instead of $196,000,000 as proposed by the House. The Act includes language making funds available until September 30, 2013, as proposed by the Senate.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

The conference agreement provides $109,000,000 for the Formerly Utilized Sites Remedial Action Program as proposed by the House and Senate. The Corps is directed to prioritize sites that are nearing completion. Within the funds provided in accordance with the budget request, the Corps is directed to complete the Remedial Investigation/Feasibility Study of the former Sylvania nuclear fuel site at Hicksville, New York, and, as appropriate, to proceed expeditiously to a Record of Decision and initiation of any necessary remediation in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

FLOOD CONTROL AND COASTAL EMERGENCIES

The conference agreement provides $27,000,000 for Flood Control and Coastal Emergencies as proposed by the House and Senate.

EXPENSES

The conference agreement provides $185,000,000 for Expenses as proposed by the Senate, instead of $177,640,000 as proposed by the House. The Act includes language making funds available until September 30, 2013, as proposed by the Senate. Within the funds provided, the Institute for Water Resources is directed to submit to the Senate and House Committees on Appropriations within 180 days of enactment of this Act, a report on how the Congress should address the critical need for additional port and inland waterway modernization to accommodate post-Panamax vessels. This study will not impede nor delay port or inland waterway projects already authorized by Congress. Factors for consideration should include costs associated with deepening and widening deep-draft harbors; the ability of the waterways and ports to enhance the nation's export initiatives benefitting the agricultural and manufacturing sectors; the current and projected population trends that distinguish regional ports and ports that are immediately adjacent to population centers; the availability of inland intermodal access; and the environmental impacts resulting from the modernization of inland waterways and deep-draft ports.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

The conference agreement provides $5,000,000 for the Office of the Assistant Secretary of the Army for Civil Works as proposed by the House and Senate. The Act includes language making funds available until September 30, 2013, as proposed by the Senate.

ADMINISTRATIVE PROVISION

The conference agreement includes a provision relating to the replacement and hire of passenger motor vehicles as proposed by the House and Senate.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes a provision proposed by the Senate relating to reprogramming. The House proposed a similar provision.

The conference agreement does not include a provision proposed by the Senate regarding implementation of competitive sourcing or High Performance Organizations. The House proposed no similar provision.

The conference agreement includes a provision proposed by the House prohibiting the use of funds to carry out any contract that commits funds beyond the amounts appropriated for that program, project, or activity. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the House relating to continuing contracts and the Inland Waterway Trust Fund. The Senate proposed a similar provision.

The conference agreement includes a provision proposed by the Senate relating to report notifications. The House proposed a similar provision.

The conference agreement includes a provision proposed by the Senate providing the Corps of Engineers authorization for emergency measures to exclude Asian carp from the Great Lakes. The House proposed a similar provision. The conferees do not consider hydrologic separation of the Great Lakes Basin from the Mississippi River Basin to be an emergency measure authorized by this Act. The issue should be fully studied by the Corps of Engineers and considered by the appropriate congressional committees.

The conference agreement includes a provision proposed by the House and Senate authorizing the transfer of funds to facilitate progress on the Greater New Orleans Hurricane and Storm Damage Risk Reduction System.

The conference agreement includes a provision proposed by the House and Senate authorizing the transfer of funds to the Fish and Wildlife Service to mitigate for fisheries lost due to Corps of Engineers projects.

The conference agreement does not include a provision proposed by the House regarding implementation of revised guidance on determining jurisdiction under the Clean Water Act. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the Senate authorizing employees to serve on an international commission. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate authorizing the acquisition of real property for the Cold Regions Research and Engineering Laboratory. The House proposed no similar provision.

The conference agreement includes a provision proposed by the House regarding the relocation of any regional division head-

quarters located at a military installation. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the House regarding additional authority for the Corps to accept funding from non-federal sponsors for authorized federal projects. The Senate proposed no similar provision. The conferees do not expect these changes to result in more architect-engineer design work being undertaken by Corps personnel. The conferees expect the Corps to continue its contracting efforts for such services as in prior years.

The conference agreement does not include a provision proposed by the Senate regarding restrictions on the use or maintenance of any federal dredge. The House proposed no similar provision.

The conference agreement does not include a provision proposed by the Senate relating to maintenance standards for the federal dredging fleet. The House proposed no similar provision.

The conference agreement does not include a provision proposed by the Senate relating to health and safety improvements to the dredge "McFarland". The House proposed no similar provision.

The conference agreement modifies a provision proposed by the Senate relating to deed restrictions in Benton County, Washington. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate deauthorizing a portion of the Block Island Harbor of Refuge in Rhode Island. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate relating to improvements to installations and facilities of the Engineer Research and Development Center. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate relating to the disposition of acquired land in the Passaic River Basin in New Jersey. The House proposed no similar provision.

The conference agreement modifies a provision proposed by the Senate relating to disposal sites in Long Island Sound. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate deauthorizing a portion of the Newport Harbor in Rhode Island. The House proposed no similar provision.

The conference agreement includes a provision proposed in Title VI of the House bill relating to FERC Project number 2342. The Senate proposed no similar provision.

The conference agreement includes a provision proposed in Title VI of the House bill prohibiting funds for the Missouri River Authorized Purposes Study. The Senate proposed no similar provision.

The conference agreement includes a provision proposed in Title VI of the House bill relating to section 5018(a)(1) of the Water Resources Development Act of 2007 regarding Missouri River Recovery. The Senate proposed no similar provision. The conferees are aware of the challenges associated with water management in the Missouri River Basin and urge all parties to work cooperatively in addressing these issues.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

The conference agreement provides a total of $28,704,000 for the Central Utah Project as proposed by the House, instead of $28,991,000 as proposed by the Senate.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $895,000,000 for Water and Related Resources, instead of $822,300,000 as proposed by the House and $885,670,000 as proposed by the Senate. The Act does not include a restriction on projects carried out by the Youth Conservation Corps (YCC) as proposed by the House, but the conferees direct the Bureau of Reclamation to report to the House and Senate Committees on Appropriations by January 1, 2015, on the use of the YCC for carrying out Reclamation projects. The Act does not include language regarding expenditure of funds as proposed by the House.

The conference agreement for Water and Related Resources is shown in the following table:

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			CONFERENCE		
	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL
ARIZONA						
AK CHIN INDIAN WATER RIGHTS SETTLEMENT ACT PROJECT	---	12,706	12,706	---	12,554	12,554
COLORADO RIVER BASIN PROJECT - CENTRAL ARIZONA PROJECT	6,589	436	7,025	6,510	431	6,941
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM	2,049	---	2,049	2,024	---	2,024
NORTHERN ARIZONA INVESTIGATIONS PROGRAM	326	---	326	322	---	322
SALT RIVER PROJECT	646	230	876	638	227	865
SAN CARLOS APACHE TRIBE WATER SETTLEMENT ACT PROJECT	335	---	335	331	---	331
SIERRA VISTA SUBWATERSHED FEASIBILITY STUDY	463	---	463	457	---	457
SOUTH/CENTRAL ARIZONA INVESTIGATIONS PROGRAM	702	---	702	694	---	694
YUMA AREA PROJECTS	1,576	19,378	20,954	1,557	19,145	20,703
CALIFORNIA						
CACHUMA PROJECT	622	625	1,247	615	618	1,232
CENTRAL VALLEY PROJECTS:						
AMERICAN RIVER DIVISION, FOLSOM DAM UNIT/MORMON ISLAND	1,474	7,746	9,220	1,456	7,653	9,109
AUBURN-FOLSOM SOUTH UNIT	33	2,668	2,701	33	2,636	2,669
DELTA DIVISION	7,304	5,377	12,681	7,216	5,312	12,529
EAST SIDE DIVISION	1,358	2,754	4,112	1,342	2,721	4,063
FRIANT DIVISION	1,738	3,246	4,984	1,717	3,207	4,924
SAN JOAQUIN RIVER RESTORATION	---	---	---	8,892	---	8,892
MISCELLANEOUS PROJECT PROGRAMS	11,367	846	12,213	11,231	836	12,066
REPLACEMENTS, ADDITIONS, AND EXTRAORDINARY MAINT. PROGRAM	---	17,911	17,911	---	17,696	17,696
SACRAMENTO RIVER DIVISION	35,344	1,578	36,922	34,920	1,559	36,479
SAN FELIPE DIVISION	638	29	667	630	29	659
SAN JOAQUIN DIVISION	356	---	356	352	---	352
SHASTA DIVISION	378	7,766	8,144	373	7,673	8,046
TRINITY RIVER DIVISION	10,786	4,201	14,987	10,657	4,151	14,807
WATER AND POWER OPERATIONS	917	8,002	8,919	906	7,906	8,812
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT	15,426	5,388	20,814	15,241	5,323	20,564
ORLAND PROJECT	---	709	709	---	700	700
SALTON SEA RESEARCH PROJECT	294	---	294	290	---	290
SOLANO PROJECT	1,323	2,382	3,705	1,307	2,353	3,661
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM	268	---	268	265	---	265
VENTURA RIVER PROJECT	344	41	385	340	41	380
COLORADO						
ANIMAS-LA PLATA PROJECT, COLORADO RIVER STORAGE PARTICIPATING P	11,504	1,249	12,753	11,366	1,234	12,600
COLLBRAN PROJECT	217	1,461	1,678	214	1,443	1,658
COLORADO-BIG THOMPSON PROJECT	275	10,859	11,134	272	10,729	11,000
COLORADO INVESTIGATIONS PROGRAM	344	---	344	340	---	340
FRUITGROWERS DAM PROJECT	99	166	265	98	164	262
FRYINGPAN-ARKANSAS PROJECT	108	8,871	8,979	107	8,765	8,871
FRYINGPAN-ARKANSAS PROJECT - ARKANSAS VALLEY CONDUIT	2,958	---	2,958	2,923	---	2,923
GRAND VALLEY UNIT, CRBSCP, TITLE II	209	1,351	1,560	206	1,335	1,541
LEADVILLE/ARKANSAS RIVER RECOVERY PROJECT	---	4,652	4,652	---	4,596	4,596
LOWER COLORADO RIVER INVESTIGATIONS PROGRAM	95	---	95	94	---	94
MANCOS PROJECT	67	120	187	66	119	185
PARADOX VALLEY UNIT, CRBSCP, TITLE II	100	2,633	2,733	99	2,601	2,700
PINE RIVER PROJECT	152	240	392	150	237	387
SAN LUIS VALLEY PROJECT	356	4,479	4,835	352	4,425	4,777

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			CONFERENCE		
	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL
UNCOMPAHGRE PROJECT	754	197	951	745	195	940
UPPER COLORADO RIVER OPERATIONS PROGRAM	256	---	256	253	---	253
IDAHO						
BOISE AREA PROJECTS	3,004	3,240	6,244	2,968	3,201	6,169
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	17,830	---	17,830	17,616	---	17,616
IDAHO INVESTIGATIONS PROGRAM	59	---	59	58	---	58
LEWISTON ORCHARDS PROJECT	1,086	30	1,116	1,073	30	1,103
MINIDOKA AREA PROJECTS	2,361	12,093	14,454	2,333	11,948	14,281
KANSAS						
WICHITA PROJECT	6	464	470	6	458	464
WICHITA PROJECT (EQUUS BEDS DIVISION)	49	---	49	48	---	48
MONTANA						
FORT PECK RESERVATION / DRY PRAIRIE RURAL WATER SYSTEM	493	---	493	487	---	487
HUNGRY HORSE PROJECT	---	345	345	---	341	341
HUNTLEY PROJECT	31	53	84	31	52	83
LOWER YELLOWSTONE PROJECT	534	15	549	528	15	542
MILK RIVER PROJECT	327	1,421	1,748	323	1,404	1,727
MONTANA INVESTIGATIONS PROGRAM	50	---	50	49	---	49
ROCKY BOYS/NORTH CENTRAL MT RURAL WATER SYSTEM	493	---	493	487	---	487
SUN RIVER PROJECT	52	275	327	51	272	323
NEBRASKA						
MIRAGE FLATS PROJECT	13	110	123	13	109	122
NEVADA						
LAHONTAN BASIN PROJECT (HUMBOLT, NEWLANDS, AND WASHOE PROJE	4,209	3,022	7,231	4,158	2,986	7,144
LAKE TAHOE REGIONAL WETLANDS DEVELOPMENT	105	---	105	104	---	104
LAKE MEAD/LAS VEGAS WASH PROGRAM	493	---	493	487	---	487
NEW MEXICO						
CARLSBAD PROJECT	2,391	1,613	4,004	2,362	1,594	3,956
EASTERN NEW MEXICO INVESTIGATIONS PROGRAM	47	---	47	46	---	46
JICARILLA APACHE RURAL WATER SYSTEM	496	---	496	490	---	490
MIDDLE RIO GRANDE PROJECT	11,838	11,734	23,572	11,696	11,593	23,289
NAVAJO NATION INVESTIGATIONS PROGRAM	230	---	230	227	---	227
RIO GRANDE PROJECT	1,010	4,027	5,037	998	3,979	4,977
RIO GRANDE PUEBLOS PROJECT	250	---	250	247	---	247
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM	181	---	181	179	---	179
SOUTHERN NEW MEXICO/WEST TEXAS INVESTIGATIONS PROGRAM	192	---	192	190	---	190
TUCUMCARI PROJECT	40	32	72	40	32	71
UPPER RIO GRANDE BASIN INVESTIGATIONS PROGRAM	78	---	78	77	---	77

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			CONFERENCE		
	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL
NORTH DAKOTA						
PICK-SLOAN MISSOURI BASIN PROGRAM - GARRISON DIVERSION UNIT	10,524	5,814	16,338	10,398	5,744	16,142
OKLAHOMA						
ARBUCKLE PROJECT	66	170	236	65	168	233
MCGEE CREEK PROJECT	37	724	761	37	715	752
MOUNTAIN PARK PROJECT	25	547	572	25	540	565
NORMAN PROJECT	37	537	574	37	531	567
WASHITA BASIN PROJECT	67	1,397	1,464	66	1,380	1,446
W.C. AUSTIN PROJECT	56	604	660	55	597	652
OREGON						
CROOKED RIVER PROJECT	473	487	960	467	481	948
DESCHUTES PROJECT	264	192	456	261	190	451
EASTERN OREGON PROJECTS	594	216	810	587	213	800
KLAMATH PROJECT	16,726	1,883	18,609	16,525	1,860	18,386
OREGON INVESTIGATIONS PROGRAM	59	---	59	58	---	58
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	354	325	679	350	321	671
TUALATIN PROJECT	90	204	294	89	202	290
UMATILLA PROJECT	446	2,461	2,907	441	2,431	2,872
SOUTH DAKOTA						
LEWIS AND CLARK RURAL WATER SYSTEM	493	---	493	487	---	487
MID-DAKOTA RURAL WATER PROJECT	---	15	15	---	15	15
MNI WICONI PROJECT	16,270	10,058	26,328	16,075	9,937	26,012
RAPID VALLEY PROJECT	---	93	93	---	92	92
TEXAS						
BALMORHEA PROJECT	43	14	57	42	14	56
CANADIAN RIVER PROJECT	52	85	137	51	84	135
LOWER RIO GRANDE WATER CONSERVATION PROJECT	49	---	49	48	---	48
NUECES RIVER PROJECT	17	601	618	17	594	611
SAN ANGELO PROJECT	28	638	666	28	630	658
UTAH						
HYRUM PROJECT	166	136	302	164	134	298
MOON LAKE PROJECT	10	61	71	10	60	70
NEWTON PROJECT	53	106	159	52	105	157
NORTHERN UTAH INVESTIGATIONS PROGRAM	181	---	181	179	---	179
OGDEN RIVER PROJECT	214	215	429	211	212	424
PROVO RIVER PROJECT	1,163	393	1,556	1,149	388	1,537
SANPETE PROJECT	---	10	10	---	10	10
SCOFIELD PROJECT	301	49	350	297	48	346
SOUTHERN NEVADA/UTAH INVESTIGATIONS PROGRAM	74	---	74	73	---	73
SOUTHERN UTAH INVESTIGATIONS PROGRAM	206	---	206	204	---	204
STRAWBERRY VALLEY PROJECT	354	34	388	350	34	383

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			CONFERENCE		
	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL
WEBER BASIN PROJECT	920	752	1,672	909	743	1,652
WEBER RIVER PROJECT	65	62	127	64	61	125
WASHINGTON						
COLUMBIA BASIN PROJECT	3,278	4,446	7,724	3,239	4,393	7,631
WASHINGTON AREA PROJECTS	388	46	434	383	45	429
WASHINGTON INVESTIGATIONS PROGRAM	59	---	59	58	---	58
YAKIMA PROJECT	824	5,608	6,432	814	5,541	6,355
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	8,940	---	8,940	8,833	---	8,833
WYOMING						
KENDRICK PROJECT	117	4,231	4,348	116	4,180	4,296
NORTH PLATTE PROJECT	255	1,964	2,219	252	1,940	2,192
SHOSHONE PROJECT	75	883	958	74	872	947
WYOMING INVESTIGATIONS PROGRAM	20	---	20	20	---	20
SUBTOTAL, PROJECTS	232,531	224,832	457,363	238,633	222,134	460,767
REGIONAL PROGRAMS						
ADDITIONAL FUNDING FOR ONGOING WORK						
RURAL WATER	---	---	---	30,000	---	30,000
FISH PASSAGE AND FISH SCREENS	---	---	---	5,000	---	5,000
WATER CONSERVATION AND DELIVERY STUDIES, PROJECTS AND ACTIVIT	---	---	---	6,000	---	6,000
ENVIRONMENTAL RESTORATION AND COMPLIANCE	---	---	---	4,000	---	4,000
FACILITIES OPERATION, MAINTENANCE AND REHABILITATION	---	---	---	---	5,000	5,000
COLORADO RIVER BASIN SALINITY CONTROL PROJECT - TITLE I	---	11,519	11,519	---	11,381	11,381
COLORADO RIVER BASIN SALINITY CONTROL PROJECT - TITLE II	6,939	---	6,939	6,856	---	6,856
COLORADO RIVER STORAGE PROJECT (CRSP), SECTION 5	3,551	4,469	8,020	3,508	4,415	7,924
COLORADO RIVER STORAGE PROJECT (CRSP), SECTION 8	4,039	217	4,256	3,991	214	4,205
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM	729	---	729	720	---	720
DAM SAFETY PROGRAM						
DEPARTMENT OF THE INTERIOR DAM SAFETY PROGRAM	---	1,600	1,600	---	1,581	1,581
INITIATE SAFETY OF DAMS CORRECTIVE ACTION	---	63,587	63,587	---	63,587	63,587
SAFETY EVALUATION OF EXISTING DAMS	---	18,520	18,520	---	18,298	18,298
EMERGENCY PLANNING AND DISASTER RESPONSE PROGRAM	---	1,300	1,300	---	1,284	1,284
ENDANGERED SPECIES RECOVERY IMPLEMENTATION PROGRAM	19,954	---	19,954	19,715	---	19,715
ENVIRONMENTAL PROGRAM ADMINISTRATION	1,610	---	1,610	1,591	---	1,591
EXAMINATION OF EXISTING STRUCTURES	---	9,167	9,167	---	9,057	9,057
FEDERAL BUILDING SEISMIC SAFETY PROGRAM	---	1,400	1,400	---	1,383	1,383
GENERAL PLANNING ACTIVITIES	2,294	---	2,294	2,266	---	2,266
INDIAN WATER RIGHTS SETTLEMENTS:						
AAMODT	---	---	---	9,287	---	9,287
CROW	---	---	---	8,236	---	8,236
NAVAJO-GALLUP	---	---	---	24,499	---	24,499
TAOS	---	---	---	3,952	---	3,952
WHITE MOUNTAIN APACHE	---	---	---	4,891	---	4,891
LAND RESOURCES MANAGEMENT PROGRAM	8,945	---	8,945	8,838	---	8,838
LOWER COLORADO RIVER OPERATIONS PROGRAM	25,980	---	25,980	25,668	---	25,668
MISCELLANEOUS FLOOD CONTROL OPERATIONS	---	875	875	---	865	865
NATIVE AMERICAN AFFAIRS PROGRAM	6,951	---	6,951	6,868	---	6,868

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			CONFERENCE		
	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL
NEGOTIATION AND ADMINISTRATION OF WATER MARKETING	2,060	---	2,060	2,035	---	2,035
OPERATION AND PROGRAM MANAGEMENT	874	1,222	2,096	864	1,207	2,071
PICK-SLOAN MISSOURI BASIN PROGRAM - OTHER PICK SLOAN	3,137	40,449	43,586	3,099	39,964	43,063
POWER PROGRAM SERVICES	1,735	307	2,042	1,714	303	2,017
PUBLIC ACCESS AND SAFETY PROGRAM	711	155	866	702	153	856
RECLAMATION LAW ADMINISTRATION	2,258	---	2,258	2,231	---	2,231
RECREATION AND FISH AND WILDLIFE PROGRAM ADMINISTRATION	2,181	---	2,181	2,155	---	2,155
RESEARCH AND DEVELOPMENT:						
DESALINATION AND WATER PURIFICATION PROG.	986	1,100	2,086	974	1,087	2,061
SCIENCE AND TECHNOLOGY PROGRAM	10,108	---	10,108	9,987	---	9,987
RURAL WATER PROGRAM, TITLE I	2,000	---	2,000	1,976	---	1,976
SITE SECURITY ACTIVITIES	---	25,942	25,942		25,631	25,631
UNITED STATES/MEXICO BORDER ISSUES - TECHNICAL SUPPORT	95	---	95	94	---	94
WATERSMART PROGRAM						
WATERSMART GRANTS	18,500	---	18,500	12,233	---	12,233
COOPERATIVE WATERSHED MANAGEMENT	250	---	250	247	---	247
WATER CONSERVATION FIELD SERVICES PROGRAM	5,108	---	5,108	5,047	---	5,047
BASIN STUDIES	6,000	---	6,000	4,928	---	4,928
TITLE XVI WATER RECLAMATION AND REUSE PROGRAM						
FUNDING OPPORTUNITY	23,616	---	23,616	19,333	---	19,333
PHOENIX METROPOLITAN WATER RECLAMATION AND REUSE, AZ	200	---	200	198	---	198
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING, CA	1,452	---	1,452	1,435	---	1,435
LONG BEACH AREA WATER RECLAMATION, CA	500	---	500	494	---	494
LONG BEACH DESALINATION,CA	500	---	500	494	---	494
SAN DIEGO AREA WATER RECLAMATION,CA	2,485	---	2,485	2,455	---	2,455
SAN JOSE AREA WATER RECLAMATION AND REUSE, CA	247	---	247	244	---	244
SUBTOTAL, REGIONAL PROGRAMS	136,995	181,829	318,824	248,823	185,410	434,233
TOTAL, WATER AND RELATED RESOURCES	369,526	406,661	776,187	487,456	407,544	895,000

Indian Water Rights Settlements.—The conference agreement includes funds for these activities in the Water and Related Resources account as proposed by both the House and Senate, instead of in a separate account as proposed in the budget request.

San Joaquin River Restoration.—The conference agreement does not include a separate account for this item. Funding is included in the Water and Related Resources account as a separate line item under the Friant Division of the Central Valley Project. The conferees note that the San Joaquin River Restoration Settlement Act has two goals: to restore and maintain fish populations in good condition and to reduce or avoid adverse water supply impacts to long-term contractors and other water users. The conferees direct the Bureau of Reclamation to continue to work with all relevant state and federal agencies, settlement parties, and third party interests to address all concerns so the mutual goals of the Settlement Act can be achieved.

Arthur Bowman Dam.—The conference agreement includes House direction regarding hydropower development at Arthur Bowman Dam located in Crook County, Oregon.

Buried Metallic Water Pipe.—The conferees are aware of several concerns regarding implementation and review of Reclamation's Technical Memorandum 8140–CC–2004–1 ("Corrosion Considerations for Buried Metallic Water Pipe"). Specifically, the conferees are concerned that Reclamation's use of this memorandum may be holding different materials to different standards of reliability and increasing project costs unnecessarily. Therefore, Reclamation should not use the memorandum as the sole basis to deny funding or approval of a project or to disqualify any material from use in highly corrosive soils. Additionally, the conferees direct Reclamation to follow the recommendation of the National Academy of Sciences to assemble data on pipeline reliability for all types of pipe specified in Table 2 of Technical Memorandum 8140–CC–2004–1 along with the specified corrosion protection applied in the various soil types ("Review of the Bureau of Reclamation's Corrosion Prevention Standards for Ductile Iron Pipe" (2009)) and to conduct an analysis of the performance of these types of pipe installed in the same or similar conditions. This review should also include an analysis of the economics, cost-effectiveness and life-cycle costs associated with the various materials under evaluation.

Additional Funding for Water and Related Resources Work.—The conference agreement includes additional funds as proposed by the Senate. The conferees direct that priority in allocating these funds should be to advance and complete ongoing work, improve water supply reliability, improve water deliveries, enhance regional or local economic development, promote job growth or for critical backlog maintenance and rehabilitation activities. Within 30 days of enactment, Reclamation shall provide to the House and Senate Committees on Appropriations a report delineating how these funds are to be distributed, in which phase the work is to be accomplished, and an explanation of the criteria and rankings used to justify each allocation. This report shall also include the reassessment of allocation among rural water systems as directed by the House.

CENTRAL VALLEY PROJECT RESTORATION FUND

The conference agreement provides $53,068,000 for the Central Valley Project Restoration Fund, as proposed by the House and Senate.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $39,651,000 for the California Bay-Delta Restoration program as proposed by the Senate, instead of $35,928,000 as proposed by the House.

POLICY AND ADMINISTRATION

The conference agreement provides $60,000,000 for Policy and Administration as proposed by the House and Senate. The Act includes language making funds available until September 30, 2013, as proposed by the Senate.

ADMINISTRATIVE PROVISION

The conference agreement includes a provision limiting the Bureau of Reclamation to purchase not more than five passenger vehicles for replacement only, as proposed by the House.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

The conference agreement includes a provision proposed by the Senate outlining the circumstances under which the Bureau of Reclamation may reprogram funds. The House proposed a similar provision.

The conference agreement includes a provision proposed by the House and Senate regarding the San Luis Unit and the Kesterson Reservoir in California.

The conference agreement does not include a provision proposed by the House permanently rescinding mandatory funds from the San Joaquin River Restoration Fund. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the Senate regarding the Lake Mead/Las Vegas Wash Program. The House proposed no similar provision.

The conference agreement modifies a provision proposed by the Senate extending authorizations under the Water Desalination Act of 1996. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate regarding the Bay Delta Conservation Plan. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate regarding participation in non-federal groundwater banking programs. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate regarding water transfers in California. The House proposed no similar provision.

The conference agreement does not include a provision proposed by the Senate regarding expenditure of mandatory funds

under the San Joaquin River Restoration Fund. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate regarding the Desert Terminal Lakes Program. The House proposed no similar provision.

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the dispositions with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items in the Act are discussed below.

The conference agreement provides $25,748,081,000 for the Department of Energy, instead of $24,722,046,000 as proposed by the House and $25,548,976,000 as proposed by the Senate, to fund programs in its five primary mission areas: science, energy, environment, nuclear non-proliferation and national security.

Contractor Pensions and Benefits.—The conferees support actions taken to improve headquarters oversight of contractor pensions and other post-retirement benefits. Given the government has assumed the long-term liability for pension costs, the conferees encourage the Department to evaluate alternatives to contractually formalize requirements for the management of pension and other post-retirement benefits. Instead of the House direction on reporting requirements for pensions and prohibition on contribution amounts, the conferees direct the Department to report current plan status, funding ratios, reimbursement levels, projected plan status at budgeted levels, and any updates to funding ratios and contributions with or as supplemental information to the budget request. This information should be updated in April and September of each year. Changes to expected contribution levels should be clearly explained and the Department should note any changes in plan management that have impacted contribution amounts. Any funding request which proposes a contribution in excess of the minimum ERISA or Pension Protection Act requirements should include a detailed justification.

Nuclear Safety.—Instead of the House direction for a safety review of all cleanup sites, the conferees direct the Secretary of Energy to review all Department of Energy nuclear facility construction projects with a total project cost greater than $1,000,000,000 to determine if those projects are being managed in a way which could pressure contractors or Department managers to disregard nuclear safety in order to demonstrate acceptable project performance. The review should investigate contract management, including the award of contractor fee, project management practices, and the framing of program and policy goals to evaluate if Department practices have complicated efforts to foster a positive nuclear safety culture or resolve nuclear safety-related design issues. The Secretary shall report to the House and Senate Committees on Appropriations no later than May 1, 2012, on improvements to contracting and other management practices which will assist Department managers in ensuring that design flaws and safety issues do not go ignored or unrecognized.

H-Canyon.—Instead of the House requirement to provide funding to the National Academy of Sciences, the Department shall conduct its own review to explore the full range of potential uses for the chemical processing areas of H-Canyon at the Savannah River Site and report back to the House and Senate Committees on Appropriations within 3 months of enactment of this Act. The options considered should not be limited to uses by the Office of Environmental Management, but should incorporate uses which may contribute to meeting the goals of other program offices within the Department of Energy and the National Nuclear Security Administration.

Exascale Computing.—The conferees support the Department's initiative to develop exascale computing as a crucial component of long-term U.S. leadership, but are concerned that the Department has not yet developed an integrated strategy and program plan. The Department is directed to submit to the House and Senate Committees on Appropriations, not later than February 10, 2012, a joint, integrated strategy and program plan for the crosscutting effort to develop exascale computing that includes:

—a target date for developing an operational exascale platform;

—interim milestones toward reaching that target;

—minimum requirements for an exascale system, including power consumption efficiency goals;

—multi-year budget estimates for the exascale initiative and costs of meeting each interim milestone;

—clear roles and responsibilities for each office involved in exascale research and development; and

—a complete listing of exascale activities included in the fiscal year 2013 budget request broken out by program, project and activity with comparisons to the current year's funding levels.

Energy Innovation Hubs.—For each Energy Innovation Hub funded in this Act, the Department is directed to deliver to the House and Senate Committees on Appropriations, not later than 120 days after enactment of this Act, a report detailing milestones and performance goals for the end of each of the Hub's five fiscal years, and specific milestones and performance criteria the Hub must meet to be considered for a second five-year term. For Hubs established in prior fiscal years, the report shall include current performance against planned milestones, and a summary of progress against plans for staffing and facilities. For new Hubs, the report shall include a plan and timeline for selecting an awardee.

PCAST Recommendations.—The conferees direct the Secretary of Energy, within 6 months of enactment of this Act, to submit a report detailing how the Department has or will implement in all Energy Programs the following features that have been used successfully in ARPA-E and highlighted by the President's Council of Advisors on Science and Technology:

—a rigorous review process;

—contract or grant negotiations completed in just a few months;

—co-location within the program offices of such support functions as procurement, contracts, human resources, and information technology services; and

—an agile and innovative workforce.

REPROGRAMMING REQUIREMENTS

The conference agreement carries the Department's reprogramming authority in statute to ensure that the Department carries out its programs consistent with congressional direction, as proposed by the House. This modified provision includes reprogramming authority internal to each account, as long as no program, project or activity is increased or decreased by more than $5,000,000 or 10 percent, compared to the levels included in the "Conference" column in the "Department of Energy" table included under the heading "Title III—Department of Energy" in this joint explanatory statement. No new transfer authority between accounts other than that explicitly granted in this Act is included or implied. The conferees expect the Department to use this additional flexibility to improve budget execution, meet emergent program needs, and reduce program costs. For reallocations above the $5,000,000 or 10 percent cumulative threshold, a reprogramming request must be submitted to the House and Senate Committees on Appropriations for consideration and may not be implemented prior to approval by the Committees. Any reallocation of new or prior-year budget authority or prior-year de-obligations, or any request to implement a reorganization which includes moving previous appropriations between appropriations accounts must be submitted to the House and Senate Committees on Appropriations in writing and may not be implemented prior to approval by the Committees.

Definitions.—A reprogramming includes the reallocation of funds from one program, project or activity to another within an appropriation.

The conferees are concerned the Department is over-committing future budgets by announcing multi-year awards subject to future appropriations for a substantial portion of activities within Energy Programs. The Department is directed to transition to a model in which it fully funds multi-year awards with appropriated funds, except in the cases of major capital projects, management and operating contracts, and large research centers which require multi-year awards subject to appropriations. As part of that transition, the conference agreement includes a provision requiring that any multi-year award must be subject to appropriations and the Department must notify the House and Senate Committees on Appropriations at least 14 calendar days prior to public announcement of the award. The Department shall deliver each notification as a cumulative list of all notifications under this subsection, to include: recipient; appropriations account, program, and activity; award date; total amount of award; amount awarded from fiscal year 2012 appropriations; amount awarded from prior appropriations; amount awarded subject to future appropriations; and an explanation of the special circumstances justifying commitment of future funds. The conferees do not include a House provision prohibiting the use of multi-year awards, but will reconsider this legisla-

tive prohibition in future years depending on the Department's performance in transitioning to fully funding its multi-year awards.

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING RESCISSION OF FUNDS)

The conference agreement provides $1,825,000,000 in new budget authority for Energy Efficiency and Renewable Energy, instead of $1,308,436,000 as proposed by the House and $1,795,641,000 as proposed by the Senate, and rescinds $9,909,000 in prior-year balances.

The conference agreement does not include a Senate provision directing energy efficiency rulemakings for televisions and set-top boxes within 12 months of enactment of this Act. The conference agreement does not include a Senate provision regarding the Defense Production Act.

Biomass and Biorefinery Systems Research and Development.—The conferees strongly encourage the Department to conduct only research, development, and demonstration activities advancing technologies that produce fuels and electricity from biomass, crops and crop components that could not otherwise be used as food. To that end, the conferees support efforts to develop cellulosic feedstocks and direct the Department to consider a broad portfolio of options, including biofuels sources such as the non-food components of biomass sorghum.

Within available funds, a total of $30,000,000 is provided for algae biofuels. The conference agreement includes no funds for the cellulosic biofuels reverse auction proposed in the request.

Solar Energy.—The conferees support the Department's existing solar energy research, development, and demonstration activities, and encourage the Department to include in these efforts disruptive solar energy utilization technologies, fabrication methods that yield ultra-low cost solar cells, technologies for ultra-high efficiency solar cells, technologies designed to simulate the operation of solar cells, and other methods to yield advanced science and engineering approaches to solar cells.

Wind Energy.—The conferees support the Department's efforts to develop advanced offshore wind energy technologies, including freshwater, deepwater, shallow water, and transitional depth installations.

Geothermal Technology.—The Geothermal Technology program may not announce new funding opportunities that result in total mortgages on future fiscal years in excess of half of the program's fiscal year 2012 appropriation. Within available funds, the conferees direct the Department to make not less than $5,000,000 available to continue development and deployment of low-temperature geothermal systems. The Department shall continue its support of comprehensive programs that support academic and professional development initiatives. For future awards, the full spectrum of geothermal technologies as authorized by the Energy Independence and Security Act of 2007 (Public Law 110–140) shall be

eligible for the funds appropriated for Geothermal Technology by this Act.

Water Power.—The conference agreement provides $59,000,000 for Water Power, of which $34,000,000 is for marine and hydrokinetic technology research, development and demonstration, and $25,000,000 is for conventional hydropower research, development and demonstration. Within available funds, the Department is directed to provide not less than $10,000,000 to build necessary infrastructure, including environmental performance monitoring, at marine and hydrokinetic industry testing sites designated by the Department as National Marine Renewable Energy Centers.

Vehicle Technologies.—The conference agreement includes $28,244,000 for lightweight materials, to include $4,000,000 for modeling and design for vehicle optimization. The conferees provide $28,000,000 for Vehicle Technologies Deployment, of which $3,000,000 is to commission a National Academies study on electric vehicle market barriers, as directed in the House report.

Building Technologies.—The conference agreement includes $24,300,000 for the Energy Efficient Building Systems Design Energy Innovation Hub, and the House direction for a strategic plan regarding geothermal heat pumps. The conferees provide $25,832,000 for lighting research and development, to include $12,000,000 for research and development into manufacturing improvements for general illumination solid state lighting. The conference agreement includes no funds within Commercial Buildings Integration for new state and municipal government grant programs relating to codes, performance standards and regulations.

Industrial Technologies.—The conference agreement includes $20,000,000 for the Energy Innovation Hub for Critical Materials. Within available funds, the conference agreement includes not less than $4,205,000 for improvements in production in the steel industry, and the Department is directed to continue supporting improvements in mechanical insulation. The Department is directed to continue funding mortgages on all past multi-year awards within the Combined Heat and Power program, unless a project fails to meet milestones or other terms of the award. The conferees provide no funding for Manufacturing Energy Systems.

Strategic Programs.—The Department is directed to only fund activities within the International Program that directly benefit domestic industry, increase American energy self-sufficiency, further United States research efforts, or reduce domestic pollution. Within available funds, the conference agreement includes $2,000,000 for the U.S.-Israel energy cooperative agreement.

Weatherization Assistance.—The conference agreement includes a provision giving the Secretary authority to waive the weatherization formula in order to distribute fiscal year 2012 funds to states, once they have spent all prior-year and emergency funds, at a rate of spending consistent with the fiscal year 2011 level.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

The conference agreement provides $139,500,000 for Electricity Delivery and Energy Reliability, instead of $139,496,000 as proposed by the House and $141,010,000 as proposed by the Senate.

The conferees provide $25,490,000 for Clean Energy Transmission and Reliability, and include no funds for the proposed Smart Grid Technology and Systems Energy Innovation Hub. The conference agreement includes $24,000,000 for Smart Grid Research and Development, $20,000,000 for Energy Storage, and $30,000,000 for Cyber Security for Energy Delivery Systems.

NUCLEAR ENERGY

The conference agreement provides $768,663,000 for nuclear energy activities, instead of $733,633,000 as proposed by the House and $583,834,000 as proposed by the Senate.

The conferees direct the Department to develop a strategy for the management of spent nuclear fuel and other nuclear waste within 6 months of publication of the final report of the Blue Ribbon Commission on America's Nuclear Future.

Nuclear Energy Enabling Technologies.—The conference agreement provides $74,880,000, to include $14,580,000 for the National Science User Facility at Idaho National Laboratory, $24,300,000 for the Modeling and Simulation Energy Innovation Hub, and $36,000,000 for Crosscutting Research.

Small Modular Reactor Licensing Technical Support.—The conference agreement includes $67,000,000 to provide licensing and first-of-a-kind engineering support for small modular reactor designs that can be deployed expeditiously, to be administered as specified in the budget request. The Department is directed to consider applications utilizing any small modular reactor technologies. The conferees expect the program to total $452,000,000 over five years.

Reactor Concepts Research and Development.—The conferees provide $115,544,000, to include $28,674,000 for Small Modular Reactors Advanced Concepts and $21,870,000 for Advanced Reactor Concepts.

The conference agreement includes $25,000,000 for Light Water Reactor Sustainability. Within available funds, the Department is directed to conduct research and development furthering knowledge on how long the current fleet of reactors can safely operate.

The conference agreement includes $40,000,000 for the Next Generation Nuclear Plant program, $30,000,000 of which is to accelerate fuel development and qualification activities and $10,000,000 of which is to continue ongoing research and development projects begun in prior fiscal years.

Fuel Cycle Research and Development.—The conference agreement provides $187,351,000.

The conference agreement includes $60,000,000 for Used Nuclear Fuel Disposition. Within available funds, $10,000,000 is for development and licensing of standardized transportation, aging, and disposition canisters and casks. Multiple geologic repositories will ultimately be required for the long-term disposition of the nation's spent fuel and nuclear waste; the Department should build upon its current knowledge base to fully understand all repository media and storage options and their comparative advantages, and the conferees direct the Department to focus, within available funds, $3,000,000 on development of models for potential partner-

ships to manage spent nuclear fuel and high level waste, and $7,000,000 on characterization of potential geologic repository media. The Department is directed to preserve all documentation relating to Yucca Mountain, including technical information, records, and other documents, as well as scientific data and physical materials.

The conference agreement includes $10,000,000 to expand the Department's capabilities for assessing issues related to the aging and safety of storing spent nuclear fuel, to include experimentation, modeling, and simulation for dry storage casks, as well as for spent fuel pools, as necessary.

The conference agreement includes $59,000,000 for Advanced Fuels, and directs that priority for the increase in funding be given to efforts to develop and qualify meltdown-resistant, accident-tolerant nuclear fuels that would enhance the safety of light water reactors.

Radiological Facilities Management.—The conference agreement provides $64,902,000 for space and defense infrastructure, to include $15,000,000 for nuclear infrastructure at Oak Ridge National Laboratory. The conferees provide no funds for the Plutonium–238 Production Restart Project.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING RESCISSION OF FUNDS)

The conference agreement provides $534,000,000 in new budget authority for Fossil Energy Research and Development, instead of $476,993,000 as proposed by the House and $445,471,000 as proposed by the Senate, and rescinds $187,000,000 in prior-year balances, as proposed by the Senate. The conference agreement does not include the use of prior-year balances, as proposed by the House and the Senate.

CCS and Power Systems.—The conferees provide $368,609,000 for CCS and Power Systems. The conference agreement includes $100,000,000 for Advanced Energy Systems, to include $5,000,000 for Coal and Coal-Biomass to Liquids, and not less than $25,000,000 to continue research, development, and demonstration of solid oxide fuel cell systems.

Within CCS and Power Systems, the conference agreement includes $35,031,000 for NETL Coal Research and Development, to include Integrated Gasification Combined Cycle, Turbines, Carbon Sequestration, Fuels, Fuel Cells, and Advanced Research activities. The reduction in Program Direction funding reflects the relocation of NETL Direct Program Direction into this research line, in order to increase transparency by grouping together all fossil energy research activities and by including only oversight and management activities within Program Direction. The Department is directed to continue including in the budget request all full-time equivalent information within this program line, as it has been doing previously within Program Direction.

Natural Gas Technologies.—The conference agreement provides $15,000,000, of which $10,000,000 is for gas hydrates research.

Other Programs.—Within available funds, the conference agreement includes $2,000,000 for the Department to continue the Risk Based Data Management System.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The conference agreement provides $14,909,000 for the operation of the Naval Petroleum and Oil Shale Reserves as proposed by the House and Senate.

STRATEGIC PETROLEUM RESERVE

The conference agreement provides $192,704,000 for the Strategic Petroleum Reserve as proposed by the House and Senate.

SPR PETROLEUM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

The conference agreement includes a rescission of funds in the amount of $500,000,000 from existing balances within this account, rather than direction included in the House and Senate bills to sell an additional $500,000,000 of Reserves to enable operational maintenance of the caverns. A sale in calendar year 2011 unanticipated by the Administration's fiscal year 2012 budget request provides the necessary flexibility to address the infrastructure needs. The conference agreement includes no repeal or modification of royalty-in-kind provisions, as proposed by the Senate and House, respectively.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

The conference agreement provides $10,119,000 for the Northeast Home Heating Oil Reserve as proposed by the House and Senate. The conference agreement includes a rescission of excess revenues from a sale in fiscal year 2011, valued at approximately $100,000,000, as proposed by the House and Senate. The conference agreement includes a provision proposed by the House affirming the Administration's plans to limit the size of the Reserve to one million barrels of petroleum distillate.

ENERGY INFORMATION ADMINISTRATION

The conference agreement provides $105,000,000 for the Energy Information Administration.

NON-DEFENSE ENVIRONMENTAL CLEANUP

The conference agreement provides $235,721,000 for Non-Defense Environmental Cleanup, instead of $254,121,000 as proposed by the House and $219,121,000 as proposed by the Senate.

Small Sites.—The conference agreement provides $67,430,000 for Small Sites. In response to a lack of progress on addressing existing contamination and seismic deficiencies within buildings that are located in heavily used areas at some Department national laboratories, the Department is directed to use additional funds above

the amount requested to improve health and safety by cleaning up existing contamination and improving the seismic standards of buildings within Department laboratory grounds. The conference agreement directs the Department to provide a report on Small Sites as directed in the House and Senate reports within 3 months of enactment of this Act.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement provides $472,930,000 for activities funded from the Uranium Enrichment Decontamination and Decommissioning Fund, instead of $449,000,000 as proposed by the House and $429,000,000 as proposed by the Senate. This amount includes post closure contract liabilities, pensions, and community and regulatory program support. The conference agreement does not include the House provision restricting the Department's use of up to $150,000,000 in proceeds from the barter, transfer, or sale of uranium to carry out uranium enrichment facility decontamination and decommissioning and remedial actions.

The conferees are aware that the Department has yet to alter the contractual mechanism by which it has been transferring uranium to a contractor in exchange for additional cleanup services at Portsmouth in order to correct the violations of federal law cited in the Government Accountability Office's report "Clarifying DOE's Disposition Options Could Help Avoid Further Legal Violations" (GAO–11–846). This type of arrangement continues to be off-budget and inappropriately bypasses the congressional appropriations process. There is also considerable concern that the increasing amount of uranium being transferred could destabilize the uranium market and thereby adversely impact our domestic uranium mining industry.

The conferees request the Comptroller General to report to the Committees on Appropriations of the House of Representatives and the Senate, not later than March 15, 2012, on the progress the Department has made in resolving the concerns raised in GAO–11–846. To increase transparency into Department of Energy actions, the Department shall fully adhere to the reporting requirements in this Act and have a current determination by the Secretary that any barter, transfer or sale of uranium carried out by the Department will not have an adverse material impact on the domestic uranium mining, conversion, or enrichment industry. The Department is further directed to provide the full details of any proposed barter, transfer or sale of uranium in its fiscal year 2013 budget request.

SCIENCE

The conference agreement provides $4,889,000,000 for Science, instead of $4,800,000,000 as proposed by the House and $4,842,665,000 as proposed by the Senate.

The conference agreement includes the House direction for a report regarding underrepresented college minorities in science, technology, engineering, and mathematics areas.

In order to increase transparency and accountability across all Science activities, the Department is directed, not later than September 1, 2012, to create a performance ranking of all ongoing multi-year research projects across the six major Science research programs, including those at universities, national laboratories, Energy Frontier Research Centers, Energy Innovation Hubs and other recipients, by comparing current performance with original project goals. The report shall include an inventory of the number and dollar amount of awards that have been terminated in fiscal years 2011 and 2012 before their multi-year awards have concluded.

The conferees direct the Department to provide to the House and Senate Committees on Appropriations, not later than February 10, 2012, a budget scenario for fiscal years 2013 and 2014 with the Office of Science funded at the fiscal year 2012 level, highlighting funding levels for each major program and project, including activities, such as ITER, with scheduled changes in funding requirements.

Advanced Scientific Computing Research.—The conferees provide $442,000,000 for Advanced Scientific Computing Research. The conferees support the exascale initiative, but note that future funding for the initiative is contingent upon delivery of the joint exascale plan, as directed. The conferees provide the budget request for the Leadership Computing Facilities and for High Performance Production Computing, in support of continuing petascale upgrades at the three facilities.

Basic Energy Sciences.—The conference agreement provides $1,694,000,000 for Basic Energy Sciences. The conference agreement includes $24,300,000 to continue the Fuels from Sunlight Energy Innovation Hub, and $20,000,000 to establish the Batteries and Energy Storage Energy Innovation Hub. The conference agreement includes up to $100,000,000 for the existing Energy Frontier Research Centers; $10,000,000 for predictive modeling of internal combustion engines; $8,520,000 for the Experimental Program to Stimulate Competitive Research; and no funding for gas hydrates research within the Office of Science.

The conference agreement includes $97,000,000 to fund each major item of equipment at the level provided in the budget request. Funding provided for the Linac Coherent Light Source II at SLAC is for the exploration and design of the two-tunnel option.

Biological and Environmental Research.—The conference agreement provides $611,823,000 for Biological and Environmental Research. Within available funds, the conference agreement includes $12,000,000 to continue nuclear medicine research with human application. The conferees direct the Department to report to the House and Senate Committees on Appropriations, not later than June 1, 2012, on the Administration's strategy to continue funding this research through more appropriate federal agencies with health-focused missions.

Within available funds, $16,000,000 is provided for radiobiology to help determine health risks from exposures to low levels of ionizing radiation to properly protect radiation workers and the general public, and to conduct studies of health impacts at and around the Fukushima Daiichi nuclear plant.

Fusion Energy Sciences.—The conference agreement provides $402,177,000 for Fusion Energy Sciences, of which not more than $105,000,000 is for U.S. Contributions to ITER. The conference agreement includes $24,741,000 for the High Energy Density Laboratory Plasma program, of which $12,000,000 is to be evenly distributed among heavy-ion fusion, laser-driven fusion, and magneto-inertial fusion. The conference agreement includes direction for the submission of a 10-year fusion plan as provided by both the House and Senate.

High Energy Physics.—The conference agreement provides $791,700,000 for High Energy Physics research.

The conferees understand that the United States has unique capabilities to develop a world-leading neutrino science program. To begin the transition to the intensity frontier, the conferees provide $21,000,000 for the Long Baseline Neutrino Experiment, which includes $17,000,000 for research and development and $4,000,000 for project engineering and design. The conferees provide no funding for long-lead procurements or construction activities. The conferees are concerned that this project is not mature enough for construction because a location and technology for the underground detectors has not been selected. Before consideration of congressional approval of construction, the Department is directed to provide to the House and Senate Committees on Appropriations a detailed project plan and refined total cost estimate for construction, not later than April 1, 2012.

Within available funds, the conferees provide $15,000,000 as requested, $10,000,000 within High Energy Physics and $5,000,000 within Nuclear Physics, to support minimal, sustaining operations at the Homestake Mine in South Dakota.

Nuclear Physics.—The conference agreement provides $550,000,000 for Nuclear Physics. Within available funds, the conference agreement includes $22,000,000 for the Facility for Rare Isotope Beams, and $50,000,000 for the 12 GeV upgrade of the Continuous Electron Beam Accelerator Facility.

Workforce Development for Teachers and Scientists.—The conference agreement provides $18,500,000 for Science Workforce Development. Within available funds, up to $5,000,000 is for the graduate fellowship program to fund the existing cohort established in fiscal year 2010.

Science Laboratories Infrastructure.—The conference agreement provides $111,800,000 for Science Laboratories Infrastructure.

Safeguards and Security.—The conference agreement provides $82,000,000 for Safeguards and Security.

Science Program Direction.—The conference agreement provides $185,000,000 for Science Program Direction. No funds shall be used to hire new site office personnel, except for field staff at the Integrated Support Centers in Chicago and Oak Ridge.

NUCLEAR WASTE DISPOSAL

The conference agreement provides $0 for nuclear waste disposal, as proposed by the Senate, instead of $25,000,000 as proposed by the House.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

The conference agreement provides $275,000,000 for the Advanced Research Projects Agency—Energy, of which $20,000,000 is provided for Program Direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

The conference agreement provides $38,000,000 for administrative expenses for the Title 17 Innovative Loan Guarantee Program, as proposed by the House and Senate. This appropriation is fully offset by revenue, resulting in a $0 net appropriation. The conference agreement includes no funding for new loan guarantees, instead of $160,000,000 as proposed by the House and $200,000,000 as proposed by the Senate.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

The conference agreement provides $6,000,000 for Advanced Technology Vehicles Manufacturing Loan Program, as proposed by the House and Senate.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $237,623,000 for Departmental Administration as proposed by the Senate, instead of $63,374,000 as proposed by the House. The conferees provide $1,000,000 within available funds to contract with the National Academy of Public Administration (NAPA) for an independent review of the management and oversight of the Department's national laboratories. NAPA should consider such issues as whether existing laboratory performance metrics for the Department's management and operations contractors measure critical aspects of their performance and how the Department utilizes performance metrics and data. NAPA should coordinate with the GAO and the National Academy of Sciences over the course of its study to prevent duplication of effort by using the results of their studies to the extent that they are available. NAPA should submit a report with its findings, conclusions, and recommendations no later than 9 months after the Department has contracted with NAPA pursuant to this directive.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $42,000,000 for the Office of the Inspector General, instead of $41,774,000 as proposed by the House and Senate.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department of Energy, manages the nation's nuclear weapons programs, nuclear nonproliferation programs, and naval reactors activities.

The conference agreement provides $11,000,000,000 for the National Nuclear Security Administration.

Warhead Life Extensions.—The NNSA is directed to fully adhere to the new reporting requirements for early life extension activities contained in the House report beginning with submission of the fiscal year 2013 budget request, and to the reporting requirement for the B61 Life Extension Program in the Senate report within 3 months of enactment. In lieu of the JASON B61 study directed in the Senate report, if the NNSA's selected option for the B61 Life Extension Program includes any nuclear scope, the JASON group of scientific advisors shall submit an assessment by September 1, 2012, to the House and Senate Committees on Appropriations on the extent to which the nuclear scope is needed to enhance the safety, security, and maintainability of a refurbished B61 and whether changes to the weapon will affect its long-term safety, security, reliability, and military characteristics.

Maintenance and Operations.—The conferees support the guidance in the House and Senate reports to establish standardized direct reporting for facility and infrastructure maintenance costs at each site and to identify separate maintenance funding by site in the fiscal year 2014 budget request for Readiness in Technical Base and Facilities.

Human Capital.—In order to meet human capital requirements for the NNSA sites and to support the NNSA's strategic efforts to strengthen its science, technology, management and engineering base, the NNSA should provide incentives for its management and operations contractors, including those at the production sites, to work with universities and other institutions of higher education,to develop programs that support graduate research assistantships, implement educational programs that meet NNSA technical needs, and implement workforce development initiatives.

WEAPONS ACTIVITIES

The conference agreement provides $7,233,997,000 for Weapons Activities, instead of $7,091,661,000 as proposed by the House and $7,190,000,000 as proposed by the Senate.

Directed Stockpile Work.—The conference agreement provides $1,879,527,000 for Directed Stockpile Work. The NNSA is directed to use $175,000,000 within Stockpile Systems and $64,000,000 within Stockpile Services for surveillance activities. If the NNSA accomplishes the planned scope of surveillance activities more efficiently than estimated, up to 10 percent of the $175,000,000 and $64,000,000 may be reallocated to other activities. The NNSA is directed to provide full funding within amounts provided for Management, Technology, and Production to implement JASON Surety Study recommendations to counter current and future threats to the stockpile. The NNSA is further directed to adhere to the guidance in the Senate report to provide a report on maintaining a pit manufacturing capability to meet stockpile needs to the House and Senate Committees on Appropriations within 3 months of enactment of this Act.

The conference agreement provides $223,562,000 for the B61 Life Extension Program, as requested. Of these funds, $134,137,000 shall not be made available for the B61 Life Exten-

sion Program until the NNSA submits to the House and Senate Committees on Appropriations the outcome of the Phase 6.2/2A design definition and cost study. The conferees remain concerned about the NNSA's ability to execute its planned scope for the B61 under an affordable life extension program that will meet the requirement to refurbish the first unit by 2017.

The conference agreement provides $99,518,000 for W78 Stockpile Systems as proposed by the House, which includes $37,087,000 for a life extension study of the W78 because of delays in commencing the Phase 6.1 study. The conference agreement provides $75,728,000 for W88 Stockpile Systems, which includes $30,000,000 to commence a conceptual study for a minor refurbishment of the W88. The NNSA is directed to maintain separate accounting for the W78 and W88 studies and to identify those costs separately within the budget request for Stockpile Systems.

Campaigns.—The conference agreement provides $1,701,982,000 for the science, technology and engineering campaigns. The conferees provide $476,274,000 for the Inertial Confinement Fusion and High Yield Campaign, which includes $62,500,000 for Omega at the University of Rochester, $48,000,000 for the Z facility at Sandia National Laboratory, and $5,000,000 for the Naval Research Laboratory, as requested.

Readiness in Technical Base and Facilities.—The conference agreement provides $2,009,155,000 for Readiness in Technical Base and Facilities. No funding is provided for Institutional Site Support. Historically, the NNSA has used this funding line to mask underfunding in the request for individual site facility operations. More recently, it has pushed the costs of contractor pensions into this activity. Since the conference agreement fully funds operations and maintenance at each site and separately budgets for legacy pensions, this activity is no longer required. Infrastructure activities that are not site specific, such as headquarters contractor support and assessments, may be funded under Program Readiness.

TRU Waste Facility.—The conferees provide $9,881,000 for Phase A of the TRU Waste Facility project, which consists of site infrastructure preparatory work. No Phase B activities are permitted until a project baseline is completed and provided to the House and Senate Committees on Appropriations.

Chemistry and Metallurgy Research Replacement (CMRR) Project.—The conference agreement provides $200,000,000. No construction activities are funded for the CMRR-Nuclear Facility during fiscal year 2012.

Legacy Contractor Pensions.—The conference agreement provides $168,232,000 for Legacy Contractor Pensions to meet the ongoing costs of the University of California contractor defined benefit pension plans. The NNSA requested these funds within Readiness in Technical Base and Facilities and a separate line is provided to improve transparency.

National Security Applications.—The conference agreement provides $10,000,000, for Advanced Analysis, Tools, and Technologies activities to continue improved support to the intelligence community and to maintain the nuclear technical capabilities for nuclear weapons assessments.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

The conference agreement provides $2,324,303,000 for Defense Nuclear Nonproliferation, instead of $2,091,770,000 as proposed by the House and $2,383,300,000 as proposed by the Senate, and rescinds $21,000,000, as proposed by the Senate.

Nonproliferation and Verification Research and Development.—The conference agreement provides $356,150,000 for Nonproliferation and Verification Research and Development. Within this amount, the conferees provide $132,800,000 for Nuclear Detonation Detection, which includes an additional $5,700,000 above the request for underground, underwater, and atmospheric detonation detection. The request included $55,823,000 for legacy contractor pensions that are provided separately, as well as an additional $15,625,000 above program needs to meet anticipated growth in contractor defined benefit pension plan costs that are no longer needed.

Nonproliferation and International Security.—The conference agreement provides $155,305,000 for Nonproliferation and International Security. Within this amount, the conferees provide $14,972,000 for the Global Initiative for Proliferation Prevention.

Fissile Materials Disposition.—The conference agreement provides $685,386,000 for Fissile Materials Disposition. The conferees provide no construction funding for the Pit Disassembly and Conversion (PDCF) project because the NNSA has not completed a study of alternatives or a conceptual design report with a cost and schedule estimate that is required under Department of Energy guidance. Instead of the Senate requirement for an update of the costs for the PDCF and the MOX Fuel Fabrication Facility, the conferees direct the NNSA to provide a report on the status of plans to provide adequate plutonium feedstock to operate the MOX facility to the House and Senate Committees on Appropriations within 3 months of enactment of this Act. The conferees direct the use of $20,500,000 in prior-year uncommitted balances within U.S. Plutonium Disposition to prepare plutonium feedstock at H-Canyon in fiscal year 2012 and to identify funding for both H-Canyon and ARIES within the fiscal year 2013 budget request.

Global Threat Reduction Initiative.—The conference agreement provides $500,000,000 for the Global Threat Reduction Initiative. The conference agreement does not include House direction which restricts funding for Domestic Radiological Material Removal.

Legacy Contractor Pensions.—The conference agreement provides $55,823,000 for Legacy Contractor Pensions to meet the ongoing costs of the legacy University of California defined benefit pension plans. The NNSA requested these funds within Nonproliferation and Verification Research and Development and a separate line is provided to improve transparency.

Rescission.—The conference agreement rescinds $21,000,000 in prior-year balances and directs their application to meet fiscal year 2012 needs as described above.

NAVAL REACTORS

The conference agreement provides $1,080,000,000 for Naval Reactors, instead of $1,030,600,000 as proposed by the House and $1,100,000,000 as proposed by the Senate. The conference agreement does not include House language directing a transition to budgeting by ship system. Funding for Naval Reactors Operations and Maintenance is provided under the following control points starting in fiscal year 2012, in order to improve the transparency of the major multi-year initiatives and to distinguish the cost of operations and infrastructure from the cost of research and development.

OHIO Replacement Reactor Systems Development.—The conference agreement provides $121,300,000 as requested.

S8G Prototype Refueling.—The conference agreement provides $99,500,000 as requested.

Naval Reactors Development.—The conference agreement provides $421,000,000.

Naval Reactors Operations and Infrastructure.—The conference agreement provides $358,300,000, which includes funding for conceptual design of the Spent Fuel Infrastructure Recapitalization Project at Idaho in order to continue critical path activities.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides $410,000,000 for the Office of the Administrator, instead of $400,000,000 as proposed by the House and $404,000,000 as proposed by the Senate. The conference agreement includes the requested amount of $6,000,000 for Weapons, $3,000,000 for Defense Nuclear Nonproliferation, and $1,000,000 for Naval Reactors to engage Historically Black Colleges and Universities, and further directs the engagement of Hispanic Serving Institutions and minority outreach at other colleges and universities.

The conferees are concerned with overlap and duplication between the NNSA Office of Congressional Affairs, the Department of Energy (DOE) Office of Congressional Affairs, and the DOE Chief Financial Officer's External Coordination office (CFO ExCo). The conferees believe that the CFO ExCo can provide appropriate liaison support to the Committees on Appropriations and that one consolidated Congressional Affairs office can provide adequate support to the rest of the legislative branch. The conferees direct the Department to propose a consolidation of the NNSA Congressional Affairs functions into DOE's CFO ExCo, Office of Congressional Affairs, or a combination of both, within 60 days of enactment of this Act. Such consolidation should provide $1–2 million in budgetary savings.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

The conference agreement provides $5,023,000,000 for the Defense Environmental Cleanup program, instead of $4,937,619,000 as proposed by the House and $5,002,308,000 as proposed by the Senate. Within the amounts provided, the Department is directed

to fund hazardous waste worker training at $10,000,000. The conferees direct the Department to adhere to the House requirement to report all operating projects with a total project cost greater than $10,000,000 no later than 90 days after enactment of this Act.

Hanford Site.—The conference agreement provides $953,252,000 for the Hanford Site, including $19,540,000 for Richland community and regulatory support. Within this amount, funding is provided for the Hazardous Materials Management and Emergency Response facilities. The conferees provide $68,458,000 to accelerate cleanup of the Plutonium Finishing Plant.

Idaho National Laboratory.—The conference agreement provides $386,869,000 for Idaho National Laboratory cleanup activities, including $4,100,000 for Idaho community and regulatory support.

NNSA Sites.—The conference agreement provides $282,393,000 for cleanup activities at NNSA sites, including funding for community and regulatory support. Within this amount, the conferees provide $873,000 for Lawrence Livermore National Laboratory, $65,945,000 for the Nevada Test Site, $3,014,000 for Sandia National Laboratories, $188,561,000 for Los Alamos National Laboratory, and $24,000,000 to stabilize work at the Separations Process Research Unit following damages that resulted from Hurricane Irene.

Oak Ridge Reservation.—The conference agreement provides $199,509,000 for the Oak Ridge Reservation, including $6,409,000 for community and regulatory support.

Office of River Protection.—The conference agreement provides $1,185,000,000 for the Office of River Protection.

Savannah River Site.—The conference agreement provides $1,193,822,000 for cleanup activities at the Savannah River Site, including $9,584,000 for community and regulatory support.

Waste Isolation Pilot Plant.—The conference agreement provides $215,134,000 for the Waste Isolation Pilot Plant. No funding is provided for voluntary payments of economic assistance.

Use of prior-year balances.—The conference agreement directs the use of $3,381,000 in prior-year balances to meet fiscal year 2012 needs as described above.

OTHER DEFENSE ACTIVITIES

The conference agreement provides $823,364,000 for Other Defense Activities, instead of $814,000,000 as proposed by the House and $819,000,000 as proposed by the Senate.

Office of Health, Safety, and Security.—The conference agreement provides $437,436,000 for the Office of Health, Safety, and Security. Within this amount, $186,699,000 is provided for Specialized Security Activities.

POWER MARKETING ADMINISTRATIONS

BONNEVILE POWER ADMINISTRATION FUND

The conference agreement provides no appropriation for the Bonneville Power Administration, which derives its funding from revenues deposited into the Bonneville Power Administration

Fund. The Act includes a provision regarding funds for official reception and representation expenses as proposed by the Senate. The House proposed a similar provision.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

The conference agreement provides a net appropriation of $0 for the Southeastern Power Administration as proposed by the House and Senate. An additional $1,000,000 is recorded separately as a scorekeeping adjustment.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

The conference agreement provides a net appropriation of $11,892,000 for the Southwestern Power Administration, as proposed by the House and Senate.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

The conference agreement provides a net appropriation of $95,968,000 for the Western Area Power Administration, as proposed by the House and Senate. An additional $3,000,000 is recorded separately as a scorekeeping adjustment.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

The conference agreement provides a net appropriation of $220,000 for the Falcon and Amistad Operating and Maintenance Fund, as proposed by the House and Senate. An additional $1,000,000 is recorded separately as a scorekeeping adjustment.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $304,600,000 for the Federal Energy Regulatory Commission (FERC), as proposed by the House and Senate. Revenues for FERC are set to an amount equal to the budget authority, resulting in a net appropriation of $0. The Act does not include language proposed by the Senate directing a rulemaking.

The conferees are aware of significant local concerns with the process for developing, reviewing and approving shoreline management plans at Smith Mountain Lake and Lake of the Ozarks. As the licensees develop and FERC reviews and approves shoreline management plans, both parties must not only ensure the continued unimpeded operation of the project, but also recognize the rights and concerns of private property owners and local communities. The parties should develop innovative and mutually agreeable solutions to resolve conflicts among project purposes and private property, which should be implemented without delay. The conferees note that several options already exist for resolving such conflicts—such as realigning project boundaries, grandfathering non-conforming structures, or conveying the disputed property—

and that the removal of private structures should only be required, if at all, when all other options are inadequate. The conferees direct FERC to review the shoreline management plan process to identify any improvements that could be made to address local concerns at each stage of the process and to submit to the appropriate congressional committees a report detailing any administrative changes to be undertaken as well as any recommended legislative changes that may be necessary.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

The conference agreement includes a modification to the House provision regarding reprogramming of funds. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House regarding workforce restructuring. The Senate proposed no similar provision. The conferees expect the Department to continue to follow the guidelines established by this provision.

The conference agreement includes a provision proposed by the House and Senate relating to unexpended balances.

The conference agreement includes a provision proposed by the Senate specifically authorizing intelligence activities pending enactment of the fiscal year 2012 Intelligence Authorization Act. The House proposed a similar provision.

The conference agreement does not include a House provision regarding Bonneville Power Administration energy efficiency services, although the conferees expect the BPA to continue to follow the guidelines established by that provision. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the Senate relating to a future-years energy program. The House proposed no similar provision.

The conference agreement does not include a provision proposed by the House and Senate directing the governance of user facilities. The conferees expect the Department to continue to follow the guidelines established by this provision.

The conference agreement includes a provision proposed by the Senate relating to loan guarantee co-pay. The House proposed no similar provision.

The conference agreement does not include a provision proposed by the House that establishes certain limitations and requirements with respect to the transfer of funds by the Secretary of Energy to reimburse the costs of defined benefits pension plans for contractor employees. This provision is now contained in current law. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the House establishing estimated cost parameters for plant and construction activities for the purposes of sections 4703 and 4704 of the Atomic Energy Defense Act.

The conference agreement modifies a provision proposed by the Senate relating to the minor construction threshold for the Bonne-

ville Power Administration. The House proposed no similar provision.

The conference agreement includes a provision proposed by the House that prohibits the use of funds in this title for capital construction of high hazard nuclear facilities, unless certain independent oversight is conducted. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the Senate relating to the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund. The House proposed no similar provision.

The conference agreement modifies a provision proposed by the Senate related to contractor pay freeze. The House proposed no similar provision.

The conference agreement includes a provision proposed by the House that prohibits the use of funds to approve critical decision-2 or critical decision-3 for certain construction projects, unless a separate independent cost estimate has been developed for that critical decision.

The conference agreement modifies a provision proposed by the House that establishes certain notification requirements that must be fulfilled before any funds may be used to make certain awards, allocations, agreements, or public announcements. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the Senate relating to the barter of uranium. The House proposed no similar provision.

The conference agreement does not include a provision relating to loan guarantee notifications. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the House regarding the weatherization program eligibility cap. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the Senate on lighting standards. The House proposed no similar provision.

The conference agreement includes a provision proposed by the House prohibiting funds to implement or enforce higher efficiency light bulb standards. The Senate proposed no similar provision.

The conference agreement modifies a provision proposed by the Senate relating to the third-party use of metering stations for the Strategic Petroleum Reserve. The House proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to significant regulatory actions. The Senate proposed no similar provision.

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
ENERGY PROGRAMS		
ENERGY EFFICIENCY AND RENEWABLE ENERGY		
Energy Efficiency and Renewable Energy RDD&D:		
Hydrogen and fuel cell technologies	100,450	104,000
Biomass and Biorefinery Systems R&D	340,500	200,000
Solar energy	457,000	290,000
Wind energy	126,859	93,593
Geothermal technology	101,535	38,000
Water Power	38,500	59,000
Vehicle technologies	588,003	330,000
Building technologies	470,700	220,000
Industrial technologies	319,784	116,000
Federal energy management program	33,072	30,000
Facilities and infrastructure:		
National Renewable Energy Laboratory (NREL)	26,407	26,407
Construction:		
08-EE-01 Energy systems integration facility National Renewal Energy Lab, Golden, Co	---	---
Subtotal, Facilities and infrastructure	26,407	26,407
Program direction	176,605	165,000
Program support	---	---
Strategic programs	53,204	25,000
Subtotal, Energy Efficiency and Renewable Energy RDD&D	2,832,619	1,697,000
Weatherization and intragovernmental:		
Weatherization:		
Weatherization assistance	220,000	65,000
Training and technical assistance	3,000	3,000
Innovations in weatherization	97,000	---
Subtotal	320,000	68,000
Other:		
State energy program grants	63,798	50,000
Tribal energy activities	10,000	10,000
Subtotal	73,798	60,000
Subtotal, Weatherization and intragovernmental	393,798	128,000
Floor amendments	---	---
Subtotal, Energy efficiency and renewable energy	3,226,417	1,825,000
Use of prior year balances	-26,364	---
Rescission	---	-9,909
TOTAL, ENERGY EFFICENCY AND RENEWABLE ENERGY	3,200,053	1,815,091
ELECTRICITY DELIVERY AND ENERGY RELIABILITY		
Research and development:		
Clean energy transmission and reliability	60,817	25,490
Smart grid research and development	45,000	24,000
Energy storage	57,000	20,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Cyber security for energy delivery systems	30,000	30,000
Subtotal	192,817	99,490
Permitting, siting and analysis	8,000	7,000
Infrastructure security and energy restoration	6,187	6,000
Program direction	31,217	27,010
Use of prior year balances	-504	---
Rescission	---	---
TOTAL, ELECTRICITY DELIVERY AND ENERGY RELIABILITY	237,717	139,500

NUCLEAR ENERGY

Research and development:		
Nuclear energy enabling technologies	97,364	74,880
Integrated university program	---	5,000
Small modular reactor licensing technical support	67,000	67,000
Reactor concepts RD&D	125,000	115,544
Fuel cycle research and development	155,010	187,351
International nuclear energy cooperation	3,000	3,000
Subtotal	447,374	452,775
Infrastructure:		
Radiological facilities management:		
Space and defense infrastructure	49,902	64,902
Research reactor infrastructure	4,986	4,986
PU-238 production restart project	10,000	---
Subtotal	64,888	69,888
INL facilities management:		
INL Operations and infrastructure	150,000	155,000
Subtotal, Infrastructure	214,888	224,888
Program direction	93,133	91,000
Subtotal, Nuclear Energy	755,395	768,663
Use of prior year balances	-1,367	---
Rescission	---	---
TOTAL, NUCLEAR ENERGY	754,028	768,663

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

CCS and power systems:		
Carbon capture	68,938	68,938
Carbon storage	115,477	115,477
Advanced energy systems	64,193	100,000
Cross cutting research	42,750	49,163
NETL Coal Research and Development	---	35,031
Subtotal, CCS and power systems	291,358	368,609
Fuels and Power Systems:		
Innovations for existing plants	---	---
Advanced integrated gasification combined cycle	---	---
Advanced turbines	---	---
Carbon sequestration	---	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Fuels	---	---
Fuel cells	---	---
Advanced research	---	---
Subtotal, Fuels and power systems	---	---
Natural Gas Technologies	---	15,000
Unconventional fossil energy technologies from Petroleum - oil technologies	---	5,000
Program direction	159,233	120,000
Plant and Capital Equipment	16,794	16,794
Fossil energy environmental restoration	7,897	7,897
Special recruitment programs	700	700
Cooperative research and development	---	---
Subtotal, Fossil Energy Research and Development	475,982	534,000
Use of prior year balances	-23,007	---
Rescission	---	-187,000
TOTAL, FOSSIL ENERGY RESEARCH AND DEVELOPMENT	452,975	347,000
NAVAL PETROLEUM AND OIL SHALE RESERVES		
Naval Petroleum and Oil Shale Reserves	14,909	14,909
Rescission	---	---
TOTAL, NAVAL PETROLEUM AND OIL SHALE RESERVES	14,909	14,909
STRATEGIC PETROLEUM RESERVE		
Strategic Petroleum Reserve	192,704	192,704
Storage facilities development	---	---
Management for SPR operations	---	---
Rescission	-71,000	---
TOTAL, STRATEGIC PETROLEUM RESERVE	121,704	192,704
SPR PETROLEUM ACCOUNT		
SPR PETROLEUM ACCOUNT	-250,000	---
Rescission	---	-500,000
TOTAL, SPR PETROLEUM ACCOUNT	-250,000	-500,000
NORTHEAST HOME HEATING OIL RESERVE		
Northeast Home Heating Oil Reserve	10,119	10,119
Rescission	-100,000	-100,000
TOTAL, NORTHEAST HOME HEATING OIL RESERVE	-89,881	-89,881
ENERGY INFORMATION ADMINISTRATION		
Energy Information Administration	123,957	105,000
Rescission	---	---
TOTAL, ENERGY INFORMATION ADMINISTRATION	123,957	105,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
NON-DEFENSE ENVIRONMENTAL CLEANUP		
Fast Flux Test Reactor Facility (WA)	2,703	2,703
Gaseous Diffusion Plants	100,588	100,588
Small sites	57,430	67,430
West Valley Demonstration Project	58,400	65,000
Floor amendment	---	---
Rescission	---	---
TOTAL, NON-DEFENSE ENVIRONMENTAL CLEANUP	219,121	235,721
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
Oak Ridge	182,747	200,856
Paducah	77,780	81,807
Portsmouth	243,642	190,267
Rescission	---	---
TOTAL, UED&D FUND/URANIUM INVENTORY CLEANUP	504,169	472,930
SCIENCE		
Advanced scientific computing research	465,600	442,000
Basic energy sciences:		
Research	1,833,600	1,542,600
Construction:		
07-SC-06 Project engineering and design (PED) National Synchrotron light source II (NSLS-II)	151,400	151,400
Subtotal, Basic energy sciences	1,985,000	1,694,000
Biological and environmental research:		
Biological systems science	376,262	---
Climate and environmental sciences	341,638	---
Research	---	611,823
Subtotal, Biological and environmental research	717,900	611,823
Fusion energy sciences program	399,700	402,177
High energy physics:		
Research	756,200	763,700
Construction:		
11-SC-40 Project engineering and design (PED) long baseline neutrino experiment, FNAL	17,000	4,000
11-SC-41 Project engineering and design (PED) muon to electron conversion experiment, FNAL	24,000	24,000
Subtotal	41,000	28,000
Subtotal, High energy physics	797,200	791,700
Nuclear physics:		
Operations and maintenance	539,300	500,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Construction:		
06-SC-01 Project engineering and design (PED) 12 GeV continuous electron beam accelerator facility upgrade, Thomas Jefferson National Accelerator facility (was project 07-SC-001), Newport News, VA	66,000	50,000
Subtotal, Nuclear physics	605,300	550,000
Workforce development for teachers and scientists	35,600	18,500
Science laboratories infrastructure:		
Infrastructure support:		
Payment in lieu of taxes	1,385	1,385
Excess facility disposal	---	---
Oak Ridge landlord	5,493	5,493
Subtotal	6,878	6,878
Construction:		
11-SC-71 Utility infrastructure modernization at TJNAF	---	---
12-SC-70 Science and user support building,SLAC	12,086	12,086
10-SC-70 Research support building and infrastructure modernization, SLAC	12,024	12,024
10-SC-71 Energy sciences building, ANL	40,000	40,000
10-SC-72 Renovate science laboratory, Phase II, BNL	15,500	15,500
09-SC-72 Seismic life-safety, modernization and replacement of general purpose buildings Phase 2, PED/Construction, LBNL	12,975	12,975
09-SC-74, Technology and engineering development facilities PED, TJNAF	12,337	12,337
Subtotal	104,922	104,922
Subtotal, Science laboratories infrastructure	111,800	111,800
Safeguards and security	83,900	82,000
Science program direction:		
Science program direction	216,863	185,000
Headquarters	---	---
Office of Science and Technical Information	---	---
Field offices	---	---
Subtotal, Science program direction	216,863	185,000
Subtotal, Science	5,418,863	4,889,000
Rescission	---	---
Use of prior year balances	-2,749	---
TOTAL, SCIENCE	5,416,114	4,889,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
ADVANCED RESEARCH PROJECTS AGENCY-ENERGY		
ARPA-E projects	521,943	255,000
Program direction	28,068	20,000
Undistributed funds	---	---
Floor amendment	---	---
TOTAL, ADVANCED RESEARCH PROJECTS AGENCY-ENERGY	550,011	275,000
TITLE 17 - INNOVATIVE TECHNOLOGY LOAN GUARANTEE PGM		
Administrative expenses	38,000	38,000
Offsetting collection	-38,000	-38,000
Loan volume rescission	---	---
Additional loan volume	360,000	---
Fed participation in Title 17 loan guarantee projects	500,000	---
Additional subsidy cost	200,000	---
TOTAL, TITLE 17 - INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM	1,060,000	---
ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PGM		
Administrative expenses	6,000	6,000
BETTER BUILDINGS PILOT LOAN GUARANTEE INITIATIVE		
Cost of loan guarantees	100,000	---
Administrative costs	5,000	---
TOTAL, BETTER BUILDINGS PILOT LOAN INITIATIVE	105,000	---
DEPARTMENTAL ADMINISTRATION		
Administrative operations:		
Salaries and expenses:		
Office of the Secretary:		
Program direction	5,030	5,030
Chief Financial Officer	53,204	53,204
Management	62,693	62,693
Human capital management	23,089	23,089
Chief Information Officer	36,615	36,615
Congressional and intergovernmental affairs:		
Program direction	4,690	4,690
Subtotal, Congressional and intergovernmental affairs	4,690	4,690
Economic impact and diversity	5,660	5,660
General Counsel	34,642	33,053
Policy and international affairs	22,429	20,518
Public affairs	3,801	3,801
Office of Indian energy policy and programs	1,500	2,000
Subtotal, Salaries and expenses	253,353	250,353
Program support:		
Minority economic impact	1,813	1,813

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Policy analysis and system studies	441	441
Environmental policy studies	520	520
Climate change technology program (prog. supp)	5,482	5,482
Cybersecurity and secure communications	21,934	21,934
Corporate management information program	---	---
Corporate IT program support (CIO)	27,379	27,379
Energy information technology services	---	---
Subtotal, Program support	57,569	57,569
Subtotal, Administrative operations	310,922	307,922
Cost of work for others	48,537	48,537
Floor amendments	---	---
Subtotal, Departmental administration	359,459	356,459
Funding from other defense activities	-118,836	-118,836
Total, Departmental administration (gross)	240,623	237,623
Rescission	---	---
Miscellaneous revenues	-111,883	-111,623
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	128,740	126,000
OFFICE OF THE INSPECTOR GENERAL	41,774	42,000
TOTAL, ENERGY PROGRAMS	12,596,391	8,839,637

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

Directed stockpile work:		
Life extension program:		
B61 Life extension program	223,562	223,562
W76 Life extension program	257,035	257,035
Subtotal	480,597	480,597
Stockpile systems:		
B61 Stockpile systems	72,396	72,396
W76 Stockpile systems	63,383	63,383
W78 Stockpile systems	109,518	99,518
W80 Stockpile systems	44,444	44,444
B83 Stockpile systems	48,215	48,215
W87 Stockpile systems	83,943	83,943
W88 Stockpile systems	75,728	75,728
Subtotal	497,627	487,627
Weapons dismantlement and disposition:		
Operations and maintenance	56,770	56,770
Stockpile services:		
Production support	354,502	330,000
Research and development support	30,264	30,264
R and D certification and safety	190,892	165,569

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Management, technology, and production	198,700	188,700
Plutonium sustainment	154,231	140,000
Subtotal	928,589	854,533
Subtotal, Directed stockpile work	1,963,583	1,879,527
Campaigns:		
Science campaign:		
Advanced certification	94,929	40,000
Primary assessment technologies	86,055	86,055
Dynamic materials properties	111,836	96,984
Advanced radiography	27,058	26,000
Secondary assessment technologies	86,061	85,000
Subtotal	405,939	334,039
Engineering campaign:		
Enhanced surety	41,696	41,696
Weapons system engineering assessment technology	15,663	15,663
Nuclear survivability	19,545	19,545
Enhanced surveillance	66,174	66,174
Subtotal	143,078	143,078
Inertial confinement fusion ignition and high yield campaign:		
Ignition	109,888	109,888
NIF diagnostics, cryogenics and experimental support	86,259	86,259
Pulsed power inertial confinement fusion	4,997	4,997
Joint program in high energy density laboratory plasmas	9,100	9,100
Facility operations and target production	266,030	266,030
Subtotal	476,274	476,274
Advanced simulation and computing	628,945	620,000
Readiness campaign:		
Stockpile readiness	---	---
High explosives and weapon operations	---	---
Nonnuclear readiness	65,000	65,000
Tritium readiness	77,491	63,591
Advanced design and production technologies	---	---
Subtotal	142,491	128,591
Subtotal, Campaigns	1,796,727	1,701,982
Readiness in technical base and facilities (RTBF):		
Operations of facilities:		
Kansas City Plant	156,217	156,217
Lawrence Livermore National Laboratory	83,990	83,990
Los Alamos National Laboratory	318,526	318,526
Nevada Test Site	97,559	97,559
Pantex	164,848	164,848
Sandia National Laboratory	120,708	120,708
Savannah River Site	97,767	97,767
Y-12 Productions Plant	246,001	246,001
Institutional Site Support	199,638	---
Operations of facilities	---	---
Subtotal	1,485,254	1,285,616
Program readiness	74,180	74,180

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Material recycle and recovery	85,939	78,000
Containers	28,979	28,979
Storage	31,272	31,272
Construction:		
12-D-301 TRU waste facility project, LANL	9,881	9,881
11-D-801 TA-55 Reinvestment project II, LANL	19,402	10,000
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, TN	35,387	35,387
09-D-404, Test capabilities revitalization II, Sandia National Laboratory, Albuquerque, NM	25,168	25,168
08-D-802 High explosive pressing facility Pantex Plant, Amarillo, TX	66,960	66,960
07-D-140 Project engineering and design (PED), various locations	3,518	3,518
06-D-140 Project engineering and design (PED), various locations	---	---
06-D-141 Project engineering and design (PED), Y-12 Uranium Processing Facility, Oak Ridge,TN	160,194	160,194
04-D-125 Chemistry and metallurgy replacement project, Los Alamos National Laboratory, Los Alamos, NM	300,000	200,000
Subtotal	620,510	511,108
Subtotal, Readiness in technical base and facilities	2,326,134	2,009,155
Secure transportation asset:		
Operations and equipment	149,274	145,274
Program direction	101,998	98,002
Subtotal	251,272	243,276
Nuclear counterterrorism incident response	222,147	222,147
Facilities and infrastructure recapitalization pgm	96,380	96,380
Site stewardship:		
Site stewardship	104,002	78,680
Construction:		
11-D-601 Sanitary effluent reclamation facility LANL	---	---
Subtotal, Site stewardship	104,002	78,680
Safeguards and security:		
Defense nuclear security	711,105	686,252
Construction:		
08-D-701 Nuclear materials S&S upgrade project Los Alamos National Laboratory	11,752	11,752
Subtotal, Defense nuclear security	722,857	698,004
Cybersecurity	126,614	126,614
Total, Safeguards and security	849,471	824,618
Legacy contractor pensions	---	168,232
Science, technology and engineering capability	---	---
National security applications	20,000	10,000
Rescission	-40,332	---
TOTAL, WEAPONS ACTIVITIES	7,589,384	7,233,997

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D	417,598	356,150
Nonproliferation and international security	161,833	155,305
International nuclear materials protection and cooperation	571,639	571,639
Fissile materials disposition:		
U.S. plutonium disposition	274,790	205,632
U.S. uranium disposition	26,435	26,000
Construction:		
MOX fuel fabrication facilities:		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	385,172	435,172
99-D-141-01 Pit disassembly and conversion facility, Savannah River, SC	176,000	---
99-D-141-02 Waste solidification building, Savannah River, SC	17,582	17,582
Subtotal, Construction	578,754	452,754
Subtotal, U.S. fissile materials disposition	879,979	684,386
Russian surplus materials disposition	10,174	1,000
Total, Fissile materials disposition	890,153	685,386
Global threat reduction initiative	508,269	500,000
Floor amendment	---	---
Legacy contractor pensions	---	55,823
Subtotal, Defense Nuclear Nonproliferation	2,549,492	2,324,303
Rescission	-30,000	-21,000
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	2,519,492	2,303,303
NAVAL REACTORS		
Naval reactors development	1,069,262	421,000
OHIO replacement reactor systems development	---	121,300
S8G Prototype refueling	---	99,500
Naval reactors operations and infrastructure	---	358,300
Construction:		
10-D-903, Security upgrades, KAPL	100	100
10-D-904, NRF infrastructure upgrades, Idaho	12,000	12,000
09-D-902, NRF Office Bldg #2 ECC upgrade, Idaho	---	---
08-D-190, Project engineering and design, Expanded Core Facility M-290 recovering discharge station, Naval Reactor Facility, ID	27,800	27,800
07-D-190, Materials research tech complex (MRTC)	---	---
Subtotal, Construction	39,900	39,900
Program direction	44,500	40,000
Rescission	---	---
TOTAL, NAVAL REACTORS	1,153,662	1,080,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator	450,060	410,000
Rescission	---	---
Floor amendment	---	---
TOTAL, OFFICE OF THE ADMINISTRATOR	450,060	410,000
GENERAL PROVISIONS		
Section 309 - Contractor Pay Freeze:		
Security (rescission)	---	-27,300
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	11,712,598	11,000,000
DEFENSE ENVIRONMENTAL CLEANUP		
Closure Sites:		
Closure sites administration	---	---
Closure sites	5,375	5,375
Total, Closure sites	5,375	5,375
Hanford Site:		
Central plateau remediation:		
Central plateau remediation	---	546,890
Nuclear material stabilization and disposition PFP	48,458	---
Solid waste stabilization and disposition 2035	143,897	---
Soil and water remediation - groundwater vadose zone 2035	222,285	---
SNF stabilization and disposition	112,250	---
Subtotal, Central plateau remediation	526,890	546,890
River corridor and other cleanup operations:		
River corridor and other cleanup operations	---	386,822
Nuclear facility D&D river corridor closure project	330,534	---
Nuclear facility D&D - remainder of Hanford 2035	56,288	---
Subtotal, River corridor and other cleanup operations	386,822	386,822
Richland community and regulatory support	---	19,540
Total, Hanford Site	913,712	953,252
Idaho National Laboratory:		
Idaho cleanup and waste disposition	---	382,769
SNF stabilization and disposition - 2012	20,114	---
Solid waste stabilization and disposition	165,035	---
Radioactive liquid tank waste stabilization and disposition	110,169	---
06-D-401, Sodium bearing waste treatment project	---	---
Soil and water remediation - 2012	87,451	---
Idaho community and regulatory support	---	4,100
Total, Idaho National Laboratory	382,769	386,869
NNSA:		
NNSA sites and Nevada off-sites	---	282,393
Lawrence Livermore National Laboratory	873	---
NNSA Service Center/SPRU	1,500	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Nevada	63,380	---
California site support	---	---
Los Alamos National Laboratory	357,939	---
Sandia national Laboratory	---	---
Total, NNSA sites and Nevada off-sites	423,692	282,393
Oak Ridge Reservation:		
Building 3019	---	37,000
OR Nuclear facility D&D	---	69,100
Nuclear facility D&D ORNL	44,000	---
Nuclear facility D&D Y-12	30,000	---
Nuclear facility D&D, E. Tenn. Technology Park	100	---
OR cleanup and disposition	---	87,000
Soil and water remediation--offsites	3,000	---
Solid waste stabilization and disposition- 2012	99,000	---
OR reservation community & regulatory support	---	6,409
Total, Oak Ridge Reservation	176,100	199,509
Office of River Protection:		
Waste Treatment & Immobilization Plant:		
Waste treatment & immobilization plant 01-D-16 A-D	363,000	430,000
Waste treatment & immobilization plant 01-D-16 E	477,000	310,000
Subtotal, Waste Treatment and Immobilation Plant	840,000	740,000
Tank Farm activities:		
Rad liquid tank waste stabilization and disposition	521,391	445,000
Total, Office of River Protection	1,361,391	1,185,000
Savannah River site:		
Savannah River community and regulatory support	---	9,584
SR site risk management operations	---	343,586
NM stabilization and disposition	235,000	---
SNF stabilization and disposition	40,137	---
Solid waste stabilization and disposition	30,040	---
Soil and water remediation	38,409	---
Subtotal, Site risk management operations	343,586	343,586
Radioactive liquid tank waste:	---	---
Radioactive liquid tank waste stabilization and disposition	710,487	667,081
Construction:		
05-D-405 Salt waste processing facility, Savannah River	170,071	170,071
PE&D Glass Waste Storage Bldg #3	---	3,500
Subtotal, Radioactive liquid tank waste	880,558	840,652
Total, Savannah River site	1,224,144	1,193,822
Waste Isolation Pilot Plant:		
Waste Isolation Pilot Plant	---	215,134
Operate WIPP	147,136	---
Central characterization project	23,975	---
Transportation	29,044	---
Community and regulatory support	28,771	---
Subtotal, WIPP	228,926	215,134

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Program direction	321,628	321,628
Program support	---	20,380
Community, regulatory and program support	91,279	---
Safeguards and Security	248,826	252,019
Technology development	32,320	11,000
Uranium enrichment D&D fund contribution	---	---
Subtotal, Defense Environmental Clean up	5,410,162	5,026,381
Use of prior year balances	-3,381	-3,381
Rescission	---	---
TOTAL, DEFENSE ENVIRONMENTAL CLEAN UP	5,406,781	5,023,000
OTHER DEFENSE ACTIVITIES		
Health, safety and security:		
Health, safety and security	349,445	335,436
Program direction	107,037	102,000
Total, Health, safety and security	456,482	437,436
Office of Legacy Management:		
Legacy management	157,514	157,514
Program direction	12,586	12,086
Total, Office of Legacy Management	170,100	169,600
Idaho sitewide safeguards and security	98,500	93,350
Defense related administrative support	118,836	118,836
Office of hearings and appeals	4,142	4,142
Acquisition workforce improvement	11,892	---
Subtotal, Other Defense Activities	859,952	823,364
Rescission	---	---
TOTAL, OTHER DEFENSE ACTIVITIES	859,952	823,364
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	17,979,331	16,846,364
POWER MARKETING ADMINISTRATIONS (1)		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance:		
Purchase power and wheeling	114,870	114,870
Program direction	8,428	8,428
Subtotal, Operation and maintenance	123,298	123,298
Less alternative financing (PPW)	-14,708	-14,708
Offsetting collections	-108,590	-108,590
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	---	---
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance:		
Operating expenses	14,346	14,346
Purchase power and wheeling	50,000	50,000
Program direction	31,889	31,889

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Construction	10,772	10,772
Subtotal, Operation and maintenance	107,007	107,007
Less alternative financing	-21,997	-21,997
Offsetting collections	-73,118	-73,118
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	11,892	11,892
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance:		
Construction and rehabilitation	110,449	110,449
Operation and maintenance	72,863	72,863
Purchase power and wheeling	471,535	471,535
Program direction	205,247	205,247
Utah mitigation and conservation	3,375	3,375
Subtotal, Operation and maintenance	863,469	863,469
Less alternative financing	-266,207	-266,207
Offsetting collections (P.L. 108-477, P.L. 109-103)	-306,541	-306,541
Offsetting collections (P.L. 98-381)	-4,821	-4,821
Offsetting collections (for program direction)	-156,609	-156,609
Offsetting collections (for O&M)	-33,323	-33,323
Offsetting collections (for program direction, O&M)	---	---
TOTAL, WESTERN AREA POWER ADMINISTRATION	95,968	95,968
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance	4,169	4,169
Offsetting collections	-3,949	-3,949
TOTAL, FALCON AND AMISTAD O&M FUND	220	220
TOTAL, POWER MARKETING ADMINISTRATIONS	108,080	108,080
FEDERAL ENERGY REGULATORY COMMISSION		
Federal Energy Regulatory Commission	304,600	304,600
FERC revenues	-304,600	-304,600
GENERAL PROVISIONS		
Section 309 - Contractor Pay Freeze:		
Non-Security (rescission)	---	-46,000
GRAND TOTAL, DEPARTMENT OF ENERGY	30,683,802	25,748,081
(Total amount appropriated)	(30,925,134)	(26,639,290)
(Rescissions)	(-241,332)	(-891,209)

SUMMARY OF ACCOUNTS

Energy efficiency and renewable energy	3,200,053	1,815,091
Electricity delivery and energy reliability	237,717	139,500
Nuclear energy	754,028	768,663
Fossil Energy Research and Development	452,975	347,000
Naval Petroleum & Oil Shale Reserves	14,909	14,909
Strategic petroleum reserves	121,704	192,704
SPR Petroleum Account	-250,000	-500,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Northeast home heating oil reserve	-89,881	-89,881
Energy Information Administration	123,957	105,000
Non-Defense Environmental Cleanup	219,121	235,721
Uranium enrichment D&D fund	504,169	472,930
Science	5,416,114	4,889,000
Advanced Research Projects Agency-Energy	550,011	275,000
Innovative technology loan guarantee program	1,060,000	---
Advanced technology vehicles manufacturing loan pgm	6,000	6,000
Better buildings program	105,000	---
Departmental administration	128,740	126,000
Office of the Inspector General	41,774	42,000
Atomic energy defense activities:		
National Nuclear Security Administration:		
Weapons activities	7,589,384	7,233,997
Defense nuclear nonproliferation	2,519,492	2,303,303
Naval reactors	1,153,662	1,080,000
Office of the Administrator	450,060	410,000
Section 309- Contractor pay freeze	---	-27,300
Subtotal, National Nuclear Security Admin	11,712,598	11,000,000
Defense environmental cleanup	5,406,781	5,023,000
Other defense activities	859,952	823,364
Total, Atomic energy defense activities	17,979,331	16,846,364
Power marketing administrations (1):		
Southeastern Power Administration	---	---
Southwestern Power Administration	11,892	11,892
Western Area Power Administration	95,968	95,968
Falcon and Amistad operating and maintenance fund	220	220
Total, Power marketing administrations	108,080	108,080
Federal Energy Regulatory Commission:		
Salaries and expenses	304,600	304,600
Revenues	-304,600	-304,600
Section 309- Contractor pay freeze	---	-46,000
Total Summary of Accounts, Department of Energy	30,683,802	25,748,081
FUNCTION RECAP:		
DEFENSE	17,730,505	16,538,522
NON-DEFENSE	12,953,297	9,209,559
Environmental management	(6,130,071)	(5,731,651)
DEFENSE RELATED	(5,406,781)	(5,023,000)
NON-DEFENSE	(723,290)	(708,651)

(1) Totals include alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals reflect funds collected for annual expenses, including power purchase and wheeling.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement provides $68,263,000 for the Appalachian Regional Commission, instead of $68,400,000 as proposed by the House and $58,024,000 as proposed by the Senate.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

The conference agreement provides $29,130,000 for the Defense Nuclear Facilities Safety Board, as proposed by the House and Senate. The conferees direct the Board to enter into an agreement for fiscal years 2012 and 2013 with the Office of Inspector General for the Nuclear Regulatory Commission. The conferees direct the Board to enter into an enduring procurement with a provider of inspector general services thereafter.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

The conference agreement provides $11,677,000 for the Delta Regional Authority, instead of $11,700,000 as proposed by the House and $9,925,000 as proposed by the Senate.

DENALI COMMISSION

The conference agreement provides $10,679,000 for the Denali Commission, instead of $10,700,000 as proposed by the House and $9,077,000 as proposed by the Senate.

NORTHERN BORDER REGIONAL COMMISSION

The conference agreement provides $1,497,000 for the Northern Border Regional Commission, instead of $1,350,000 as proposed by the House and $1,275,000 as proposed by the Senate.

SOUTHEAST CRESCENT REGIONAL COMMISSION

The conference agreement provides $250,000 for the Southeast Crescent Regional Commission, as proposed by the House, instead of $213,000 as proposed by the Senate.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $1,027,240,000 for the Nuclear Regulatory Commission (NRC) salaries and expenses, as proposed by the Senate, instead of $1,037,240,000 as proposed by the House. This amount is offset by estimated revenues of $899,726,000, resulting in a net appropriation of $127,514,000. The fee recovery is consistent with that authorized by section 637 of the Energy Policy Act of 2005. The conference agreement does not include $20,000,000 to be made available from the Nuclear Waste

Fund to support the geological repository for nuclear fuel and waste, as proposed by the House. The Senate proposed no similar provision.

The conference agreement includes a National Academy of Sciences study of the lessons learned from the events at the Fukushima nuclear plant, as proposed by the Senate. The Commission is directed to transfer $2,000,000 to the National Academy of Sciences for this study within 30 days of enactment of this Act.

The conference agreement includes $15,000,000, as proposed by the House, to support university education programs relevant to the NRC mission, of which not less than $5,000,000 is for grants to support research projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

The conferees recognize the progress that the Nuclear Regulatory Commission has made on the recommendations of the Near Term Task Force. Commission staff has proposed a prioritized list of the Task Force recommendations that reflects the order regulatory actions are to be taken. The conferees direct the Commission to implement these recommendations consistent with, or more expeditiously than, the "schedules and milestones" proposed by NRC staff on October 3, 2011. The conferees direct the Commission to maintain an implementation schedule such that the remaining recommendations (not identified as Tier 1 priorities) will be evaluated and acted upon as expeditiously as practicable. The conferees request that the Commission provide a written status report to the House and Senate Committees on Appropriations on its implementation of the Task Force recommendations on the one year anniversary of the Fukushima disaster.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $10,860,000 for the Office of the Inspector General in the Nuclear Regulatory Commission, as proposed by the House and Senate. This amount is offset by revenues of $9,774,000, for a net appropriation of $1,086,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

The conference agreement provides $3,400,000 for the Nuclear Waste Technical Review Board, as proposed by the House and Senate.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

The conference agreement provides $1,000,000 for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects, as proposed by the Senate, instead of $4,032,000 as proposed by the House. The conference agreement does not include a House provision addressing excess fees.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

The conference agreement modifies a provision proposed by the House relating to the Nuclear Regulatory Commission. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the Senate relating to spent fuel pools. Language addressing this issue is included under the heading "Nuclear Regulatory Commission—Salaries and Expenses" in the Statement of Managers.

The conferees include a modified Senate provision regarding certain NRC requirements. The House proposed no similar provision. The conferees intend that licensees proactively evaluate new information and, where necessary, improve their facilities to keep them current with all NRC requirements relevant to their licenses, including all updates, and urge the NRC to continue its efforts to ensure all license requirements are updated to incorporate the latest knowledge of external hazards facing each site.

TITLE V

GENERAL PROVISIONS

The conference agreement includes a provision proposed by the House and Senate relating to lobbying restrictions.

The conference agreement includes a provision proposed by the House and Senate relating to transfer authority.

The conference agreement does not include a provision proposed by the House prohibiting funds to be provided in contravention of section 6(b) of the Iran Sanctions Act. The Senate proposed no similar provision. The conferees direct the Administration to continue to follow these requirements.

The conference agreement includes a provision proposed by the House requiring new federal hires to be vetted through the E-Verify Program. The Senate proposed no similar provision.

The conference agreement modifies a provision proposed by the House prohibiting the government from entering into contracts or agreements with any corporation that was convicted of a felony criminal violation under any federal law within the preceding 24 months. The Senate proposed no similar provision.

The conference agreement modifies a provision proposed by the House prohibiting funds for contracts or agreements with entities with unpaid federal tax liabilities that have not entered into payment agreements to remedy the liability. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House regarding the amount within the Spending Reduction Account. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to the use of firearms on Corps of Engineers land. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds made available for the Science account to be used in contravention of the Department of

Energy Organization Act. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to the McNary Shoreline Management Plan. The Senate proposed no similar provision. The conferees note that concerns remain regarding the most recent plan and direct the Corps to continue working with residents to address these issues.

The conference agreement does not include a provision proposed by the House prohibiting the use of funds to move the Office of Environmental Management under the Under Secretary for Nuclear Energy of the Department of Energy. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to the lease or purchase of new light duty vehicles. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to reintroduction of salmon in the San Joaquin River. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds to enforce section 526 of the Energy Independence and Security Act. The Senate proposed no similar provision. The conferees agree that increased energy self-sufficiency is an important national goal and the Department of Energy should continue to focus on research, development and government procurements that further progress towards that end.

The conference agreement does not include a provision proposed by the House prohibiting development of a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund. The Senate proposed no similar provision. The conferees support language in the House report opposing the diversion of revenue from existing authorized purposes, namely maintenance dredging, and in light of widespread congressional opposition to the budget proposal, suggest a wiser course of action would be to focus on utilizing the annual receipts for additional harbor dredging work rather than allowing the balance in the Trust Fund to continue to increase.

The conference agreement does not include a provision proposed by the House prohibiting funds for International activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy in China. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the House prohibiting funds to be used in contravention of the executive order entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations". The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House transferring funds between accounts for the Department of Energy. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House transferring funds between accounts for the Corps of Engineers. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting salaries for recess-appointed Presi-

dential appointees who fall under certain exemptions to Senate confirmation. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds for International activities of the Office of Energy Efficiency and Renewable Energy at the Department of Energy, except for the U.S.-Israel program. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds in this bill from being used to close the Yucca Mountain license application process until a specific condition is met or for actions that would remove the possibility that Yucca Mountain might be an option in the future. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds to implement any new requirement regarding the disclosure of political contributions. The Senate proposed no similar provision.

TITLE V/VI

EMERGENCY SUPPLEMENTAL FUNDING FOR DISASTER RELIEF

The conference agreement does not include funding for the Corps of Engineers for disaster-related work as proposed in Title V of the House bill and Title VI of the Senate bill. Additional funding to address these needs will be considered separately.

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
HR 2055
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF DEFENSE - CIVIL				
DEPARTMENT OF THE ARMY				
Corps of Engineers - Civil				
Investigations	126,746	104,000	125,000	-1,746
Construction	1,789,822	1,480,000	1,694,000	-95,822
Rescission	-176,000	---	---	+176,000
Subtotal	1,613,822	1,480,000	1,694,000	+80,178
Mississippi River and tributaries	263,906	210,000	252,000	-11,906
Recission	-22,000	-23,000	---	+22,000
Rescission of emergency funding (Sec. 105)	---	-35,000	---	---
Subtotal	241,906	152,000	252,000	+10,094
Operations and maintenance	2,365,759	2,314,000	2,412,000	+46,241
Regulatory program	189,620	196,000	193,000	+3,380
FUSRAP	129,740	109,000	109,000	-20,740
Flood control and coastal emergencies	---	27,000	27,000	+27,000
Expenses	184,630	185,000	185,000	+370
Office of Assistant Secretary of the Army (Civil Works)	4,990	6,000	5,000	+10
Total, title I, Department of Defense - Civil	4,857,213	4,573,000	5,002,000	+144,787
Appropriations	(5,055,213)	(4,631,000)	(5,002,000)	(-53,213)

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
HR 2055
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rescissions	(-198,000)	(-23,000)	---	(+198,000)
Rescissions of emergency funding	---	(-35,000)	---	---
TITLE II - DEPARTMENT OF THE INTERIOR				
Central Utah Project Completion Account				
Central Utah project construction	---	29,441	25,154	+25,154
Fish, wildlife, and recreation mitigation and conservation	---	2,000	2,000	+2,000
Subtotal	---	31,441	27,154	+27,154
Program oversight and administration	---	1,550	1,550	+1,550
Undistributed funding level	31,940	---	---	-31,940
Total, Central Utah project completion account	31,940	32,991	28,704	-3,236
Bureau of Reclamation				
Water and related resources	911,673	805,187	895,000	-16,673
Central Valley project restoration fund	49,914	53,068	53,068	+3,154
California Bay-Delta restoration	39,920	39,651	39,651	-269
Policy and administration	61,078	60,000	60,000	-1,078
Indian water rights settlements	---	51,483	---	---
San Joaquin restoration fund	---	9,000	---	---

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
HR 2055
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rescission	---	---	---	---
Subtotal	---	9,000	---	---
Total, Bureau of Reclamation	1,062,585	1,018,389	1,047,719	-14,866
Total, title II, Department of the Interior	1,094,525	1,051,380	1,076,423	-18,102
TITLE III - DEPARTMENT OF ENERGY				
Energy Programs				
Energy efficiency and renewable energy	1,825,641	3,200,053	1,825,000	-641
Rescission	-30,000	---	-9,909	+20,091
Subtotal	1,795,641	3,200,053	1,815,091	+19,450
Electricity delivery and energy reliability	144,710	237,717	139,500	-5,210
Rescission	-3,700	---	---	+3,700
Subtotal	141,010	237,717	139,500	-1,510
Nuclear energy	732,124	754,028	768,663	+36,539
Rescission	-6,300	---	---	+6,300
Subtotal	725,824	754,028	768,663	+42,839

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
HR 2055
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Fossil energy research and development	584,529	452,975	534,000	-50,529
Rescission	-140,000	---	-187,000	-47,000
Subtotal	444,529	452,975	347,000	-97,529
Naval Petroleum and Oil Shale Reserves	22,954	14,909	14,909	-8,045
Rescission	-2,100	---	---	+2,100
Subtotal	20,854	14,909	14,909	-5,945
Strategic petroleum reserve	209,441	192,704	192,704	-16,737
Rescission	-86,300	-71,000	---	+86,300
Subtotal	123,141	121,704	192,704	+69,563
SPR petroleum account	---	-250,000	---	---
Rescission	---	---	-500,000	-500,000
Subtotal	---	-250,000	-500,000	-500,000
Clean coal technology (rescission)	-16,500	---	---	+16,500
Northeast home heating oil reserve	10,978	10,119	10,119	-859
Rescission	---	-100,000	-100,000	-100,000
Subtotal	10,978	-89,881	-89,881	-100,859
Energy Information Administration	95,409	123,957	105,000	+9,591

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
HR 2055
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rescission	-400	---	---	+400
Subtotal	95,009	123,957	105,000	+9,991
Non-defense environmental clean up	224,350	219,121	235,721	+11,371
Rescission	-900	---	---	+900
Subtotal	223,450	219,121	235,721	+12,271
Uranium enrichment decontamination and decommissioning fund	506,984	504,169	472,930	-34,054
Rescission	-9,900	---	---	+9,900
Subtotal	497,084	504,169	472,930	-24,154
Science	4,857,665	5,416,114	4,889,000	+31,335
Rescission	-15,000	---	---	+15,000
Subtotal	4,842,665	5,416,114	4,889,000	+46,335
Nuclear Waste Disposal	---	---	---	---
Rescission	-2,800	---	---	+2,800
Subtotal	-2,800	---	---	+2,800
Advanced Research Projects Agency-Energy	179,640	550,011	275,000	+95,360
Innovative Technology Loan Guarantee Program	58,000	38,000	38,000	-20,000
Offsetting collection	-58,000	-38,000	-38,000	+20,000

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Loan volume rescission	-181,830	---	---	+181,830
Additional loan volume	11,830	360,000	---	-11,830
Federal participation in Title 17 loan guarantee projects	---	500,000	---	---
Additional subsidy cost	169,660	200,000	---	-169,660
Subtotal	-340	1,060,000	---	+340
Advanced technology vehicles manufacturing loans program	9,978	6,000	6,000	-3,978
Better buildings pilot loan guarantee initiative:				
Loan guarantees	---	100,000	---	---
Administrative costs	---	5,000	---	---
Subtotal	---	105,000	---	---
Departmental administration	250,139	240,623	237,623	-12,516
Miscellaneous revenues	-119,501	-111,883	-111,623	+7,878
Net appropriation	130,638	128,740	126,000	-4,638
Rescission	-81,900	---	---	+81,900
Subtotal	48,738	128,740	126,000	+77,262

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of the Inspector General	42,764	41,774	42,000	-764
Total, Energy programs	9,181,665	12,596,391	8,839,637	-342,028
Atomic Energy Defense Activities				
National Nuclear Security Administration				
Weapons activities	6,946,398	7,629,716	7,233,997	+287,599
Rescission	-50,000	-40,332	---	+50,000
Subtotal	6,896,398	7,589,384	7,233,997	+337,599
Defense nuclear nonproliferation	2,318,653	2,549,492	2,324,303	+5,650
Rescission	-45,000	-30,000	-21,000	+24,000
Subtotal	2,273,653	2,519,492	2,303,303	+29,650
Naval reactors	960,176	1,153,662	1,080,000	+119,824
Rescission	-1,000	---	---	+1,000
Subtotal	959,176	1,153,662	1,080,000	+120,824
Office of the Administrator	398,993	450,060	410,000	+11,007
Rescission	-5,700	---	---	+5,700
Subtotal	393,293	450,060	410,000	+16,707

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
General Provision				
Section 309 -- Contractor pay freeze:				
Security (rescission)	---	---	-27,300	-27,300
Total, National Nuclear Security Administration	10,522,520	11,712,598	11,000,000	+477,480
Environmental and Other Defense Activities				
Defense environmental cleanup	4,991,638	5,406,781	5,023,000	+31,362
(Transfer to Uranium enrichment decontamination and decommissioning fund)	(-33,633)	---	---	(+33,633)
Rescission	-11,900	---	---	+11,900
Subtotal	4,979,738	5,406,781	5,023,000	+43,262
Other defense activities	788,420	859,952	823,364	+34,944
Rescission	-3,400	---	---	+3,400
Subtotal	785,020	859,952	823,364	+38,344
Total, Environmental and other defense activities	5,764,758	6,266,733	5,846,364	+81,606
Total, Atomic Energy Defense Activities	16,287,278	17,979,331	16,846,364	+559,086

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Power Marketing Administrations /1				
Operation and maintenance, Southeastern Power Administration	78,444	8,428	8,428	-70,016
Offsetting collections	-78,444	-8,428	-8,428	+70,016
Subtotal	---	---	---	---
Operation and maintenance, Southwestern Power Administration	82,918	45,010	45,010	-37,908
Offsetting collection	-69,868	-33,118	-33,118	+36,750
Subtotal	13,050	11,892	11,892	-1,158
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	610,179	285,900	285,900	-324,279
Offsetting collections	-497,337	-189,932	-189,932	+307,405
Offsetting collection Colorado River Dam Fund	-3,879	---	---	+3,879
Subtotal	108,963	95,968	95,968	-12,995
Falcon and Amistad operating and maintenance fund	2,568	4,169	4,169	+1,601
Offsetting collections	-2,348	-3,949	-3,949	-1,601
Subtotal	220	220	220	---
Total, Power Marketing Administrations	122,233	108,080	108,080	-14,153

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Federal Energy Regulatory Commission				
Salaries and expenses	298,000	304,600	304,600	+6,600
Revenues applied	-298,000	-304,600	-304,600	-6,600
General Provision				
Section 309 -- Contractor pay freeze:				
Non security (rescission)	---	---	-46,000	-46,000
Total, title III, Department of Energy	25,591,176	30,683,802	25,748,081	+156,905
Appropriations	(26,285,806)	(30,925,134)	(26,639,290)	(+353,484)
Rescissions	(-694,630)	(-241,332)	(-891,209)	(-196,579)
TITLE IV - INDEPENDENT AGENCIES				
Appalachian Regional Commission	68,263	76,000	68,263	---
Defense Nuclear Facilities Safety Board	23,203	29,130	29,130	+5,927
Delta Regional Authority	11,677	13,000	11,677	---
Denali Commission	10,679	11,965	10,679	---
Rescission	-15,000	---	---	+15,000
Subtotal	-4,321	11,965	10,679	+15,000
Northern Border Regional Commission	1,497	1,500	1,497	---
Southeast Crescent Regional Commission	250	---	250	---

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Nuclear Regulatory Commission:				
Salaries and expenses	1,043,208	1,027,240	1,027,240	-15,968
Revenues	-906,220	-899,726	-899,726	+6,494
Subtotal	136,988	127,514	127,514	-9,474
Office of Inspector General	10,858	10,860	10,860	+2
Revenues	-9,774	-9,774	-9,774	---
Subtotal	1,084	1,086	1,086	+2
Total, Nuclear Regulatory Commission	138,072	128,600	128,600	-9,472
Nuclear Waste Technical Review Board	3,883	3,400	3,400	-483
Office of the Federal Coordinator for Alaska natural gas transportation projects	4,457	4,032	1,000	-3,457
Total, title IV, Independent agencies	246,981	267,627	254,496	+7,515
Appropriations	(261,981)	(267,627)	(254,496)	(-7,485)
Rescissions	(-15,000)	---	---	(+15,000)
Grand total	31,789,895	36,575,809	32,081,000	+291,105
Appropriations	(32,697,525)	(36,875,141)	(32,972,209)	(+274,684)
Rescissions	(-907,630)	(-264,332)	(-891,209)	(+16,421)
Rescissions of emergency appropriations	---	(-35,000)	---	---

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted

1/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling.

DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012

References in this statement to the Senate bill are to the bill (S. 1573) as reported to the Senate by the Committee on Appropriations on September 15, 2011 (S. Rept. 112–79). References to the House bill are to the bill (H.R. 2434) as reported to the House by the Committee on Appropriations on July 7, 2011 (H. Rept. 112–136).

Language included in House Report 112–136 or Senate Report 112–79 that is not changed by this joint explanatory statement is approved by the committee of conference. This explanatory statement, while repeating some report language for emphasis, is not intended to negate the language in the referenced House and Senate committee reports unless expressly provided herein.

Where the House or Senate has directed submission of a report, that report is to be submitted to the Committees on Appropriations of both the House of Representatives and the Senate.

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

The conference agreement provides $308,388,000 for departmental offices salaries and expenses, instead of $185,749,000 as proposed by the House and $306,388,000 as proposed by the Senate.

Within the amount provided under this heading, the conference agreement provides $100,000,000 for the Office of Terrorism and Financial Intelligence and within that amount no more than $26,608,000 for administrative expenses. The conference agreement also provides full funding for the Secretary's security and travel, both domestic and international (including civilian and military).

Judgment Fund.—The conferees adopt the House report language regarding the Judgment Fund, except that the first report is due within 180 days of enactment of this Act and annually thereafter.

Volcker Rule.—The conferees note that consistent with Public Law 111–203, the appropriate Federal banking regulators and the U.S. Securities and Exchange Commission proposed regulations implementing the "Volcker Rule," and the U.S. Commodity Futures Trading Commission is expected to propose a similar rule, that appropriately accommodates the business of insurance by permitting trading by a regulated insurance company for its general account. These accommodations are subject to subsections (d)(1)(F) and (d)(2)(A) of section 13 (or "sections 13(d)(1)(F) and 13(d)(2)(A)") of the Bank Holding Company Act of 1956.

Economic Sanctions and Divestments.—The conferees direct the Department to fully implement the sanctions and divestment measures applicable to North Korea, Burma, Belarus, Iran, Sudan, and Zimbabwe. The Department is further directed to promptly no-

tify the Appropriations Committees of any resource constraints that adversely impact the implementation of these sanctions programs.

Management of Capital Investments.—The conferees reiterate the Senate report language regarding management of capital investments and direct the Department to continue improving the management of capital investments, specifically focusing on integrating all of the Department's bureaus into improvement efforts and institutionalizing improvements so that taxpayers will benefit from better management of future capital projects. The conferees note that section 121 of this Act requires the Secretary of the Treasury to develop an annual Capital Investment Plan, to be submitted to the Committees on Appropriations of the Senate and the House of Representatives within 30 days following submission of the President's annual budget request. The conferees direct the Office of the Chief Information Officer to ensure that adequate resources are devoted both to projects in the capital phase and to proper maintenance and modernization of existing systems and to ensure that all projects are tracked properly and described completely in the annual Capital Investment Plan.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement provides $29,641,000 for the Office of Inspector General as proposed by the House and the Senate.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $151,696,000 for salaries and expenses of the Treasury Inspector General for Tax Administration as proposed by the House and the Senate.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

The conference agreement provides $41,800,000 for salaries and expenses of the Office of the Special Inspector General for the Troubled Asset Relief Program (SIGTARP) as proposed by the Senate, instead of $41,801,000 as proposed by the House.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

The conference agreement provides $110,788,000 for salaries and expenses of the Financial Crimes Enforcement Network (FinCEN), as proposed by the House and the Senate.

The conferees reiterate the House and Senate language rejecting the Administration's proposed $3 million in reductions for State and local and intelligence community access to Bank Secrecy Act information and the Senate language rejecting the Administration's proposal to fund a portion of FinCEN's needs in fiscal year 2012 using proceeds from the Treasury Forfeiture Fund.

TREASURY FORFEITURE FUND

(RESCISSION)

The conference agreement includes a rescission of $950,000,000 of the unobligated balances in the Treasury Forfeiture Fund.

The funds collected, disbursed and rescinded out of the Treasury Forfeiture Fund (the Fund) are incidental to law enforcement priorities that led to the seizures and forfeitures. Disrupting and dismantling criminal organizations that pose the greatest threat to public safety and security is the highest priority of any law enforcement agency. The Fund can ensure resources are managed efficiently to cover the costs of an effective asset seizure and forfeiture program, including the costs of seizing, evaluating, inventorying, maintaining, protecting, advertising, forfeiting and disposing of property, but it must not be used to augment agency funding or to circumvent the appropriations process. Reliance on the Fund to offset the day-to-day operations, or to pay for new activities, creates an incentive to pursue cases suspected of high valued forfeitures rather than to target individuals or organizations that perpetrate the worst crimes against society.

In addition to the Department of Treasury, the Department of Homeland Security is the other primary participant in the Fund since it does not have the authority or expertise to operate its own forfeiture fund. In fiscal year 2010, the Department of Homeland Security activities resulted in approximately 30 percent of the collections to the Fund and accounted for approximately 50 percent of the costs incurred by the Fund. In recent years, the available balances in the Fund have increased as the Federal Government has taken enforcement actions against large banks, increasing the surplus funding available. This surplus funding can either be used to fund law enforcement expenses to enhance forfeiture capabilities, be held in reserve or be rescinded. In considering the allocation of super surplus balances or rescission of resources in the Fund, the conferees direct the Administration not to use a formulaic approach where agencies that conduct seizures automatically get to spend or rescind surplus balances. The resources in the Fund should not be considered a "bounty" for the collecting agencies. Future proposed rescissions and super surplus spending requests should be based on programmatic need and funding priorities not a predetermined formula. Using a formulaic approach, such as distributing super surplus funds and rescissions in proportion to an agency's collections, would distort the role of the Fund.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

The conference agreement provides $217,805,000 for salaries and expenses of the Financial Management Service as proposed by the Senate instead of $216,617,000 as proposed by the House.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

The conference agreement provides $99,878,000 for salaries and expenses of the Alcohol and Tobacco Tax and Trade Bureau as proposed by the Senate instead of $96,899,000 as proposed by the House. Within this amount, $2,000,000 is for the cost of special law enforcement agents to target tobacco smuggling and other criminal diversion activities.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

The conference agreement provides that not more than $20,000,000 in new liabilities and obligations may be incurred during fiscal year 2012 for circulating coinage and protective service capital investments of the U.S. Mint, as proposed by the House and the Senate.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

The conference agreement provides $173,635,000 for costs associated with administering the public debt, as proposed by the Senate instead of the $171,979,000 as proposed by the House. Within this amount, $10,000,000 is available until September 30, 2014, to reduce improper payments. The conference agreement further directs that $8,000,000 in user fees be used to offset the appropriated amounts.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

The conference agreement provides $221,000,000 for the Community Development Financial Institutions (CDFI) Fund program.

The conference agreement waives the matching fund requirement for the Small and/or Emerging CDFI applicants (SECA) and the Native Initiatives for only one year. SECAs are insured depository institutions and depository institution holding companies with total assets up to $250 million, insured credit unions with total assets up to $10 million, venture capital funds with total assets up to $10 million, or other type of certified/certifiable CDFI with total assets up to $5 million as of September 30, 2011, or began operations on or after January 1, 2008.

The conference agreement designates no funding for the Bank on USA Initiative.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

The conference agreement provides $2,239,703,000 for Internal Revenue Service (IRS) Taxpayer Services. Within the overall amount, not less than $9,750,000 is for low-income taxpayer clinic grants, and not less than $5,600,000 is for the Tax Counseling for

the Elderly program. Not less than $205,000,000 is provided for operating expenses of the IRS Taxpayer Advocate Service.

In addition, within the overall amount provided, $12,000,000, available until September 30, 2013, is included for the Community Volunteer Income Tax Assistance (VITA) matching grants program.

ENFORCEMENT

The conference agreement provides $5,299,367,000 for Enforcement.

OPERATIONS SUPPORT

The conference agreement provides $3,947,416,000 for Operations Support.

Information Technology Reports.—The conferees direct the IRS to submit quarterly reports to the Committees on Appropriations and the Government Accountability Office (GAO), with the first such report due no later than two weeks after March 31, 2012. The conferees expect the reports to include a detailed, plain English explanation of the cost and schedule for the previous three months and a description of the expected cost and schedule for the upcoming three months for the following major information technology project activities: IRS.gov; Returns Remittance Processing; EDAS/IPM; Information Returns and Document Matching; E-services; and other projects associated with significant changes in law. The conferees further direct GAO to review and provide an annual report to the Committees on the cost and schedule of activities of all major IRS information technology projects for the year, with particular focus on the projects about which the IRS is providing quarterly reports to the Committees.

BUSINESS SYSTEMS MODERNIZATION

The conference agreement provides $330,210,000 for Business Systems Modernization (BSM).

Information Technology Reports.—The conferees direct the IRS to submit quarterly reports to the Committees on Appropriations and the Government Accountability Office (GAO), with the first such report due no later than two weeks after March 31, 2012. The conferees expect the reports to include a detailed, plain English explanation of the cost and schedule of CADE2 and MeF activities for the previous three months and a description of the expected cost and schedule for the upcoming three months. The conferees further direct GAO to review and provide an annual report to the Committees on the cost and schedule of CADE2 and MeF activities for the year.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to the following provisions:

Section 101 provides transfer authority.

Section 102 requires the IRS to maintain training in taxpayer rights.

Section 103 requires the IRS to safeguard taxpayer information and to protect taxpayers against identity theft.

Section 104 permits funding for 1–800 help line services for taxpayers and directs the Commissioner to make improving phone service a priority.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

The conferees agree to the following provisions:

Section 105 allows Treasury to use funds for certain specified expenses.

Section 106 allows for the transfer of up to 2 percent of funds between "Departmental Offices" and the various Treasury bureaus, except the IRS.

Section 107 allows for the transfer of up to 2 percent from the IRS accounts to TIGTA.

Section 108 directs that the purchase of vehicles be consistent with vehicle management principles.

Section 109 prohibits funding to redesign the $1 note.

Section 110 allows for the transfer of funds from "Financial Management Service, Salaries and Expenses" to the Debt Collection Fund conditional on future reimbursement.

Section 111 extends a pay demonstration program for one year.

Section 112 prohibits funds to build a United States Mint museum without the approval of the House and Senate Committees on Appropriations and the authorizing committees of jurisdiction.

Section 113 prohibits funding for consolidating the functions of the United States Mint and the Bureau of Engraving and Printing without the approval of the House and Senate Committees on Appropriations and the authorizing committees of jurisdiction.

Section 114 specifies that funds for Treasury intelligence activities are deemed to be specifically authorized until enactment of the fiscal year 2012 intelligence authorization act.

Section 115 permits the Bureau of Engraving and Printing to use up to $5,000 from the Industrial Revolving Fund for reception and representation expenses.

Section 116 removes the 4 year limit on currency paper contracts.

Section 117 requires persons who exchange $10,000 or more in mutilated cash to provide the Bureau of Engraving and Printing with a taxpayer identification number.

Section 118 concerns disclosure prohibitions with regards to FinCEN activities.

Section 119 concerns disclosure of FinCEN activities.

Section 120 provides FinCEN with access to certain reports of cash payments that are only filed with the IRS.

Section 121 requires the Secretary to submit a Capital Investment Plan.

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

The conference agreement provides $450,000 for compensation of the President as proposed by the Senate. The House proposed funding this mandatory cost as a general provision.

THE WHITE HOUSE

SALARIES AND EXPENSES

The conference agreement provides $56,974,000 for the salaries and expenses of the White House, instead of $55,513,000 as proposed by the House and $57,851,000 as proposed by the Senate.

The conferees note that a lengthy clearance process at the Executive Office of the President (EOP) often delays submission of information requested by the Committees on Appropriations. The conferees expect EOP to respond to such requests in a timely manner because such information is critical to the Committees' ability to make informed budgetary decisions. In that regard, the conferees have encountered particular difficulty in receiving timely and comprehensive responses to requests for information from the Office of National Drug Control Policy (ONDCP) and therefore, direct EOP to remedy this issue. Language has also been included on this topic in the ONDCP section.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

The conference agreement provides $13,425,000 for the Executive Residence at the White House, instead of $12,989,000 as proposed by the House and $13,536,000 as proposed by the Senate.

WHITE HOUSE REPAIR AND RESTORATION

The conference agreement provides $750,000 for repair, alteration and improvement of the Executive Residence at the White House, instead of $1,000,000 as proposed by the House and $990,000 as proposed by the Senate.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

The conference agreement provides $4,192,000 for the salaries and expenses of the Council of Economic Advisers as proposed by the Senate, instead of $3,982,000 as proposed by the House.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

The conference agreement provides $13,048,000 for the salaries and expenses of the National Security Council and Homeland Secu-

rity Council as proposed by the Senate, instead of $12,396,000 as proposed by the House.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $112,952,000 for the salaries and expenses of the Office of Administration, instead of $109,297,000 as proposed by the House and $114,908,000 as proposed by the Senate. The conference agreement includes $10,403,000, to remain available until expended, for information technology modernization.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

The conference agreement provides $89,456,000 for the salaries and expenses of the Office of Management and Budget (OMB), instead of $82,575,000 as proposed by the House and $90,833,000 as proposed by the Senate.

The conferees direct OMB to submit a report to the Committee within 120 days of enactment of this Act detailing current capabilities of and deficiencies in the Federal Government's core budgeting system.

In light of increased efforts to identify government-wide efficiencies and anticipate the cost of major infrastructure projects, the Committee instructs OMB to examine Circular A–94. The Committee expects OMB's review of Circular A–94 to include an examination of the potential to incorporate life-cycle cost analysis. Moreover, this analysis should be as accurate, complete and reflective of the real costs and lifespans of materials as possible, including the use of material-specific discount rates and maintenance scheduled cost. OMB is directed to report to the Committee within 180 days of enactment of this Act on the status of reviewing Circular A–94. OMB should include appropriate experts in the field of life-cycle cost analysis, as well as appropriate industry experts and research centers.

The conferees believe that agency staffing decisions should be based on agency workload and the level of funds made available, rather than pre-determined formulaic reductions. Decisions to backfill vacant positions should be based on the number of staff with the combination of skills and qualifications necessary to carry out the agency's mission within available funding levels. The OMB Director shall report in February annually to the House and Senate Appropriations Committees on any agencies not adhering to the policies mentioned above.

The conferees direct OMB to issue guidance, consistent with section 735 of division D of the Omnibus Appropriations Act, 2009, Public Law 111–8, and section 739(a)(1) of division D of the Consolidated Appropriations Act, 2008 (Public Law 110–161), and section 327 of the 2008 National Defense Authorization Act (Public Law 110–181), regarding use of direct conversions to contract out, in whole or in part, activities or functions last performed by Federal employees.

The conferees expect OMB to honor the terms and conditions of appropriations Acts by not only reviewing reprogramming requests submitted to the Committees on Appropriations pursuant to the reprogramming conditions of this or any other Act, but also by reviewing agency activities for compliance with reprogramming conditions. With regard to section 608 of this Act, the conferees find that reimbursable agreements and other similar funding mechanisms utilized for the purpose of reallocating funding shall be considered a reprogramming of funds under such section. When determining the applicability of section 608, OMB and the agencies should consult with the Committees on Appropriations.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

The conference agreement provides $24,500,000 for salaries and expenses of the Office of National Drug Control Policy (ONDCP), instead of $23,000,000 as proposed by the House and $26,125,000 as proposed by the Senate.

The conferees note that a lengthy clearance process at the Executive Office of the President (EOP) often delays submission of information requested by the Committees on Appropriations. The conferees have encountered particular difficulty in receiving timely and comprehensive responses to requests for information from ONDCP. The conferees expect ONDCP to respond to such requests in a timely manner because such information is critical to the Committees' ability to make informed budgetary decisions. The conferees expect EOP to remedy this issue and improve ONDCP's responsiveness. Language has also been included on this topic under the White House Office account.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $238,522,000 for the High Intensity Drug Trafficking Areas Program as proposed by the House and the Senate.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $105,550,000 for Other Federal Drug Control Programs, instead of $101,978,000 as proposed by the House and $105,950,000 as proposed by the Senate. The agreement allocates funds among specific programs as follows:

National Youth Anti-Drug Media Campaign	$0
Drug-Free Communities Program	92,000,000
(Training	2,000,000)
Drug court training and technical assistance	1,400,000
Anti-Doping activities	9,000,000
World Anti-Doping Agency (U.S. membership dues)	1,900,000
Discretionary Grants as authorized by PL 109–469, section 1105	1,250,000

Performance Measures Development 0

The conference agreement provides no funding for the media campaign, as proposed by the House and the Senate. The conferees are supportive of a plan to preserve the substantial federal investment in anti-drug messaging and direct ONDCP to report to the Committees on Appropriations on the planned uses of the remaining unobligated balances for the media campaign not later than 180 days after enactment of this Act.

The conferees expect grant funding provided under ONDCP's Other Federal Drug Control Programs be awarded through a competitive process.

The conferees are troubled by ONDCP's decision-making in the management of unobligated balances. The President's budget proposed rescinding $11,328,000 from the Counterdrug Technology Assessment Center. Despite this, ONDCP obligated $6,083,361 of those balances. The conferees believe that ONDCP's decision to obligate funds that the President's budget proposed to rescind demonstrates an inability to effectively manage their funds.

INTEGRATED, EFFICIENT AND EFFECTIVE USES OF INFORMATION TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $5,000,000 for this activity as proposed by the House, instead of no funds as proposed by the Senate. The conferees direct that information technology reform initiatives shall not be a substitute for consideration of agency requirements and the Executive Office of the President shall keep the Committees on Appropriations informed of changes in information technology spending plans.

UNANTICIPATED NEEDS

The conference agreement provides $988,000 for unanticipated needs as proposed by the Senate. The House provided no funding for this activity.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

The conference agreement provides $4,328,000 for salaries and expenses to enable the Vice President to provide special assistance to the President as proposed by the Senate, instead of $4,322,000 as proposed by the House.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $307,000 for operating expenses for the official residence of the Vice President as proposed by the House and the Senate.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFERS OF FUNDS AND RESCISSIONS)

The conference agreement provides the following Administrative Provisions under this title:

Section 201 provides transfer authority among various Executive Office of the President accounts.

Section 202 requires OMB to submit a report on the implementation of Executive Order 13563 relating to improving regulation and regulatory review.

Section 203 requires OMB to report on the costs of implementing the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203).

Section 204 requires a detailed narrative and financial plan for Office of National Drug Control Policy funds.

Section 205 provides transfer authority among Office of National Drug Control Policy accounts.

Section 206 governs reprogramming of Office of National Drug Control Policy funds.

Section 207 rescinds $5,244,639 in unobligated prior year balances from the Counterdrug Technology Assessment Center.

Section 208 rescinds $359,958 in unobligated prior year balances from Other Federal Drug Control Programs for a chronic users study and $5,723,403 in unobligated prior year balances from Other Federal Drug Control Programs for a national youth anti-drug media campaign.

Section 209 extends the availability of funds under the Partnership Fund for Program Integrity Innovation. The conferees do not recommend additional funding for the Partnership Fund in fiscal year 2012 and direct the Administration to continue to leverage funds provided in fiscal year 2010 to continue the initiative during fiscal years 2012 and 2013.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement provides $74,819,000 for the salaries and expenses of the Supreme Court as proposed by the House and the Senate.

CARE OF THE BUILDING AND GROUNDS

The conference agreement provides $8,159,000 for the care of the Supreme Court building and grounds as proposed by the House and the Senate.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The conference agreement provides $32,511,000 for the salaries and expenses of the United States Court of Appeals for the Federal Circuit, instead of $31,472,000 as proposed by the House and $31,913,000 as proposed by the Senate.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The conference agreement provides $21,447,000 for the salaries and expenses of the United States Court of International Trade, instead of $20,628,000 as proposed by the House and $20,968,000 as proposed by the Senate.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The conference agreement provides $5,015,000,000 for the salaries and expenses of the Courts of Appeals, District Courts, and Other Judicial Services, instead of $4,790,855,000 as proposed by the House and $4,970,646,000 as proposed by the Senate. In addition, the agreement provides $5,000,000 from the Vaccine Injury Compensation Trust Fund, instead of $4,775,000 as proposed by the House and the Senate.

DEFENDER SERVICES

The conference agreement provides $1,031,000,000 for Defender Services, instead of $1,050,000,000 as proposed by the House and $1,034,182,000 as proposed by the Senate.

FEES OF JURORS AND COMMISSIONERS

The conference agreement provides $51,908,000 for Fees of Jurors and Commissioners, instead of $57,305,000 as proposed by the House and $59,000,000 as proposed by the Senate.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $500,000,000 for court security, as proposed by the House and the Senate.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The conference agreement provides $82,909,000 for the salaries and expenses of the Administrative Office of the United States Courts, instead of $80,007,000 as proposed by the House and $82,000,000 as proposed by the Senate.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The conference agreement provides $27,000,000 for the salaries and expenses of the Federal Judicial Center, as proposed by the Senate, instead of $26,318,000 as proposed by the House.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The conference agreement provides $103,768,000 for payments to the judiciary trust funds, as proposed by the Senate. The House proposed funding these mandatory costs in a general provision.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $16,500,000 for the salaries and expenses of the United States Sentencing Commission, as proposed by the Senate, instead of $16,215,000 as proposed by the House.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes the following administrative provisions:

Section 301 makes funds appropriated for salaries and expenses available for services authorized by 5 U.S.C. 3109.

Section 302 provides transfer authority among Judiciary appropriations.

Section 303 permits not more than $11,000 to be used for official reception and representation expenses of the Judicial Conference.

Section 304 extends through fiscal year 2012 the delegation of authority to the Judiciary for contracts for repairs of less than $100,000.

Section 305 continues a pilot program where the United States Marshals Service provides perimeter security services at selected courthouses.

Section 306 extends for one year the authorization of temporary district judgeships in Kansas and Hawaii.

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

The conference agreement includes $30,000,000 for District of Columbia resident tuition support as proposed by the House and the Senate.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

The conference agreement provides $14,900,000 for emergency planning and security costs in the District of Columbia as proposed by the House and the Senate.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

The conference agreement provides $232,841,000 for the District of Columbia Courts, instead of $224,394,000 as proposed by the House and $230,319,000 as proposed by the Senate. Within the amount provided, $12,830,000 is for the District of Columbia Court of Appeals, $114,209,000 is for the District of Columbia Superior Court, $66,712,000 is for the District of Columbia Court System, and $39,090,000 is for capital improvements to Court facilities.

For the District of Columbia Superior Court, the conference agreement provides $114,209,000 instead of $109,307,000 as proposed by the House and $111,687,000 as proposed by the Senate. Increased funding is provided to address the Court's top priorities, including the Fathering Court Initiative and the Drop-In Center for Juvenile Girls.

The conference agreement does not continue bill language from prior years requiring the District of Columbia Courts to use GSA for payroll and financial services, as proposed by the House. While not excluding the use of GSA for these services, the conferees are aware this provision will allow the District of Columbia Courts greater flexibility in selecting and contracting for its payroll and financial services.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $55,000,000 for Defender Services in District of Columbia Courts as proposed by the Senate, instead of $54,890,000 as proposed by the House.

The conference agreement does not continue bill language from prior years requiring the Defender Services in District of Columbia Courts to use GSA for payroll and financial services as proposed by the House. While not excluding the use of GSA for these services, the conferees are aware this provision will allow the Defender Services in District of Columbia Courts greater flexibility in selecting and contracting for its payroll and financial services.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

The conference agreement provides $212,983,000 to the Court Services and Offender Supervision Agency for the District of Columbia as proposed by the House and the Senate. Within the amount provided, $153,548,000 is for Community Supervision and Sex Offender Registration and $59,435,000 is for the Pretrial Services Agency.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

The conference agreement provides $37,241,000 for the Public Defender Service as proposed by the House and the Senate.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

The conference agreement provides $15,000,000 for the District of Columbia Water and Sewer Authority as proposed by the Senate instead of no funds as proposed by the House.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

The conference agreement provides $1,800,000 for the Criminal Justice Coordinating Council as proposed by the Senate instead of $1,796,000 as proposed by the House.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

The conference agreement provides $500,000 for Judicial Commissions as proposed by the Senate instead of $499,000 as proposed by the House. Within the amount provided, $295,000 is for the Commission on Judicial Disabilities and Tenure, and $205,000 is for the Judicial Nomination Commission.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

The conference agreement includes $60,000,000 for school improvement in the District of Columbia as proposed by the House and the Senate. As authorized by the Scholarship for Opportunity and Results Act, funds are equally divided between District of Columbia Public Schools ($20,000,000), District of Columbia Public Charter Schools ($20,000,000) and District of Columbia Opportunity Scholarships ($20,000,000). The conference agreement does not adopt the Senate requirement that the Secretary of Education perform an assessment of schools participating in the Opportunity Scholarships program.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

The conference agreement provides $375,000 for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program as proposed by the House and the Senate.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

The conference agreement provides a $5,000,000 Federal payment to the District of Columbia solely for the purpose of HIV/AIDS testing and treatment. No funds were provided for this activity in the House or the Senate.

DISTRICT OF COLUMBIA FUNDS

The conference agreement provides authority for the District of Columbia to spend its local funds in accordance with the Fiscal

Year 2012 Budget Request Act of 2011 (DC Act 19–92), as modified as of the date of the enactment of this Act.

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement provides $2,900,000, to remain available until September 30, 2013, for the Administrative Conference of the United States as proposed by the Senate, instead of $2,608,000 as proposed by the House.

CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION

SALARIES AND EXPENSES

The conference agreement provides $450,000 for the Christopher Columbus Fellowship Foundation as proposed by the Senate, instead of no funds as proposed by the House.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $114,500,000 for the Consumer Product Safety Commission (CPSC) as proposed by the Senate, instead of $111,288,000 as proposed by the House.

The conferees are aware that small, round, coin-shaped batteries, known as "button cell batteries" are increasingly present in consumer products, and pose a hazard—potentially fatal—to small children who ingest them. The conferees support efforts to ensure that these batteries are securely enclosed in products (like the existing Federal safety rules that require toys that use batteries to have such compartments), with accompanying warning labels.

CPSC has identified window coverings with cords as one of the top five hidden hazards in the home and CPSC is aware of 120 fatalities and 113 serious injuries related to corded window blinds since 1999. The conferees urge parties involved in the standards process to redouble efforts to address the strangulation risk posed by corded window coverings in a timely manner.

ADMINISTRATIVE PROVISIONS—CONSUMER PRODUCT SAFETY COMMISSION

The conference agreement includes the following administrative provisions for the Consumer Product Safety Commission:

Section 501 permits CPSC staff serving abroad to be eligible for benefits similar to those authorized for Foreign Service officials.

Section 502 includes language making technical corrections to the Virginia Graeme Baker Pool and Spa Safety Act.

Section 503 requires the Government Accountability Office (GAO) to study the potential risks associated with new and emerging consumer products.

Section 504 requires the GAO to study the efficacy of voluntary industry standards for consumer products.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $11,500,000 for the salaries and expenses of the Election Assistance Commission (EAC), instead of $6,858,000 as proposed by the House and $14,750,000 as proposed by the Senate. This includes $2,750,000 to be transferred to the National Institute of Standards and Technology and $1,250,000 for the EAC Inspector General.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $339,844,000 for the salaries and expenses of the Federal Communications Commission (FCC), instead of $319,004,000 as proposed by the House and $354,181,000 as proposed by the Senate. This includes $9,750,000 for the FCC Inspector General. The conference agreement provides that $339,844,000 be derived from offsetting collections, resulting in no net appropriation.

The conferees note that the Fairness Doctrine was removed from the FCC's rulebooks as of August 22, 2011.

ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS COMMISSION

The conferees agree to the following administrative provisions for the Federal Communications Commission:

Section 510 extends an exemption for the Universal Service Fund.

Section 511 prohibits the Federal Communications Commission from changing rules governing the Universal Service Fund regarding single connection or primary line restrictions.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides a transfer of $45,261,000 to fund the Office of Inspector General (OIG) for the Federal Deposit Insurance Corporation as proposed by both the House and Senate. The OIG's appropriations are derived from the Deposit Insurance Fund and the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $66,367,000 for the salaries and expenses of the Federal Election Commission as proposed by the House and Senate.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

The conference agreement provides $24,723,000 for the Federal Labor Relations Authority as proposed by the Senate, instead of $24,105,000 as proposed by the House.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $311,563,000 for the salaries and expenses of the Federal Trade Commission (FTC) as proposed by the Senate, instead of $284,067,000 as proposed by the House. This appropriation is partially offset by premerger filing fees estimated at $108,000,000 and $21,000,000 from fees to implement the Telemarketing Sales Rule.

The conference agreement does not adopt the Senate requirement that the FTC submit voluntary food marketing principles in a final report to the Committees.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

The conference agreement provides resources from the General Services Administration (GSA) Federal Buildings Fund totaling $8,017,967,000, instead of $7,223,801,000 as proposed by the House and $8,144,967,000 as proposed by the Senate.

Construction and Acquisition.—The conference agreement provides $50,000,000 for construction and acquisition, instead of $0 as proposed by the House and $65,000,000 as proposed by the Senate.

The conferees clarify the House report language about use of prior appropriations for projects and agree, unless GSA follows the reprogramming process in Section 608 that requires the approval of the Committees, that GSA is prohibited from using either funding appropriated for any construction project yet to be completed or the proceeds from the sale of land from the yet-to-be-completed project other than to address the need for space for which the construction project was intended.

Repairs and Alterations.—The conference agreement provides $280,000,000 for repairs and alterations, as proposed by the House and Senate. Funds are provided in the amounts indicated:

Judiciary Capital Security Program	$20,000,000
Basic Repairs and Alterations	$260,000,000

Energy Saving Lighting Technologies.—The conference agreement adopts the House reporting requirement on LED lights and clarifies that LED lights are expected to be incorporated into GSA's building specifications as appropriate.

Installment Acquisition Payments.—The conference agreement includes $126,801,000 for installment acquisition payments, as proposed by both the House and the Senate.

Rental of Space.—The conference agreement provides $5,210,198,000 for rental of space, instead of $4,700,000,000 as proposed by the House and $5,285,198,000 as proposed by the Senate.

Building Operations.—The conference agreement provides $2,350,968,000 for building operations, instead of $2,117,000,000 as proposed by the House and $2,387,968,000 as proposed by the Senate.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

The conference agreement provides $61,115,000 for GSA Government-wide policy activities, instead of $64,826,000 as proposed by the House and $61,750,000 as proposed by the Senate.

OPERATING EXPENSES

The conference agreement provides $69,500,000 for operating expenses of GSA instead of $68,135,000 as proposed by the House and $70,000,000 as proposed by the Senate.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $58,000,000 for the Office of Inspector General as proposed by the Senate instead of $58,882,000 as proposed by the House.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $12,400,000 for the Electronic Government Fund. These funds may be transferred to other Federal agencies to carry out the purposes of the Electronic Government Fund, but only after a spending plan and explanation for each project has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

The conference agreement includes $3,671,000 for allowances and staff for former Presidents, as proposed by both the House and the Senate.

FEDERAL CITIZEN SERVICES FUND

The conference agreement provides $34,100,000 for deposit into the Federal Citizens Services Fund (the Fund) and authorizes use of appropriations, revenues and collections in the Fund in an aggregate amount not to exceed $90,000,000.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS AND RESCISSION)

The conferees agree to the following provisions:

Section 520 specifies that funds are available for hire of motor vehicles.

Section 521 authorizes transfers within the Federal Buildings Fund, with advance approval of the Committees on Appropriations.

Section 522 prohibits the use of funds to transmit a fiscal year 2013 request for courthouse construction unless the request meets design guide standards, reflects the priorities in the Judicial Conference 5-year construction plan, and includes a standardized courtroom utilization study.

Section 523 specifies that funds in this Act may not be used to increase the amount of occupiable space or provide services such as cleaning or security for any agency that does not pay the rental charges assessed by GSA.

Section 524 permits GSA to pay certain construction-related claims against the Federal Government from savings achieved in other projects.

Section 525 requires that the delineated area of procurement for leased space match the approved prospectus, unless the Administrator provides an explanatory statement to the appropriate congressional committees.

Section 526 increases the permissible uses of the fees collected by the GSA Federal Acquisition Institute.

Section 527 rescinds $4,600,000 from completed projects.

Section 528 directs GSA to submit a report within 120 days of enactment of this Act about programs funded by appropriations to GSA, but not under GSA control.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

The conference agreement includes $748,000 for a payment to the Harry S. Truman Scholarship Foundation Trust Fund as proposed by the House instead of $700,000 as proposed by the Senate.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $42,603,000, to remain available until September 30, 2013, for the salaries and expenses of the Merit Systems Protection Board as proposed by the Senate, instead of $41,761,000 as proposed by the House. Within the amount provided, $40,258,000 is a direct appropriation and $2,345,000 is a transfer from the Civil Service Retirement and Disability Fund to adjudicate retirement appeals.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

The conference agreement includes $2,200,000 for payment to the Morris K. Udall and Stewart L. Udall Trust Fund as proposed by the Senate.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

The conference agreement includes $3,792,000 for payment to the Environmental Dispute Resolution Fund as proposed by the Senate.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $373,300,000 for the operating expenses of the National Archives and Records Administration (NARA), instead of $360,969,000 as proposed by the House and $378,845,000 as proposed by the Senate.

The conferees reiterate Senate language noting material weakness in the security of NARA's holdings. The conferees direct NARA to institute and enforce effective inventory controls and adequate levels of security within its facilities to reduce the risk of loss and damage to our Nation's documents and records.

In addition, the conferees direct NARA to continue to work with agencies on records management policies, especially those related to document destruction. The conferees believe it is critical for all agencies to be aware of the importance of these policies and to have proper systems in place for document retention and preservation.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $4,100,000 for NARA's Office of Inspector General as proposed by the House and the Senate.

REPAIRS AND RESTORATION

The conference agreement provides $9,100,000 for repairs and restoration, instead of $8,693,000 as proposed by the House and $9,659,000 as proposed by the Senate.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION GRANTS PROGRAM

The conference agreement provides $5,000,000 for the National Historical Publications and Records Commission grant program as proposed by the Senate, instead of $1,000,000 as proposed by the House.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

The conference agreement limits administrative expenses to $1,250,000 and provides for authorized lending, as proposed by the Senate.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

The conference agreement includes $1,247,000 for the Community Development Revolving Loan Fund as proposed by the Senate, instead of $500,000 as proposed by the House.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

The conference agreement provides $13,664,000 for salaries and expenses of the Office of Government Ethics as proposed by the Senate, instead of $13,483,000 as proposed by the House.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The conference agreement provides $210,290,000 for salaries and expenses as proposed by both the House and the Senate. Within the amount provided, $99,774,000 is a direct appropriation and $112,516,000 is a transfer from Office of Personnel Management (OPM) trust funds.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The conference agreement provides $24,316,000 for salaries and expenses of the Office of Inspector General as proposed by the House and the Senate. Within the amount provided, $3,142,000 is a direct appropriation and $21,174,000 is a transfer from OPM trust funds.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

The conference agreement provides such sums as necessary for health benefits payments as proposed by the Senate. The House proposed funding these mandatory costs in a general provision.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

The conference agreement provides such sums as necessary for life insurance payments as proposed by the Senate. The House proposed funding these mandatory costs in a general provision.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement provides such sums as necessary for retirement and disability payments as proposed by the Senate. The House proposed funding these mandatory costs in a general provision.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

The conference agreement includes $18,972,000 for the salaries and expenses of the Office of Special Counsel as proposed by the Senate, instead of $17,997,000 as proposed by the House.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $14,304,000 for the salaries and expenses of the Postal Regulatory Commission as proposed by the Senate, instead of $13,946,000 as proposed by the House.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

The conference agreement provides $900,000 for the salaries and expenses of the Privacy and Civil Liberties Oversight Board (PCLOB) instead of $1,000,000 as proposed by the Senate and no funding as proposed by the House. The conferees are concerned that the Administration has not reconstituted the PCLOB as required by law. Section 618 rescinds $998,000 of prior year unobligated balances.

RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD

SALARIES AND EXPENSES

The conference agreement provides $28,350,000, to remain available until September 30, 2013, for the salaries and expenses of the Recovery Accountability and Transparency Board, instead of $25,000,000 as proposed by the House and $28,400,000 as proposed by the Senate. The conferees note that funding provided for the Recovery Board may be used to develop and test information technology to enhance transparency and detect waste, fraud, and abuse in federal spending. Within 90 days of enactment of this Act, the conferees direct the Recovery Board to report to the Committees on Appropriations on their plan for such activities. The report shall include detailed descriptions and planned spending.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $1,321,000,000 for the Securities and Exchange Commission (SEC), instead of $1,185,000,000 as proposed by the House and $1,407,483,130 as proposed by the Senate. The conference agreement provides that $1,321,000,000 be derived from offsetting collections resulting in no net appropriation.

The conference agreement provides that the SEC Office of Inspector General shall receive no less than $6,795,000 as proposed by the Senate, instead of $6,790,000 as proposed by the House.

The conferees do not adopt the Senate designation of $483,130 specifically for the strengthening of the acquisition workforce. However, while not designating funding, the Committee remains concerned about the SEC's acquisition processes and expects the SEC to dedicate sufficient resources to strengthening the agency's capacity and capabilities of the acquisition workforce.

The conferees remain seriously concerned with the SEC's lack of judgment in its past leasing practices, most notably the mismanagement of the agency's Constitution Center lease. The conferees are unconvinced that the SEC's efforts to reform their leasing practices have fully addressed the problems. The agency's leasing and budgetary recording practices over the last 20 years of independent leasing authority have led the SEC to experience budget deficiencies. The conferees consider this unacceptable and expect the SEC to carefully evaluate all prospective leases and renewals of existing leases going forward in relation to the budget resources. The conferees are aware of the SEC's arrangement with the General Services Administration, which the conferees believe is a good first step. The conferees intend to closely monitor how the SEC exercises its leasing authority to ensure that the SEC has adequately reformed its leasing practices.

The conferees are also highly concerned about the unauthorized destruction of documents by the SEC which spanned a decade and remained ongoing even after the National Archives and Records Administration asked for an explanation. The preservation of agency documents is critical to the record keeping of every agency and Federal rules have been established in the interest of transparency and disclosure. As the agency tasked with monitoring companies' disclosures, this latest chapter of mismanagement at the SEC contravenes the agency's own mission and distracts SEC management from focusing on the critical work of protecting investors.

Due to the above concerns, the conferees direct the SEC to provide the House and Senate Appropriations Committees with corrective action reports, submitted to the SEC Inspector General, related to lease agreements and document destruction no later than 30 days after enactment of this Act.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

The conference agreement provides $23,984,000 for the salaries and expenses of the Selective Service System as proposed by the Senate, instead of $23,620,000 as proposed by the House.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $417,348,000 for the salaries and expenses account of the Small Business Administration (SBA), instead of $422,296,000 as proposed by the House and $404,202,000 as proposed by the Senate.

Of the amount provided under this heading, $245,000,000 is for the operating expenses of the SBA and $172,348,000 is for non-credit programs.

The conferees direct that no less than the following amounts shall be dedicated to the following SBA non-credit programs:

Veterans Programs	$2,500,000
7(j) Technical Assistance Programs	3,100,000
Small Business Development Centers	112,500,000

SCORE	7,000,000
Women's Business Centers	14,000,000
Women's Business Council	998,000
Native American Outreach	1,250,000
Microloan Technical Assistance	20,000,000
PRIME	3,500,000
HUBZone	2,500,000
Entrepreneurial Development Initiative (Clusters)	5,000,000
Total, non-credit programs	172,348,000

The conferees direct that the SBA shall not reduce these non-credit programs from the amounts specified above and the SBA shall not merge any of the non-credit programs without advance written approval from the Committees on Appropriations.

Although set-aside funding for the Emerging Leaders program is not specified, the conferees note that in prior years SBA derived funds for the Emerging Leaders program from base resources in the Salaries and Expenses account.

The conferees adopt Senate report language regarding veterans' business outreach centers.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $16,267,000 for the Office of Inspector General of the Small Business Administration as proposed by the House instead of $16,267,400 as proposed by the Senate.

OFFICE OF ADVOCACY

The conference agreement provides $9,120,000 for this account as proposed by the House and the Senate.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $358,736,000 for the Business Loans Program Account, instead of $363,323,000 as proposed the House and $358,498,000 as proposed by the Senate. Of the amount provided, $3,678,000 is for the cost of direct loans in the microloan program, $207,100,000 is for the cost of guaranteed loans, and $147,958,000 is for administrative expenses to carry out the direct and guaranteed loan programs and may be transferred to and merged with Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes $117,300,000 for the administrative costs of the Disaster Loans Program Account, instead of $167,300,000 as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes the following administrative provisions for the Small Business Administration.

Section 530 concerns transfer authority and availability of funds.

Section 531 extends, for businesses that can obtain credit elsewhere, the length of time for repaying a disaster loan from three years to seven years.

Section 532 details the information to be provided in the SBA's annual budget request.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The conference agreement provides $78,153,000 for a payment to the Postal Service Fund as proposed by the House and the Senate. This is an advance appropriation for fiscal year 2013 to continue free mail for the blind and overseas voting.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides up to $241,468,000 for the Office of Inspector General as proposed by the Senate, instead of $237,810,000 as proposed by the House.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

The conference agreement provides $51,079,000 for salaries and expenses of the United States Tax Court, instead of $50,689,000 as proposed by the House and $51,469,000 as proposed by the Senate.

TITLE VI

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSIONS)

The conferees agree to the following provisions:

Section 601 prohibits paying expenses or otherwise compensating non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 602 prohibits obligations beyond the current fiscal year and transfers of funds unless expressly so provided herein.

Section 603 limits consulting service expenditures to contracts where such expenditures are a matter of public record, with exceptions.

Section 604 prohibits funds from being transferred to any department, agency, or instrumentality of the United States without express authority provided in this or any other appropriations Act.

Section 605 prohibits the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 606 prohibits funds from being expended unless the recipient agrees to comply with the Buy American Act.

Section 607 prohibits funding to a person or entity convicted of violating the Buy American Act.

Section 608 provides reprogramming authority and requires agencies to submit financial plans to the House and Senate Appropriations Committees.

Section 609 provides that not to exceed 50 percent of unobligated balances from salaries and expenses may remain available for certain purposes.

Section 610 prohibits funds for the Executive Office of the President to request any official background investigation from the Federal Bureau of Investigation unless the person has given consent or there are national security circumstances.

Section 611 requires that cost accounting standards not apply to a contract under the Federal Employees Health Benefits Program.

Section 612 permits the Office of Personnel Management to accept funds regarding the nonforeign area cost of living allowances.

Section 613 prohibits the expenditure of funds for abortions under the Federal Employees Health Benefits Program.

Section 614 provides an exemption from section 613 if the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 615 waives restrictions on the purchase of non-domestic articles, materials, and supplies for information technology acquired by the Federal Government.

Section 616 prohibits the acceptance by any regulatory agency or commission funded by this Act, or by their officers or employees, of payment or reimbursement for travel, subsistence, or related expenses from any person or entity (or their representative) that engages in activities regulated by such agency or commission.

Section 617 provides authority for the Public Company Accounting Oversight Board to obligate funds for a scholarship program.

Section 618 rescinds $998,000 in unobligated balances for the Privacy and Civil Liberties Oversight Board. The conferees note the Board has yet to be established.

Section 619 requires the President to transmit proposed deficiency and supplemental appropriations requests to Congress on behalf of the judicial and legislative branches as is presently done for the executive branch.

Section 620 permits the SEC and CFTC to fund a joint advisory committee to advise on emerging regulatory issues, notwithstanding section 708 of this Act.

Section 621 includes language regarding the Abraham Lincoln Commemorative Coin Act.

Section 622 allows the publication in the Federal Register of a reference to the Help America Vote Act State plans, rather than publication of the complete State plans.

Section 623 rescinds $25,000,000 from the Securities and Exchange Commission Reserve Fund established by the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Section 624 requires certain agencies to provide quarterly reports on unobligated prior year balances.

Section 625 requires agencies covered by this Act with independent leasing authority to consult with the General Services Administration before seeking new office space or making alterations to existing office space.

Section 626 prohibits funds for the FTC to complete the draft report on food marketed to children unless certain requirements are met.

Section 627 prohibits funds for certain positions.

Section 628 provides that no FCC funds may be used, or otherwise permitted, for certain commercial terrestrial operations.

Section 629 prohibits funding for hiring new Federal employees that are not verified through the E-Verify Program.

Section 630 prohibits funds to any corporation with certain unpaid Federal tax liabilities unless the agency has considered suspension or debarment of the corporation and made a determination that further action is not necessary to protect the interests of the Government.

Section 631 prohibits funds to any corporation that was convicted of a felony criminal violation within the preceding 24 months unless the agency has considered suspension or debarment of the corporation and made a determination that further action is not necessary to protect the interests of the Government.

Section 632 delays a statutory requirement for the United States Postal Services to make a payment to the Postal Service Retiree Health Benefit Fund until August 1, 2012.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

The conferees agree to the following provisions:

Section 701 requires all agencies have a written policy for ensuring a drug-free workplace.

Section 702 sets specific limits on the cost of passenger vehicles with exceptions for police, heavy duty, electric hybrid and clean fuels vehicles.

Section 703 makes appropriations available for quarters/cost-of-living allowances.

Section 704 prohibits the use of appropriated funds to compensate officers or employees of the Federal government in the continental United States unless they are citizens of the United States or qualify under other specified exceptions.

Section 705 ensures that appropriations made available to any department or agency for space, services and rental charges shall

also be available for payment to the General Services Administration.

Section 706 allows the use of receipts from the sale of materials for acquisition, waste reduction and prevention, environmental management programs and other Federal employee programs as appropriate.

Section 707 allows funds for administrative expenses of government corporations and certain agencies to also be available for rent in the District of Columbia, services under 5 U.S.C. 3109, and the objects specified under this head.

Section 708 prohibits funds for interagency financing of boards (with exception), commissions, councils, committees or similar groups to receive multi-agency funding without prior statutory approval.

Section 709 precludes funds for regulations which have been disapproved by joint resolution.

Section 710 limits the amount of funds that can be used for redecoration of offices under certain circumstances to $5,000, unless advance notice is transmitted to the House and Senate Committees on Appropriations.

Section 711 allows for interagency funding of national security and emergency preparedness telecommunications initiatives.

Section 712 requires agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 713 prohibits the salary payment of any employee who prohibits, threatens, prevents or otherwise penalizes another employee from communicating with Congress.

Section 714 prohibits Federal employee training not directly related to the performance of official duties.

Section 715 prevents funds from being used to implement or enforce non-disclosure agreement policies unless certain provisions are included, updates the Executive Order and other citations and makes provisions for nondisclosure agreements entered into before the effective date of any updated statutes of governance.

Section 716 prohibits executive branch agencies from using funds for propaganda or publicity purposes in support or defeat of legislative initiatives.

Section 717 prohibits any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 718 prohibits funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the government without the approval of the House and Senate Committees on Appropriations.

Section 719 prohibits the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 720 directs agency employees to use official time in an honest effort to perform official duties.

Section 721 authorizes the use of funds to finance an appropriate share of the Federal Accounting Standards Advisory Board administrative costs.

Section 722 authorizes the transfer of funds to the General Services Administration to finance an appropriate share of various government-wide boards and councils under certain conditions.

Section 723 permits breastfeeding in a Federal building or on Federal property if the woman and child are authorized to be there.

Section 724 permits interagency funding of the National Science and Technology Council and requires the Office of Management and Budget to provide a report to the House and Senate on the budget and resources of the National Science and Technology Council.

Section 725 requires that the Federal forms that are used in distributing Federal funds to a State must indicate the agency providing the funds, the Federal Domestic Assistance Number, and the amount provided.

Section 726 prohibits the use of funds to monitor personal information relating to the use of Federal Internet sites to collect, review, or create any aggregate list that includes personally identifiable information relating to access to or use of any Federal Internet site of such agency.

Section 727 requires health plans participating in the Federal Employees Health Benefits Program to provide contraceptive coverage and provides exemptions to certain religious plans.

Section 728 recognizes the United States is committed to ensuring the health of the Olympic, Pan American and Paralympic athletes, and supports the strict adherence to antidoping in sport activities.

Section 729 allows funds for official travel to be used by departments and agencies, if consistent with OMB and Budget Circular A–126, to participate in the fractional aircraft ownership pilot program.

Section 730 prohibits funds for implementation of the Office of Personnel Management regulations limiting detailees to the Legislative Branch or implementing limitations on the Coast Guard Congressional Fellowship Program.

Section 731 restricts the use of funds for Federal law enforcement training facilities with an exception for the Federal Law Enforcement Training Center.

Section 732 prohibits funds for E-Government initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the House and Senate Committees on Appropriations and receipt of the Committees' approval to transfer funds. The section also prohibits funds for new E-Government initiatives without the explicit approval of the Committees.

Section 733 prohibits funds to begin or announce a study or public-private competition regarding conversion to contractor performance pursuant to OMB Circular A–76.

Section 734 prohibits executive branch agencies from creating prepackaged news stories that are broadcast or distributed in the United States unless the story includes a clear notification within the text or audio of that news story that the prepackaged news story was prepared or funded by that executive branch agency.

Section 735 prohibits funds from being used in contravention of the Privacy Act or associated regulations.

Section 736 requires agencies to evaluate the creditworthiness of an individual before issuing a government travel charge card and prohibits agencies from issuing a government travel charge card to individuals who have an unsatisfactory credit history.

Section 737 requires the Office of Management and Budget to submit a crosscut budget report on Great Lakes restoration activities not later than 45 days after the submission of the budget of the President to Congress.

Section 738 prohibits funds in this or any other Act to be used for Federal contracts with inverted domestic corporations, unless the contract preceded this Act or the Secretary grants a waiver in the interest of national security.

Section 739 prohibits agencies from using funds to implement regulations changing the competitive areas under reductions-in-force for Federal employees.

Section 740 makes changes to Section 743 of the Consolidated Appropriations Act of 2010 (Public Law 111–117) to require reporting on task orders.

Section 741 requires agencies to pay a fee to the Office of Personnel Management for processing retirements of employees who separate under Voluntary Early Retirement Authority or who receive Voluntary Separation Incentive payments.

Section 742 declares references to "this Act" contained in any title other than title IV or VIII shall not apply to such titles IV or VIII.

Section 743 prohibits funds to require any entity submitting an offer for a Federal contract to disclose political contributions.

Section 744 provides transfer authority for amounts made available to the Commodity Futures Trading Commission for information technology investments under Public Law 112–55.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to the following general provisions for the District of Columbia:

Section 801 allows the use of local funds for making refunds or paying judgments against the District of Columbia government.

Section 802 prohibits the use of Federal funds for publicity or propaganda designed to support or defeat legislation before Congress or any State legislature.

Section 803 establishes reprogramming procedures for Federal funds.

Section 804 prohibits the use of Federal funds for the salaries and expenses of a shadow U.S. Senator or U.S. Representative.

Section 805 places restrictions on the use of District of Columbia government vehicles.

Section 806 prohibits the use of Federal funds for a petition or civil action which seeks to require voting rights for the District of Columbia in Congress.

Section 807 prohibits the use of Federal funds in this Act to distribute, for the purpose of preventing the spread of blood borne

pathogens, sterile needles or syringes in any location that has been determined by local public health officials or local law enforcement authorities to be inappropriate for such distribution.

Section 808 concerns a "conscience clause" on legislation that pertains to contraceptive coverage by health insurance plans.

Section 809 modifies and makes permanent a provision that requires the Mayor of the District of Columbia to submit annual reports on various indicators pertaining to the District of Columbia as proposed by the Senate.

Section 810 prohibits the use of Federal funds to legalize or reduce penalties associated with the possession, use or distribution of any schedule I substance under the Controlled Substances Act or any tetrahydrocannabinols derivative.

Section 811 prohibits the use of funds for abortion except in the cases of rape or incest or if necessary to save the life of the mother.

Section 812 requires the CFO to submit a revised operating budget no later than 30 calendar days after the enactment of this Act for agencies the CFO certifies as requiring a reallocation in order to address unanticipated program needs.

Section 813 requires the CFO to submit a revised operating budget for the District of Columbia Public Schools, no later than 30 calendar days after the enactment of this Act, that aligns school budgets to actual enrollment.

Section 814 authorizes the transfer of local funds to capital and enterprise funds.

Section 815 permits the District of Columbia Public Defender Service to purchase professional liability insurance for its attorneys, staff and board members as proposed by the Senate.

Section 816 modifies the frequency of management evaluations by the Government Accountability Office of the District of Columbia's chartering authority for public charter schools as proposed by the Senate.

Section 817 specifies that references to this Act in this title or title IV are treated as referring only to the provisions of this title and title IV.

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)

(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF THE TREASURY				
Departmental Offices				
Salaries and expenses	308,388	324,889	308,388	+2,000
Department-wide systems and capital investments programs	3,992	---	---	-3,992
Office of Inspector General	29,641	29,855	29,641	---
Treasury Inspector General for Tax Administration	151,696	157,831	151,696	---
Special Inspector General for TARP	36,227	47,374	41,800	+5,573
Financial Crimes Enforcement Network	110,788	84,297	110,788	---
Treasury forfeiture fund (rescission)	-400,000	-600,000	-950,000	-550,000
Total, Departmental Offices	238,732	44,246	-307,687	-546,419
Financial Management Service	232,786	218,805	217,805	-14,981
Alcohol and Tobacco Tax and Trade Bureau	100,798	97,878	99,878	-920
Bureau of the Public Debt	174,635	165,635	165,635	-9,000
Community development financial institutions fund program account	226,546	227,259	221,000	-5,546
Payment of government losses in shipment	2,000	2,000	2,000	---
Total, Department of the Treasury, non-IRS	975,497	755,823	398,631	-576,866

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Internal Revenue Service				
Taxpayer services	2,274,272	2,345,133	2,239,703	-34,569
Enforcement	5,492,992	5,030,619	5,299,367	-193,625
Enhanced tax enforcement activities	---	936,000	---	---
Subtotal	5,492,992	5,966,619	5,299,367	-193,625
Operations support	4,075,716	4,299,526	3,947,416	-128,300
Enhanced tax enforcement activities	---	321,000	---	---
Subtotal	4,075,716	4,620,526	3,947,416	-128,300
Business systems modernization	263,369	333,600	330,210	+66,841
Health Insurance Tax Credit Administration	15,481	18,029	---	-15,481
Total, Internal Revenue Service	12,121,830	13,283,907	11,816,696	-305,134
Total, title I, Department of the Treasury	13,097,327	14,039,730	12,215,327	-882,000
Appropriations	(13,497,327)	(14,639,730)	(13,165,327)	(-332,000)
Rescissions	(-400,000)	(-600,000)	(-950,000)	(-550,000)
(Mandatory)	(2,000)	(2,000)	(2,000)	---
(Discretionary)	(13,095,327)	(14,037,730)	(12,213,327)	(-882,000)

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE II - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT				
The White House				
Salaries and expenses	56,435	56,374	56,974	-1,461
Compensation of the President	450	450	450	---
Subtotal	56,885	56,824	57,424	-1,461
Executive Residence at the White House:				
Operating expenses	13,673	13,658	13,425	-248
White House repair and restoration	2,001	1,000	750	-1,251
Subtotal	15,674	14,658	14,175	-1,499
Council of Economic Advisers	4,192	4,403	4,192	---
National Security Council and Homeland Security Council	13,048	13,074	13,048	---
Office of Administration	115,049	115,848	112,952	-2,097
Total, The White House	206,848	206,807	201,791	-5,057
Office of Management and Budget	91,750	91,660	89,456	-2,294
Office of National Drug Control Policy				
Salaries and expenses	27,084	23,413	24,500	-2,584
Rescission	---	-11,328	-11,328	-11,328

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
High intensity drug trafficking areas program	238,522	200,000	238,522	---
Other Federal drug control programs	140,618	143,600	105,550	-35,068
Total, Office of National Drug Control Policy	406,224	355,685	357,244	-48,980
Integrated, efficient and effective uses of information technology	---	60,000	5,000	+5,000
Unanticipated needs	998	1,000	988	-10
Partnership fund for program integrity innovation	---	20,000	---	---
Rescission	-5,000	---	---	+5,000
Special Assistance to the President and Official Residence of the Vice President:				
Salaries and expenses	4,549	4,328	4,328	-221
Operating expenses	326	307	307	-19
Subtotal	4,875	4,635	4,635	-240
Total, title II, Executive Office of the President and Funds Appropriated to the President	705,695	739,787	659,114	-46,581
(Mandatory)	(450)	(450)	(450)	---
(Discretionary)	(705,245)	(739,337)	(658,664)	(-46,581)

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE III - THE JUDICIARY				
Supreme Court of the United States				
Salaries and expenses:				
Salaries of justices	2,197	2,197	2,197	---
Other salaries and expenses	71,724	73,354	72,622	+898
Subtotal	73,921	75,551	74,819	+898
Care of the building and grounds	8,159	8,504	8,159	---
Total, Supreme Court of the United States	82,080	84,055	82,978	+898
United States Court of Appeals for the Federal Circuit				
Salaries and expenses:				
Salaries of judges	2,502	2,513	2,513	+11
Other salaries and expenses	30,009	32,626	29,998	-11
Total, United States Court of Appeals for the Federal Circuit	32,511	35,139	32,511	---

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
United States Court of International Trade				
Salaries and expenses:				
Salaries of judges	1,851	1,718	1,718	-133
Other salaries and expenses	19,596	21,173	19,729	+133
Total, U.S. Court of International Trade	21,447	22,891	21,447	---
Courts of Appeals, District Courts, and Other Judicial Services				
Salaries and expenses:				
Salaries of judges and bankruptcy judges	332,565	327,707	327,707	-4,858
Other salaries and expenses	4,671,656	4,908,459	4,687,293	+15,637
Subtotal	5,004,221	5,236,166	5,015,000	+10,779
Vaccine Injury Compensation Trust Fund	4,775	5,011	5,000	+225
Defender services	1,025,693	1,098,745	1,031,000	+5,307
Fees of jurors and commissioners	52,305	59,727	51,908	-397
Court security	466,672	513,058	500,000	+33,328
Total, Courts of Appeals, District Courts, and Other Judicial Services	6,553,666	6,912,707	6,602,908	+49,242
Administrative Office of the United States Courts				
Salaries and expenses	82,909	88,455	82,909	---

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Federal Judicial Center				
Salaries and expenses	27,273	29,029	27,000	-273
Judicial Retirement Funds				
Payment to judiciary trust funds	90,361	103,768	103,768	+13,407
United States Sentencing Commission				
Salaries and expenses	16,803	17,906	16,500	-303
Total, title III, the Judiciary	6,907,050	7,293,950	6,970,021	+62,971
(Mandatory)	(429,476)	(437,903)	(437,903)	(+8,427)
(Discretionary)	(6,477,574)	(6,856,047)	(6,532,118)	(+54,544)
TITLE IV - DISTRICT OF COLUMBIA				
FEDERAL FUNDS				
Federal payment for resident tuition support	35,030	35,100	30,000	-5,030
Federal payment for emergency planning and security costs in the District of Columbia	14,970	14,900	14,900	-70
Federal payment to the District of Columbia Courts	242,933	229,068	232,841	-10,092
Federal payment for defender services in District of Columbia Courts	54,890	55,000	55,000	+110
Federal payment to the Court Services and Offender				

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Supervision Agency for the District of Columbia.....	211,983	216,846	212,983	+1,000
Federal payment to the District of Columbia Public Defender Service.....	37,241	41,486	37,241	---
Federal payment to the District of Columbia Water and Sewer Authority.....	11,476	25,000	15,000	+3,524
Federal payment to the Criminal Justice Coordinating Council.....	1,796	1,800	1,800	+4
Federal payment for judicial commissions.....	499	500	500	+1
Federal payment for school improvement.....	77,545	67,000	60,000	-17,545
Federal payment for the D.C. National Guard.....	375	2,000	375	---
Federal payment for housing for the homeless.....	9,980	---	---	-9,980
Federal payment for redevelopment of the St. Elizabeth's Hospital campus.....	---	18,000	---	---
Federal payment for HIV/AIDS prevention.....	---	5,000	5,000	+5,000
Federal payment for D.C. Commission on the Arts and Humanities grants.....	---	5,000	---	---
Total, Title IV, District of Columbia.....	698,718	716,700	665,640	-33,078

TITLE V - OTHER INDEPENDENT AGENCIES

Administrative Conference of the United States.....	2,744	3,200	2,900	+156
Christopher Columbus Fellowship Foundation.....	499	---	450	-49

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Civilian Property Realignment Board				
Salaries and expenses	---	23,000	---	---
Asset Proceeds and Space Management Fund	---	65,000	---	---
Total, Civilian Property Realignment Board	---	88,000	---	---
Consumer Product Safety Commission	114,788	122,000	114,500	-288
Election Assistance Commission				
Salaries and expenses	16,267	13,716	11,500	-4,767
Election reform programs	---	---	---	---
Total, Election Assistance Commission	16,267	13,716	11,500	-4,767
Federal Communications Commission				
Salaries and expenses	335,794	358,801	339,844	+4,050
Offsetting fee collections - current year	-335,794	-358,801	-339,844	-4,050
Direct appropriation	---	---	---	---

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Federal Deposit Insurance Corporation: Office of Inspector General (by transfer)	(42,942)	(45,261)	(45,261)	(+2,319)
Federal Election Commission	66,367	67,014	66,367	---
Federal Labor Relations Authority	24,723	26,440	24,723	---
Federal Trade Commission				
Salaries and expenses	291,363	326,000	311,563	+20,200
Offsetting fee collections - current year	-96,000	-108,000	-108,000	-12,000
Offsetting fee collections, telephone database	-21,000	-19,000	-21,000	---
Direct appropriation	174,363	199,000	182,563	+8,200
General Services Administration				
Federal Buildings Fund				
Limitations on availability of revenue:				
Construction and acquisition of facilities	82,000	839,642	50,000	-32,000
Repairs and alterations	280,000	868,902	280,000	---
Installment acquisition payments	135,540	126,801	126,801	-8,739
Rental of space	4,830,000	5,285,198	5,210,198	+380,198
Building operations	2,270,000	2,387,968	2,350,968	+80,968
Subtotal, Limitations on availability of revenue	7,597,540	9,508,511	8,017,967	+420,427

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Repayment of debt	71,270	80,000	80,000	+8,730
Rental income to fund	-8,871,000	-9,303,000	-9,303,000	-432,000
Rescission	-25,000	---	---	+25,000
Total, Federal Buildings Fund	-1,227,190	285,511	-1,205,033	+22,157
Government-wide policy	66,488	105,140	61,115	-5,373
Operating expenses	69,882	70,022	69,500	-382
Office of Inspector General	58,882	62,358	58,000	-882
Electronic Government Fund	7,984	34,000	12,400	+4,416
Allowances and Office Staff for Former Presidents	3,792	3,671	3,671	-121
Federal acquisition workforce initiatives fund	---	16,900	---	---
Federal Citizen Services Fund	34,116	39,933	34,100	-16
Policy and operations (rescission)	---	---	-4,600	-4,600
Total, General Services Administration	-986,046	617,535	-970,847	+15,199
Harry S Truman Scholarship Foundation	748	---	748	---
Merit Systems Protection Board				
Salaries and expenses	40,258	42,116	40,258	---
Limitation on administrative expenses	2,574	2,345	2,345	-229
Total, Merit Systems Protection Board	42,832	44,461	42,603	-229

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Morris K. Udall and Stewart L. Udall Foundation				
Morris K. Udall and Stewart L. Udall Trust Fund.....	2,495	2,200	2,200	-295
Environmental Dispute Resolution Fund.....	3,792	3,800	3,792	---
Total, Morris K. Udall and Stewart L. Udall Foundation.....	6,287	6,000	5,992	-295
National Archives and Records Administration				
Operating expenses.....	339,090	403,742	373,300	+34,210
Reduction of debt.....	-14,000	-15,000	-15,000	-1,000
Subtotal.....	325,090	388,742	358,300	+33,210
Office of the Inspector General.....	4,241	4,100	4,100	-141
Electronic records archive.....	71,856	---	---	-71,856
Repairs and restoration.....	11,824	9,859	9,100	-2,724
Rescission.....	-3,198	---	---	+3,198
National Historical Publications and Records Commission: Grants program.....	6,986	5,000	5,000	-1,986
Total, National Archives and Records Admin.....	416,799	407,501	376,500	-40,299
National Credit Union Administration				
Community Development Revolving Loan Fund.....	1,247	2,000	1,247	---

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of Government Ethics	13,972	13,664	13,664	-308
Office of Personnel Management				
Salaries and expenses	97,774	100,027	97,774	---
Limitation on administrative expenses	112,516	132,523	112,516	---
Office of Inspector General	3,142	3,804	3,142	---
Limitation on administrative expenses	21,174	21,559	21,174	---
Govt Payment for Annuitants, Employees Health Benefits	10,467,000	10,862,000	10,862,000	+395,000
Govt Payment for Annuitants, Employee Life Insurance	50,000	52,000	52,000	+2,000
Payment to Civil Svc Retirement and Disability Fund	10,076,000	9,979,000	9,979,000	-97,000
Total, Office of Personnel Management	20,827,606	21,150,913	21,127,606	+300,000
Mandatory	(20,593,000)	(20,893,000)	(20,893,000)	(+300,000)
Discretionary	(234,606)	(257,913)	(234,606)	---
Office of Special Counsel	18,458	19,486	18,972	+514
Postal Regulatory Commission	14,304	14,450	14,304	---
Privacy and Civil Liberties Oversight Board	998	1,683	900	-98
Rescission	-1,500	---	-998	+502
Recovery and Accountability Transparency Board	---	31,543	28,350	+28,350
Securities and Exchange Commission	1,185,000	1,407,483	1,321,000	+136,000
Selective Service System	24,226	24,500	23,984	-242

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Small Business Administration				
Salaries and expenses	432,571	427,296	417,348	-15,223
Office of Inspector General	16,267	18,400	16,267	---
Office of Advocacy	---	9,120	9,120	+9,120
Business Loans Program Account:				
Direct loans subsidy	2,994	3,765	3,678	+684
Guaranteed loans subsidy	79,840	211,600	207,100	+127,260
Administrative expenses	152,694	147,958	147,958	-4,736
Total, Business loans program account	235,528	363,323	358,736	+123,208
Disaster Loans Program Account:				
Administrative expenses	45,372	167,300	117,300	+71,928
Total, Small Business Administration	729,738	985,439	918,771	+189,033
United States Postal Service				
Payment to the Postal Service Fund	11,776	---	---	-11,776
Advance appropriations	74,905	78,153	78,153	+3,248
Total, Payment to the Postal Service Fund	86,681	78,153	78,153	-8,528
Office of Inspector General	243,908	244,397	241,468	-2,440
Total, United States Postal Service	330,589	322,550	319,621	-10,968

DIVISION C - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
United States Tax Court	51,989	59,996	51,079	-910
Total, title V, Independent Agencies	23,076,998	25,628,574	23,696,499	+619,501
Appropriations	(23,031,791)	(25,550,421)	(23,623,944)	(+592,153)
Rescissions	(-29,698)	---	(-5,598)	(+24,100)
Disaster relief category	---	---	---	---
Advances	(74,905)	(78,153)	(78,153)	(+3,248)
(by transfer)	(42,942)	(45,261)	(45,261)	(+2,319)
(Mandatory)	(20,593,000)	(20,893,000)	(20,893,000)	(+300,000)
(Discretionary)	(2,460,274)	(4,709,391)	(2,779,613)	(+319,339)
Grand total	44,485,788	48,418,741	44,206,601	-279,187
Appropriations	(44,845,581)	(48,951,916)	(45,095,374)	(+249,793)
Rescissions	(-434,698)	(-611,328)	(-966,926)	(-532,228)
Advances	(74,905)	(78,153)	(78,153)	(+3,248)
(by transfer)	(42,942)	(45,261)	(45,261)	(+2,319)
Discretionary total	21,747,730	25,683,140	21,526,000	-221,730

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2012

The following is an explanation of the effects of Division D, which makes appropriations for the Department of Homeland Security for fiscal year 2012. Unless otherwise noted, reference to the House and Senate reports are to House Report 112–91 and Senate Report 112–74, respectively. The language and allocations contained in House Report 112–91 and Senate Report 112–74 should be complied with and carry the same emphasis as the language included in the explanatory statement, unless specifically addressed to the contrary in the conference report or this explanatory statement. While repeating some report language for emphasis, this explanatory statement does not intend to negate the language referred to above unless expressly provided herein. When this explanatory statement refers to the Committees or the Committees on Appropriations, unless otherwise noted, this reference is to the House Subcommittee on Homeland Security and the Senate Subcommittee on the Department of Homeland Security. In cases where the explanatory statement directs the submission of a report, such report shall be provided to the Committees on Appropriations by February 15, 2012, unless otherwise directed. In cases where the explanatory statement directs a briefing, such briefing shall be provided to the Committees by February 15, 2012, unless otherwise directed.

This explanatory statement refers to the following laws and organizations as follows: Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110–53, is referenced as the 9/11 Act; Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288 is referenced as the Stafford Act; Budget Control Act of 2011, Public Law 112–25, is referenced as the Budget Control Act (BCA); the Department of Homeland Security is referenced as DHS or the Department; the Government Accountability Office is referenced as GAO; and the Office of Inspector General of the Department of Homeland Security is referenced as OIG. In addition, any reference to "full-time equivalents" shall be referred to as FTE; any reference to "program, project, and activity" shall be referred to as PPA; and any reference to the Secretary shall be interpreted to mean the Secretary of Homeland Security.

Classified Programs

Recommended adjustments to classified programs are addressed in a classified annex accompanying this explanatory statement.

TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

A total of $133,159,000 is provided for "Office of the Secretary and Executive Management." Not to exceed $51,000 of this funding shall be for official reception and representation expenses, including $17,000 for the Office of Policy to support Visa Waiver Program negotiations in Washington, DC, and for other international activities. This Act also includes a provision requiring that funds made

available for "Immediate Office of the Secretary" and "Immediate Office of the Deputy Secretary" shall be used to pay costs associated with use of government aircraft by DHS personnel in support of official travel of the Secretary and Deputy Secretary.

The amount provided for this appropriation by PPA is as follows:

Immediate Office of the Secretary	$5,000,000
Immediate Office of the Deputy Secretary	1,918,000
Office of the Chief of Staff	2,300,000
Office of Counternarcotics Enforcement	1,800,000
Executive Secretary	8,100,000
Office of Policy	40,000,000
Office of Public Affairs	5,800,000
Office of Legislative Affairs	6,000,000
Office of Intergovernmental Affairs	2,650,000
Office of General Counsel	22,400,000
Office for Civil Rights and Civil Liberties	22,500,000
Citizenship and Immigration Services Ombudsman	6,200,000
Privacy Officer	8,491,000
Total, Office of the Secretary and Executive Management	133,159,000

Biometric Exit

Congress has long sought the Department's determination on the path forward for implementing biometric exit, and the conferees have asked for a detailed plan to include costs. On October 17, 2011, the Secretary sent a letter to the chairmen and ranking members of relevant appropriations and authorization committees outlining general concerns about implementation, particularly the cost of such an undertaking, and proposing legislative changes to existing law. While the Secretary states, "DHS remains committed to introducing a biometric component to the exit process", the letter does not constitute a detailed plan for implementation. Therefore, statutory language is included in this Act withholding funds from the Office of the Secretary until the plan is submitted, to include identifying associated costs.

Office of Counternarcotics Enforcement

A total of $1,800,000 is provided for "Office of Counternarcotics Enforcement" (CNE), which is available until March 30, 2012, to continue CNE operations while the Department conducts an orderly termination of the Office. This funding may be transferred to the Office of Policy, which is expected to assume policy development and coordination responsibilities currently assigned to CNE, and any such funds transferred will be available until September 30, 2012. The Assistant Secretary for Policy shall provide, as part of the requirement for an expenditure plan for the Office of Policy, a detailed description of any such transfers.

The termination of CNE reflects the need to streamline Executive Branch efforts to carry out the counternarcotics enforcement mission. Allowing the funds to be transferred to the Office of Policy will ensure the Department can integrate the existing CNE policy planning and coordination activities within the broader Depart-

ment enforcement and security missions and make optimum use of the existing planning and operations elements of its key law enforcement agencies. It will also enable the Department, through the Office of Policy, to coordinate DHS policy and programs that are carried out with the Office of National Drug Control Policy and other Federal, State, local, and international government partners. As CNE will be terminated, the GAO is neither required to submit an assessment of progress in implementing OIG recommendations concerning CNE, nor to assess DHS counternarcotics coordination, as required in the House report.

Expenditure Plans

The Department shall prepare expenditure plans for fiscal year 2012 for the agencies funded under this appropriation as specified in the Senate report, with the exception of CNE which is being terminated. The plans shall be submitted to the Committees no later than March 30, 2012. The plan for the Office of Policy shall list planned projects for each sub-office within the Office of Policy, with their associated funding and staffing requirements. In addition, should the funds made available for either counternarcotics or risk management and analysis functions be transferred to the Office of Policy, as permitted by this Act, those resources should be delineated in the manner specified for each sub-office in the expenditure plan, including missions, planned expenditures, and activities. In addition to expenditure plans described above, the Act requires additional fiscal year 2012 expenditure plans, including a plan for TSA passenger screening and checked baggage technology programs, the Office of Infrastructure Protection and the National Cyber Security Division, the Office of Health Affairs, and the Federal Emergency Management Agency.

The Department has failed to deliver a number of statutorily required fiscal year 2011 expenditure plans, or has delivered them unacceptably late. The Department is expected to comply with Congressional direction and demonstrate the priority it places on these programs and submit required expenditure plans as directed and in accordance with the specified deadlines. The Department should already have these expenditure plans as part of its routine management activities; therefore, it is notable, and entirely inexcusable, that the Department did not, for example, submit fiscal year 2011 expenditure plans for the Office of Policy or US-VISIT—and it is well past the end of the fiscal year.

Quarterly Reports

The Department is directed to continue submitting the quarterly Secure Border Initiative (SBI) reports, now to be called the Border Security Status Report. The new reports shall continue to include all performance metrics and resource data from past reports in their current format, with the exception that they no longer should include resource data on SBI total budget obligations and outlays and budget execution reports. That information already is contained in the annual Border Security Fencing, Infrastructure, and Technology expenditure plan. Additionally, the Department shall include the following in the report: (a) estimates of

the impact of programs (such as Operation Streamline) that are intended to reduce the rate of recidivism of illegal border crossers; (b) for ports of entry, the maritime domain, and between the ports of entry: (1) estimates of total attempted border crossings; (2) the rate of apprehension of attempted border crossings; and (3) the inflow into the United States of illegal entrants that evade apprehension; and (c) data on the subsequent enforcement actions associated with Customs and Border Protection (CBP) apprehensions, such as voluntary return, expedited removal, transfer to Immigration and Customs Enforcement (ICE) custody, transfer for criminal prosecution, Mexican Interior Repatriation Program, and other categories necessary to provide an accurate accounting of such actions.

The Department is directed to submit quarterly reports on operations in a timely manner, including the overdue SBI Quarterly Status reports, the new Border Security Status Reports, the Secure Communities Quarterly Reports, and the Detention and Removal Operations Quarterly Reports. These reports present critical operational statistics, readily available to the Department, which are necessary for appropriate oversight. However, in many instances, the Department has failed to provide these reports in accordance with specified deadlines, with submissions being so late that these reports limit the Committees' ability to ensure timely oversight.

Working Capital Fund

The Department shall include a separate justification in its fiscal year 2013 budget request for the Working Capital Fund (WCF), as specified in the House report. This justification shall identify and explain cross-cutting initiatives or activities that benefit multiple organizations and are not included in the WCF. The Department shall notify the Committees promptly of any changes made to the WCF during the fiscal year and should not use the WCF to support activities for which funding requests were previously disapproved by the Committees.

Official Reception and Representation Allowances

The Department is directed to submit quarterly reports to the Committees listing obligations for all DHS Reception and Representation Expenses by purpose and dollar amount, at a level of detail provided in fiscal year 2011, or in greater detail if that is required to explain how funds were used. The Department shall review the level of reception and representation allowances for its agencies and components to assure they align with missions and responsibilities and submit any proposed changes as part of the fiscal year 2013 budget request.

Coordination of Federal Chemical Security Efforts

The Department is expected to execute a Memorandum of Agreement between the National Protection and Programs Directorate and the Coast Guard regarding harmonization of chemical security responsibilities established by Chemical Facilities Anti-Terrorism Standards regulations and Maritime Transportation Security Act regulatory programs no later than March 30, 2012. The Deputy Secretary is directed to submit reports on chemical security

efforts to the Committees on Appropriations as directed in the Senate report. However, the reports shall be submitted on a semi-annual basis instead of quarterly with the first report due no later than March 30, 2012.

Federally Funded Research and Development Centers

The Department is directed to report semi-annually to the Committees on Appropriations on projects tasked to Federally Funded Research and Development Centers as directed in the Senate report and to immediately submit reports for fiscal years 2010 and 2011, which are unacceptably late.

Cybersecurity

Both the Department of Homeland Security and the National Guard have capabilities, in conjunction with the private sector, to respond to issues related to cybersecurity. In an effort to improve coordination between the Federal government and the private sector and to exploit and enhance the capabilities of both sectors, the conferees direct the Deputy Secretary of DHS, jointly with the Deputy Secretary of Defense, to submit a report to the Committees no later than May 1, 2012, regarding the capabilities for a coordinated response to a cyber attack. The report shall evaluate the costs and benefits of deploying the National Guard, or other equivalent civilian teams, to supplement current abilities to prevent and recover from a cyber attack. The report shall also include: a description of current activities of both DHS and the National Guard related to the deployment of teams to help prevent or recover from a cyber attack; the authorities of each Department, including the boundaries of such authorities and statutory changes that may be necessary to use joint authorities in a domestic response; a description of training and education efforts; and a discussion of how critical relationships can be established across the agencies to fulfill cybersecurity responsibilities.

Freedom of Information Act

The Privacy Officer is directed to report to the Committees on Appropriations no later than 30 days after the date of enactment of this Act on measures put in place to implement the OIG's recommendations to fix problems identified with the Department's Freedom of Information (FOIA) activities (OIG–11–67), including whether and how recent adjustments to DHS FOIA policies and procedures have improved the processing of inquiries, such as decreasing wait times for approval of significant requests.

Departmental Integrity Efforts

Since Congress initiated significant increases in funding for border security and immigration enforcement in 2005, CBP has hired more than 19,176 new employees, a 46 percent increase, and ICE has hired over 4,747 new personnel, a 31 percent increase. Since 2007, in an effort to reduce the potential for increased corruption, the Congress has provided over $11,000,000 more than Presidents have requested for program integrity efforts. It is ex-

pected that the President will join Congress in the effort to get ahead of this problem by including increased resources in the fiscal year 2013 budget request.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

A total of $235,587,000 is provided for "Office of the Under Secretary for Management," of which not to exceed $2,500 shall be for official reception and representation expenses. Within this amount, $5,000,000 shall be available until September 30, 2016, solely for costs of facilities alteration and improvement, tenant improvements, and relocations to consolidate DHS headquarters operations at the Nebraska Avenue Complex.

Pursuant to section 560, a total of $55,979,000 is provided for "Office of the Under Secretary for Management" for costs associated with headquarters consolidation and mission support consolidation. These funds shall be prioritized towards the completion of phase I of the headquarters consolidation project at the St. Elizabeths site in order to avoid further increases to cost and schedule. The Under Secretary shall submit an expenditure plan no later than 90 days after the date of enactment of this Act detailing how these funds will be allocated, including a revised schedule and cost estimates for headquarters consolidation. Quarterly briefings are required on headquarters and mission support consolidation activities, including any deviation from the expenditure plan.

The amount provided for this appropriation by PPA is as follows:

Immediate Office of the Under Secretary for Management	$2,550,000
Office of Security	70,000,000
Office of the Chief Procurement Officer	78,000,000
Office of the Chief Human Capital Officer:	
Salaries and Expenses	25,165,000
Human Resources Information Technology	14,172,000
Subtotal	39,337,000
Office of Chief Administrative Officer:	
Salaries and Expenses	40,700,000
Nebraska Avenue Complex	5,000,000
Subtotal	45,700,000
Total, Office of the Under Secretary for Management	235,587,000

Polar Icebreaker Program

None of the requested funding is provided for a new study of the need for Coast Guard icebreakers. Given the findings of previous reports and analyses of this issue, the Department is urged to develop a concept of operations and resource plan to meet national icebreaking needs, including leveraging expertise within the Coast Guard and Science and Technology Directorate. The Under Secretary shall brief the Committees on the status of this plan no later than 90 days after the date of enactment of this Act.

Comprehensive and Quarterly Acquisition Status Reports

Senate Report 111–31 directed the submission of quarterly acquisition reports for major acquisitions. The quarterly reports for fiscal year 2010 were not submitted to Congress at the end of each quarter as directed, but instead all four quarterly reports were combined into one report and submitted on April 12, 2011—over six months after the end of fiscal year 2010. This lack of responsiveness is unacceptable, especially since the information requested is already required by the Department as part of its own acquisition oversight process.

In order to obtain the information necessary for in-depth congressional oversight, statutory language is included in this Act under "Office of the Under Secretary for Management" that requires a Comprehensive Acquisition Status Report to be included as part of the submission of the President's fiscal year 2013 budget, with quarterly updates to be submitted 30 days after the completion of each quarter. The requirements for both reports are addressed below.

The Comprehensive Acquisition Status Report shall include programs identified for Major Acquisition Oversight as defined in the Department memorandum titled "Department of Homeland Security Major Acquisition Oversight List" dated January 25, 2011, and programs that have been classified for major acquisition oversight subsequent to the referenced memorandum.

The Comprehensive Acquisition Status Report shall include for each major acquisition:

1. A narrative description to include current gaps and shortfalls, the capabilities to be fielded, and the number of planned increments and/or units;

2. Acquisition Review Board (or other board designated to review the acquisition) status of each acquisition, including the current acquisition phase, the date of the last review and a listing of the required documents that have been reviewed with the dates reviewed and/or approved;

3. The most current approved Acquisition Program Baseline (to include project schedules and events);

4. A comparison of the original Acquisition Program Baseline, the current Acquisition Program Baseline, and the current estimate;

5. Whether or not an Independent Verification and Validation has been implemented, with an explanation for the decision and a summary of any findings;

6. A rating of cost risk, schedule risk, and technical risk associated with the program (including narrative descriptions and mitigation actions);

7. Contract status (to include earned value management data as applicable);

8. A life-cycle cost of the acquisition, and time basis for the estimate;

9. A planned procurement schedule, including the best estimate of the annual cost and increments/units to be procured annually until procurement is complete;

10. A table delineated by appropriation that provides (for prior years; past year; current year; budget year; budget year plus one; budget year plus two; budget year plus three; budget year plus four and beyond; and total cost) the actual or estimated appropriations, obligations, unobligated authority, and planned expenditures;

11. The reason for any significant changes (from the previous comprehensive report) in acquisition quantity, cost, or schedule;

12. Key Events/Milestones from the prior fiscal year; and

13. Key Events/Milestones for the current fiscal year.

Quarterly reports shall include:

1. An updated status report on any major acquisition for which there has been an approved or a new acquisition program baseline, a new acquisition decision memorandum, or where there has been significant deviation from the prior report with respect to acquisition cost, quantity, or schedule (a significant change is any deviation in cost or quantity that exceeds eight percent or any change in schedule that exceeds six months).

2. A table depicting the title of the program, quantity and cost based on the original Acquisition Program Baseline, quantity and cost based on the most current acquisition program baseline, the quantity and cost of the most current estimate, and the explanation for any change in quantity and cost from prior reports.

3. If applicable, a copy of the acquisition decision memorandum, together with a copy of the Letter of Assessment signed by the Director of Testing and Evaluation.

The requirements described under this heading shall replace those included in Senate Reports 111–31 and 112–74.

Office of the Chief Procurement Officer

A total of $78,000,000 is provided for "Office of the Chief Procurement Officer" (OCPO), including an increase of $3,403,000 to enhance DHS acquisition capabilities.

OCPO shall brief the Committees no later than February 15, 2012, on its acquisition workforce initiative, as directed in the House and Senate reports, including: a baseline analysis of its workforce and requirements used in defining the gaps in DHS acquisition capacity and determining the skill sets and positions needed to fill those gaps; risks of not filling needed positions; and the long-term strategy to close competency gaps. In cases where component requests for the Federal Acquisition Workforce Initiative were not funded at the requested amount, components should use existing appropriations and fee authority to hire and train highly qualified acquisition personnel for which there are clearly defined requirements.

Office of the Chief Human Capital Officer

A total of $39,337,000 is provided for "Office of the Chief Human Capital Officer" (OCHCO), including an increase of $688,000 for salaries and expenses to enhance the Balanced Workforce Program Office, workforce training, and leadership development. A total of $14,172,000 is included for the Human Resources Information Technology program.

Secretary's Efficiency Review and the Balanced Workforce Initiative

The Under Secretary for Management and the Chief Human Capital Officer are directed to brief the Committees on Appropriations no later than February 15, 2012, on the results of the Secretary's Efficiency Review and the ongoing Balanced Workforce Initiative. The briefing should cover, by priority, efficiencies identified through the Review and progress in implementing them; components and specific procurements where additional oversight personnel are required and where they are being or are planned to be deployed; and how reforms in headquarters structure and function are improving support and management for Department field operations. The briefing should cover the status of the ongoing Balanced Workforce Initiative; provide the most current list of positions DHS plans to convert from contractor to Federal positions, and progress against that list; and discuss estimated savings from that effort and the methodology used to calculate those savings.

The Department is directed to arrange for an independent evaluation of its efficiency review and provide the results to the Committees on Appropriations no later than 30 days after its completion.

Office of the Chief Financial Officer

A total of $50,860,000 is provided for "Office of the Chief Financial Officer." The amount provided includes a decrease from the budget request of $11,000,000 for the Transformation and Systems Consolidation (TASC) project due to the Department's decision to cancel acquisition plans for TASC.

Annual Budget Justifications

Both Senate and House reports call for improvements in the content, detail, and format of annual Congressional Budget Justifications submitted by the Department and its components. It is essential to the work of Congress that such information be timely, accurate, concise, and organized in such a way that facilitates the comparison of current with proposed appropriations for programs, projects, and activities. Developing comprehensive and clear justifications not only disciplines the planning and resource allocation process but could also reduce the need for ancillary budget explanations and program and project expenditure plans and the associated withholding of funding necessitated by the Department's failure to submit these in a complete or timely manner.

Current budget presentation materials, while lengthy and containing a wide range of program data, do not uniformly provide the information the Committees need to assess the impact of the funding being proposed, how it compares to prior year actual appropriations and funded FTE levels, or to evaluate activities proposed to be continued, terminated, or initiated. Terminology is sometimes ambiguous, or used inconsistently, including terms such as interagency transfers or "transfers" between PPAs; adjustments to base; "authorized" rather than "funded" position and FTE levels; or unspecified references to "technical adjustments" or "administrative savings."

Current services descriptions of agency activity and accomplishments, while providing a context for agency operations and budgets, should be consolidated and presented separately from the core justification for appropriations.

To address the concerns described above, the Chief Financial Officer is directed to ensure that fiscal year 2013 budget justifications for classified and unclassified budgets of all Department components are submitted on February 6, 2012, concurrent with the President's budget submission to Congress. The justifications shall include:

1. Detailed data and explanatory descriptions for each appropriations request, and for each PPA reflected in the table accompanying this statement, including offices that have been identified as PPAs. Information regarding actual and planned accomplishments should be in quantifiable terms and demonstrate a direct relationship to funding;

2. Tables that reflect actual and estimated funding by PPA for fiscal years 2011 and 2012; identify each increase, decrease, transfer, and staffing change proposed in fiscal year 2013; and explain such year-to-year changes in terms that are clear and unambiguous, and exclude nonspecific terms such as "technical adjustment" or "administrative savings" unless accompanied by a detailed explanation. To establish a common baseline reference, the fiscal year 2012 discretionary data shall tie to the fiscal year 2012 discretionary total in the table accompanying this statement or have a table identifying each change. Explanations of adjustments to base funding, whether increases or decreases, should be specific, and programmatic changes and initiatives should be clearly identified and justified;

3. For each PPA that is comprised of acquisition and procurement activity, the justification should address all proposed spending using a zero-based budget description;

4. Information by appropriations account and PPA on all reimbursable agreements and significant uses of the Economy Act for each fiscal year;

5. A detailed table identifying the last year that authorizing legislation was enacted into law for each PPA, including the amount of the authorization and the appropriation in the last year of authorization;

6. The text and citation of all Department appropriations provisions enacted to date that are permanent law;

7. Explanations and justifications for all proposed legislative language changes, whether they are new or amend existing law, whether they are substantive or technical in nature, with an annotated comparison of proposed versus existing language; and

8. A report on the status of overdue Committee reports, plans, and briefings for each of fiscal years 2011 and 2012.

Consistent with section 874 of Public Law 107–296, the Department shall submit a Future Years Homeland Security Program budget as part of the fiscal year 2013 budget justification, reflecting anticipated spending for fiscal years 2013–2017. It shall be in unclassified form so as to be accessible to the general public.

Financial Management Improvement

The Office of the Chief Financial Officer is directed to keep the Committees fully informed on financial management improvement plans for the Department, as required in the House and Senate reports, including any centralized or decentralized solutions that would fulfill the objectives originally set for the TASC project and any plans for integrating the Department's remaining management systems for acquisitions and assets. Balances remain available for TASC from prior-year appropriations, which may be obligated for TASC closeout costs or obligated for additional financial management plans in fiscal year 2012 if a new strategy is approved by the DHS Acquisition Review Board and if the Department completes an independent evaluation to validate that strategy prior to obligation of any of these funds. In order to maintain other Department-wide management initiatives, $5,000,000 is rescinded from unobligated balances related to this effort. This rescission is from funds appropriated in fiscal years 2005 and 2006.

Nuclear Detection Technology Acquisition

The Office of Program Analysis and Evaluation is directed to undertake an evaluation of the Department's current approach to acquisition of technology and systems for its nuclear detection mission, which is presently conducted through the Domestic Nuclear Detection Office, and an analysis of alternative approaches, including assigning acquisition responsibilities and resources to component agencies that own and operate the technology. The evaluation shall include a cost-benefit analysis of the relevant options. The results of this review shall be submitted to the Committees no later than 120 days after the date of enactment of this Act.

User Fees

The Department is directed to continue submitting user fee collections and balances on a semi-annual basis rather than quarterly, including steps taken to mitigate any shortfalls in collections.

Office of the Chief Information Officer

A total of $257,300,000 is provided for "Office of the Chief Information Officer."

The amount provided for this appropriation by PPA is as follows:

Salaries and Expenses	$105,500,000
Information Technology Services	38,800,000
Infrastructure and Security Activities	69,000,000
Homeland Secure Data Network	44,000,000
Total, Office of the Chief Information Officer	$257,300,000

Salaries and Expenses

A total of $105,500,000 is provided for "Salaries and Expenses." Within the funding provided for this appropriation, $253,000 is provided to strengthen acquisition workforce capabilities.

Infrastructure and Security Activities

A total of $69,000,000 is provided for "Infrastructure and Security Activities." The multi-year investment and management plan shall include details on how the activities under this heading are to be funded.

Data Center Migration

Section 556 provides $70,000,000 for data center migration. The CIO shall notify the Committees on the initial allocation of this funding within 45 days after the date of enactment of this Act. The CIO shall continue to provide quarterly briefings to the Committees on the progress of data center development and migration. Given that component data center migration schedules may shift during the course of the fiscal year based on changing circumstances and priorities the general provision includes authority for the Secretary to transfer funds made available for data center migration, as necessary, among components based on revised schedules and priorities with 15 days prior notice to the Committees.

ANALYSIS AND OPERATIONS

A total of $338,068,000 is provided for "Analysis and Operations," of which $141,521,000 shall remain available until September 30, 2013. No funding is provided for the C2 Gap Filler Technology initiative. The Department's Chief Intelligence Officer is directed to submit an expenditure plan no later than 60 days after the date of enactment of this Act to the Committees, as required in the Senate report. Additional information on funding levels and reporting requirements are detailed in the classified annex accompanying this statement.

State and Local Fusion Center Program

The Office of Intelligence and Analysis (I&A) is directed to develop robust programmatic justification to better identify and quantify the Federal benefit and return on investment from the State and Local Fusion Center (SLFC) program. I&A shall submit such justification at the time the President's fiscal year 2013 budget is submitted and provide semi-annual briefings on the fusion center program, in lieu of a quarterly reporting requirement in the House report and quarterly briefing requirements in the Senate report. The first briefing shall occur no later than February 15, 2012, conform to the requirements outlined in the Senate report, and include metrics to judge the success of the SLFC program.

OFFICE OF INSPECTOR GENERAL

A total of $141,000,000 is provided for "Office of Inspector General," including $117,000,000 in direct appropriations and $24,000,000 transferred from the Disaster Relief Fund (DRF) for audits and investigations related to that funding. The OIG is directed to submit a plan for expenditure of all funds no later than 30 days after the date of enactment of this Act, in lieu of the 90 day requirement in the Senate report. The Office is further directed

to notify the Committees of all transfers from the DRF by including them in the Department of Homeland Security Chief Financial Officer's monthly budget execution reports submitted to the Committees, in lieu of the 15-day advance notification required in the Senate report. These reports shall satisfy the requirements for notification of DRF transfers under section 503 of this Act.

Integrity Investigations

Within the funding provided for this appropriation, an increase of no less than $4,000,000 is provided for integrity investigations. In lieu of the 45-day requirement in the Senate report OIG is directed to submit, no later than 30 days after the date of enactment of this Act, a plan for expenditure of integrity oversight funds in coordination with CBP and ICE. This plan shall be submitted along with the overall expenditure plan for OIG.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. Customs and Border Protection

SALARIES AND EXPENSES

A total of $8,680,118,000 is provided for "Salaries and Expenses." The request for Headquarters, Management, and Administration is reduced by $3,452,000 for the Acquisition Workforce Initiative, the data center migration funds, and $10,400,000 in additional administrative savings. Data center migration is funded through a general provision. The funding level also reflects an additional $5,000,000 for integrity programs.

Border Security Inspections and Trade Facilitation is funded at $2,484,235,000, including the following for requested initiatives: $44,407,000 for the adjustment for law enforcement journeyman pay costs; $86,109,000 for prior year annualization of 963 CBP officers; $20,692,000 for an additional 300 CBP officers at new and expanded ports of entry; $2,212,000 for additional canine units at ports of entry; and $7,499,000 to expand the Immigration Advisory Program to four additional locations. Funds provided for the following critical operations include increases above the request:

$74,557,000 for International Cargo Screening, including $3,287,000 for the Secure Freight Initiative and $71,270,000 for the Container Security Initiative;

$41,400,000 for Automated Targeting Systems which will enable enhancements to one of the Department's most effective counter-terrorism and security capabilities;

$51,950,000 for the National Targeting Center, including the requested increase of $16,400,000 for 45 new CBP officers and 20 new analysts, as well as an additional $5,000,000 to ensure operations are appropriately staffed; and

$151,298,000 for trade compliance and enforcement efforts in the Office of Trade, including an increase of $5,000,000 for personnel, enhanced targeting, and strategy development.

The enacted funding level has been adjusted to reflect the passage of Public Law 112–42, which removed the exemption from COBRA fee collections for certain travelers. This will result in ad-

ditional revenue of $110,000,000 annually and $83,000,000 in fiscal year 2012, to support CBP inspection services. Such revenue is to directly support 21,186 CBP officers.

Border Security and Control between Ports of Entry is funded at $3,619,604,000, which reflects an increase of $191,459,000 for prior year annualization of 1,000 additional agents along with support personnel funded in the fiscal year 2010 Border Security Supplemental, as well as $184,717,000 for the adjustment for law enforcement journeyman pay costs, as requested. This overall level will support a Border Patrol agent force of 21,370 (compared to 12,349 in fiscal year 2006), including 2,212 deployed to the Northern Border and 18,415 deployed to the Southwest Border.

The amount provided for this appropriation by PPA is as follows:

Headquarters, Management, and Administration:	
Management and Administration, Border Security Inspections and Trade Facilitation	$667,794,000
Management and Administration, Border Security and Control between Ports of Entry	717,309,000
Rent	483,749,000
Subtotal, Headquarters Management and Administration	1,868,852,000
Border Security Inspections and Trade Facilitation:	
Inspections, Trade, and Travel Facilitation at Ports of Entry	2,484,235,000
Harbor Maintenance Fee Collection (Trust Fund)	3,274,000
International Cargo Screening	74,557,000
Other international programs	10,684,000
Customs-Trade Partnership Against Terrorism (C-TPAT)	44,979,000
Trusted Traveler Programs	6,311,000
Inspection and Detection Technology Investments	148,537,000
Automated Targeting Systems	41,400,000
National Targeting Center	51,950,000
Training	37,834,000
Subtotal, Border Security Inspections and Trade Facilitation	2,903,761,000
Border Security and Control between Ports of Entry:	
Border Security and Control	3,530,994,000
Training	88,610,000
Subtotal, Border Security and Control between POEs	3,619,604,000
Air and Marine Operations	287,901,000
Total, CBP Salaries and Expenses	$8,680,118,000

Revised Budget Structure

CBP is directed to propose a subdivision of the Inspections, Trade, and Travel Facilitation at Ports PPA and the Border Security and Control PPA within the "Salaries and Expenses" appropriation in conjunction with the budget submission for fiscal year 2013. At funding levels of $2,484,235,000 and $3,530,994,000, respectively, the PPAs and the accompanying budget justifications have not provided adequate detail for appropriate oversight of these funds. CBP shall brief the Committees on its proposed structure prior to submission of its budget request. For instance, each PPA could be subdivided into budget activities, such as: officer or agent pay, civilian pay, equipment, operations and maintenance, and procurement. CBP should provide a crosswalk from the 2012 budget structure to the new 2013 budget structure so that the

Committees can easily compare funding levels for the activities within these new PPAs.

Further, CBP is directed to comply with the direction included under the heading "Office of Chief Financial Officer" with respect to improved budget justifications.

Financial Plan by Office Requirements

CBP is directed to provide the financial plan by office as required by the Senate report. In addition, CBP shall include its estimate by office with the budget justification material for fiscal year 2013.

Staffing and Fees Supporting CBP Port of Entry Operations

CBP is directed to submit its staffing model for Field Operations no later than February 15, 2012. In addition, CBP shall address the reporting requirements related to manpower and innovation in the House report and considerations related to the staffing model in the Senate report.

Outbound Inspections

CBP shall brief the Committees no later than February 15, 2012, on its plans for outbound operations, as outlined in the House report, and its 3–year strategy to improve and deploy technology for outbound inspections, as discussed in the Senate report.

Entry Process Improvements for Travelers

CBP shall submit a report no later than February 15, 2012, on actions taken to improve the entry process, as discussed in the Senate report.

Trusted Traveler Programs

The Department shall brief the Committees on all DHS trusted traveler programs, as discussed in the Senate report, no later than February 15, 2012.

Cargo Screening Activities

As discussed in the House and Senate reports, CBP shall brief the Committees no later than February 15, 2012, on its guidelines regarding low risk shipments and how it is improving trade processing and coordination.

Non-Intrusive Inspection and Radiation Detection Equipment

CBP is required to provide an investment and management plan for CBP's Non-Intrusive Inspection and Radiation Detection Equipment needs. The plan shall address all funds from all sources, not just the Inspection and Detection Technology PPA, including funding within the Domestic Nuclear Detection Office "Systems Acquisition" appropriation.

Automated Targeting Systems and National Targeting Center

CBP shall brief the Committees no later than January 13, 2012, on the use of the additional funds provided for these critical activities.

Maritime Supply Chain Security

No funds are provided for the 100 percent scanning pilots proposed in the President's budget request. DHS has failed to provide any details or plans regarding how the proposed $7,500,000 would be used. Furthermore, while the Administration has been working on a supply chain security strategy to address this mandate, it has still not been submitted to the Committees. For that reason, these funds have been applied to address shortfalls in the request for the Container Security Initiative, a key supply chain security layer.

Border Patrol and Border Security between Ports of Entry

CBP shall submit a report to the Committees no later than 90 days after the date of enactment of this Act on its five-year staffing and deployment plan for the Border Patrol. In addition, the budget justification for fiscal year 2013 shall include a plan detailing staffing and funding for the Northern Border. CBP and ICE shall provide semi-annual briefings on assaults on personnel, threats to the border, and progress made on addressing the threats as required in the Senate report, with the first briefing no later than February 15, 2012. At the first briefing, CBP also shall brief on funds allocated for the health, welfare, and safety of Border Patrol agents, as directed in the House report.

Access to Federal Lands

As provided in the House report, the Departments of Homeland Security, Agriculture, and Interior are directed to brief the Committees no later than February 15, 2012, on their plan to address the Border Patrol's access to Federal lands, as appropriate and necessary, to ensure the border security of the United States. DHS shall also brief the Committees no later than February 15, 2012, on its implementation of GAO's recommendations for border security coordination on Southwest Federal lands contained in GAO–11–38 and GAO–11–177.

Joint Field Command Structure

While CBP allocated funds within its budget for the Joint Field Command (JFC), it is important to understand the cost-benefit for establishing the JFC and whether CBP intends to establish this concept in other areas along the border. As discussed in the House and Senate reports, CBP is directed to brief the Committees no later than February 15, 2012.

Integrity Programs

An additional $5,000,000 above the amount requested is provided for CBP's integrity programs, for a total of $165,681,000.

CBP is directed to provide the briefing required in the House report by January 13, 2012.

Detention Statistics

CBP is directed to review how it collects and manages information about individuals arrested and detained in CBP custody for less than 72 hours, including the facilities used for detaining such individuals. The review shall include ways to address data quality, standardize definitions, and utilize current reporting systems to routinely report on short-term detention. In a briefing to occur no later than 120 days after the date of enactment of this Act, CBP shall brief the Committees on its review and on its policies and procedures relating to conditions of facilities and what standards govern the conditions and duration of custody.

Trade Compliance and Enforcement

An additional $5,000,000 above the amount requested is provided for trade compliance and enforcement efforts. CBP is directed to submit to the Committees the reports specified in the Senate report, including the 3-year trade compliance strategy and the anti-dumping and countervailing duty reports, within the timeframes detailed in that report. In addition, CBP shall submit the reports under the headings "Textile Transshipment Enforcement" and "Circumvention of Customs Duties—Imports from China," as discussed in the House report, within the timeframes detailed in that report.

Multi-Year Investment and Management Plans

As provided in section 568, CBP is required to submit a multi-year investment and management plan with the congressional budget justification materials for all appropriated funds from all sources executed by the Office of Information Technology (OIT) to provide a full picture of CBP's information technology activities. It is expected that the acquisition program baselines for Level I and II programs under OIT will be provided as part of the comprehensive acquisition status reports provided by the Under Secretary for Management.

A similar requirement is also included for funds in the "Border Security Fencing, Infrastructure, and Technology" (BSFIT) appropriation.

Transportation of Aliens

In response to OIG inquiries and OIG 11–27, CBP has taken great strides to streamline its costs associated with transportation and removal of aliens between Field Operations and Border Patrol. ICE has also made progress in analyzing and more efficiently managing its transportation costs. The next step, however, has not been taken in a comprehensive manner—exploring options for coordination of transportation locally, regionally, and nationally, or sharing of transportation resources between CBP and ICE given constrained resources across DHS. CBP and ICE are directed to brief the Committees no later than 180 days after the date of enactment

of this Act on the results of their joint efforts to take advantage of such efficiencies.

Office of Technology Innovation and Acquisition

There is no clear plan for the Office of Technology Innovation and Acquisition (OTIA), including staffing and financing. CBP does not have authority to use funds provided to the "Automation Modernization" or the BSFIT appropriations for OTIA expenses. If additional funding from appropriations outside of "Salaries and Expenses" can be justified, a transfer request must be submitted pursuant to section 503 of this Act. All funds for OTIA shall be requested within the "Salaries and Expenses" appropriation for fiscal year 2013.

Invasive Species

CBP is directed to fund activities associated with control of invasive species, such as Carrizo cane, from within the BSFIT appropriation.

AUTOMATION MODERNIZATION

A total of $334,275,000 is provided for "Automation Modernization." Of that amount, not less than $140,000,000 is for the Automated Commercial Environment (ACE). As provided in a general provision, CBP is required to submit a multi-year investment and management plan with the congressional budget justification materials for all funds executed by OIT to provide a full picture of CBP's information technology activities.

ACE and International Trade Data System

CBP shall brief the Committees on a quarterly basis on ACE progress, including the same information they have previously provided in quarterly reports. CBP shall use funds as necessary for the International Trade Data System (ITDS). Furthermore, prior year balances for ITDS are available for other priorities, such as ensuring completion of Cargo Release as planned. At the second quarterly briefing of fiscal year 2012, CBP shall provide its plans for use of these prior year balances.

TECS

CBP and ICE are directed to jointly brief the Committees on the status of modernization efforts, including their progress and plans forward, on a semi-annual basis.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

A total of $400,000,000 is provided for BSFIT. Within the total provided under this heading, $20,000,000 is for Northern Border technology, $40,000,000 is for tactical communications, and $3,000,000 is for environmental assessment and mitigation, as requested. When the amount made available under this heading is combined with unobligated balances, a total of $774,874,359 is available for this function in fiscal year 2012.

While it is clear that the Border Patrol requires additional tools and technology to execute its critical mission, concerns remain about the proposed Arizona Border Technology Plan and the Administration's slow execution of funds provided in this appropriation. The prolonged delay in procurements, particularly for purchase and upgrade of Remote Video Surveillance Systems, is extremely concerning. Further, the fact that the President's request includes a plan to procure three off-the-shelf integrated fixed tower systems after the Secretary's decision to terminate SBInet, despite the benefits now being realized by the Border Patrol from the system, raises questions. Under the best of circumstances, the contract for two of these towers would not be awarded until the summer of 2012, delaying the execution of the associated funds into fiscal year 2013. As a result, $60,000,000 is withheld for obligation from this appropriation until a detailed expenditure plan is provided to the Committees, no later than 90 days after the date of enactment of this Act. The expenditure plan shall clearly specify how DHS proposes to allocate funds among the BSFIT PPAs.

Multi-Year Investment and Management Plan

A new multi-year investment and management plan for BSFIT funds is required to be submitted by the Commissioner with the fiscal year 2013 budget request. To the extent possible, CBP is encouraged to incorporate requirements from the multi-year investment and management plan into the fiscal year 2012 expenditure plan.

Invasive Species

CBP is directed to fund activities associated with control of invasive species, such as Carrizo cane from within the BSFIT appropriation.

Review of Contracts and Task Orders

The Inspector General is no longer required to review contracts and task orders on SBInet pursuant to conference report 109–699 accompanying P.L. 109–295.

Communications Along the Border

DHS is encouraged to explore the establishment of public-private partnerships with cellular carriers, residents, and State and local governments to extend mobile communications capabilities in isolated border areas with limited cellular coverage for the purposes of public safety.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

A total of $503,966,000 is provided for "Air and Marine Interdiction, Operations, Maintenance, and Procurement." The funding includes $365,087,000 for operations and maintenance and $138,879,000 for procurement. The procurement funds include an additional $6,900,000 for UH–60 Black Hawk conversions (to ensure completion of two conversions) and $22,500,000 for purchase

of an additional multi-enforcement aircraft (a high priority for CBP, particularly important given the increasing aircraft retirements CBP expects). Given the increasing reliance by CBP on unmanned aircraft systems (UAS) for patrolling our borders, $4,000,000 is provided above the request for UAS operations and maintenance. It is imperative that sufficient funds be included in the fiscal year 2013 budget to operate and sustain these systems over multiple shifts.

Civil Air Patrol

As directed in the House report, the Comptroller General shall provide a report regarding the functions and capabilities of the civil air patrol in homeland security. The report shall be submitted no later than November 1, 2012.

Aircraft Upgrades

CBP is required to update its 5-year strategic recapitalization plan, which should also include direction outlined in the Senate report. Strong support for CBP's service life extension program (SLEP) for the P–3 fleet is reiterated. Further, CBP is directed to brief the Committees on its decision regarding the inclusion of the last two P–3's in the SLEP no later than the submission of the President's fiscal year 2013 budget request.

Unmanned Aircraft Operations

CBP is directed to brief the Committees on its efforts with the Department of Defense and the Federal Aviation Administration on ways to increase effective use of CBP air assets, including UAS. Further, the briefing shall include information regarding any restrictions on UAS operations related to availability of air traffic control.

CONSTRUCTION AND FACILITIES MANAGEMENT

A total of $236,596,000 is provided for "Construction and Facilities Management." The funding includes $182,500,000 for Facilities Construction and Sustainment and $54,096,000 for Program Oversight and Management. Statutory language is included directing the Commissioner to submit annually a real property inventory and requiring submission with the budget request of an annually-updated 5-year plan for all port of entry projects.

Future Land Border Port of Entry Requirements

As detailed in the Senate report, the Department shall work with the General Services Administration and the Office of Management and Budget on a multi-year strategy to address land border port of entry construction requirements and financing options, including the use of public-private partnerships.

U.S. Immigration and Customs Enforcement

SALARIES AND EXPENSES

A total of $5,528,874,000 is provided for "Salaries and Expenses" to ensure robust enforcement of our Nation's immigration laws. Within this amount, no less than $1,600,000,000 is allocated to finance ICE's various efforts to identify aliens with criminal records who are incarcerated or at-large, and to remove those who are deportable. Of this amount, $189,064,000 is provided for continued expansion of the Secure Communities program, $5,000,000 above the President's budget request, to digitize paper fingerprint cards and enroll them into DHS's Automated Biometric Identification System (IDENT). An additional $4,400,000 is provided for the Visa Security Program above the request to support expansion. The request for Headquarters, Management, and Administration was reduced by $3,591,000 for the Acquisition Workforce Initiative, the data center migration funds, and $1,000,000 in additional administrative savings. Data center migration is funded through a general provision.

In addition, ICE is directed to comply with the direction included under the heading "Office of Chief Financial Officer" with respect to improved budget justifications.

The amount provided for this appropriation by PPA is as follows:

Headquarters Management and Administration:	
Personnel, Compensation and Benefits, Services and Other Costs	$233,251,000
Headquarters-Managed IT Investments	184,227,000
Subtotal, Headquarters Management and Administration	417,478,000
Legal Proceedings	215,935,000
Investigations:	
Domestic Investigations	1,725,234,000
International Investigations:	
International Operations	114,928,000
Visa Security Program	33,889,000
Subtotal, International Investigations	148,817,000
Subtotal, Investigations	1,874,051,000
Intelligence	81,503,000
Detention and Removal Operations:	
Custody Operations	2,050,545,000
Fugitive Operations	154,597,000
Criminal Alien Program	196,696,000
Alternatives to Detention	72,373,000
Transportation and Removal Program	276,632,000
Subtotal, Detention and Removal Operations	2,750,843,000
Secure Communities	189,064,000
Total, ICE Salaries and Expenses	5,528,874,000

ICE Domestic Investigations

For ICE Domestic Investigations, $1,725,234,000 is provided. ICE is directed to continue to provide quarterly data on investigative activities and expenditures on a timely basis. Of the funds above the request, $4,000,000 is for enhancing investigations of

antidumping/countervailing duty (AD/CVD) violations, intellectual property rights (IPR) investigations, and severe forms of human trafficking and smuggling activities. ICE is directed to submit to the Committees a plan for expenditure of these additional, targeted resources within 90 days after the date of enactment of this Act. The conferees also direct ICE to submit by February 13, 2012, a 3-year strategy to improve AD/CVD enforcement, per the Senate report, and the information required on the National IPR Coordination Center in the House report.

Improving Immigration Enforcement Activities

A total of $12,000,000 above the request is provided to improve immigration enforcement activities, of which $5,000,000 is included in Secure Communities for digitization of paper fingerprint cards from legacy immigration files. Both the House and Senate reports outlined areas for focus, such as: Developing a comprehensive strategy to address the visa overstay problem, modernizing the Alien Criminal Response Information Management System (ACRIMe) to support the identification of criminal aliens and individuals attempting to overstay a visa, enhancing ICE capabilities for law enforcement support for immigration-related inquiries from State and local law enforcement, and digitizing old fingerprint records. ICE is directed to brief the Committees, with US–VISIT and other DHS components as appropriate, on its plan for utilization of these funds, no later than 60 days after the date of enactment of this Act. ICE is also directed, in conjunction with US–VISIT and United States Citizenship and Immigration Services (USCIS), to report to the Committees no later than 120 days after the date of enactment of this Act on the methodology of prioritizing files for the digitization effort as well as the overall projected cost of the project to ensure electronic availability of appropriate biometrics in IDENT.

Law Enforcement Support Center

The Law Enforcement Support Center (LESC) is the national entity which provides, among other things, immigration status information about individuals encountered by State and local law enforcement agencies. The significant expansion of Secure Communities has increased the status inquiries submitted by law enforcement. Recently, the LESC has been reorganized and the functions split between the Office of Investigations and Detention and Removal Operations. Prior to the reorganization, the LESC had the flexibility to move personnel between the functions depending on workload, but it now appears that flexibility has been lost. Additionally, as Secure Communities has matured, some of the early resource allocation decisions would benefit from further review, specifically regarding the creation of the Interoperability Response Centers. ICE is directed to review the separation of LESC functions and the requirements of the Interoperability Response Centers and brief the Committees 90 days after the date of enactment of this Act. In addition, concerns have been raised about the progress of modernization of the information technology systems that sustain the Law Enforcement Support Center, such as ACRIMe. ICE is di-

rected to brief the Committees no later than 30 days after the date of enactment of this Act on the current status of ACRIMe modernization and any revised development timelines.

Visa Security Program

A total of $33,889,000 is provided for the ICE Visa Security Program, an increase of $4,400,000 above the amount requested for expansion of the program to two additional overseas consular posts. ICE is directed to brief the Committees in a classified format no later than 60 days after the date of enactment of this Act on its plan for utilizing these additional funds.

Investigative Resources

ICE is directed to brief the Committees no later than February 15, 2012, on its efforts throughout the Caribbean basin, as outlined in the House report.

Intelligence

ICE is encouraged to ensure the Office of Intelligence supports investigations into AD/CVD violations, IPR violations, and human trafficking and smuggling organizations.

Detention and Removal Operations

A total of $2,750,843,000 is provided for ICE Detention and Removal Operations, $26,718,000 more than the request to raise the minimum number of detention bed spaces that ICE must maintain on a daily basis to 34,000. ICE is directed to intensify its enforcement efforts, fully use these resources, and manage detention and removal costs as efficiently as possible. As outlined in the House report, ICE is directed to provide comprehensive, regular briefings to the Committees on all steps being taken to reduce the costs of detention and removal, including: strategies to minimize transportation costs and house detainees at the lowest cost facilities; working with the Executive Office of Immigration Review (EOIR) to speed processing consistent with due process; continuing to review contracts to ensure maximum flexibility and lowest cost to ICE; and considering the cost-benefits of public and private providers for all services, including food and medical services. As required in the House and Senate reports, ICE is directed to brief the Committees on its detention bed space funding model, providing details on its bed space costs across the country and on the components of those costs, including food, medical, mental health, dental, pharmacy, and electronic health record services by location, and whether these components are provided by public agencies or private contract services. Such services must be aligned to humanitarian needs and should be provided in a cost-effective manner. The first comprehensive briefing shall take place no later than 30 days after the date of enactment of this Act.

Additionally, ICE is encouraged to look at ways to increase the short-term detention capacity in certain regions of the United States while minimizing the loss of existing detention capacity, personnel, and contracts at other facilities. ICE shall brief the Com-

mittees semi-annually on its efforts regarding detention space alternatives, as discussed in the Senate report.

Secure Communities

A total of $189,064,000 is provided to continue implementation of the Secure Communities program. ICE is directed to continue quarterly reports on the Secure Communities program, submit those reports within 45 days of the close of the quarter, and provide briefings within 45 days of the close of the quarter. Further, ICE is directed to develop analyses, for inclusion in these reports, to track the effect Secure Communities is having on ICE detention facilities, the EOIR docket, and the speed with which ICE is able to remove criminal aliens and high-risk detainees from the country once they are judged deportable. The reports shall also provide statistics on results of the program, including the number of individuals administratively arrested by ICE in each jurisdiction by the crime for which they are charged and the crime for which they have been convicted (if applicable); the number of individuals whom ICE identifies each quarter and intends to administratively arrest but must await the adjudication of the individual's criminal charges and/or the completion of a sentence as well as identify the crimes for which they are charged and crimes for which they have been convicted (if applicable); and the number of removals achieved as a result of the program, as outlined in the Senate report. Additionally, the briefings shall include quarterly data on the number of instances in which Secure Communities identifies when someone who is arrested is in this country illegally, the number of times ICE issues a detainer on such individuals (delineated by categories stipulating the reasons why a decision is made to issue or not issue a detainer), and the number actually deported.

Secure Communities is an effective and significant law enforcement tool; its deployment and use should not be hampered by any jurisdiction or official. It is important to remember that Secure Communities is applied to everyone booked into a jail. All individuals are treated the same, and no profiling occurs. Through the use of biometrics, ICE is able to determine not only an individual's immigration status, but also if the individual has committed more serious crimes in the past.

ICE is directed to brief the Committees no later than February 15, 2012, on any considerations associated with realigning the Secure Communities program under the Criminal Alien Program after interoperability has been accomplished.

ICE Support to State and Local Law Enforcement

ICE is directed to update the Committees on its progress toward closing all OIG recommendations on the 287(g) program no later than January 13, 2012. The Department is directed to immediately provide the status of all pending memoranda of agreement for 287(g) participation.

Hiring and Staffing Reports

ICE shall submit quarterly staffing and hiring reports. Further, as directed in the House report, ICE shall brief the Committees on appropriate staffing levels.

Worksite Enforcement

Of the funds provided for Domestic Investigations, $134,626,000 is for worksite enforcement activities, as requested. ICE is directed to brief the Committees quarterly on how it is meeting this level of effort no later than 30 days after the end of each quarter. Further, ICE shall provide an annual report on worksite enforcement activities as directed in the Senate report.

Detention and Removal Reporting

Statutory language is included, as requested, ensuring that all illegally present or otherwise removable aliens encountered when enforcing our immigration laws are apprehended. However, the Department does not collect or report comprehensive statistics on all of its encounters with inadmissible and deportable aliens by source as well as the disposition of all such encounters. For that reason, ICE, in conjunction with CBP and USCIS, is directed to develop a methodology and a means of collecting and reporting such information on a quarterly basis for fiscal year 2013. In the most transparent, concise manner possible, the reporting should cover all actions in the reporting period for all stages of the immigration enforcement process: encounters by identification source (i.e., Fugitive Operations, Criminal Alien Program, Border Patrol Southwest border between ports); subsequent enforcement action by agency (i.e., expedited removal, arrest, detention, release); detention/non-detention by program (i.e., ICE detention, bond, alternatives to detention); and processing/removal outcome (i.e., deferred action, relief, removal, administrative closing). The reporting shall clearly provide the number of aliens who received deferred action, including a renewal or extension of previously-granted deferred action. ICE, CBP, and USCIS shall brief the Committees no later than 120 days after the date of enactment of this Act on the developed methodology and means of collecting and reporting, including any information technology issues. Additionally, the agencies shall note where this comprehensive reporting could supersede other reports currently provided.

For fiscal year 2012, ICE is directed to continue reporting quarterly on detention and removal, including the number of deportation, exclusion, and removal orders sought and obtained by ICE. The first fiscal year 2012 quarterly report is to be submitted no later than February 15, 2012. ICE shall include "policy closure" reporting subdivided to clearly report where deferred action has been granted.

Personnel Recovery Units

ICE is directed to brief the Committees no later than February 15, 2012, on its interest in establishing a trained unit to handle abduction or evacuation of ICE personnel.

Multi-Year Investment and Management Plan

As provided in Section 568, ICE is required to submit a multi-year investment and management plan with the congressional budget justification materials for all funds executed by the Office of Information Technology (OIT) to provide a full picture of ICE's information technology activities. It is expected that the acquisition program baselines for Level I and II programs under OIT will be provided as part of the comprehensive acquisition status reports provided by the Under Secretary for Management.

Transportation of Aliens

In response to OIG inquiries and OIG Report 11–27, CBP has taken great strides to streamline its costs associated with transportation and removal of aliens between Field Operations and Border Patrol. ICE has also made progress in analyzing and more efficiently managing its transportation costs. The next step, however, has not been taken in a comprehensive manner—exploring options for coordination of transportation locally, regionally, and nationally, or sharing of transportation resources between CBP and ICE given constrained resources across DHS. CBP and ICE are directed to brief the Committees no later than 180 days after the date of enactment of this Act on the results of their joint efforts to take advantage of such efficiencies.

Unexpended Construction Balances

ICE is directed to brief the Committees no later than February 15, 2012, on the unexpended balances in the ICE Construction appropriation.

AUTOMATION MODERNIZATION

A total of $21,710,000 is provided for "Automation Modernization." CBP and ICE are directed to jointly brief the Committees on the status of TECS modernization efforts, including their progress and plans forward, on a semi-annual basis.

Transportation Security Administration

AVIATION SECURITY

A total of $5,253,956,000 is provided for "Aviation Security." In addition to the amounts appropriated, a mandatory appropriation totaling $250,000,000 is available through the Aviation Security Capital Fund. Statutory language reflects the collection of $2,030,000,000 from aviation security fees, as authorized.

The amount provided for this appropriation by PPA is as follows:

Screening Operations:	
Screener Workforce:	
Privatized Screening	$ 144,193,000
Screener Personnel, Compensation, and Benefits	3,025,771,000
Subtotal, Screener Workforce	3,169,964,000
Screener Training and Other	249,796,000
Checkpoint Support	204,768,000
EDS/ETD Systems:	
EDS Procurement and Installation	222,738,000

Screening Technology Maintenance and Utilities	320,365,000
Subtotal, EDS/ETD Systems	543,103,000
Subtotal, Screening Operations	4,167,631,000
Aviation Security Direction and Enforcement:	
Aviation Regulation and Other Enforcement	369,984,000
Airport Management and Support	570,226,000
Federal Flight Deck Officer and Flight Crew Training	25,461,000
Air Cargo	120,654,000
Subtotal, Aviation Security Direction and Enforcement	1,086,325,000
Total, Aviation Security	$5,253,956,000

Impact of Checked Baggage Fees

As noted in the Senate report, TSA checkpoint screening costs have risen significantly as a result of the growth in the volume of carry-on baggage transported by passengers in response to the imposition of checked baggage fees by most airlines. This increase in checkpoint screening costs, however, comes at the expense of other TSA security programs, and none of the air carrier revenue collected from the checked baggage fees has been used to offset the additional TSA workload. The Department is encouraged to work with the relevant authorizing Committees to find ways to recoup these costs, and ensure the best alignment between resources needed to achieve and sustainµboth security and efficient checkpoint operations.

Privatized Screening

A total of $144,193,000 is provided for "Privatized Screening." TSA is to give full and fair consideration to applicants for participation in the Screening Partnership Program that can demonstrate their capacity to undertake passenger and baggage screening in a manner more cost effective than TSA and to provide a level of security comparable to that of Federal screening. If TSA approves the applications, it is authorized, and expected, to finance the transition to privatized operations using funding within "Screening Operations".

Screener Personnel and Training

A total of $3,025,771,000 is provided for the "Screener Personnel, Compensation, and Benefits" PPA, and a total of $249,796,000 is included for the "Screener Training and Other" PPA. Language is included that limits TSA's use of funds to recruit or hire more than 46,000 full-time equivalent screeners. The limitation does not apply to screeners hired as part-time employees. Statutory language is included that requires the Secretary to submit to the Committees no later than 90 days after the date of enactment of this Act a detailed report on how DHS is using its resources to develop more capable and cost-effective screening technology. The report shall also detail how it is deploying its existing workforce to optimize screening operations, their effectiveness, and labor savings from improved technology deployment, including how such savings are employed or reinvested. Funding is included to staff 250 new advanced imaging technology (AIT) systems, with the expectation that hiring for those positions will occur later than as-

sumed in the request due to procurement delays. As directed in the Senate report, TSA is to work in coordination with airlines, airports, and cross-disability/medical organizations to design education and outreach programs that ensure access to the Nation's aviation system is available to everyone. TSA shall also work with airports to expand mock boarding events, such as those held for families with autistic children, and shall continue to improve the screening process for young passengers, as directed in the Senate report. TSA is to brief the Committees no later than 90 days after the date of enactment of this Act on its efforts in these areas.

Behavioral Detection Officers

Funding is included for 145 new behavioral detection officers (BDO). TSA is directed to brief the Committees no later than 90 days after the date of enactment of this Act on its plans and actions to implement recommendations rising from the study of Screening of Passengers by Observation Techniques (SPOT) that was sponsored by the Science and Technology Directorate. In addition, the briefing should cover how TSA is addressing issues raised in recent Government Accountability Office reviews of the program. These include validation, management, and communications issues identified in GAO–10–763 and recommendations for approaches to BDO assignment and cost-benefit analysis included in GAO–11–461T and GAO–10–157. Finally, the briefing should describe what TSA is doing to ensure its standardization testing of the SPOT program is carried out at airports with a frequency that will support consistent program execution and optimal BDO training.

Checkpoint Support

A total of $204,768,000 is provided for "Checkpoint Support," including funding for 250 new AIT systems and other security technology requested and listed in the Senate report. This excludes $39,200,000 requested for explosives trace detection systems funded in fiscal year 2011, and an additional $4,000,000 due to other acquisition delays. TSA is directed, as detailed in the Senate report, to brief the Committees no later than 30 days after the date of enactment of this Act on AIT procurement and deployment details and on progress in developing and deploying additional automated target recognition capability. In addition, TSA is directed to include a five-year budget estimate with each annual Congressional budget justification, beginning with its fiscal year 2013 submission, that projects funding for each passenger screening technology acquisition as specified in the Senate report.

Facilitating Passenger Screening and Reducing Wait Times

TSA is directed to brief the Committees no later than 90 days after the date of enactment of this Act on its efforts to meet a goal of keeping average passenger wait times below 10 minutes at screening checkpoints. Once TSA has begun deploying new automated wait time technology funded by this Act, TSA is directed to provide quarterly briefings to the Committees on wait times at screening checkpoints where such technology is in place.

Exit Lane Security

The TSA Administrator shall submit a report to the Committees no later than 180 days after the date of enactment of this Act making recommendations for improving security at each airport location where passengers exit the sterile area, as specified in the Senate report.

Explosives Detection Systems

A total of $472,738,000 is provided for "Explosives Detection Systems (EDS) Procurement and Installation," including $250,000,000 in mandatory funding from the Aviation Security Capital Fund and $222,738,000 in discretionary funding. Not less than 10 percent of the funds provided shall be available for the purchase and installation of certified EDS at medium- and small-sized airports. Allocation of this funding between new projects, recapitalization, advanced surveillance systems, and payroll shall be detailed in the fiscal year 2012 EDS expenditure plan. In addition, the expenditure plan is to address the issue of eligible EDS costs incurred by airports that were not recipients of funding agreements, as specified in the Senate report.

Screening Technology Maintenance and Utilities

A total of $320,365,000 is provided for the "Screening Technology Maintenance and Utilities" PPA, which reflects downward adjustments in estimates for the cost of maintenance warranties.

AVIATION REGULATION AND OTHER ENFORCEMENT

A total of $369,984,000 is provided for the "Aviation Regulation and Other Enforcement" PPA, including an increase of $3,500,000 above the request for international security enhancements related to air cargo security; $5,000,000 above the request for 20 new canine teams; and $11,755,000 for 12 new Visible Intermodal Prevention and Response (VIPR) teams, with the assumption that personnel for the teams will not be hired until late in fiscal year 2012. TSA shall provide an expenditure plan to the Committees no later than 60 days after the date of enactment of this Act detailing where and how new VIPR teams will be deployed.

Air Cargo

A total of $120,654,000 is provided for the "Air Cargo" PPA, $6,000,000 above the request for international security enhancements to air cargo security. In combination with an additional $3,500,000 provided under Aviation Regulation and Other Enforcement, this funding will support enhanced air cargo inspection and other security oversight and improvements, with the expectation that this will help TSA meet its statutory requirement of 100 percent system-wide screening of air cargo on passenger aircraft, including those originating overseas, and to enhance inspection, investigation, and monitoring efforts on all-cargo flights, including through additional international air cargo inspectors and transportation security specialists to assess all-cargo airports and increase inspection visits at high-risk airports. TSA is to continue working

with U.S. Customs and Border Protection, in furtherance of TSA's mission, on the application of the Automated Targeting System to screen air cargo bound for the United States on all-cargo and passenger flights. The air cargo expenditure plan shall include progress on these ongoing efforts.

SURFACE TRANSPORTATION SECURITY

A total of $134,748,000 is provided for "Surface Transportation Security." TSA is directed to submit a report no later than six months after the date of enactment of this Act on passenger and mass transit rail tunnel security, as specified in the Senate report.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

A total of $204,274,000 is provided for "Transportation Threat Assessment and Credentialing." This includes $27,800,000 for TTAC Infrastructure Modernization (TIM) in recognition of scheduling delays in the modernization contract and an increase of $10,000,000 to support risk-based screening.

TSA is directed to brief the Committees no later than 30 days after the date of enactment of this Act on developments in the TIM program, as specified in the House report.

The amount provided for this appropriation by PPA is as follows:

Secure Flight	$92,414,000
Crew and Other Vetting Programs	71,540,000
Subtotal, Direct Appropriations	163,954,000
TWIC Fees	8,300,000
Hazardous Materials Fees	12,000,000
Alien Flight School Fees	4,000,000
Certified Cargo Screening Program	5,200,000
Large Aircraft Security Program	1,200,000
Secure Identification Display Area Checks	8,000,000
Other Security Threat Assessments	100,000
General Aviation at DCA	100,000
Indirect Air Cargo	1,400,000
Sensitive Security Information (SSI) fees	20,000
Subtotal, Fee Collections	$40,320,000

Risk-Based Screening

A total of $10,000,000 is provided to support risk-based screening efforts, including: the development of systems architecture; the procurement of hardware and software; testing and implementation of new capabilities to expand known-traveler populations; and increases in the effectiveness, security, and efficiency of passenger screening. TSA is directed to report to the Committees no later than 90 days after the date of enactment of this Act on the status of its efforts, including current and planned pilots to develop such a known traveler program, funding requirements, and any legal or resource obstacles to implementation.

Universal Enrollment Centers

TSA is directed to expand the number of Universal Enrollment Centers to achieve at least a 50 percent increase in the number of TWIC enrollment sites and to brief the Committees no later than

180 days after the date of enactment of this Act as specified in the Senate report, on resource needs, security impacts, and prospects for direct shipment of TWIC cards to participants.

TRANSPORTATION SECURITY SUPPORT

A total of $1,031,926,000 is provided for "Transportation Security Support."

The amount provided for this appropriation by PPA is as follows:

Headquarters Administration	$ 292,334,000
Information Technology	447,200,000
Human Capital Services	249,400,000
Intelligence	42,992,000
Total, Transportation Security Support	$1,031,926,000

Expenditure Plans

Statutory language is included withholding $20,000,000 from obligation for "Headquarters Administration" until the Administrator submits detailed expenditure plans to the Committees on air cargo security; checkpoint support; and EDS procurement, refurbishment, and installation on an airport-by-airport basis for fiscal year 2012. These plans should include details on technologies purchased, timelines for deployment, obligation schedules, and actual and anticipated unobligated balances at the close of the fiscal year. TSA shall brief the Committees on a quarterly basis with updates on performance against the expenditure plan.

In fiscal years 2010 and 2011, the Department and TSA failed to comply with statutory direction to provide expenditure plans for checkpoint and EDS activity. For fiscal year 2010, the required plan was submitted April 20, 2011—almost seven months into the next fiscal year. Similarly, TSA has not submitted its plan for fiscal year 2011. Such delays reflect either an inability to compile and transmit information about ongoing and planned activities, or disregard for Congress' oversight role. For fiscal year 2012, TSA is expected to act expeditiously to deliver the required expenditure plans.

Headquarters Administration

A total of $292,334,000 is provided for the "Headquarters Administration" PPA, including $1,998,000 for enhanced acquisition management, as requested, and $2,000,000 above the request for the TSA Office of Professional Responsibility. In lieu of the Senate briefing requirement related to administrative savings, TSA is directed to clearly delineate assumed savings from reductions to administrative and support functions and assumed efficiencies in its budget justification, as directed in this statement under Departmental Management and Operations "Office of the Chief Financial Officer" heading.

Availability of Appropriations

TSA is directed to brief the Committees no later than February 15, 2012, on a proposed PPA structure that reflects one-year availability of appropriations for salaries and expenses.

Passenger Complaints

TSA is directed to make every effort to ensure members of the traveling public are aware of the procedures and process for making complaints about passenger screening. GAO is directed to complete a review no later than nine months after the date of enactment of this Act on TSA policies and procedures for resolving passenger complaints, including an assessment of the organizational independence of the office.

FEDERAL AIR MARSHALS

A total of $966,115,000 is provided for "Federal Air Marshals" (FAMS), including $842,500,000 for Management and Administration and $123,615,000 for Travel and Training. TSA shall continue to provide quarterly reports on the FAMS mission coverage, staffing levels, and hiring rates as directed in previous appropriations Acts and in the classified annex to this statement.

In light of the significant increase in sustained, enhanced flight coverage since the Christmas Day bombing attempt, TSA is directed to brief the Committees no later than 120 days after the date of enactment of this Act on its analysis of the optimal staffing, scheduling, and resource requirements for FAMS in light of the full range of security capabilities that TSA and the Department can use to complement FAMS operations. This analysis should include an independent assessment of the definitions of flights that present "high-security risks" and whether that review validates the current risk assessment model being used by the FAMS, or whether changes may be required that could warrant adjustments in current staffing levels.

COAST GUARD

OPERATING EXPENSES

A total of $7,051,054,000 is provided for "Operating Expenses," including $24,500,000 from the Oil Spill Liability Trust Fund, and including $598,000,000 for defense activities, of which $258,000,000 is designated as being for the global war on terrorism and overseas contingency operations. Funds provided in support of the global war on terrorism and overseas contingency operations under this heading may be allocated notwithstanding section 503 of this Act. The Coast Guard is directed to brief the Committees no later than 30 days after the date of enactment of this Act on any changes expected to funding for the global war on terrorism and overseas contingency operations during fiscal year 2012 or projected transition costs expected in fiscal year 2013.

Within the funding provided for this appropriation, the following amounts are provided for requested initiatives: $10,666,000 for enhancements to marine safety; $11,485,000 for enhancements to marine environmental response; $9,300,000 for enhancements to military family childcare; $39,000,000 for restoration of polar operations funding; $8,600,000 for network security upgrades; and $6,300,000 for the Distress Alerting Satellite System.

The amount provided for this appropriation includes the following reductions from the budget request: a decrease of

$8,000,000 in the costs of data center migration; a decrease of $18,000,000 in technical adjustments; a decrease of $12,000,000 in unneeded health care costs; a decrease of $9,000,000 in unneeded permanent change of station costs; and a decrease in unneeded surface and air asset follow-on operational costs resulting from procurement delays totaling $7,451,000.

The amount provided for this appropriation includes the following increases above the budget request: an additional $3,700,000 to annualize fiscal year 2011 funding for marine environmental response capabilities; an additional $20,300,000 to address unfunded depot level maintenance priorities; and an additional $4,000,000 for small boat tactical training.

A total of $75,000,000 is withheld from obligation for Headquarters Directorates until a future-years capital investment plan for fiscal years 2013–2017, as specified in statutory language under the Coast Guard "Acquisition, Construction, and Improvements" heading is submitted to the Committees.

Issues pertaining to the Coast Guard's classified and sensitive programs are addressed in the classified annex accompanying this statement.

The amount provided for this appropriation by PPA is as follows:

Military Pay and Allowances	$3,413,061,000
Civilian Pay and Benefits	784,256,000
Training and Recruiting	213,321,000
Operating Funds and Unit Level Maintenance	1,109,623,000
Centrally Managed Accounts	336,653,000
Intermediate and Depot Level Maintenance	936,140,000
Global War on Terrorism Overseas Contingency Operations	258,000,000
Total, Operating Expenses	$7,051,054,000

Depot Level Maintenance

An additional $20,300,000 above the amount requested is provided to partially address the backlog of critical, but unfunded depot maintenance activities, as proposed by both the House and the Senate. In lieu of the specified subdivision of this funding enhancement contained in the House report, the Coast Guard is directed to provide the Committees within 30 days after the date of enactment of this Act a plan for expenditure of these additional funds. Furthermore, the Coast Guard is directed to apply a portion of these funds to the most urgent, but unfunded maintenance projects pertaining to the improvement of crew habitability aboard legacy cutters. Funds allocated toward crew habitability improvements shall be clearly delineated in the required expenditure plan.

Administrative Savings, Efficiencies, and Reductions to Support Functions

The Coast Guard is directed to clearly delineate assumed savings from reductions to administrative and support functions and assumed efficiencies in its annual budget justification, as directed by both the House and Senate, and as directed in this statement under the Departmental Management and Operations "Office of the Chief Financial Officer" heading.

Performance Metrics

The Coast Guard shall continue to include performance metrics, with particular emphasis on measures of operational proficiency, as well as all Government Performance and Results Act reporting requirements within its annual budget justification in lieu of the direction regarding a distinct submittal contained in the House report.

Financial Management

In lieu of the direction contained in the House and Senate reports, the Coast Guard is directed to semi-annually brief the Committees on its efforts to address material weaknesses in financial management. These briefings shall include, but not be limited to: the progress towards achievement of obtaining an unqualified opinion with respect to unauditable balances; progress towards implementation of the Financial Strategy for Transformation and Audit Readiness plan; and detailed explanations of how the Coast Guard is working with the DHS Office of the Chief Financial Officer on such efforts. The first of these semi-annual briefings shall occur no later than March 15, 2012.

Maritime Surveillance

The Coast Guard is directed to submit the two reports regarding maritime surveillance hours no later than February 15, 2012, as required in the House report.

Marine Safety and Marine Environmental Protection

A total of $15,185,000 is provided for marine environmental response enhancements, including an additional $3,700,000 to annualize fiscal year 2011 costs. In addition, $10,666,000 is provided for marine safety enhancements, as requested. Within 45 days after the date of enactment of this Act, the Coast Guard is directed to submit to the Committees the following: the updated Marine Safety Performance Plan, as directed in the Senate report; the Marine Environmental Response Mission Performance Plan, as directed in the House report, to include the specified reporting requirements delineated in the Senate report; and a 5-year strategic plan, including comprehensive funding estimates, to implement marine environmental protection mission requirements, as specified in the Senate report.

Gulf of Mexico Oil Spill Response

The Coast Guard is directed to submit a plan no later than 90 days after the date of enactment of this Act for addressing the recommendations contained in the Incident Specific Preparedness Review that was issued following the sinking and subsequent oil outflow from the Mobile Offshore Drilling Unit Deepwater Horizon, as required in the Senate report.

Military Family Childcare and Housing

As requested, $9,300,000 is provided for enhancements to military family childcare activities. Funding and oversight regarding military housing is addressed under the, Coast Guard "Acquisition, Construction, and Improvements" heading.

Stem-to-Stern Review

The Coast Guard is directed to brief the Committees no later than 60 days after the date of enactment of this Act on efforts to implement the findings from the Commandant's stem-to-stern review.

Coast Guard Yard

The Coast Guard Yard located at Curtis Bay, Maryland, is recognized as a critical component of the Coast Guard's core logistics capability which directly supports fleet readiness. The Yard has been a vital part of the Coast Guard's readiness and infrastructure for more than 100 years and the Committees believe sufficient industrial work should be assigned to the Yard to maintain this capability.

Command and Control Aircraft

The Coast Guard shall include in its annual budget justification a detailed explanation, including cost implications, of any plans to alter the capabilities of command and control aircraft.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

A total of $13,500,000 is provided for "Environmental Compliance and Restoration". The Coast Guard is directed to include within its annual budget justification a listing of the activities projected to be funded by the amount requested under this heading and an updated backlog report for Environmental Compliance and Restoration projects, with an explanation of how the amount requested will impact this documented backlog. The Coast Guard is further directed to assess environmental remediation costs for LORAN sites and brief the Committees no later than February 15, 2012, on its plans for such assessments, as specified in the Senate report.

RESERVE TRAINING

A total of $134,278,000 is provided for "Reserve Training".

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

A total of $1,403,924,000 is provided for "Acquisition, Construction, and Improvements".

THE AMOUNT PROVIDED FOR THIS APPROPRIATION BY PPA IS AS FOLLOWS:

Vessels:	
Survey and Design-Vessels and Boats	$6,000,000
Response Boat-Medium	110,000,000
In-Service Cutters Sustainment	14,000,000
National Security Cutter	77,000,000

Offshore Patrol Cutter	25,000,000
Fast Response Cutter	358,000,000
Cutter small boats	5,000,000
Medium Endurance Cutter Sustainment	47,000,000
Subtotal, Vessels	642,000,000
Aircraft:	
Airframe Replacement (CGNR 6017)	18,300,000
Maritime Patrol Aircraft	129,500,000
HH–60 conversion projects	56,100,000
Long Range Surveillance Aircraft	62,000,000
HH–65 conversion/sustainment projects	24,000,000
Subtotal, Aircraft	289,900,000
Other Acquisition Programs:	
Program Oversight and Management	26,000,000
Systems Engineering and Integration	17,140,000
C4ISR	38,500,000
Coast Guard—Logistics Information Management System	6,500,000
Nationwide Automatic Identification System	5,000,000
Rescue 21	65,000,000
Interagency Operations Centers	3,000,000
Subtotal, Other Acquisition Programs	161,140,000
Shore Facilities and Aids to Navigation:	
Major Construction: Housing; ATON; and Survey & Design	92,900,000
Major Acquisition Systems Infrastructure	81,500,000
Minor Shore	6,292,000
Subtotal, Shore Facilities and Aids to Navigation	180,692,000
Military Housing	20,000,000
Personnel and Related Support:	
Direct Personnel Costs	109,592,000
Core Acquisition Costs	600,000
Subtotal, Personnel and Related Support	110,192,000
Total, Acquisition, Construction, and Improvements	$1,403,924,000

Comprehensive and Quarterly Acquisition Status Reports

To strengthen oversight for all Departmental acquisition programs, a statutory requirement is included for the Department of Homeland Security Under Secretary for Management to submit to the Committees a comprehensive acquisition status report in tandem with the fiscal year 2013 budget request with quarterly updates on any deviations. Because the Department-wide comprehensive report will encompass Coast Guard acquisition data, a duplicative effort to submit Coast Guard specific quarterly reports is no longer necessary or required. In addition, acquisition specific information is required in the Coast Guard Capital Investment Plan (CIP), which has been expanded for the purpose of in-depth oversight. GAO shall review the CIP and brief the Committees on the results of the review.

In lieu of separate briefings on individual acquisitions, as required in the Senate report, the Coast Guard shall brief the Committees quarterly on all major acquisitions. These briefings shall include: the objective for operational hours the Coast Guard expects to achieve; the gap between that objective, current capabilities, and stated mission requirements; and how the acquisition of the specific asset closes the gap. The information presented at these required briefings shall also include a discussion of how the Coast Guard calculated the operational hours, an explanation on

risks to mission performance associated with the current shortfall, and the operational strategy to mitigate such risks.

Fleet Mix Analysis

The Coast Guard is directed to submit to the Committees phases one and two of the Fleet Mix Analysis and the Cutter Fleet Mix Analysis, as specified by the Senate report.

National Security Cutter

A total of $77,000,000 is repurposed from the budget request and provided for the acquisition of long-lead time materials necessary for production of the sixth National Security Cutter (NSC). In addition, statutory language specifies immediate availability of these funds, notwithstanding the availability of funds for production costs or post-production activities. The funding to support long-lead time materials along with the statutory direction is intended to enable a contract award approximately 90 days after the date of enactment of this Act. As noted in both the House and Senate reports, the Committees disagree with the Administration's current acquisition policy towards the NSC since it will result in substantially higher costs to the Coast Guard and the taxpayer, extension of the NSC acquisition program baseline, significant engineering inefficiencies, and an increased strain on the Coast Guard's legacy assets, including escalation of maintenance costs. By contrast, the funding of long-lead time materials in fiscal year 2012 will accelerate NSC production and result in not only direct savings of $45,000,000 to $60,000,000 per cutter, but also expedite completion of the NSC acquisition program baseline of eight NSCs. The conferees strongly support the acquisition of the planned eight NSCs in the most cost effective manner within the guidelines of proper program oversight and governance.

Offshore Patrol Cutter

Notwithstanding the direction of the Senate report, the Coast Guard is directed to include updated information on the acquisition of the Offshore Patrol Cutter within the required comprehensive and quarterly acquisition status reports, as described in this statement under the Departmental Management and Operations "Under Secretary for Management" heading.

Fast Response Cutter

As requested, a total of $358,000,000 is provided for the acquisition of six Fast Response Cutters (FRCs) and the re-procurement data and licensing rights package (RDLP). Funding for six cutters is provided to maximize production capabilities and to realize a total savings of $30,000,000, or $5,000,000 per FRC. Funds provided for the RDLP should sustain the acquisition program baseline and enable the planned re-competition of the next FRC contract award.

Response Boat-Medium

As requested, $110,000,000 is provided to acquire 40 Response Boat-Mediums (RB–Ms). The acquisition of 40 RB–Ms will enable the Coast Guard to complete the RB–M acquisition program baseline one year ahead of schedule and achieve programmatic savings of approximately $6,000,000.

C4ISR

An additional $4,000,000 above the amount requested is provided to support the costs of installation of modernized communications systems on legacy cutters. The Coast Guard shall notify the Committees no later than February 15, 2012, on the planned expenditure of these additional funds as well as its deployment plan for C4ISR upgrades to the NSC fleet.

In-Service Sustainment

The Coast Guard shall develop a long-term plan of investments to address its in-service cutter sustainment requirements, as described in the Senate report.

Rotary Wing Aircraft Reset

As requested, $18,300,000 is provided for a replacement HH–60 helicopter.

Long-Range Surveillance Aircraft

A new PPA combining HC–130J acquisition and HC–130H refurbishment is established, as directed by the House, in order to allow the Coast Guard to leverage its limited funding for the most cost effective budgeting for Long Range Surveillance Aircraft. The Coast Guard is directed to brief the Committees by February 15, 2012, on its evaluation of options presented in the recently completed Naval Air Systems Command business case analysis of the optimal mix of refurbished HC–130Hs and new HC–130Js.

Unmanned Aircraft Systems

Funding for unmanned aircraft systems is addressed under the Coast Guard "Research, Development, Testing, and Evaluation" heading and is not provided in this appropriation.

Program Oversight and Management

A total of $26,000,000 is provided for Program Oversight and Management, a reduction of $9,000,000 from the request due to budgetary constraints. This PPA is renamed from, "Government Program Management" to more accurately reflect the nature of the activities supported by the funding provided. The Coast Guard shall provide a more detailed budget justification, by activity, for this PPA in the fiscal year 2013 budget justification materials.

Major Shore Construction, Aids to Navigation, and Survey and Design

As requested, $92,900,000 is provided for Major Shore Construction, Aids to Navigation, and Survey and Design. The Coast Guard is directed to submit a prioritized list of shore construction projects, as directed in the Senate report, which includes all unfunded and backlogged projects, to the Committees no later than 45 days after the date of enactment of this Act.

Infrastructure Improvement Plan for the Coast Guard Training Center

The Coast Guard shall submit to the Committees a plan to upgrade the barracks at the Coast Guard Training Center to include fire suppression systems and gender-equivalent facilities, as specified in the Senate report.

Major Acquisition Systems Infrastructure

A total of $81,500,000 is provided for Major Acquisition Systems Infrastructure, a reduction of $13,000,000 from the amount requested due to revised cost estimates. The Coast Guard is directed to submit a current expenditure plan on selected homeports to the Committees no later than 45 days after the date of enactment of this Act. Furthermore, the Coast Guard is directed to include within its annual budget justification materials the associated infrastructure costs of each operational asset proposed to be acquired.

Military Housing

As requested, $20,000,000 is provided for military housing. The Coast Guard is directed to provide an exhaustive, prioritized listing of all military housing needs to the Committees no later than 45 days after the date of enactment of this Act.

Acquisition Personnel

A total of $110,192,000 is provided for the direct costs of acquisition personnel. However, these funds do not support the costs of the requested enhancement to acquisition staffing due to: (1) an inadequate budget justification that does not fully explain baseline capabilities and how existing gaps in skills and capabilities will be addressed by the requested enhancement; and (2) the fact that the Coast Guard has not adequately budgeted to support the existing acquisition workforce. Therefore, the funds provided are intended to annualize the full costs of supporting acquisition personnel and related support to include resources that were reprogrammed at the request of the Coast Guard in fiscal year 2011. The Coast Guard is directed to brief the Committees on acquisition personnel management, as required by the Senate report, no later than February 15, 2012. This briefing shall also include a proposal for incorporating funding for acquisition staffing within the Coast Guard "Operating Expenses" appropriation and a method for tracking the budget for this function if it were to be merged with the funds that

currently support personnel within the "Operating Expenses" appropriation.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

A total of $27,779,000 is provided for "Research, Development, Test, and Evaluation" (RDT&E). The Coast Guard is directed to revise its annual budget justification for this function, as per the standards and direction contained in this statement under the Departmental Management and Operations "Office of the Chief Financial Officer" heading. This revised justification shall also include a prioritized listing of planned RDT&E activities relative to stated mission needs and goals.

Unmanned Aircraft Systems

Within the amount provided under this heading, $8,000,000 is provided for cutter-based unmanned aircraft systems (UAS). This funding, in addition to amounts previously appropriated, is provided for the purposes of procurement of shipboard integration equipment and to support an advanced concept technology demonstration.

RETIRED PAY

A total of $1,440,157,000 is provided for "Retired Pay". The Coast Guard's "Retired Pay" appropriation is a mandatory budgetary activity.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

A total of $1,661,237,000 is provided for "Salaries and Expenses." Within this total, the following amounts are provided for requested initiatives: $57,300,000 for Operational Mission Support enhancements (within "Protection of Persons and Facilities"); $113,462,000 for 2012 Presidential Campaign costs; $19,307,000 for "National Special Security Events"; $371,000 for enhanced acquisition management support; and $43,843,000 for "Information Integration and Technology Transformation" (IITT). Of the funds provided for IITT, $20,000,000 is withheld from obligation for the purchase or installation of information technology equipment until the DHS Chief Information Officer submits a report to the Committees certifying that all plans for integration and transformation are consistent with the Department's data center migration and enterprise architecture requirements. In addition, the Secret Service is directed to submit an updated, prioritized plan for the execution of Operational Mission Support that reflects the funding provided.

The amount provided for this appropriation by PPA is as follows:

Protection:	
Protection of Persons and Facilities	$832,463,000
Protective Intelligence Activities	68,125,000
National Special Security Events	19,307,000
Presidential Candidate Nominee Protection	113,462,000
White House Mail Screening	18,472,000
Subtotal, Protection	1,051,829,000

Investigations:	
Domestic Field Operations	223,991,000
International Field Office Administration, Operations and Training	32,971,000
Electronic Crimes Special Agent Program and Electronic Crimes Task Forces	53,051,000
Support for Missing and Exploited Children	8,366,000
Subtotal, Investigations	318,379,000
Headquarters, Management and Administration	191,588,000
Rowley Training Center	55,598,000
Information Integration and Technology Transformation	43,843,000
Total, Salaries and Expenses	$1,661,237,000

Account Structure

The current PPA structure does not provide visibility into the management of funding provided for information technology and system investments, or identify costs associated with the site-specific, critical protective physical infrastructure, which merits ongoing investment and refreshment. The Secret Service is directed to adjust its PPA structure to align to the tables at the end of this statement and to build this revised structure into its fiscal year 2013 budget request. Costs associated with protective mission operations and support, including those based on unit cost elements for staffing and operational activities, excluding facilities and significant infrastructure investments, should continue to be reflected in the existing PPA for protection of persons and facilities. However, the Secret Service is directed to include a new PPA in its fiscal year 2013 budget submission which better captures the costs associated with investment and sustainment requirements for protective infrastructure, for which a substantial increase in funding was requested for fiscal year 2012 under "Protection of Persons and Facilities."

Overseas Offices

Within the funding provided for this appropriation, $2,000,000 above the request is provided for the Secret Service to open and staff a new office in Lima, Peru. In lieu of the briefings on field operations required in the House and Senate reports, the Secret Service is directed to provide a briefing on the establishment of the office in Lima, Peru, as well as current and future funding requirements for a permanent office in Beijing, China, no later than February 15, 2012.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

A total of $5,380,000 is provided for "Acquisition, Construction, Improvements, and Related Expenses."

TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

A total of $50,695,000 is provided for Management and Administration of the National Protection and Programs Directorate (NPPD).

This includes $7,326,000 for management, planning, and administration activities in the Office of the Assistant Secretary for Infrastructure Protection and $5,494,000 for the Office of the Assistant Secretary for Cybersecurity and Communications that were previously funded in "Infrastructure Protection and Information Security".

As discussed under Departmental Management and Operations, "Office of the Chief Financial Officer," NPPD shall provide, with the submission of the fiscal year 2013 budget request, a fully justified budget by PPA and line item. Further, the budget request shall be submitted in the PPA structure provided in this statement. The budget justification shall also include a full explanation of any funds that are requested with availability in excess of one year including a program description, the reason for the additional required availability, and a schedule for execution of the funding.

Risk Management and Analysis

A recent National Academy of Sciences (NAS) report highlighted several shortcomings in the NPPD Office of Risk Management and Analysis (RMA) program. While the NAS study concluded that the basic risk framework used by RMA is a sound approach to assessing risk, it identified other significant deficiencies in the Office's risk analysis approach, limiting the level of confidence with which it can be used to support DHS decision-making. The NAS recommended major reforms to the current approach, but to date the Department has not submitted a plan to reform RMA. Such lack of needed reforms is unacceptable in the current fiscally constrained environment. Therefore, the Secretary has been provided the authority to transfer up to $4,241,000 to the DHS Office of Policy, subject to notification, in order to reform and improve oversight of the Department's risk management and analysis functions. A transfer is also designed to elevate the importance of a strong risk modeling, analysis, and strategic planning function within the Department. If the Secretary does not submit a notification to transfer the risk management function to the Office of Policy, the funds shall be used to effect the orderly termination of RMA by March 30, 2012.

The Committees must receive the notification for such a transfer no later than 90 days after the date of enactment of this Act. Further, no later than the date upon which the notification is submitted, the Secretary shall provide to the Committees a plan identifying and justifying the specific risk modeling, analysis, and strategic planning functions of value and use to the Department and its individual components. The plan is to include the funding and

personnel being allocated to each function and any reforms being made, including those undertaken in response to the NAS findings.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

A total of $888,243,000 is provided for "Infrastructure Protection and Information Security" (IPIS), of which $200,000,000 is available until September 30, 2013. A total of $93,348,000 is provided for Infrastructure Security Compliance. This amount combined with the carryover balance of $19,705,120 provides $113,053,120 for program implementation in fiscal year 2012.

Statutory language is included requiring expenditure plans for the Office of Infrastructure Protection and the National Cyber Security Division. The plans shall include a description by PPA and line item with the associated costs subdivided by quarter. The plan shall provide sufficient detail on the items and services procured and the outcomes of those services or items. As requested in the President's budget, $28,927,000 is included for Control Systems Security; $14,876,000 is included for cyber education; and $8,012,000 is included for cybersecurity outreach and awareness. Any funding used for acquisition of workforce improvements shall be clearly identified. Funding levels for all Information, Sharing and Analysis Centers, the National Infrastructure Simulation and Analysis Center, and for vulnerability assessments shall also be clearly identified.

A provision that requires an investment and management plan is not included for the National Cybersecurity Protection System as directed in the House report. Additionally, a separate report for Next Generation Network Priority Services is not required as directed in the Senate report. NPPD shall instead comply with the requirements for the Comprehensive and Quarterly Acquisition Status Reports in Departmental Management and Operations under the heading "Under Secretary for Management."

With respect to sector cooperation, the Under Secretary for NPPD is to provide a report regarding the results of a review to streamline the processes for coordination and information sharing with industry partners, and GAO is to conduct an evaluation of the effort, as directed in the Senate report.

The Under Secretary is directed to provide a report that details the Department's definition of inherently safer technology as it relates to chemical facilities under the purview of the Chemical Facility Anti-Terrorism Standards program.

The amount provided for this appropriation by PPA is as follows:

Infrastructure Protection:	
Infrastructure Analysis & Planning	$70,518,000
Sector Management & Governance	74,219,000
Regional Field Operations	57,367,000
Infrastructure Security Compliance	93,348,000
Subtotal, Infrastructure Protection	295,452,000
Cybersecurity and Communications:	
Cybersecurity:	
Cybersecurity Coordination	4,500,000
US-Computer Emergency Readiness Team (US–CERT) Operations	79,116,000
Federal Network Security	35,000,000
Network Security Deployment	229,000,000

Global Cybersecurity Management	23,992,000
Critical Infrastructure Cyber Protection & Awareness	60,000,000
Business Operations	11,568,000
Subtotal, Cybersecurity	443,176,000
Communications:	
Office of Emergency Communications	43,495,000
Priority Telecommunications Services	56,074,000
Next Generation Networks	25,253,000
Programs to Study and Enhance Telecommunications	13,441,000
Critical Infrastructure Protection Programs	11,352,000
Subtotal, Communications	149,615,000
Subtotal, Cybersecurity and Communications	592,791,000
Total, Infrastructure Protection and Information Security	$888,243,000

FEDERAL PROTECTIVE SERVICE

A total of $1,261,537,000 is provided for the "Federal Protective Service" (FPS), as requested, for fiscal year 2012. This amount is fully offset by collections of security fees. A provision is included requiring the Secretary and the Director of the Office of Management and Budget to certify, no later than December 31, 2011, that FPS will collect a sufficient amount in fees to cover the total number of FTE requested in the budget, or adjust the fee to cover all costs.

The Director of FPS shall provide an expenditure plan by PPA for fiscal year 2012 no later than 60 days after the date of enactment of this Act. The plan shall include a description by line item and distinct activity with the expenditures subdivided quarterly. With the submission of the fiscal year 2013 budget, the Director of FPS shall comply with the requirements as detailed in Departmental Management and Operations, "Office of the Chief Financial Officer" with respect to fiscal year 2013 budget justifications. The justification provided in fiscal year 2013 shall include all funding sources, including reimbursables.

FPS is directed to provide a strategic human capital plan and a plan to assume security and protection responsibilities from agencies that currently hold delegated authority to the Committees and GAO as directed in the Senate report. Further, GAO is directed to comply with the directions with respect to reviewing such plans.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY

A total of $306,802,000 is provided for US-VISIT. No funds are included for the Acquisition Workforce Initiative. Statutory language is included to require a multi-year investment and management plan. In addition, US-VISIT is directed to comply with the direction included under the heading "Office of the Chief Financial Officer" with respect to improved budget justifications.

Overstay Backlog Elimination

Given the current budgetary environment, security requirements that must be met immediately, and the lack of an implementation plan for biometric air exit, unobligated balances from US-

VISIT are rescinded for distribution to other security priorities across the Department for which funds can be more quickly executed. An increase of $9,400,000 is provided for US-VISIT to prepare a comprehensive plan for implementation of biometric air exit, as well as for improvement of biographic entry-exit matching capabilities and to prevent future overstay backlogs. DHS is encouraged to identify additional funds to enhance funding for its biographic efforts. The Department is directed to brief the Committees no later than January 13, 2012, on its plan for use of these funds, to include elimination of the backlog of "unvetted" overstay records and the prevention of reoccurrence of backlogs.

Semi-Annual Briefings

US–VISIT shall continue to provide briefings to the Committees on biometric exit planning; interoperability in conjunction with its interagency counterparts; hirings and conversions; and other operations. The briefings will be on a semi-annual rather than a quarterly basis.

Identity Management and Screening Services

As required in the House report, US–VISIT shall brief the Committees quarterly on its workload and service levels, including any backlogs that may result from an influx of transactions or new users.

US–VISIT 1.0

Funds are not provided for "US–VISIT 1.0" due to insufficient justification regarding the use of such funds. US–VISIT is encouraged to continue planning efforts for modernization of IDENT, including ensuring that it can operate efficiently to meet the growing and evolving needs of its users and provide the critical capabilities necessary for our Nation's security. IDENT modernization should be outlined in the US–VISIT investment and management plan.

OFFICE OF HEALTH AFFAIRS

A total of $167,449,000 is provided for the Office of Health Affairs (OHA). The Assistant Secretary for the OHA is directed to provide an expenditure plan that includes a description by line item and distinct activity, with the expenditures subdivided by quarter, within 60 days after the date of enactment of this Act. Further, OHA is directed to comply with the direction included in Departmental Management and Operations, "Office of the Chief Financial Officer" with respect to improved budget justifications.

A total of $12,013,000 is provided for the National Biosurveillance Integration System (NBIS), $5,000,000 above the budget request, including funds to diversify DHS's biosurveillance capabilities. OHA is not required to collocate the National Biosurveillance Integration Center as directed in the Senate report.

A total of $5,439,000 is provided for the Chemical Defense Program, of which $3,000,000 is provided above the request for at least two additional demonstration projects, to be competitively selected.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

A total of $895,350,000 is provided for Salaries and Expenses under what was formerly called "Management and Administration." When combined with amounts available from other accounts, a total of $1,031,378,000 is available for Salaries and Expenses including grant program execution.

The amount provided for this appropriation by PPA is as follows:

Administrative and Regional Offices	$110,495,000
Office of National Capital Region Coordination	(5,493,000)
Preparedness and Protection	109,873,000
Response	226,228,000
Urban search and rescue response system	(41,250,000)
Recovery	78,373,000
Mitigation	43,675,000
Mission Support	219,433,000
Centrally Managed Accounts	107,273,000
Total, Salaries and Expenses	$895,350,000

FEMA shall provide an expenditure plan no later than 90 days after the date of enactment of this Act. The plan shall be detailed by the PPA structure as detailed in this statement and by office. It shall include actual funding from the prior year, the current fiscal year, and deviations between the two years. Each year shall include the number of positions, the number of FTE, the amount for salaries and benefits, and the amount for the program, showing all sources of funding. Specific information regarding the transfer of funding from other appropriations should be included, with the same level of detail currently provided to the Committees.

For fiscal year 2013, the budget request for FEMA shall comply with the direction included in Departmental Management and Operations under the "Office of the Chief Financial Officer" with respect to improved budget justifications. Further, the budget request shall be detailed by office and under the new PPA structure provided and submitted in the same format as the required expenditure plan for fiscal year 2012.

FEMA is directed to study the feasibility to, on a quarterly basis, post on the FEMA website a summary of the financial status of funds appropriated under "State and Local Programs."

FEMA is provided the authority to reprogram funds within "Salaries and Expenses," notwithstanding the requirements of section 503 of this Act. This temporary authority shall expire on April 16, 2012.

A provision is included requiring the Administrator to submit the National Preparedness Report and a comprehensive plan to implement a system to measure the effectiveness of grants to State and local communities to the Committees in fiscal year 2012. Further, $1,400,000, 25 percent of the funds for the Office of the Administrator, is withheld from obligation until the Report and the plan are submitted.

Within 90 days of the date of the enactment of this Act, the Administrator of FEMA, in consultation with the Commander of the U.S. Army Corps of Engineers (USACE), shall provide a report on the cost of debris removal. Specifically, the report shall address

the disparity between the cost factors for the USACE as compared to other options communities have for debris removal services.

Program, Project, and Activity Restructuring

In order to provide additional visibility, the FEMA "Salaries and Expenses" account, formerly the "Management and Administration" account, has been subdivided into PPA lines. The Administrative and Regional Offices PPA includes the Office of the Administrator, Office of Policy and Program Analysis, Office of External Affairs, Disability Integration and Coordination, Office of Equal Rights, Office of Chief Counsel, Office of the Chief Financial Officer, Office of National Capital Region Coordination, Regional Operations, Federal Coordinating Officers, and Evaluations and Assessments. The Preparedness and Protection PPA includes the Office of Preparedness and National Protection, National Continuity, National Preparedness Directorate, Grants Programs Directorate, and Technical Assistance. The Response PPA includes the Office of Response and Recovery, Response Programs, and Logistics Programs. The Recovery PPA includes Recovery Programs. The Mitigation PPA includes Mitigation Programs. The Mission Support PPA includes the Office of the Associate Administrator, Chief Administrative Officer, Chief Security Officer, Chief Information Officer, Chief Human Capital Officer, Chief Procurement Officer, and Regional Support. The Centrally Managed Accounts PPA includes centrally managed functions in the Office of the Chief Financial Officer as well as the Enterprise Operations in the Office of the Chief Administrative Officer, Chief Information Officer, and Chief Security Officer. The Emergency Management Institute is funded under the "State and Local Programs" account.

Technical Assistance and Evaluations and Assessments

Funding for activities under Technical Assistance and Evaluations and Assessments has been provided under this heading instead of under the "State and Local Programs" account as in previous years. A total of $10,000,000 is provided for Technical Assistance within the new Preparedness and Protection PPA, and $10,000,000 is provided for Evaluations and Assessments within the new Administrative and Regional Offices PPA.

Facilities Management

A total of $12,000,000 is provided for capital improvements at Mount Weather, as requested. Additionally, $5,000,000 above the requested amount is provided to address unfunded repairs and capital improvement on priority projects across FEMA. None of these funds may be obligated until five days after the Chief Financial Officer (CFO) of FEMA briefs the Committees on an execution plan for these funds.

Automation Modernization

A total of $13,662,000 is provided for FEMA to address automation modernization requirements. None of these funds may be obligated until five days after the CFO and the Chief Information

Officer (CIO) of FEMA brief the Committees on the execution plan for these funds. A provision is included requiring FEMA to provide a strategic plan within 180 days after the date of enactment of this Act to modernize its automation and information systems. As noted in both the Senate and House reports, a recent OIG report (OIG–11–69) highlighted a systemic information management and systems problem within FEMA which leaves the Agency less able to efficiently and effectively accomplish its mission. FEMA relies on a time consuming and manual process to estimate its needs for disaster relief funding. Further, FEMA has been unable to quantify National preparedness capabilities, and gaps in capabilities, despite Congress's call to do so since before 2007. Lastly, FEMA is unable to efficiently work with partners in homeland security and emergency management due to a lack of comparable technology capability.

The lack of a comprehensive approach and needed investments to modernize systems has also left FEMA less able to integrate the preparedness, prevention, response, mitigation, and recovery missions with which it is charged. The funding and planning requirement established in the Act is to provide the means and the direction for FEMA to modernize for better performance and future cost savings. FEMA shall include the DHS CIO in planning efforts to ensure compatibility with DHS systems where practicable. Further, the needs of the Office of National Capital Region Coordination (ONCRC) shall be considered in the automation and information systems strategy. The Deputy Administrator is directed to brief the Committees within 45 days after the date of the enactment of this Act regarding the implementation of the findings of OIG report OIG–11–69, and the initial effort to formulate the modernization plan for each major component within FEMA. These requirements are in lieu of separate requirements addressed in Senate and House reports with respect to the information technology and modernization within the CIO, Preparedness and Protection, Recovery, Mission Support, and the ONCRC.

Funding for data center migration is not included in this account but is instead addressed under General Provisions in Title V.

Disaster Relief Fund Financial Management Policy

Within 90 days after the date of the enactment of this Act, the Administrator and the CFO of FEMA shall develop a policy and issue guidance on the implementation of the restriction to immediate needs funding, or any other spending restrictions administratively imposed in the Disaster Relief Fund (DRF). This policy shall include thresholds for when a restriction will be implemented and identify which programs are impacted under the restriction. FEMA shall brief the Committees within 90 days after the date of the enactment of this Act on the completed policy. Further, FEMA is directed to notify the Committees no later than 15 days prior to the implementation of immediate needs funding restrictions, to the extent practicable.

To improve the validity and veracity of requests for disaster relief funding in future budgets, the Administrator and the CFO of FEMA shall develop policy and guidance that defines the methodology used to formulate the budget estimate for the DRF. The pol-

icy shall be consistent with the Budget and Control Act and shall include a clear description of the data used as a basis for the request, the office responsible for providing the data, and the source(s) of data used. The Office of the Administrator and the CFO of FEMA shall brief the Committees within 90 days of the date of the enactment of this Act on the proposed policy and guidance. Using this policy and guidance, the CFO of FEMA shall work with a qualified third party organization to review the methodology and create estimating tools that will enable rigorous and more consistent forecasting of the requirements for the Disaster Relief Fund. Up to $500,000 is provided for this effort. The Committees shall be regularly briefed by the CFO on the status of the project.

Further, to improve the management of the DRF and assistance programs, FEMA needs to improve the quality and timeliness of project worksheets for public assistance grants, as well as the process for sharing that information with regional offices, FEMA headquarters, and the Office of Management and Budget (OMB). Therefore, FEMA shall work with the Homeland Security Studies and Analysis Institute, or an independent organization with expertise in grants management, to review the project worksheet process and flow of information, and provide a report to the Committees no later than May 1, 2012. The organization shall provide recommendations to FEMA and the Committees on how to improve the collection and sharing of grant information between the regions, FEMA headquarters, and OMB. The review shall include a delineation of the time an application, or an application appeal, currently spends at each office and stage of the process including the joint field office, FEMA regional office, FEMA headquarters, DHS, and OMB; and ways to streamline the information and reduce the time needed to adjudicate applications.

Office of the National Capital Region Coordination

A total of $5,493,000 is provided for the ONCRC. The ONCRC was created to oversee and coordinate Federal programs for and relationships with State, local, and regional authorities in the National Capital Region. Strides have been made in coordinating efforts, especially among the State and local partners, however, there is much more to do, especially in regard to coordination and communication among Federal entities in the area. The Office of the Administrator of FEMA, in conjunction with ONCRC, shall provide a briefing within 60 days after the date of enactment of this Act, on a clear strategy and an action plan to ensure that ONCRC activities are focused in the most efficient and effective manner. The briefing shall provide an understanding of specific outcomes of the ONCRC for fiscal year 2012, and the timeframe in which they will be completed. Further, the Administrator of FEMA is directed to comply with section 882 of the Homeland Security Act of 2002 with respect to the submission of the ONCRC annual report. The annual report shall be submitted within 60 days of the date of enactment of this Act.

A provision is continued requiring the inclusion of the Governors of the State of West Virginia and the Commonwealth of Pennsylvania in the National Capital Region decision-making and planning process for mass evacuation.

Urban Search and Rescue

A total of $41,250,000 is for the Urban Search and Rescue Response System, an increase of $6,070,000 over fiscal year 2011. The increase provides for updating the chemical, biological, radiological, nuclear, or explosives equipment for existing teams and to add an additional team, if warranted, to ensure adequate response times and coverage across the Nation. None of the additional funds provided may be obligated until five days after FEMA briefs the Committees on the requirements and justification for the expenditure of funds. FEMA is directed to provide the details of the complete review of the System without delay.

Unaccompanied Minors Registry

A total of no less than $500,000 is provided to automate the unaccompanied minors registry and call center as directed in the Senate report.

Presidential Policy Directive—8

The conferees are pleased the National Preparedness Goal was submitted this past September, in accordance with the Presidential Policy Directive—8, and expect to receive a report describing the National Preparedness System before January 2012. Within 15 days after receiving the report, FEMA shall brief the Committees on the recommendations of the report, timelines for their implementation, and their budgetary impacts.

STATE AND LOCAL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

A total of $1,349,681,000 is provided for State and Local programs. The amount provided for this appropriation by PPA is as follows:

State and Local Programs Grants	$1,118,000,000
Education, Training, and Exercises:	
Emergency Management Institute	16,181,000
Center for Domestic Preparedness	62,500,000
National Domestic Preparedness Consortium	93,000,000
National Exercise Program	34,000,000
Continuing Training	26,000,000
Subtotal, Education, Training, and Exercises	231,681,000
Total, State and Local Programs	$1,349,681,000

The funds provided for State and Local Program grants are to be allocated according to threat, vulnerability, and consequence to assist high-risk urban areas, States, local and Tribal governments, and other homeland security partners in preventing, preparing for, protecting against, and responding to acts of terrorism. Congress has appropriated over $34,000,000,000 to homeland security grants to date to build first responder capabilities and secure infrastructure. Given the current fiscal climate, the Department should work with the appropriate Committees of jurisdiction to clearly define the Federal role and reassess the most effective delivery of support

and resources to sustain and improve homeland security capabilities.

The Secretary and the Administrator of FEMA are directed to study the current grant programs in order to make them the most effective and to reduce impediments to the timely expenditure of homeland security grant funds. The results of such study shall be provided to the Committees in conjunction with the required comprehensive plan to implement a system to measure the effectiveness of grants.

Several provisions are included related to grant administration. Grant guidance shall be issued within 60 days, applicants shall apply within 80 days, and award decisions shall be made within 65 days. Grantees may not use more than 5 percent of a grant for grant administration and shall provide reports on the use of funds as determined necessary by the Secretary. The installation of communications towers is not considered construction under State Homeland Security Grants and the Urban Area Security Initiative.

A provision is included allowing the Center for Domestic Preparedness to train certain emergency personnel provided it does not interfere with the primary mission to train state and local emergency response providers.

Funding for the Emergency Management Institute is provided under this heading, instead of under "Salaries and Expenses" (formerly "Management and Administration") as in previous years.

The Department shall brief the Committees on steps taken to ensure community leaders and grantees have the same threat, vulnerability, and consequence information that is available to the Department to ensure applications reflect true risk.

The GAO is no longer required to monitor the development of any system to measure the effectiveness of the grant programs as directed in the House report.

FEMA is required to provide a report on the accomplishments of the Regional Catastrophic Preparedness Grant Program, including how successes can be transitioned to and sustained through future catastrophic planning efforts.

As addressed in both the Senate and House reports, the continued slow expenditure of funds is concerning. FEMA is directed to brief the Committees no later than 90 days after the date of enactment of this Act on plans to expedite the expenditure of funds for interoperable emergency communications, port security, and transit security grants. Particular attention should be placed on funds that were appropriated prior to fiscal year 2008.

FIREFIGHTER ASSISTANCE GRANTS

A total of $675,000,000 is provided for Firefighter Assistance Grants including $337,500,000 for firefighter assistance grants and $337,500,000 for firefighter staffing grants. FEMA is directed to continue the present practice of funding applications according to local priorities and those established by the United States Fire Administration, to maintain an all-hazards focus, and to grant funds for eligible activities in accordance with the authorizing statute. FEMA is required to continue the current grant application and review process as specified in the House report.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

A total of $350,000,000 is provided for Emergency Management Performance Grants.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Statutory language is included providing for the receipt and expenditure of fees collected, as authorized by P.L. 105–276.

UNITED STATES FIRE ADMINISTRATION

A total of $44,038,000 is provided for the United States Fire Administration.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

A total of $700,000,000 is provided in this conference agreement for the Disaster Relief Fund formerly called "Disaster Relief." The conferees anticipate that an additional $6,400,000,000 that is designated for major disasters pursuant to 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 will be provided in legislation that is being considered in parallel to this conference agreement. Therefore, a total amount of $7,100,000,000 will be provided for the Disaster Relief Fund for fiscal year 2012 consistent with estimates provided by the Director of the Office of Management and Budget in a letter dated October 19, 2011, and by the Secretary of Homeland Security in the report titled "Disaster Relief Funding Requirements" dated October 21, 2011, pursuant to the legislative requirement in Section 125 of H.R. 2017 (Public Law 112–36). Of the funds provided in this conference agreement, $24,000,000 shall be transferred to the DHS OIG for audits and investigations related to disasters.

A provision is included amending Public Law 110–161 which exempts FEMA from the permanent requirement to submit a monthly "Disaster Relief" report. A new provision is included updating the timeframes and information which FEMA must report to the Committees on the Disaster Relief Fund. This provision reduces the burden of reporting by FEMA and allows for better oversight of funding requirements by the Committees. There are several previous reporting requirements which are deleted altogether. FEMA is cautioned that such data could be required in the future after a catastrophic event, and FEMA should therefore not lose the capacity to track and provide such information including: Mission Assignment obligations and expenditures by Federal agency; credit card costs and purchases by DHS agencies; and sole source contracts.

A report on the expenditure of funds for disaster readiness and support, including quarterly updates, is required, as in previous years.

A requirement is included in this statement under FEMA Salaries and Expenses to improve DRF budget estimates.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

A total of $295,000 is provided for the cost of direct loans.

FLOOD HAZARD MAPPING AND RISK ANALYSIS

A total of $97,712,000 is provided for flood hazard mapping and risk analysis.

FEMA is directed to provide no less than 20 percent of the funds provided under this heading for map updates and maintenance conducted by Cooperating Technical Partners (CTPs) that provide at least a 25 percent cash match and have a strong record of working effectively with FEMA on floodplain mapping activities.

NATIONAL FLOOD INSURANCE FUND

A total of $22,000,000 is provided for salaries and expenses and $149,000,000 for flood plain management and mapping. Further, $10,000,000 is provided for the severe repetitive loss program.

NATIONAL PREDISASTER MITIGATION FUND

A total of $35,500,000 is provided for the National Predisaster Mitigation Fund. The unobligated balance from previous years is $173,259,000.

EMERGENCY FOOD AND SHELTER

A total of $120,000,000 is provided for the Emergency Food and Shelter program.

TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

A total of $102,424,000 is provided in discretionary appropriations for USCIS for E-Verify.

FEE FUNDED PROGRAMS

USCIS operations that have been funded through fee revenue should continue to be funded in that manner, including the processing of refugee and asylum claims, Systematic Alien Verification for Entitlements (SAVE), and immigrant integration activities. USCIS is directed to include these costs in its revised fee schedule in recognition of the fact that no additional appropriations will be available to cover the costs of these activities. Further, the table at the end of this statement is updated to reflect these activities as funded through fee collections and includes new projections from USCIS. The requirement in the House report regarding quarterly briefings on fee revenues and obligations is incorporated into the user fee report requirement addressed in this statement under the heading "Office of the Chief Financial Officer."

DIGITIZATION EFFORTS

USCIS, ICE, and the Executive Office of Immigration Review are directed to brief the Committees on use of digitized records, as required in the House report, no later than March 1, 2012. USCIS is also directed to provide no less than $29,000,000 to continue conversion of immigration records to digital format.

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS

Due to current budgetary constraints, the SAVE program must continue to be funded through user fees and other USCIS fee revenues. USCIS shall explore all opportunities to reduce the burden on State and local benefits agencies that serve as a disincentive to participation. Additionally, USCIS shall ensure that improvements to the Verification Information System benefit both E-Verify and SAVE users.

REAL ID

The Department is directed to brief the Committees no later than April 13, 2012, on the steps being taken to encourage the States to draw down these funds, the progress on draw down, and the specific reasons by jurisdiction for the delay in draw down, as directed in the House report.

IMMIGRANT INTEGRATION GRANTS

Section 551 is included providing $10,000,000 for immigrant integration grants from fee revenue. No more than five percent of the amount of funds utilized for immigrant integration grants can be used to administer the program.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

A total of $238,957,000 is provided for "Salaries and Expenses," as requested. Within the funds provided, $29,716,000 is for Management and Administration and $1,304,000 is for the Federal Law Enforcement Training Accreditation Board.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

A total of $32,456,000 is provided for "Acquisitions, Construction, Improvements, and Related Expenses."

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

A total of $135,000,000 is provided for "Management and Administration," including not to exceed $8,500 for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

A total of $533,000,000 is provided for "Research, Development, Acquisition, and Operations," including $265,783,000 for a new consolidated "Research, Development, and Innovation" (RDI) PPA in lieu of the previous, more detailed program areas. Funding is available for three years, except Laboratory Facilities funding, which is available for five years.

The amount provided for this appropriation by PPA is as follows:

Research, Development, and Innovation	$265,783,000
Laboratory Facilities (Operations and Construction)	176,500,000

Acquisition and Operations Support	54,154,000
University Programs	36,563,000
Total, Research, Development, Acquisition and Operations	$533,000,000

RESEARCH, DEVELOPMENT, AND INNOVATION

The new PPA for RDI will enable S&T to more quickly shift resources, if necessary, between research activities without formal reprogramming or transfer actions. In some instances, research activity may straddle several different missions and thrust areas. S&T and the Department must prioritize this consolidated research budget, which is substantially reduced from recent fiscal years, to focus on areas with the greatest promise for delivering material improvements or tangible contributions to homeland security missions in the near term. This flexibility in funding should facilitate that effort and partially offset the impact of an overall funding reduction.

However, it remains important for accountability and visibility into the S&T research program that a more detailed reporting of research activity be available. Therefore, S&T is directed to submit to the Committees a detailed breakout of RDI funding by research thrust areas and by project, based on the categories presented in the budget justification materials, no later than 30 days after the date of enactment of this Act, and to submit quarterly updates thereafter.

APEX RESEARCH PROJECTS

The Apex initiative focuses on high-priority, high-value projects expected to produce results to solve a homeland security challenge in the near term. To provide the best oversight over these programs, S&T is directed to brief the Committees before initiating any new Apex projects, as specified in the House report. S&T and the Secret Service shall brief the Committees no later than 60 days after the date of enactment of this Act on the protective technology project, to include a progress report and a schedule for test and evaluation under operational conditions.

RESILIENCE AND CYBERSECURITY

S&T is encouraged to continue to support competitively awarded research into disaster resilience with universities and Federal research centers, as well as cybersecurity research and development, as discussed in the Senate report.

LABORATORY FACILITIES (OPERATIONS AND CONSTRUCTION)

A total of $176,500,000 is provided for Laboratory Facilities (Operations and Construction), of which $50,000,000 shall be to support the construction of the National Bio- and Agro-defense Facility (NBAF), and of which $18,200,000 shall be for infrastructure upgrades at the Transportation Security Laboratory as requested. Section 550 in the Act restricts funds appropriated in this Act for NBAF construction until the Department of Homeland Security completes 50 percent design planning for the NBAF, submits a revised site-specific biosafety and biosecurity mitigation risk assess-

ment, and submits the National Academy of Sciences' review of the revised risk assessment. In addition, the revised site-specific biosafety and biosecurity mitigation risk assessment is to include a plan for expenditure of funds related to NBAF construction and a revised estimate of the total construction costs to complete the facility.

NUCLEAR AND RADIOLOGICAL RESPONSE AND RECOVERY

While funding for general transformational research and development of nuclear and radiological threat detection is funded within the Domestic Nuclear Detection Office (DNDO), S&T is directed as part of its fiscal year 2013 budget to give priority to research and development of technology for response and recovery from nuclear or radiological attacks or disasters, as part of its broader support of homeland security response and recovery requirements.

ACQUISITION AND OPERATIONS SUPPORT

A total of $54,154,000 is provided for "Acquisition and Operations Support." S&T is directed to provide no less than $6,641,000, as requested, for the establishment of policies and procedures for test and evaluation activities and to monitor and coordinate them across the Department's acquisition framework.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

A total of $38,000,000 is provided for "Management and Administration." The Secretary is directed to submit to the Committees no later than 180 days after the date of enactment of this Act a strategic plan of investments necessary to implement the Department's responsibilities under the domestic component of the Global Nuclear Detection Architecture (GNDA), as required by this Act.

RESEARCH, DEVELOPMENT, AND OPERATIONS

A total of $215,000,000 is provided for "Research, Development, and Operations."

The amount provided for this appropriation by PPA is as follows:

Systems Engineering and Architecture	$30,000,000
Systems Development	51,000,000
Transformational Research and Development	40,000,000
Assessments	38,000,000
Operations Support	33,000,000
National Technical Nuclear Forensics Center	23,000,000
Total, Research, Development, and Operations	$215,000,000

SEMI-ANNUAL BRIEFINGS

In lieu of quarterly briefings, as directed in the House and Senate reports, DNDO is directed to brief the Committees semi-annually on program updates and to provide periodic updates on any new threats, research, and studies and assessments related to the GNDA. Semi-annual program briefings shall also cover emergent technology solutions being explored by DNDO, such as the human

portable tripwire program; cargo scanning technologies for air, land, and sea ports of entry; long-range detection; small vessel standoff detection; and related programs. Briefings shall include available test and evaluation results.

SYSTEMS ENGINEERING AND ARCHITECTURE

Funding for DNDO's proposed Mission Critical Messaging program is provided to enhance situational awareness of the GNDA.

SYSTEMS DEVELOPMENT

In lieu of the requirement for an evaluation of DNDO's acquisitions funding and the appropriateness of consolidating DNDO's "Systems Development" and "Test and Evaluation Infrastructure Operations" activities within the Department's Science and Technology Directorate, language is included under the "Office of the Chief Financial Officer" heading in this statement regarding an assessment of the Department's acquisition organization and performance in support of its nuclear detection mission.

TRANSFORMATIONAL RESEARCH AND DEVELOPMENT

The Department's request to transfer radiological and nuclear research and development from DNDO to the Department's Science and Technology Directorate is denied. Instead, a total of $40,000,000 is provided for Transformational Research and Development (R&D).

The conferees recognize that transformational R&D is funded at a substantially reduced level when compared to prior fiscal years and urge DNDO to leverage partnerships within the Department and the interagency community to realize the Office's radiological and nuclear research objectives. DNDO is directed to provide a detailed breakout no later than 60 days after the date of enactment of this Act of how it intends to fund transformational R&D activities at the reduced appropriations level, as directed in the House report.

SYSTEMS ACQUISITION

A total of $37,000,000 is provided for "Systems Acquisition."

The amount provided for this appropriation by PPA is as follows:

Radiation Portal Monitor Program	$7,000,000
Securing the Cities	22,000,000
Human Portable Radiation Detection System	8,000,000
Total, Systems Acquisition	$37,000,000

RADIATION PORTAL MONITOR PROGRAM

A total of $7,000,000 is provided for the Radiation Portal Monitor (RPM) program. Reductions from the request are made in light of the Secretary's decision to cancel the Advanced Spectroscopic Portal (ASP) program as communicated in the Secretary's letter of October 3, 2011, to the Committees. As a result of the Secretary's decision, bill language restricting deployment of ASP is not in-

cluded. If a successor program is initiated by the Department, the Committees are to be notified.

SECURING THE CITIES

A total of $22,000,000 is provided for the Securing the Cities (STC) program, which includes $2,000,000 for a new STC location beyond the New York pilot. In lieu of the reports required by the House and Senate on the STC program, DNDO is directed to provide a report, before committing funds to a new STC location, that: (1) Provides an evaluation of the New York STC pilot, including lessons learned for future STC sites and corrective actions that are being taken, or will be taken, to reconcile deficiencies identified in exercises and reviews; (2) details efforts to establish a model for STC lifecycle costs; (3) delineates performance measures that will be used to evaluate STC sites; and (4) outlines plans for a Federal transition strategy for the existing and new STC location.

In lieu of quarterly briefings, as directed in the House report, DNDO is directed to provide periodic briefings on the Securing the Cities program, with the first briefing to be scheduled after the Committees receive the report assessing the 2011 STC exercise in New York City.

TITLE V—GENERAL PROVISIONS

Section 501. A provision proposed by the House and Senate is continued that no part of any appropriation shall remain available for obligation beyond the current year unless expressly provided.

Section 502. A provision proposed by the House and Senate is continued that unexpended balances of prior appropriations may be merged with new appropriation accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. A provision proposed by the Senate is continued that provides authority to reprogram appropriations within an account and to transfer up to 5 percent between appropriations accounts with 15-day advance notification to the Committees. The House proposed a similar provision. A detailed funding table identifying programs, projects, and activities is included at the end of this statement. This table along with funding levels specified in the report shall serve as the control level for all reprogrammings. These reprogramming guidelines shall be complied with by all agencies funded by this Act.

The Department shall submit reprogramming requests on a timely basis and provide complete explanations of the reallocations proposed, including detailed justifications of the increases and offsets, and any specific impact the proposed changes will have on the budget request for the following fiscal year and future-year appropriations requirements. Each request submitted to the Committees should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and staffing (full-time equivalent position) levels for the current fiscal year and to the levels requested in the President's budget for the following fiscal year.

The Department shall manage its programs and activities within the levels appropriated. The Department should only submit

reprogramming or transfer requests in the case of an unforeseeable emergency or situation that could not have been predicted when formulating the budget request for the current fiscal year. When the Department submits a reprogramming or transfer request to the Committees and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the reprogramming or transfer request not approved.

The Department is not to submit a reprogramming or transfer of funds after June 30 except in extraordinary circumstances, which imminently threaten the safety of human life or the protection of property. If a reprogramming or transfer is needed after June 30, the notice should contain sufficient documentation as to why it meets this statutory exception.

Subsection (e), added in the fiscal year 2011 year-long continuing resolution, is included to ensure that funds that are deobligated by the Department are also subject to the reprogramming and transfer guidelines and requirements set forth in this section.

Section 504. A provision proposed by the House and Senate is continued that prohibits funds appropriated or otherwise made available to the Department to make payment to the Department's Working Capital Fund, except for activities and amounts allowed in the President's fiscal year 2012 request. Funds provided to the WCF are available until expended. The Department can only charge components for direct usage of the WCF and these funds may be used only for the purposes consistent with the contributing component. Any funds paid in advance or reimbursed must reflect the full cost of each service. The WCF shall be subject to the requirements of section 503 of this Act.

Section 505. A provision proposed by the House and Senate is continued that not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2012 from appropriations made for salaries and expenses shall remain available through fiscal year 2013 subject to section 503 reprogramming guidelines.

Section 506. A provision proposed by the House and Senate is continued that funds for intelligence activities are deemed to be specifically authorized during fiscal year 2012 until the enactment of an Act authorizing intelligence activities for fiscal year 2012.

Section 507. A provision proposed by the House and Senate is continued and modified requiring notification of the Committees three days before grant allocations, grant awards, contract awards, other transactional agreements, letters of intent, or a task or delivery order on a multiple contract award totaling $1,000,000 or more, or a task or delivery order greater than $10,000,000 from multiyear funds, is announced by the Department, including contracts covered by the Federal Acquisition Regulation. The Department is required to brief the Committees 5 full business days prior to announcing the intention to make a grant under State and Local Programs. Notification shall include a description of the project or projects to be funded, including city, county, and State.

Section 508. A provision proposed by the House and Senate is continued that no agency shall purchase, construct, or lease addi-

tional facilities for Federal law enforcement training without advance approval of the Committees.

Section 509. A provision proposed by the House and Senate is continued that none of the funds may be used for any construction, repair, alteration, and acquisition project for which a prospectus, if required under chapter 33 of title 40, United States Code, has not been approved.

Section 510. A provision proposed by the House and Senate is continued and modified that consolidates by reference prior year statutory bill language into one provision. These provisions relate to contracting officer's technical representative training; sensitive security information; and the use of funds in conformance with section 303 of the Energy Policy Act of 1992.

Section 511. A provision proposed by the House and Senate is continued that none of the funds may be used in contravention of the Buy American Act.

Section 512. A provision proposed by the House and Senate is continued and modified on reporting requirements of the privacy officer.

Section 513. A provision proposed by the House and Senate is continued regarding the oath of allegiance required by section 337 of the Immigration and Nationality Act.

Section 514. A provision proposed by the House and Senate is continued requiring the Chief Financial Officer to submit monthly budget execution and staffing reports within 45 days after the close of each month.

Section 515. A provision proposed by the Senate is continued regarding the competitive sourcing for United States Citizenship and Immigration Services. The House proposed no similar provision.

Section 516. A provision proposed by the Senate is continued and modified directing that any funds appropriated or transferred to TSA "Aviation Security", "Administration", and "Transportation Security Support" in fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for procurement and installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification. Quarterly reports must be submitted identifying any funds that are recovered or deobligated. The House proposed a similar provision.

Section 517. A provision proposed by the House and Senate is continued for fiscal year 2012 requiring that any funds appropriated to the Coast Guard's 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as a result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

Section 518. A provision proposed by the House and Senate is continued for fiscal year 2012 relating to undercover investigative operations authority of the U.S. Secret Service.

Section 519. A provision proposed by the House and Senate is continued classifying the functions of the instructor staff at the Federal Law Enforcement Training Center as inherently governmental for purposes of the Federal Activities Inventory Reform Act.

Section 520. A provision proposed by the House and Senate is continued prohibiting the obligation of funds to the Office of the

Secretary and Executive Management, the Office of the Under Secretary for Management, and the Office of the Chief Financial Officer for grants or contracts awarded by any means other than full and open competition. Certain exceptions apply, and this provision does not require new competitions of existing contracts during their current terms. It also requires the Inspector General to review Departmental contracts awarded noncompetitively and report on the results to the Committees.

Section 521. A provision proposed by the House is continued and modified that prohibits funding pertaining to the Principal Federal Official during a Stafford Act declared disaster or emergency, with certain exceptions. The Senate proposed no similar provision.

Section 522. A provision proposed by the Senate is continued and made permanent regarding the enforcement of section 4025(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3724) regarding butane lighters. The House proposed a similar provision.

Section 523. A provision proposed by the House and Senate is continued that precludes DHS from using funds in this Act to carry out reorganization authority. This prohibition is not intended to prevent the Department from carrying out routine or small reallocations of personnel or functions within components, subject to Section 503 of this Act. This language prevents large scale reorganization of the Department, which should be acted on legislatively by the relevant Congressional committees of jurisdiction.

Section 524. A provision proposed by the Senate is continued prohibiting the Secretary from reducing operations within the Coast Guard's Civil Engineering Program except as specifically authorized by a statute enacted after the date of enactment of this Act. The House proposed no similar provision.

Section 525. A provision proposed by the House and Senate is included prohibiting funding to grant an immigration benefit to any individual unless the results of background checks required by statute to be completed prior to the grant of benefit have been received by DHS.

Section 526. A provision proposed by the House and Senate is continued, modified, and made permanent prohibiting use of funds to destroy or put out to pasture any horse or other equine belonging to any component or agency of DHS unless adoption has been offered first.

Section 527. A provision proposed by the Senate is included extending other transactional authority for DHS through fiscal year 2012 and eliminates a GAO reporting requirement that is no longer necessary. The House proposed a similar provision.

Section 528. A provision proposed by the House and Senate is continued requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 529. A provision proposed by the Senate is included and modified regarding waivers of 46 U.S.C. 501(b). The House proposed no similar provision.

Section 530. A provision proposed by the House and Senate is continued and modified prohibiting the obligation of funds for the

Office of the Secretary and Executive Management for any new hires at DHS if they are not verified through the E-Verify program.

Section 531. A provision proposed by the Senate is continued prohibiting funds from being used to reduce the Coast Guard's Operations Systems Center mission or its government-employed or contract staff. The House proposed no similar provision.

Section 532. A provision proposed by the House and Senate is continued related to prescription drugs.

Section 533. A provision proposed by the Senate is continued prohibiting funds to be used to conduct or implement the results of a competition under Office of Management and Budget Circular A–76 with respect to the Coast Guard National Vessel Documentation Center. The House proposed no similar provision.

Section 534. A provision proposed by the House and Senate is continued requiring the Secretary, in conjunction with the Secretary of the Treasury, to notify the Committees of any proposed transfers from the Department of the Treasury Forfeiture Fund to any agency within DHS. No funds may be obligated until the Committees approve the proposed transfers. If the President proposes to rescind Treasury Forfeiture Funds in his fiscal year 2013 budget, he shall propose to divide the funds equitably between the Departments based upon their contributions to the Fund.

Section 535. A provision proposed by the House and Senate is continued prohibiting funds for planning, testing, piloting, or developing a national identification card.

Section 536. A provision proposed by the House is continued requiring the TSA Administrator to certify that no security risks will result if an airport does not participate in the E-Verify program. The Senate proposed no similar provision.

Section 537. A provision proposed by the House and Senate is continued and modified that requires a report, to be posted on the FEMA website, summarizing damage assessment information used to determine whether to declare a major disaster.

Section 538. A provision proposed by the House and Senate is continued, modified, and made permanent relating to the liquidation of Plum Island assets and how the proceeds from such sale may be applied to construction costs of the new National Bio- and Agro-defense Facility.

Section 539. A provision proposed by the House and Senate is continued directing that any official required by this Act to report or to certify to the Committees on Appropriations may not delegate any authority unless expressly authorized to do so in this Act.

Section 540. A provision proposed by the Senate is continued extending the risk-based security standards for chemical facilities cited in section 550 of Public Law 109–295, as amended, for one year. The House proposed a similar provision.

Section 541. A provision proposed by the Senate is continued prohibiting the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba. The House proposed a similar provision.

Section 542. A provision proposed by the House and Senate is continued prohibiting funds in this Act to be used for first-class travel.

Section 543. A provision proposed by the House and Senate is continued prohibiting funds in this Act to be used for adverse personnel actions for employees who use protective equipment or measures, including surgical masks, N95 respirators, gloves, or hand-sanitizers in the conduct of their official duties.

Section 544. A provision proposed by the House and Senate is continued prohibiting funds to be used to employ illegal workers as described in Section 274A(h)(3) of the Immigration and Nationality Act.

Section 545. A provision proposed by the Senate is continued and modified relating to the proper disposal of personal information collected through the Registered Traveler program. The House proposed a similar provision.

Section 546. A provision proposed by the Senate is continued and made permanent regarding the definition of the term "rural" for purposes of section 210C of the Homeland Security Act of 2002. The House proposed no similar provision.

Section 547. A provision proposed by the House and Senate is continued prohibiting funds appropriated or otherwise made available by this Act to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 548. A provision proposed by the House and Senate is included that requires the TSA Administrator to submit biannual reports on how the agency will meet the requirement to screen 100 percent of air cargo transportation on passenger aircraft arriving in the United States. TSA has indicated they will not be able to meet the 9/11 Act deadline for this subset of air cargo.

Section 549. A provision proposed by the House and Senate is included that requires any new processes developed to screen aviation passengers and crews for transportation or national security to consider privacy and civil liberties, consistent with applicable laws, regulations, and guidance.

Section 550. A provision proposed by the Senate is included and modified pertaining to the construction of the National Bio- and Agro-defense Facility in Manhattan, Kansas. The House proposed no similar provision.

Section 551. A provision proposed by the House is included and modified that makes deposits into the Immigration Examinations Fee Account available to United States Citizenship and Immigration Services for the purposes of providing immigrant integration grants of $10,000,000 in fiscal year 2012. The Senate provided funding for this activity under the USCIS heading.

Section 552. A provision proposed by the Senate is included and modified providing $7,500,000 for the Federal Emergency Management Agency to reimburse costs incurred by State and local governments affected by National Special Security Events, including use of services, personnel, equipment, and facilities. The House proposed no similar provision.

Section 553. A provision proposed by the Senate is included providing some flexibility to the Department for financing a response to an immigration emergency, subject to notification. The House proposed no similar provision.

Section 554. A provision proposed by the Senate is included permitting administrative law judges to be available temporarily to serve on an arbitration panel as needed for cases related to Hurricanes Katrina and Rita. The House proposed no similar provision.

Section 555. A provision proposed by the Senate is included prohibiting funds appropriated or otherwise made available by this Act for DHS to enter into a Federal contract unless the contract meets requirements of the Federal Property and Administrative Services Act of 1949 or Chapter 137 of title 10 U.S.C., and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section. The House proposed no similar provision.

Section 556. A provision proposed by the Senate is included and modified providing $70,000,000 for data center migration activities to be allocated by the Secretary and allowing the Secretary to transfer data center migration funds made available by this Act between appropriations after notifying the Committees 15 days in advance. The House proposed no similar provision.

Section 557. A provision proposed by the Senate is included and made permanent allowing the Advanced Training Center to charge fees for any service or thing of value it provides to the Federal Government or non-government entities or individuals, so long as the fee does not exceed the full costs associated with the service or thing of value. The House proposed no similar provision.

Section 558. A provision proposed by the Senate is included relating to the sale of LORAN properties. The House proposed no similar provision.

Section 559. A provision proposed by the Senate is included and modified permitting the Department to sell ICE-owned detention facilities and use the proceeds from any sale for improvement to other facilities provided that any such sale will not result in the maintenance of less than 34,000 detention beds. The House proposed no similar provision.

Section 560. A provision proposed by the Senate is included providing a total of $55,979,000 for consolidation of the new DHS headquarters at St. Elizabeths and consolidation of mission support activities. The House proposed no similar provision.

Section 561. A provision proposed by the House and Senate is included for fiscal year 2012 requiring that SAFER grants shall be used to retain firefighters, instead of only for increasing the number of firefighters. The provision also prohibits funds to be used to enforce certain requirements of the Federal Fire Prevention and Control Act of 1974 related to the program.

Section 562. A provision proposed by the Senate is included for fiscal year 2011 requiring that Staffing for Adequate Fire and Emergency Response (SAFER) grants shall be used to retain firefighters, instead of only for increasing the number of firefighters. The provision also prohibits funds to be used to enforce certain requirements of the Federal Fire Prevention and Control Act of 1974 related to the program. The House proposed no similar provision.

Section 563. A provision proposed by the Senate is included pertaining to future spills of national significance and reimbursement for the Coast Guard. The House proposed no similar provision.

Section 564. A provision proposed by the Senate is included and modified to impose increased penalties on individuals who circumvent security screening at airports. The House proposed no similar provision.

Section 565. A provision proposed by the Senate is included and modified related to recoupment of debts in cases where funds were distributed based on an error made by FEMA. The House proposed no similar provision.

Section 566. A provision proposed by the Senate is included regarding reimbursement by FEMA of Small Business Administration Loans for eligible hazard mitigation activity. Execution of this authority shall not result in an individual being reimbursed more than once for the same mitigation activity. The House proposed no similar provision.

Section 567. A provision proposed by the House is included and modified prohibiting availability of funds for the Association of Community Organizations for Reform Now (ACORN) and its affiliated organizations. The Senate proposed no similar provision.

Section 568. A new provision is included requiring the Commissioner of CBP and the Assistant Secretary of ICE to submit multi-year investment and management plans for funds executed by their respective Offices of Information Technology. The House proposed similar provisions under the headings U.S. Customs and Border Protection "Automation Modernization," and U.S. Immigration and Customs Enforcement "Automation Modernization."

Section 569. A new provision is included stating that the Secretary shall ensure enforcement of immigration laws.

Section 570. A provision proposed by the House and Senate is included and modified rescinding unobligated balances made available to the Department when it was created in 2003.

Section 571. A new provision is included rescinding unobligated balances in multiple appropriations across the Department, pursuant to section 505 of Public Law 112–10.

Section 572. A provision is included rescinding unobligated balances of prior year appropriations in multiple appropriations across the Department.

Section 573. A provision proposed by the House is continued and modified to extend the authorization of the National Flood Insurance Program until the earlier of the date of the enactment into law of an Act that specifically reauthorizes or extends the authorization of the program, or May 31, 2012.

PROVISIONS NOT ADOPTED

The conference agreement does not include section 547 of the House bill rescinding $11,300,000 in unobligated balances from ICE, Construction.

The conference agreement does not include section 558 of the Senate bill authorizing an increase to aviation security passenger fees for fiscal year 2012.

The conference agreement does not include section 565 of the Senate bill making available an additional $18,300,000 until September 30, 2014, designated as emergency and offset by rescinding unobligated emergency balances, for Coast Guard to replace a rotary wing airframe.

The conference agreement does not include section 570 of the Senate bill rescinding $20,000,000 in unobligated prior year balances from S&T "Research, Development, Acquisitions, and Operations."

The conference agreement does not include section 601 of the House bill rescinding $500,000,000 from Department of Energy unobligated balances pursuant to section 129 of P.L. 110–329 and transfers $1,000,000,000 to FEMA Disaster Relief.

The conference agreement does not include section 701 of the House bill prohibiting new budget authority from exceeding budget allocation.

The conference agreement does not include section 702 of the House bill prohibiting use of funds in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

The conference agreement does not include section 703 of the House bill prohibiting use of funds to parole an alien or grant deferred action except on a case-by-case basis for urgent humanitarian reasons or significant public benefit.

The conference agreement does not include section 704 of the House bill prohibiting use of funds to require TWIC applicants to appear at a designated enrollment center for issuance, renewal, or activation.

The conference agreement does not include section 705 of the House bill prohibiting use of funds unless in accordance with Presidential Memorandum—Federal Fleet Performance (May 24, 2011).

The conference agreement does not include section 706 of the House bill prohibiting use of funds in contravention of section 44917 of 49 U.S.C. (pertaining to Federal Air Marshals).

The conference agreement does not include section 707 of the House bill prohibiting use of funds for the DHS Climate Change Adaptation Task Force.

The conference agreement does not include section 710 of the House bill prohibiting use of funds in contravention of section 236(c) of the Immigration and Nationality Act.

The conference agreement does not include section 711 of the House bill prohibiting use of funds for any political appointee to delay, vacate, or reverse a FOIA decision by a Privacy Office employee.

The conference agreement does not include section 712 of the House bill prohibiting use of funds to implement a determination regarding transportation security officers and collective bargaining.

The conference agreement does not include section 713 of the House bill prohibiting use of funds to implement any rule, regulation, or executive order regarding disclosure of political contributions.

The conference agreement does not include section 714 of the House bill limiting TSA Aviation Security funding for screener personnel, compensation, and benefits.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations, specified by program, project, and activity level, are contained in the table listed below.

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
DEPARTMENT OF HOMELAND SECURITY				
TITLE I - DEPARTMENTAL MANAGEMENT AND OPERATIONS				
Departmental Operations				
Office of the Secretary and Executive Management:				
Immediate Office of the Secretary	4,641	5,164	5,000	+359
Immediate Office of the Deputy Secretary	2,674	1,918	1,918	-756
Office of the Chief of Staff	2,572	2,802	2,300	-272
Office of Counternarcotics Enforcement	2,997	3,814	1,800	-1,197
Executive Secretary	8,104	8,402	8,100	-4
Office of Policy	41,133	42,423	40,000	-1,133
Office of Public Affairs	6,368	6,419	5,800	-568
Office of Legislative Affairs	6,698	6,341	6,000	-698
Office of Intergovernmental Affairs	2,632	2,908	2,650	+18
Office of General Counsel	23,762	22,422	22,400	-1,362
Office for Civil Rights and Civil Liberties	20,367	24,613	22,500	+2,133
Citizenship and Immigration Services Ombudsman	6,188	6,336	6,200	+12
Privacy Officer	8,408	8,971	8,491	+83
Subtotal	136,544	142,533	133,159	-3,385
Office of the Under Secretary for Management:				
Immediate Office of the Under Secretary for Management	2,733	7,558	2,550	-183
Headquarters consolidation	77,245	---	---	-77,245

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of Security	71,760	71,236	70,000	-1,760
Office of the Chief Procurement Officer	74,597	78,771	78,000	+3,403
Subtotal	226,335	157,565	150,550	-75,785
Office of the Chief Human Capital Officer:				
Salaries and expenses	24,477	28,161	25,165	+688
Human resources information technology	17,097	16,686	14,172	-2,925
Subtotal	41,574	44,847	39,337	-2,237
Office of the Chief Administrative Officer:				
Salaries and expenses	43,300	41,248	40,700	-2,600
Nebraska Avenue Complex (NAC)	5,489	5,398	5,000	-489
Subtotal	48,789	46,646	45,700	-3,089
Subtotal, Office of the Under Secretary for Management	316,698	249,058	235,587	-81,111
DHS HQ Consolidation:				
Mission support	---	55,630	---	---
St. Elizabeths	---	159,643	---	---
Subtotal	---	215,273	---	---
Office of the Chief Financial Officer	53,323	62,395	50,860	-2,463

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of the Chief Information Officer:				
Salaries and expenses	86,738	105,578	105,500	+18,762
Information technology services	51,314	38,800	38,800	-12,514
Infrastructure and security activities	147,108	89,525	69,000	-78,108
Homeland Secure Data Network	47,566	44,069	44,000	-3,566
Subtotal	332,726	277,972	257,300	-75,426
Analysis and Operations	334,360	355,368	338,068	+3,708
Total, Departmental Operations	1,173,651	1,302,599	1,014,974	-158,677
Office of Inspector General:				
Operating expenses	113,646	144,318	117,000	+3,354
(by transfer from Disaster Relief)	(15,968)	---	(24,000)	(+8,032)
Total, Office of Inspector General	129,614	144,318	141,000	+11,386
Total, title I, Departmental Management and Operations	1,287,297	1,446,917	1,131,974	-155,323
(by transfer)	(15,968)	---	(24,000)	(+8,032)

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS				
U.S. Customs and Border Protection				
Salaries and Expenses:				
Headquarters, Management, and Administration:				
Management and administration, border security inspections and trade facilitation	516,102	688,878	667,794	+151,692
Management and administration, border security and control between ports of entry	495,862	738,462	717,309	+221,447
Rent	450,812	483,749	483,749	+32,937
Subtotal	1,462,776	1,911,089	1,868,852	+406,076
Border Security Inspections and Trade Facilitation:				
Inspections, trade, and travel facilitation at ports of entry	2,474,344	2,507,235	2,484,235	+9,891
Harbor maintenance fee collection (trust fund)	3,274	3,274	3,274	---
International cargo screening	103,945	68,757	74,557	-29,388
Other international programs	11,119	10,684	10,684	-435
Customs-Trade Partnership Against Terrorism (C-TPAT)	45,454	44,979	44,979	-475
Trusted Traveler programs	10,751	6,311	6,311	-4,440
Inspection and detection technology investments	144,162	149,537	148,537	+4,375
Automated targeting systems	32,389	31,400	41,400	+9,011
National Targeting Center	47,347	46,950	51,950	+4,603
Training	20,778	37,834	37,834	+17,056
Subtotal	2,893,563	2,906,961	2,903,761	+10,198

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Border Security and Control Between Ports of Entry:				
Border security and control	3,508,244	3,530,994	3,530,994	+22,750
Training	36,094	88,610	88,610	+52,516
Subtotal	3,544,338	3,619,604	3,619,604	+75,266
Air and Marine Operations	295,521	287,901	287,901	-7,620
Subtotal, Salaries and expenses	8,196,198	8,725,555	8,680,118	+483,920
Appropriations	(8,192,924)	(8,722,281)	(8,676,844)	(+483,920)
Harbor maintenance trust fund	(3,274)	(3,274)	(3,274)	---
Automation Modernization:				
Automated Commercial Environment/International Trade Data System	147,794	169,755	140,000	-7,794
Current operations protection and processing support (COPPS)	188,108	194,275	194,275	+6,167
Subtotal	335,902	364,030	334,275	-1,627
Border Security Fencing, Infrastructure, and Technology (BSFIT)	---	---	---	---
Development and deployment	324,620	337,000	212,377	-112,243
Operations and maintenance	172,019	133,248	133,248	-38,771
Program management	76,385	57,375	54,375	-22,010
Subtotal	573,024	527,623	400,000	-173,024

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Air and Marine Interdiction, Operations, Maintenance, and Procurement:				
Operations and maintenance	370,899	361,087	365,087	-5,812
Procurement	144,395	109,479	138,879	-5,516
Subtotal	515,294	470,566	503,966	-11,328
Construction and Facilities Management:				
Facility construction and sustainment	223,170	226,726	182,500	-40,670
Program oversight and management	36,310	57,096	54,096	+17,786
Subtotal	259,480	283,822	236,596	-22,884
Total, U.S. Customs and Border Protection direct appropriations	9,879,898	10,371,596	10,154,955	+275,057
Fee Accounts:				
Immigration inspection user fee	(525,443)	(527,629)	(527,629)	(+2,186)
Immigration enforcement fines	(1,037)	(1,041)	(1,041)	(+4)
ESTA	(43,651)	(44,524)	(44,524)	(+873)
Land border inspection fee	(28,598)	(28,909)	(28,909)	(+311)
COBRA passenger inspection fee	(390,974)	(440,521)	(468,521)	(+77,547)
APHIS inspection fee	(318,472)	(323,000)	(323,000)	(+4,528)

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Global Entry user fee	(2,500)	(2,615)	(2,615)	(+115)
Puerto Rico collections	(89,980)	(91,779)	(91,779)	(+1,799)
Small airport user fee	(8,164)	(8,167)	(8,167)	(+3)
Subtotal, fee accounts	(1,408,819)	(1,468,185)	(1,496,185)	(+87,366)
Total, U.S. Customs and Border Protection	11,288,717	11,839,781	11,651,140	+362,423
Appropriations	(9,879,898)	(10,371,596)	(10,154,955)	(+275,057)
Fee accounts	(1,408,819)	(1,468,185)	(1,496,185)	(+87,366)
U.S. Immigration and Customs Enforcement				
Salaries and Expenses:				
Headquarters Management and Administration:				
Personnel compensation and benefits, services and other costs	295,121	237,842	233,251	-61,870
Headquarters managed IT investment	219,363	194,727	184,227	-35,136
Subtotal	514,484	432,569	417,478	-97,006
Legal Proceedings	221,666	215,935	215,935	-5,731

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Investigations:				
Domestic investigations	1,702,038	1,714,234	1,725,234	+23,196
International Investigations:				
International operations	112,872	114,928	114,928	+2,056
Visa Security Program	35,686	29,489	33,889	-1,797
Subtotal	148,558	144,417	148,817	+259
Subtotal, Investigations	1,850,596	1,858,651	1,874,051	+23,455
Intelligence	69,842	81,503	81,503	+11,661
Detention and Removal Operations:				
Custody operations	1,794,406	2,023,827	2,050,545	+256,139
Fugitive operations	229,682	154,597	154,597	-75,085
Criminal alien program	192,539	196,696	196,696	+4,157
Alternatives to detention	72,075	72,373	72,373	+298
Transportation and removal program	281,878	276,632	276,632	-5,246
Subtotal	2,570,580	2,724,125	2,750,843	+180,263
Secure Communities	199,600	184,064	189,064	-10,536
Subtotal, Salaries and expenses	5,426,768	5,496,847	5,528,874	+102,106

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Automation Modernization	73,852	13,860	21,710	-52,142
Cancellation of unobligated balances (rescission)	---	-16,300	---	---
Total, U.S. Immigration and Customs Enforcement direct appropriations	5,500,620	5,494,407	5,550,584	+49,964
Fee Accounts:				
Immigration inspection user fee	(116,387)	(116,869)	(116,869)	(+482)
Breached bond/detention fund	(75,000)	(75,000)	(75,000)	---
Student exchange and visitor fee	(120,000)	(120,000)	(120,000)	---
Subtotal	(311,387)	(311,869)	(311,869)	(+482)
Total, U.S. Immigration and Customs Enforcement	(5,812,007)	(5,806,276)	(5,862,453)	(+50,446)
Appropriations	(5,500,620)	(5,510,707)	(5,550,584)	(+49,964)
Fee accounts	(311,387)	(311,869)	(311,869)	(+482)
Transportation Security Administration				
Aviation Security:				
Screening Operations:				
Screener workforce:				
Privatized screening	144,470	144,193	144,193	-277
Screener personnel, compensation, and benefits	2,920,813	3,060,493	3,025,771	+104,958
Subtotal	3,065,283	3,204,686	3,169,964	+104,681

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Screener training and other	243,402	252,526	249,796	+6,394
Checkpoint support	328,843	254,093	204,768	-124,075
EDS/ETD Systems:				
EDS procurement and installation	290,843	272,738	222,738	-68,105
Screening technology maintenance, utilities	316,247	332,265	320,365	+4,118
Operation integration	21,455	---	---	-21,455
Subtotal	628,545	605,003	543,103	-85,442
Subtotal, Screening operations	4,266,073	4,316,308	4,167,631	-98,442
Aviation Security Direction and Enforcement:				
Aviation regulation and other enforcement	318,285	373,239	369,984	+51,699
Airport management and support	489,142	571,503	570,226	+81,084
FFDO and flight crew training	25,118	25,461	25,461	+343
Air cargo	114,689	114,654	120,654	+5,965
Subtotal	947,234	1,084,857	1,086,325	+139,091
Aviation Security Capital Fund (mandatory)	(250,000)	(250,000)	(250,000)	---
Total, Aviation security (gross)	5,213,307	5,401,165	5,253,956	+40,649
Aviation security fees (offsetting collections)	-2,100,000	-2,030,000	-2,030,000	+70,000
Additional offsetting collections (leg. proposal)	---	-280,000	---	---
Total, Aviation security (net, discretionary)	3,113,307	3,091,165	3,223,956	+110,649

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Surface Transportation Security:				
Staffing and operations	39,712	38,514	38,514	-1,198
Surface transportation security inspectors and canines	66,037	96,234	96,234	+30,197
Subtotal	105,749	134,748	134,748	+28,999
Transportation Threat Assessment and Credentialing:				
Secure Flight	84,194	92,414	92,414	+8,220
Crew and other vetting programs	78,478	91,540	71,540	-6,938
TWIC fees	(9,200)	(8,300)	(8,300)	(-900)
Hazardous materials fees	(12,000)	(12,000)	(12,000)	---
Alien Flight School fees (by transfer from DOJ)	(4,000)	(4,000)	(4,000)	---
Certified cargo screening program	(5,200)	(5,200)	(5,200)	---
Large aircraft security program	(1,200)	(1,200)	(1,200)	---
Secure identification display area checks	(8,000)	(8,000)	(8,000)	---
Other security threat assessments	(100)	(100)	(100)	---
General aviation at DCA	(100)	(100)	(100)	---
Indirect air cargo	(1,400)	(1,400)	(1,400)	---
Sensitive security information (SSI) fees	(20)	(20)	(20)	---
Subtotal	203,892	224,274	204,274	+382
Direct appropriations	(162,672)	(183,954)	(163,954)	(+1,282)
Fee funded programs	(41,220)	(40,320)	(40,320)	(-900)

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Transportation Security Support:				
Headquarters administration	254,000	320,794	292,334	+38,334
Information technology	466,092	485,612	447,200	-18,892
Human capital services	233,658	264,299	249,400	+15,742
Intelligence	32,911	42,992	42,992	+10,081
Subtotal	986,661	1,113,697	1,031,926	+45,265
Federal Air Marshals:				
Management and administration	805,275	860,260	842,500	+37,225
Travel and training	122,667	131,115	123,615	+948
Subtotal	927,942	991,375	966,115	+38,173
Total, Transportation Security Administration	7,687,551	8,115,259	7,841,019	+153,468
Offsetting collections	(-2,100,000)	(-2,310,000)	(-2,030,000)	(+70,000)
Aviation Security Capital Fund (mandatory)	(250,000)	(250,000)	(250,000)	---
Fee funded programs	(41,220)	(40,320)	(40,320)	(-900)
Total, Transportation Security Administration (net)	5,296,331	5,514,939	5,520,699	+224,368
Coast Guard				
Operating Expenses:				
Military pay and allowances	3,345,303	3,447,753	3,413,061	+67,758
Civilian pay and benefits	737,702	780,556	784,256	+46,554
Training and recruiting	204,087	213,282	213,321	+9,234

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Operating funds and unit level maintenance	1,138,474	1,109,323	1,109,623	-28,851
Centrally managed accounts	345,174	351,478	336,653	-8,521
Intermediate and depot level maintenance	869,291	917,113	936,140	+66,849
Overseas contingency operations/Global war on terrorism	---	---	258,000	+258,000
Emergency appropriations (Overseas contingency operations)	254,000	---	---	-254,000
Subtotal	6,894,031	6,819,505	7,051,054	+157,023
(Defense)	(593,320)	(340,000)	(598,000)	(+4,680)
(Nondefense)	(6,300,711)	(6,479,505)	(6,453,054)	(+152,343)
Environmental Compliance and Restoration	13,172	16,699	13,500	+328
Reserve Training	133,365	136,778	134,278	+913
Acquisition, Construction, and Improvements:				
Vessels and critical infrastructure:				
Response boat medium	41,916	---	---	-41,916
Other Equipment:				
National distress and response system modernization (Rescue 21)	35,928	---	---	-35,928
Subtotal	35,928	---	---	-35,928

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Personnel and Related Support:				
Core acquisition costs	509	---	---	-509
Direct personnel cost	105,362	---	---	-105,362
Subtotal	105,871	---	---	-105,871
Integrated Deepwater Systems:				
Aircraft:				
Maritime Patrol Aircraft	39,920	---	---	-39,920
HH-60 conversions	31,936	---	---	-31,936
HC-130H conversion sustainment projects	24,950	---	---	-24,950
HC-130J fleet introduction	3,992	---	---	-3,992
Subtotal	100,798	---	---	-100,798
Surface ships:				
National Security Cutter	690,616	---	---	-690,616
Offshore Patrol Cutter	44,910	---	---	-44,910
Replacement patrol boat	239,520	---	---	-239,520
IDS small boats	2,994	---	---	-2,994
Medium endurance cutter sustainment	29,940	---	---	-29,940
Subtotal	1,007,980	---	---	-1,007,980
Technology obsolescence prevention	998	---	---	-998
C4ISR	30,439	---	---	-30,439
Logistics	49,900	---	---	-49,900

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Systems engineering and integration	28,942	---	---	-28,942
Government program management	44,910	---	---	-44,910
Subtotal, Integrated deepwater systems	1,263,967	---	---	-1,263,967
Shore Facilities and Aids to Navigation	69,062	---	---	-69,062
Vessels:				
Survey and design-vessels and boats	---	6,000	6,000	+6,000
Response boat-medium	---	110,000	110,000	+110,000
In-service cutters sustainment	---	14,000	14,000	+14,000
National security cutter	---	77,000	77,000	+77,000
Offshore patrol cutter	---	25,000	25,000	+25,000
Fast response cutter	---	358,000	358,000	+358,000
Cutter small boats	---	5,000	5,000	+5,000
Medium endurance cutter sustainment	---	47,000	47,000	+47,000
Subtotal	---	642,000	642,000	+642,000
Aircraft:				
Airframe replacement (CGNR 6017)	---	18,300	18,300	+18,300
Maritime patrol aircraft	---	129,500	129,500	+129,500
HH-60 conversion projects	---	56,100	56,100	+56,100
Long range surveillance aircraft	---	62,000	62,000	+62,000
HH-65 conversion/sustainment projects	---	24,000	24,000	+24,000
Subtotal	---	289,900	289,900	+289,900

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Other Acquisition Programs:				
Program oversight and management	---	35,000	26,000	+26,000
Systems engineering and integration	---	17,140	17,140	+17,140
C4ISR	---	34,500	38,500	+38,500
CG-Logistics Information Management System	---	6,500	6,500	+6,500
Nationwide automatic identification system	---	5,000	5,000	+5,000
Rescue 21	---	65,000	65,000	+65,000
Interagency operations centers	---	3,000	3,000	+3,000
Subtotal	---	166,140	161,140	+161,140
Shore Facilities and Aids to Navigation:				
Major construction; Housing; ATON; and Survey and design	---	92,900	92,900	+92,900
Major acquisition systems infrastructure	---	94,500	81,500	+81,500
Minor shore	---	6,292	6,292	+6,292
Subtotal	---	193,692	180,692	+180,692

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Military Housing	---	20,000	20,000	+20,000
Personnel and Related Support:				
Direct personnel costs	---	109,592	109,592	+109,592
Core acquisition costs	---	600	600	+600
Subtotal	---	110,192	110,192	+110,192
Subtotal, Acquisition, construction, and improvements	1,516,744	1,421,924	1,403,924	-112,820
Research, Development, Test, and Evaluation	24,695	19,779	27,779	+3,084
Health care fund contribution (permanent indefinite discretionary)	265,321	261,871	261,871	-3,450
Retired Pay (mandatory)	1,400,700	1,440,157	1,440,157	+39,457
Total, Coast Guard	10,248,028	10,116,713	10,332,563	+84,535
Appropriations	(9,994,028)	(10,116,713)	(10,074,563)	(+80,535)
Emergency appropriations (Overseas contingency operations)	(254,000)	---	---	(-254,000)
Overseas contingency operations/Global war on terrorism	---	---	(258,000)	(+258,000)
(mandatory)	(1,400,700)	(1,440,157)	(1,440,157)	(+39,457)
(discretionary)	(8,847,328)	(8,676,556)	(8,892,406)	(+45,078)

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
United States Secret Service				
Salaries and Expenses:				
Protection:				
Protection of persons and facilities	769,978	847,963	832,463	+62,485
Protective intelligence activities	67,688	68,125	68,125	+437
National special security events	998	19,307	19,307	+18,309
Presidential candidate nominee protection	17,831	113,462	113,462	+95,631
White House mail screening	22,370	24,315	18,472	-3,898
Subtotal	878,865	1,073,172	1,051,829	+172,964
Investigations:				
Domestic field operations	256,897	223,991	223,991	-32,906
International field office administration, operations and training	30,644	30,971	32,971	+2,327
Electronic crimes special agent program and electronic crimes task forces	56,042	53,051	53,051	-2,991
Support for missing and exploited children	8,349	8,366	8,366	+17
Subtotal	351,932	316,379	318,379	-33,553
Headquarters, Management and Administration	226,284	246,602	191,588	-34,696
Rowley Training Center	54,251	55,598	55,598	+1,347
Information Integration & Technology Transformation	---	---	43,843	+43,843
Subtotal, Salaries and expenses	1,511,332	1,691,751	1,661,237	+149,905

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Acquisition, Construction, Improvements, and Related Expenses	3,967	6,780	5,380	+1,413
Total, United States Secret Service	1,515,299	1,698,531	1,666,617	+151,318
Total, title II, Security, Enforcement, and Investigations	32,440,176	33,196,186	33,225,418	+785,242
Appropriations	(32,186,176)	(33,212,486)	(32,967,418)	(+781,242)
Emergency appropriations (Overseas contingency operations)	(254,000)	---	---	(-254,000)
Overseas contingency operations/Global war on terrorism	---	---	(258,000)	(+258,000)
Rescissions	---	(-16,300)	---	---
(Fee Accounts)	(1,761,426)	(1,820,374)	(1,848,374)	(+86,948)
TITLE III - PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY				
National Protection and Programs Directorate				
Management and Administration:				
Administrative activities	34,613	45,634	46,454	+11,841
Risk management and analysis	8,877	9,522	4,241	-4,636
Subtotal	43,490	55,156	50,695	+7,205

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Infrastructure Protection and Information Security:				
Infrastructure Protection:				
Identification and analysis	82,721	83,948	---	-82,721
Coordination and information sharing	52,677	48,354	---	-52,677
Mitigation programs	187,638	189,977	---	-187,638
Infrastructure analysis and planning	---	---	70,518	+70,518
Sector management and governance	---	---	74,219	+74,219
Regional field operations	---	---	57,367	+57,367
Infrastructure security compliance	---	---	93,348	+93,348
Subtotal, Infrastructure protection	323,036	322,279	295,452	-27,584
Cybersecurity and Communications:				
Cybersecurity:				
US Computer Emergency Response Team (US-CERT)	299,426	391,406	---	-299,426
Strategic initiatives	56,766	65,339	---	-56,766
Outreach and programs	6,861	7,096	---	-6,861
Cybersecurity coordination	---	---	4,500	+4,500
US Computer Response Team (US-CERT) Operations	---	---	79,116	+79,116
Federal Network Security	---	---	35,000	+35,000
Network Security Deployment	---	---	229,000	+229,000
Global Cybersecurity Management	---	---	23,992	+23,992
Critical Infrastructure Cyber Protection and Awareness	---	---	60,000	+60,000
Business Operations	---	---	11,568	+11,568
Subtotal, Cybersecurity	363,053	463,841	443,176	+80,123

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Communications:				
Office of Emergency Communications	43,972	43,495	43,495	-477
Priority telecommunications services	56,170	56,824	56,074	-96
Next generation networks	21,053	25,253	25,253	+4,200
Programs to study and enhance telecommunications	16,624	13,441	13,441	-3,183
Critical infrastructure protection programs	14,854	11,352	11,352	-3,502
Subtotal, Communications	152,673	150,365	149,615	-3,058
Subtotal, Cybersecurity and communications	515,726	614,206	592,791	+77,065
Subtotal, Infrastructure Protection and Information Security	838,762	936,485	888,243	+49,481
Federal Protective Service:				
Basic security	220,000	247,478	247,478	+27,478
Building-specific security	420,000	501,039	501,039	+81,039
Reimbursable Security Fees (contract guard services)	475,000	513,020	513,020	+38,020
Subtotal, Federal Protective Service	1,115,000	1,261,537	1,261,537	+146,537
Offsetting collections	-1,115,000	-1,261,537	-1,261,537	-146,537

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
U.S. Visitor and Immigrant Status Indicator Technology	333,944	302,271	306,802	-27,142
Rescission	---	-25,642	---	---
Subtotal	333,944	276,629	306,802	-27,142
Total, National Protection and Programs Directorate	1,216,196	1,268,270	1,245,740	+29,544
Appropriations	(2,331,196)	(2,555,449)	(2,507,277)	(+176,081)
Rescissions	---	(-25,642)	---	---
Offsetting collections	(-1,115,000)	(-1,261,537)	(-1,261,537)	(-146,537)
Office of Health Affairs				
BioWatch	100,780	115,164	114,164	+13,384
National Biosurveillance Integration System	7,000	7,013	12,013	+5,013
Rapidly Deployable Chemical Detection System	2,400	---	---	-2,400
Chemical Defense Program	---	2,439	5,439	+5,439
Planning and Coordination	2,276	6,162	6,162	+3,886
Salaries and Expenses	26,999	30,171	29,671	+2,672
Total, Office of Health Affairs	139,455	160,949	167,449	+27,994
Federal Emergency Management Agency				
Management and Administration:				
Operating activities	744,663	780,667	---	-744,663

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Urban search and rescue response system	35,180	29,113	---	-35,180
Office of National Capital Region Coordination	6,981	5,319	---	-6,981
Subtotal	786,824	815,099	---	-786,824
(Defense)	(103,792)	(99,099)	---	(-103,792)
(Nondefense)	(683,032)	(716,000)	---	(-683,032)
(by transfer from Disaster Relief)	(105,389)	---	---	(-105,389)
(by transfer from State and Local Programs)	(129,052)	(184,544)	---	(-129,052)
(by transfer from Firefighter Assistance Grants)	(46,886)	---	---	(-46,886)
(Available from Emergency Management Performance Grants)	(10,180)	---	---	(-10,180)
Subtotal, Management and Administration	1,078,331	999,643	---	-1,078,331
Salaries and Expenses:				
Administrative and regional offices	---	---	110,495	+110,495
Office of National Capital Region Coordination	---	---	(5,493)	(+5,493)
Preparedness and protection	---	---	109,873	+109,873
Response	---	---	226,228	+226,228
Urban search and rescue response system	---	---	(41,250)	(+41,250)
Recovery	---	---	78,373	+78,373
Mitigation	---	---	43,675	+43,675
Mission support	---	---	219,433	+219,433
Centrally managed accounts	---	---	107,273	+107,273
Subtotal	---	---	895,350	+895,350
(Defense)	---	---	(99,099)	(+99,099)
(Nondefense)	---	---	(796,251)	(+796,251)

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
(by transfer from State and Local Programs).....	---	---	(91,778)	(+91,778)
(available from Firefighter Assistance Grants).....	---	---	(33,750)	(+33,750)
(available from Emergency Management Performance Grants).....	---	---	(10,500)	(+10,500)
Subtotal, Management and Administration/ Salaries and Expenses.....	1,078,331	999,643	1,031,378	-46,953
Grants and Training:				
State and Local Programs:				
State and local programs (grants).....	---	---	1,118,000	+1,118,000
State Homeland Security Grant Program.....	723,550	---	---	-723,550
Operation Stonegarden.....	(54,890)	---	(50,000)	(-4,890)
Driver's license security grants.....	(44,910)	---	---	(-44,910)
Citizen Corps.....	(9,980)	---	---	(-9,980)
Metropolitan medical response.....	(34,930)	---	---	(-34,930)
Urban area security initiative.....	723,550	---	---	-723,550
Nonprofit security grants.....	(19,000)	---	---	(-19,000)
Regional catastrophic preparedness grants.....	14,970	---	---	-14,970
Public transportation security assistance and railroad security assistance.....	249,500	---	---	-249,500
Amtrak security.....	(19,960)	---	---	(-19,960)
Over-the-road bus security assistance.....	(4,990)	---	---	(-4,990)
Port Security Grants.....	249,500	---	---	-249,500
Emergency Operations Centers.....	14,970	---	---	-14,970

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
National Programs:				
National Domestic Preparedness Consortium...	92,814	---	---	-92,814
Center for Domestic Preparedness.....	62,375	---	---	-62,375
National exercise program.....	39,920	---	---	-39,920
Technical assistance.....	10,978	---	---	-10,978
Continuing training grants.....	28,942	---	---	-28,942
Evaluations and assessments.....	13,972	---	---	-13,972
Subtotal.....	249,001	---	---	-249,001
Education, Training, and Exercises:				
Emergency Management Institute.....	---	---	16,181	+16,181
Center for Domestic Preparedness.....	---	---	62,500	+62,500
National Domestic Preparedness Consortium...	---	---	93,000	+93,000
National Exercise Program.....	---	---	34,000	+34,000
Continuing training.....	---	---	26,000	+26,000
Subtotal.....	---	---	231,681	+231,681
State and Regional Preparedness Programs:				
State Homeland Security Grant Program.....	---	1,050,000	---	---
Operation Stonegarden.....	---	(50,000)	---	---
Citizen Corps grants.....	---	13,000	---	---
Firefighter assistance grants.....	---	670,000	---	---
Emergency management performance grants.....	---	350,000	---	---
Subtotal.....	---	2,083,000	---	---

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Metropolitan Statistical Area Preparedness Program:				
Urban area security initiative	---	920,000	---	---
Port security grants	---	300,000	---	---
Rail/public transportation security grants	---	300,000	---	---
Amtrak security	---	(20,000)	---	---
Buffer Zone Protection Program grants	---	50,000	---	---
Subtotal	---	1,570,000	---	---
Training, Measurement and Exercise Program:				
National Exercise Program	---	40,000	---	---
Continuing training grants	---	20,663	---	---
Center for Domestic Preparedness	---	62,500	---	---
National Domestic Preparedness Consortium	---	44,500	---	---
Technical assistance and evaluation	---	24,000	---	---
Subtotal	---	191,663	---	---
Subtotal, State and Local Programs	2,225,041	3,844,663	1,349,681	-875,360
(Defense)	---	(50,000)	(50,000)	(+50,000)
(Nondefense)	(2,225,041)	(3,794,663)	(1,299,681)	(-925,360)
(transfer out to Management and Administration)	(-129,052)	(-184,544)	---	(+129,052)
(transfer out to Salaries and Expenses)	---	---	(-91,778)	(-91,778)
Subtotal, State and Local Programs (net)	2,095,989	3,660,119	1,257,903	-838,086

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Firefighter Assistance Grants:				
Fire grants	404,190	---	337,500	-66,690
Staffing for Adequate Fire and Emergency Response (SAFER) Act grants	404,190	---	337,500	-66,690
Subtotal	808,380	---	675,000	-133,380
(transfer out to Management and Administration)	(-46,886)	---	---	(+46,886)
(available to Salaries and Expenses)	---	---	(-33,750)	(-33,750)
Subtotal, Firefighter Assistance Grants (net)	761,494	---	641,250	-120,244
Emergency Management Performance Grants	339,320	---	350,000	+10,680
(available to Management and Administration)	(-10,180)	---	---	(+10,180)
(available to Salaries and Expenses)	---	---	(-10,500)	(-10,500)
Subtotal, Emergency Management Performance Grants (net)	329,140	---	339,500	+10,360
Subtotal, Grants and Training (pre-transfer)	3,372,741	3,844,663	2,374,681	-998,060
Radiological Emergency Preparedness Program	-265	-896	-896	-631
United States Fire Administration	45,497	42,538	44,038	-1,459

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Disaster Relief Fund	2,644,700	1,800,000	700,000	-1,944,700
(Disaster relief category)	---	4,600,000	---	---
Subtotal	2,644,700	6,400,000	700,000	-1,944,700
(transfer out to Management and Administration)	(-105,389)	---	---	(+105,389)
(transfer out to Inspector General)	(-15,968)	---	(-24,000)	(-8,032)
Subtotal	2,523,343	6,400,000	676,000	-1,847,343
Disaster Assistance Direct Loan Program Account:				
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	---
Direct loan subsidy	294	295	295	+1
Flood Map Modernization Fund	181,636	---	---	-181,636
Flood Hazard Mapping and Risk Analysis Program	---	102,712	97,712	+97,712
National Flood Insurance Fund:				
Salaries and expenses	22,145	22,000	22,000	-145
Flood plain management and mapping	146,855	149,000	149,000	+2,145
Subtotal	169,000	171,000	171,000	+2,000
Offsetting fee collections	-169,000	-171,000	-171,000	-2,000

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
National Predisaster Mitigation Fund	49,900	84,937	35,500	-14,400
Emergency Food and Shelter	119,760	100,000	120,000	+240
Total, Federal Emergency Management Agency	7,201,087	11,389,348	4,266,680	-2,934,407
(Appropriations)	(7,201,087)	(6,789,348)	(4,266,680)	(-2,934,407)
(Disaster relief category)	---	(4,600,000)	---	---
Total, title III, Protection, Preparedness, Response and Recovery Directorate	8,556,738	12,818,567	5,679,869	-2,876,869
Appropriations	(8,556,738)	(8,244,209)	(5,679,869)	(-2,876,869)
Rescissions	---	(-25,642)	---	---
Disaster relief category	---	(4,600,000)	---	---
(By transfer)	(291,507)	(184,544)	(91,778)	(-199,729)
(Transfer out)	(-307,475)	(-184,544)	(-115,778)	(+191,697)
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	---

TITLE IV - RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

United States Citizenship and Immigration Services

Appropriations:				
Pay and benefits	---	1,467	---	---
Data center consolidation	2,157	12,500	---	-2,157
Systematic Alien Verification for Entitlements	---	29,937	---	---
E-Verify program	103,193	102,424	102,424	-769

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Immigrant integration programs	11,000	19,749	---	-11,000
Asylum and refugee services	29,950	203,400	---	-29,950
Total, Appropriations	146,300	369,477	102,424	-43,876
Fee Accounts:				
Adjudication Services:				
District operations	(1,145,900)	(1,157,137)	(1,315,570)	(+169,670)
(Immigrant Integration Grants)	---	---	(10,000)	(+10,000)
Service center operations	(482,086)	(519,518)	(532,414)	(+50,328)
Asylum, refugee and international operations	(60,982)	(88,364)	(196,877)	(+135,895)
Records operations	(102,471)	(103,902)	(86,631)	(-15,840)
Business transformation	(164,025)	(234,400)	(344,055)	(+180,030)
(Digitization program)	(29,000)	---	(29,000)	---
Subtotal	1,955,464	2,103,321	2,475,547	+520,083
Information and Customer Services:				
Operating expenses	(83,501)	(85,773)	(88,891)	(+5,390)
Administration:				
Operating expenses	(336,514)	(348,295)	(381,666)	(+45,152)
Systematic Alien Verification for Entitlements (SAVE)	---	---	(29,937)	(+29,937)
Subtotal	2,375,479	2,537,389	2,976,041	+600,562

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
H1-B Visa Fee Account:				
Adjudication Services:				
Service center operations	(13,000)	---	---	(-13,000)
H1-B and L Fraud Prevention Fee Account:				
Adjudication Services:				
District operations	(23,235)	---	---	(-23,235)
Asylum and refugee operating expenses	(13,195)	---	---	(-13,195)
Service center operations	(1,648)	---	---	(-1,648)
Subtotal	38,078	---	---	-38,078
Total, Fee accounts	2,426,557	2,537,389	2,976,041	+549,484
Total, United States Citizenship and Immigration Services	(2,572,857)	(2,906,866)	(3,078,465)	(+505,608)
Appropriations	(146,300)	(369,477)	(102,424)	(-43,876)
Fee accounts	(2,426,557)	(2,537,389)	(2,976,041)	(+549,484)
(Immigration Examination Fee Account)	(2,375,479)	(2,486,311)	(2,923,845)	(+548,366)
(H1-B Visa Fee Account)	(13,000)	(13,000)	(13,000)	---
(H1-B and L Fraud Prevention Fee Account)	(38,078)	(38,078)	(39,196)	(+1,118)

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Federal Law Enforcement Training Center				
Salaries and Expenses:				
Law enforcement training	234,141	207,937	207,937	-26,204
Management and administration	---	29,716	29,716	+29,716
Accreditation	1,306	1,304	1,304	-2
Subtotal	235,447	238,957	238,957	+3,510
Acquisitions, Construction, Improvements, and Related Expenses: direct appropriation	35,385	37,456	32,456	-2,929
Total, Federal Law Enforcement Training Center	270,832	276,413	271,413	+581
Science and Technology				
Management and Administration	140,918	149,365	135,000	-5,918
Research, Development, Acquisition, and Operations:				
Border and maritime security	32,167	---	---	-32,167
Chemical and biological	166,577	---	---	-166,577
Command, control, and interoperability	68,593	---	---	-68,593
Explosives	111,813	---	---	-111,813
Human factors	11,458	---	---	-11,458
Infrastructure and geophysical	25,056	---	---	-25,056
Innovation	31,330	---	---	-31,330

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Test and evaluations/standards	18,130	---	---	-18,130
Transition	41,645	---	---	-41,645
Research, development, and innovation	---	659,850	265,783	+265,783
Laboratory facilities	140,000	276,500	176,500	+36,500
Acquisition and operations support	---	54,154	54,154	+54,154
University programs	39,890	36,563	36,563	-3,327
Subtotal	686,659	1,027,067	533,000	-153,659
Total, Science and Technology	827,577	1,176,432	668,000	-159,577
Domestic Nuclear Detection Office				
Management and Administration	36,918	41,120	38,000	+1,082
Research, Development, and Operations:				
Systems engineering and architecture	33,195	31,857	30,000	-3,195
Systems development	52,851	69,689	51,000	-1,851
Transformational research and development	96,326	---	40,000	-56,326
Assessments	38,139	43,104	38,000	-139
Operations support	32,756	36,837	33,000	+244
National Technical Nuclear Forensics Center	21,619	24,770	23,000	+1,381
Subtotal	274,886	206,257	215,000	-59,886

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Systems Acquisition:				
Radiation portal monitor program	---	37,361	7,000	+7,000
Securing the Cities	19,940	27,000	22,000	+2,060
Human portable radiation detection system	10,000	20,000	8,000	-2,000
Subtotal	29,940	84,361	37,000	+7,060
Total, Domestic Nuclear Detection Office	341,744	331,738	290,000	-51,744
Total, title IV, Research and Development, Training, and Services	1,586,453	2,154,060	1,331,837	-254,616
(Fee Accounts)	(2,426,557)	(2,537,389)	(2,976,041)	(+549,484)
TITLE V - GENERAL PROVISIONS				
FY11 continuing resolution rescissions	-23,000	---	---	+23,000
FY11 continuing resolution rescissions (security)	-533,906	---	---	+533,906
NSSE reimbursement fund (Sec. 552)	7,500	---	7,500	---
Rescission of unobligated balances (Sec. 571)	---	---	-45,411	-45,411
Sale of Loran-C sites (leg. proposal)	---	-5,000	---	---
Spending of proceeds (leg. proposal)	---	5,000	---	---
CBP change in fee collection (leg proposal)	---	-110,000	---	---
Spending of fees (leg. proposal)	---	110,000	---	---
Data center migration (Sec. 556)	---	---	70,000	+70,000
St. Elizabeths/mission support (Sec. 560)	---	---	55,979	+55,979
Rescission of legacy funds (Sec. 570)	---	---	-20,654	-20,654

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
ICE Salaries and expenses (rescission)(Sec. 572).....	---	---	-10,000	-10,000
ICE Automation Modernization (rescission)(Sec. 572)...	---	---	-10,000	-10,000
TSA (rescission)(Sec. 572).....	---	---	-71,300	-71,300
CBP Automation Modernization (rescission)(Sec.572)....	---	---	-5,000	-5,000
CBP BSFIT Program Management (rescission)(Sec. 572)...	---	---	-7,000	-7,000
USCG AC&I Great Lakes Icebreaker (rescission)(Sec.572)	---	---	-2,427	-2,427
TASC (rescission)(Sec. 572).....	---	---	-5,000	-5,000
US-VISIT (rescission)(Sec. 572).....	---	---	-27,400	-27,400
Total, title V, General Provisions.....	-549,406	---	-70,713	+478,693
Appropriations.....	(7,500)	---	(133,479)	(+125,979)
Rescissions.....	(-556,906)	---	(-204,192)	(+352,714)

DIVISION D - DEPARTMENT OF HOMELAND SECURITY
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Grand total	43,321,258	49,615,730	41,298,385	-2,022,873
Appropriations	(43,624,164)	(45,057,672)	(41,244,577)	(-2,379,587)
Rescissions	(-556,906)	(-41,942)	(-204,192)	(+352,714)
Emergency appropriations (Overseas contingency operations)	(254,000)	---	---	(-254,000)
Overseas contingency operations/Global war on terrorism	---	---	(258,000)	(+258,000)
Disaster relief category	---	(4,600,000)	---	---
(Fee funded programs)	(4,187,983)	(4,357,763)	(4,824,415)	(+636,432)
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	---
(by transfer)	(307,475)	(184,544)	(115,778)	(-191,697)
(transfer out)	(-307,475)	(-184,544)	(-115,778)	(+191,697)

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The following statement is an explanation of the effects of Division E, which makes appropriations for the Department of the Interior, the Environmental Protection Agency (EPA), the Forest Service, the Indian Health Service, and related agencies for fiscal year 2012. Language contained in House Report 112–151 providing specific guidance to agencies regarding the administration of appropriated funds and any corresponding reporting requirements carries the same emphasis as the language included in this explanatory statement and should be complied with unless specifically addressed to the contrary herein.

In instances where the House report speaks more broadly to policy issues or offers views that are subject to interpretation, such views remain those of the House and do not reflect the views of the conferees unless otherwise repeated in this statement. In cases where the House report or the statement of managers directs the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations. Where this explanatory statement refers to the Committees or the Committees on Appropriations, unless otherwise noted, this reference is to the House Subcommittee on Interior, Environment and Related Agencies and the Senate Subcommittee on Interior, Environment and Related Agencies.

The conferees expect that each department and agency funded in this Act will follow the directions set forth in this Act and the accompanying statement, and will not reallocate resources or reorganize activities except as provided herein or otherwise approved by the Committees through the reprogramming process as described in this report. Funding levels for appropriations by account, program, and activity, with comparisons to the fiscal year 2011 enacted level and the fiscal year 2012 budget request, can be found in the table at the end of this division.

Unless expressly stated otherwise, any reference to "this Act" or "at the end of this statement" shall be treated as referring only to the provisions of this division.

Oversight—The EPA, Forest Service, and Department of the Interior are directed to report to the Committee no later than 60 days following enactment of this Act on steps taken to address management weaknesses and implement reforms identified by the Government Accountability Office (GAO) and each agency's IG during House oversight hearings held on March 1, 2011 (Department of the Interior); March 2, 2011 (EPA); and March 10, 2011 (U.S. Forest Service).

Making Litigation Costs Transparent—The EPA, Forest Service, and Department of the Interior are directed to provide to the House and Senate Committees on Appropriations, and make publicly available no later than 60 days after enactment, detailed Equal Access to Justice Act (EAJA) fee information as specified in House Report 112–151.

Reprogramming Guidelines—The following are the procedures governing reprogramming actions for programs and activities fund-

ed in the Department of the Interior, Environment and Related Agencies Appropriations Act.

Definitions.—"Reprogramming," as defined in these procedures, includes the reallocation of funds from one budget activity, budget line-item or program area, to another within any appropriation funded in this Act. In cases where the House Committee report displays an allocation of an appropriation below that level, that more detailed level shall be the basis for reprogramming.

For construction, land acquisition, and forest legacy accounts, a reprogramming constitutes the reallocation of funds, including unobligated balances, from one construction, land acquisition, or forest legacy project to another such project.

A reprogramming shall also consist of any significant departure from the program described in the agency's budget justifications. This includes proposed reorganizations, especially those of significant national or regional importance, even without a change in funding. Any change to the organization table presented in the budget justification shall be subject to this requirement.

General Guidelines for Reprogramming.—

(a) A reprogramming should be made only when an unforeseen situation arises, and then only if postponement of the project or the activity until the next appropriation year would result in actual loss or damage.

(b) Any project or activity, which may be deferred through reprogramming, shall not later be accomplished by means of further reprogramming, but instead, funds should again be sought for the deferred project or activity through the regular appropriations process.

(c) Except under the most urgent situations, reprogramming should not be employed to initiate new programs or increase allocations specifically denied or limited by Congress, or to decrease allocations specifically increased by the Congress.

(d) Reprogramming proposals submitted to the House and Senate Committees on Appropriations for approval shall be considered approved 30 calendar days after receipt if the Committees have posed no objection. However, agencies will be expected to extend the approval deadline if specifically requested by either Committee.

Criteria and Exceptions.—A reprogramming must be submitted to the Committees in writing prior to implementation if it exceeds $1,000,000 annually or results in an increase or decrease of more than 10 percent annually in affected programs, with the following exceptions:

(a) With regard to the tribal priority allocations of the Bureau of Indian Affairs, there is no restriction on reprogrammings among these programs. However, the Bureau shall report on all reprogrammings made during a given fiscal year no later than 60 days after the end of the fiscal year.

(b) With regard to the EPA, State and Tribal Assistance Grants account, the Committee does not require reprogramming requests associated with States and Tribes Partnership Grants.

Assessments.—"Assessment" as defined in these procedures shall refer to any charges, reserves, or holdbacks applied to a budget activity or budget line item for costs associated with general

agency administrative costs, overhead costs, working capital expenses, or contingencies.

(a) No assessment shall be levied against any program, budget activity, sub-activity, budget line item, or project funded by the Interior, Environment, and Related Agencies Appropriations Act unless such assessment and the basis therefore are presented to the Committees on Appropriations in the budget justifications and are subsequently approved by the Committees. The explanation for any assessment in the budget justification shall show the amount of the assessment, the activities assessed, and the purpose of the funds.

(b) Proposed changes to estimated assessments, as such estimates were presented in annual budget justifications, shall be submitted through the reprogramming process and shall be subject to the same dollar and reporting criteria as any other reprogramming.

(c) The conferees direct that each agency or bureau which utilizes assessments shall submit an annual report to the Committees which provides details on the use of all funds assessed from any other budget activity, line item, sub-activity, or project.

(d) In no case shall contingency funds or assessments be used to finance projects and activities disapproved or limited by Congress, or to finance programs or activities that could be foreseen and included in the normal budget review process.

(e) New programs requested in the budget should not be initiated before enactment of the bill without notification to, and the approval of, the Committees on Appropriations. This restriction applies to all such actions regardless of whether a formal reprogramming of funds is required to begin the program.

Quarterly Reports.—All reprogrammings between budget activities, budget line-items, program areas, or the more detailed activity levels shown in the Statement of the Managers, including those below the monetary thresholds established above, shall be reported to the Committees within 60 days of the end of each quarter and shall include cumulative totals for each budget activity, budget line item, or construction, land acquisition, or forest legacy project.

Land Acquisitions, Easements, and Forest Legacy.—Lands shall not be acquired for more than the approved appraised value (as addressed in section 301(3) of Public Law 91–646), unless such acquisitions are submitted to the Committees on Appropriations for approval in compliance with these procedures.

Land Exchanges.—Land exchanges, wherein the estimated value of the Federal lands to be exchanged is greater than $1,000,000, shall not be consummated until the Committees have had a 30-day period in which to examine the proposed exchange. In addition, the Committees shall be provided advance notification of exchanges valued between $500,000 and $1,000,000.

Budget Structure.—The budget activity or line item structure for any agency appropriation account shall not be altered without advance approval of the House and Senate Committees on Appropriations.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

The bill provides $961,900,000 for Management of Lands and Resources. The conferees also provide the following directions:

Wild Horse and Burro Management.—The bill provides $75,008,000 for wild horse and burro management. The Bureau of Land Management is encouraged to take all necessary steps to keep costs under control for this program.

Range Management.—The bill increases funding to address numerous challenges including completion of grazing permit renewals; hiring of seasonal employees to ensure timely turn-out of livestock; annual and trend monitoring of grazing allotments; and improving the quality of Bureau work on environmental and other documents related to livestock grazing, among other range management activities.

Native Plant Program.—The conferees are supportive of the Bureau of Land Management's existing plant conservation and native plant materials program and expect the Bureau to continue to support a robust program through resources provided under various accounts, including land management, wildlife management and threatened/endangered species.

Wildlife and Fisheries.—Funding is included throughout Bureau of Land Management line items for sage grouse habitat monitoring and updating Resource Management Plans to conserve the sage grouse. The Bureau should prioritize research related to White Nose Syndrome in bats and the inventory and monitoring of bat resources on Bureau-administered lands.

Energy and Minerals.—The conferees are concerned by rising energy prices and believe domestic energy production must increase while also being mindful of the environment and other competing land uses. To better track royalty payments, the Department should consider integrating systems that would allow for remote monitoring and third party verification of Bureau production. The conferees recommend that the Bureau of Land Management continue its policy of keeping renewable energy projects off lands that were donated for conservation regardless of deed status.

Resource Protection and Maintenance.—The bill provides $101,707,000 for resource protection and maintenance. Within resource management planning, the Bureau should allocate at least $5,000,000 toward revisions of the Resource Management Plans that contain sage grouse habitat.

In coordination with the Desert Renewable Energy Conservation Plan process, the Secretary is instructed to complete a report evaluating the possible Solar Energy Study Areas in the West Mojave that respect designated off-road vehicle routes and provide the report to the Committee on Appropriations within ninety days of enactment of this Act.

In the case of any land exchange involving public land carried out directly or through a third-party, the Bureau of Land Management is directed to provide written notice of the proposed land exchange to each owner of non-Federal land adjoining a parcel of

public land proposed for exchange and each owner of non-Federal land adjoining the non-Federal land proposed to be acquired in the exchange. The Secretary shall determine adjoining landowners using the most recent available tax records.

CONSTRUCTION

The bill provides $3,576,000 for Construction of which $2,019,000 is for line item projects. The amount provided will fully fund construction projects as prioritized by the Bureau pursuant to the Administration's revised request list provided to the Committees on June 24, 2011. Requests for reprogramming will be considered pursuant to the guidelines in the front of this statement.

LAND ACQUISITION

The bill provides $22,380,000 for Land Acquisition, of which $1,880,000 is for Acquisition Management; $1,500,000 is for Inholdings, Emergencies, and Hardships; and $19,000,000 is for Acquisitions.

This amount will fully fund projects 1 through 5 as prioritized by the Bureau pursuant to the Administration's revised request list provided to the Committees on June 24, 2011. Requests for reprogramming will be considered pursuant to the guidelines in the front of this statement.

OREGON AND CALIFORNIA GRANT LANDS

The bill provides $112,043,000 for Oregon and California Grant Lands.

RANGE IMPROVEMENTS

The bill provides $10,000,000 to be derived from public lands receipts and Bankhead-Jones Farm Tenant Act lands grazing receipts.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

The bill provides an indefinite appropriation estimated to be $32,125,000 for Service Charges, Deposits, and Forfeitures.

MISCELLANEOUS TRUST FUNDS

The bill provides an indefinite appropriation estimated to be $19,700,000 for Miscellaneous Trust Funds.

ADMINISTRATIVE PROVISIONS

The bill includes the administrative provisions as proposed by the conferees.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The bill provides $1,228,142,000 for Resource Management. The detailed allocation of funding by activity and program element is included in the table at the end of this statement. The conferees have assumed administrative savings proposed in the budget re-

quest but have not provided requested funding increases for fixed costs or general program increases. In addition to the guidance and reporting requirements included in the House report, as noted in the front of this joint explanatory statement, the conference agreement includes the following directions:

Ecosystem Initiatives.—The conferees are aware that the budget request includes new funding for a number of regional restoration initiatives, including the Chesapeake Bay, Gulf Coast, Bay Delta, and the Everglades. Due to funding limitations, the conferees are not able to include new funding for these initiatives within the program levels below. However, subject to reprogramming limitations, the conferees do not object to these initiatives being funded within the levels provided if the Service is able to identify funding offsets from lower priority items.

Endangered Species.—The bill includes $176,237,000 for Endangered Species. Listing and Critical Habitat is funded at the fiscal year 2011 enacted level of $20,902,000; however, the conferees have agreed to combine the funding for activities within this program element in order to provide the Service with additional flexibility to target funding to its highest priorities. Consultation and HCPs are funded at $61,041,000, of which $2,000,000 is for renewable energy as requested. Recovery is funded at $82,939,000, of which $2,000,000 is for the declining species initiative instead of the requested $4,000,000.

The conferees direct the Service to fund white nose syndrome research and response activities at no less than $4,000,000 from within Recovery. Funds should be used to: (1) increase research capacity to fund basic and applied research to stop the spread of the disease; (2) provide funding for States to implement response activities; and (3) increase FWS capacity for surveillance, monitoring and coordination activities. The conferees expect these activities to be coordinated with other Federal partners.

The conferees direct the Service to provide $1,000,000 from within Recovery to reinstate a livestock loss demonstration program as authorized by Public Law 111–11. States with de-listed wolf populations shall continue to be eligible for funding, provided that those States continue to meet the eligibility criteria contained in Public Law 111–11.

The conferees recommend that the Service and Federal action agencies take into account economic impacts when formulating actions and conducting all section 7 consultations pursuant to the Santa Ana Sucker Critical Habitat designation, to the extent authorized under the Endangered Species Act. The economic impacts to be considered by the Service and Federal action agencies should include the costs of local water supply development and imported water costs, infrastructure needs, water conservation efforts, and efforts to increase employment in the region affected by the Santa Ana Sucker Critical Habitat designation.

The conferees are concerned that the Service's region 6 has a backlog of Endangered Species Act section 7 consultations on long-term planning documents to assess grizzly bears, bull trout and their habitats. The conferees urge the Service to assign appropriate resources and staff, including filling any current vacancies, to support timely completion of those consultations.

Northern Rocky Mountain Multispecies Conservation Agreements Initiative.—The conferees recommend that the Fish and Wildlife Service convene a regional policy coordination and outreach effort to improve upon and increase the use of Endangered Species Act conservation agreements between the agency, the States, and private landowners. Nearly two-thirds of the nation's land is privately owned, and the Service cannot accomplish its conservation goals without the help of private landowners. Conservation agreements between non-Federal landowners and the Service help to conserve listed or at-risk species while offering a level of protection from certain Endangered Species Act actions. The conferees recognize the challenges that private landowners often face when confronted with working with a Federal regulatory agency such as the Service, and believe that the States can play a strong intermediary role. The conferees recommend that the Service work with the northern Rocky Mountain States and a diverse coalition of private landowners to find innovative, multispecies, multi-partner approaches to utilizing conservation agreements that simplify the process for private landowners; that empower the States to work directly with private landowners to set up the agreements; and that recognize the Service's final authority. The conferees request that the States and the coalition report to the Committees with recommendations as to how to improve upon and increase the use of conservation agreements.

Habitat Conservation.—The bill provides $110,814,000 for Habitat Conservation. Partners for Fish and Wildlife is funded at $54,856,000, of which $6,000,000 is for the climate change initiative instead of the requested $8,000,000. Conservation Planning Assistance is funded at $35,837,000, of which $2,000,000 is for renewable energy as requested.

In carrying out its renewable energy consultations, the conferees direct the Service to continue coordinating with other agencies within the Department of the Interior, as well as with the Department of Commerce, Department of Energy, and other Federal and State agencies, to ensure that the investments support the further development of the renewable energy industry, including the creation of an offshore wind manufacturing industry and related jobs in the United States.

The conferees support the Secretary's decision to establish an office that will be focused on Endangered Species Act compliance for renewable energy projects. In order to facilitate better species protection and stewardship of public resources, the conferees expect that this office will develop permitting policies that make it less difficult and time-consuming to permit projects on disturbed private lands than on pristine public lands. The conferees are aware that the Service has begun work on a rule under section 4(d) of the Endangered Species Act to address this concern, but the Service has not yet released a draft. The conferees expect the Service to publish its draft and final rules to address this issue during fiscal year 2012. The conferees are aware that the Service is exploring opportunities to expedite the permitting of renewable energy projects and support efforts by the Service to establish a pilot fee program using the Service's existing authorities. The Service is expected to provide a report within 120 days of enactment of this Act

that details how and where the Service plans to institute fees in fiscal year 2012 to improve program delivery and customer service.

National Wildlife Refuge System.—The bill includes $486,469,000 for the National Wildlife Refuge System. Wildlife and Habitat Management is funded at $223,797,000, of which $1,000,000 is for a pilot program to eradicate feral swine on national wildlife refuges; and $20,000,000 is for climate change inventory and monitoring, as requested. Conservation Planning is funded at $11,723,000, which is an increase of $3,440,000 above the request in order to maintain funding for land protection planning within this program element instead of within Land Acquisition, as was proposed.

The conferees are concerned about particular restrictions on overnight houseboat accommodations at concessionaire-operated marinas. In keeping with Executive Order 12866, the conferees direct the Service to carefully consider the impact to concessionaires of such operational changes.

The conferees are aware of local concerns regarding the implementation of certain management activities on the Willapa National Wildlife Refuge and direct the Service to postpone the implementation of those sections of the Final Comprehensive Conservation Plan and Environmental Impact Statement for the refuge that deal with the removal of the dikes at the Porter Point Unit, Reikkola Unit, and Lewis Unit of the refuge until at least April 1, 2012, in order to give the Service more time to work with stakeholders to address the concerns.

Migratory Birds, Law Enforcement and International Conservation.—The bill includes $126,769,000 for Migratory Birds, Law Enforcement, and International Conservation. Migratory Bird Management is funded at $51,535,000, which includes a decrease of $1,366,000 from the request for the North American Waterfowl Management Plan and a general program decrease of $1,522,000.

Fisheries and Aquatic Resource Conservation.—The bill includes $135,534,000 for Fisheries and Aquatic Resource Conservation. National Fish Hatchery System Operations is funded at $46,149,000. The conferees have restored the proposed $3,388,000 shortfall in the budget for mitigation hatchery operations and critical supplies. An additional $3,800,000 is appropriated elsewhere in this consolidated Act for the U.S. Army Corps of Engineers to reimburse the Service. Together, these amounts fully fund mitigation hatcheries operated by the Service for the Corps, Tennessee Valley Authority, Bureau of Reclamation's Central Utah Project and the Bonneville Power Administration. The conferees support efforts by the Service to recover costs of programs that are conducted to mitigate the environmental effects of other Federal partners. However, future budget requests must ensure that Federal partners have committed to make sufficient funding available to reimburse the Service before the Service proposes to eliminate funding for mitigation hatcheries so that operations at these hatcheries are not disrupted.

Aquatic Habitat and Species Conservation is funded at $71,325,000. The bill includes $1,000,000 towards the implementation of mandatory operational inspection and decontamination stations at Federally-managed or interjurisdictional water bodies con-

sidered to be of highest risk, as called for in the February 2010 Quagga-Zebra Mussel Action Plan for Western U.S. Waters. An additional $1,000,000 is included to continue and expand funding for the control and eradication of zebra and quagga mussels and other aquatic invasive species, including funding for State aquatic invasive species management plans. Also included is a $2,000,000 increase above the fiscal year 2011 enacted level for Asian carp monitoring and eradication activities.

Cooperative Landscape Conservation and Adaptive Science.—The bill includes $32,250,000 for Cooperative Landscape Conservation and Adaptive Science. The conferees recognize that fish and wildlife conservation organizations are facing increasingly complex ecological and fiscal challenges that require resource threats to be addressed in a more efficient and effective way. In light of these challenges, the Service has established a network of Landscape Conservation Cooperatives (LCCs) with other Federal, State, local and tribal partners to better leverage conservation resources and better prioritize and coordinate research and program delivery. The conferees support these efforts but also expect the Service to establish clear goals, objectives and measurable outcomes for LCCs that can be used as benchmarks of success of the program. Further, the conferees direct the Service to clearly articulate how it plans to integrate its LCCs with other successful regional partnerships, including its Joint Ventures and Fish Habitat Partnerships programs, as well as with other Federal and non-Federal partners, including the U.S. Geological Survey's regional Climate Science Centers, the Cooperative Fish and Wildlife Research Units, and the Cooperative Ecosystem Studies Units.

Bill Language.—The bill includes language to cap expenditures at $7,472,000 for critical habitat designations; $1,500,000 for listing species that are indigenous to the United States; and $1,500,000 for listing foreign species. The bill includes language providing for fiscal year 2012 and hereafter: $400,000 for certain law enforcement activities; and $1,000,000 for certain environmental contaminant activities.

CONSTRUCTION

The bill includes $23,088,000 for Construction, as requested, of which $12,149,000 is for line item projects. The amount provided will fully fund the projects as prioritized by the Service pursuant to the Administration's revised request list provided to the Committees on June 24, 2011. Requests for reprogramming will be considered pursuant to the guidelines in the front of this statement.

LAND ACQUISITION

The bill provides $54,720,000 for Land Acquisition. The conference agreement includes $5,000,000 for the Highlands Conservation Act; $10,555,000 for Acquisition Management; $2,000,000 for User Pay Cost Share; $2,500,000 for exchanges; $4,500,000 for Inholdings, Emergencies, and Hardships; and $30,165,000 for Acquisitions. The conferees have rejected the proposal to transfer land protection planning funds from the Resource Management account.

The amount provided for Acquisitions will fully fund projects 1 through 13 as prioritized by the Service pursuant to the Administration's revised request list provided to the Committees on June 24, 2011. Requests for reprogramming will be considered pursuant to the guidelines in the front of this statement.

The Secretaries of the Interior and Agriculture are directed to report to the Committees on Appropriations within 180 days of enactment of this Act on potential exchange proposals for approximately 1,700 acres currently managed by the U.S. Fish and Wildlife Service and generally depicted on a map titled "The Sharkey Restoration Research Site, Delta NF," for lands of equal or approximate value managed by the U.S. Forest Service in Mississippi.

Bill Language.—The bill includes language allowing the Service to fund limited administrative costs for the Highlands Conservation Act program administration. Also included is language providing that no funds appropriated for specific projects may be used for overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

The bill provides $47,757,000 for the Cooperative Endangered Species Conservation Fund. The detailed allocation of funding by activity is included in the table at the end of this statement.

Bill Language.—The bill includes language deriving $22,757,000 from the Cooperative Endangered Species Conservation Fund and $25,000,000 from the Land and Water Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

The bill provides $13,980,000 for payments to counties authorized by the National Wildlife Refuge Fund.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The bill provides $35,554,000 for the North American Wetlands Conservation Fund.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

The bill provides $3,792,000 for Neotropical Migratory Bird Conservation.

MULTINATIONAL SPECIES CONSERVATION FUND

The bill provides $9,481,000 for the Multinational Species Conservation Fund. The detailed allocation of funding by activity is included in the table at the end of this statement.

STATE AND TRIBAL WILDLIFE GRANTS

The bill provides $61,421,000 for State and Tribal Wildlife Grants, of which $51,405,000 is for State formula grants, $5,741,000 is for State competitive grants, and $4,275,000 is for tribal competitive grants. The Service is directed to report to the Committees within 90 days of enactment of this Act on the amounts of unobligated and reapportioned funds, by State and Territory, for fiscal years 2008, 2009, and 2010. The conferees encourage the Service and the program partners to complete the Wildlife

TRACS database so that the program can better demonstrate its ability to prevent at-risk species from having to be listed under the Endangered Species Act.

Bill Language.—The bill includes language requiring a 25 percent non-Federal cost share for planning grants and a 35 percent non-Federal cost share for implementation grants. Bill language is included allowing unobligated balances to be reapportioned.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The bill provides $2,240,152,000 for the Operation of the National Park System account.

Civil War Sesquicentennial.—In observances marking the 150th anniversary of the Civil War, the Service is urged to recognize the historic, social, legal, racial, cultural and political forces that caused the Civil War and influenced its course and outcomes.

Technical Assistance.—The Service is encouraged to support the effort of NPS retirees to provide volunteer technical assistance to national parks in other countries.

Historic Leases.—The Service is encouraged to pursue the use of cost-effective, innovative solutions like historic leases when practical and when the arrangement comports with a park unit's enabling legislation.

Flight 93 Memorial.—The conferees remain firmly committed to the timely completion of the Flight 93 Memorial and direct the Service to devote the resources necessary to properly archive, maintain, and preserve the invaluable collections, including 50,000 personal tributes and 2,000 hours of audio interviews, associated with this memorial.

National Capitol Area Performing Arts Program.—The conferees direct the Service to maintain funding for the National Capital Area Performing Arts Program and have included $612,000 for the summer concert series staged on the U.S. Capitol grounds.

Cuyahoga Valley National Park.—The Service is encouraged to continue its work with surrounding communities to support the local road systems and establish maintenance priorities.

Statue of Liberty and Martin Luther King, Jr. Memorial and Visitor Center.—The conferees have provided an increase of $1,100,000 as requested within Park Protection for additional Park Police protection at the Statue of Liberty and Martin Luther King, Jr. Memorial.

Sequoia National Park.—The conference agreement does not include report language contained in the House report nor bill language proposed by the Senate directing the Department of the Interior to report on the methodology used in calculating hydropower fees on National Park Service lands. The conferees understand that this issue has been settled and the need for the report no longer exists.

Delaware Water Gap National Recreation Area and Middle Delaware National Scenic and Recreational River, Appalachian National Scenic Trail.—The conferees are concerned about delays in completing an Environmental Impact Statement (EIS) announced by the National Park Service and the Department of the Interior

regarding improvement of electric transmission lines partially lying within the boundaries of the Delaware Water Gap National Recreation Area. The National Park Service and the Department are directed to adhere to the previously announced schedule and publish a final Record of Decision (ROD) by October of 2012.

Historic Properties.—The conferees are concerned that a proposal to remove the Fresnel lens currently installed at the Block Island Southeast Lighthouse in Rhode Island will have an adverse impact on this historic property. As such, the conferees direct the Service to report to and consult with the Committees on Appropriations prior to facilitating the transfer of the lens or accepting the lens for display at any unit within the System.

Point Reyes National Seashore.—The conferees are aware that the Service will shortly be issuing a Draft Environmental Impact Statement (DEIS) regarding a possible 10-year extension for oyster operations at Point Reyes National Seashore. Because of concerns relating to the validity of the science underlying the DEIS, the conferees direct the National Academy of Sciences to assess the data, analysis, and conclusions in the DEIS in order to ensure there is a solid scientific foundation for the Final Environmental Impact Statement expected in mid-2012.

NATIONAL RECREATION AND PRESERVATION

The bill provides $59,975,000 for the National Recreation and Preservation account with the following specific directive:

Heritage Partnership Program.—The bill provides an increase of $8,408,000 above the request to maintain funding at the fiscal year 2011 enacted level.

HISTORIC PRESERVATION FUND

The bill provides $56,000,000 for the Historic Preservation Fund account with the following specific directive:

State and Tribal Historic Preservation Offices.—The bill provides $47,000,000 for State Historic Preservation Offices and $9,000,000 for Tribal Historic Preservation Offices.

CONSTRUCTION

(INCLUDING RESCISSION OF FUNDS)

The bill provides $159,621,000 for the Construction account.

Line Item Construction. The bill provides $77,847,000 in funding for line item construction projects. The amount provided will fully fund NPS construction projects as prioritized by the Service pursuant to the Administration's revised request list provided to the Committees on June 24, 2011. Requests for reprogramming will be considered pursuant to the guidelines in the front of this statement.

Washington Monument Stabilization and Repair, National Capital Region.—The bill provides a total of $7,500,000 for the stabilization and repair of the Washington Monument. The conferees understand these funds will be matched on a 1:1 basis by a private citizen. The conferees have also included language allowing the National Park Service to enter into a single procurement for repairs to the Washington Monument.

Special Resource Studies.—The conferees urge the Service to complete previously authorized studies before initiating any new studies.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The bill rescinds $30,000,000, as in previous years, in annual contract authority. There are no plans to use this authority in fiscal year 2012.

LAND ACQUISITION AND STATE ASSISTANCE

The bill provides $102,060,000 for Land Acquisition and State Assistance, of which $9,000,000 is for the American Battlefield Protection Program; $9,500,000 is for Acquisition Management; $5,000,000 is for Inholdings and Exchanges; $3,000,000 is for Emergencies and Hardships; and $30,560,000 is for Federal Acquisitions. The State Assistance Grant Program is funded at $45,000,000, of which $2,794,000 is for Administrative Expenses.

The amount provided for Federal Acquisitions will fully fund the first two projects as prioritized by the Service pursuant to the Administration's revised request list provided to the Committees on June 24, 2011. Requests for reprogramming will be considered pursuant to the guidelines in the front of this statement.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The bill provides $1,069,744,000 for Surveys, Investigations, and Research of the U.S. Geological Survey. The detailed allocation of funding by activity and sub-activity is included in the table at the end of this statement and comports with the requested budget structure realignment. Unless otherwise indicated below, the conferees have accepted the proposals for reductions resulting from Department-wide efficiencies, administrative savings, and Enterprise Publishing Network savings. A decrease of $2,172,000 to the request has been assumed to reflect changes in the final fiscal year 2011 operating plan, which was not available at the time the request was submitted. Support for ecosystem restoration activities throughout the Survey's programs is maintained at the fiscal year 2011 enacted level. Additional changes to the request are specified below.

Ecosystems.—The bill provides $161,536,000 for Ecosystems activities. Increases above the enacted level include $1,500,000 for The Chesapeake Bay Executive Order and $2,500,000 for the Great Lakes Asian Carp Control Framework. The conferees support the President's budget proposal to conduct an in-depth analysis of the extent and sources of endocrine disrupting chemicals impacting fish and wildlife in the Chesapeake basin.

Climate and Land Use Change.—The bill provides $144,320,000 for Climate and Land Use Change programs. Within Climate Variability, changes to the request include decreases of $2,000,000 from Research and Development, and $6,460,000 from

Science Support for DOI Bureaus. Carbon Sequestration is funded at $9,000,000.

Within Land Use Change, an increase of $11,500,000 is provided to complete funding for Landsat 8 ground operations development. The conferees have not agreed with the proposal to create a separate "Land Imaging" account and have instead maintained funding for all satellite operations within this subactivity. Estimated administrative savings assumed in the proposed new account have been assumed within the Land Use Change account instead.

The conferees have not agreed to transfer budgetary authority for the launch of Landsat satellites 9 and 10 from the National Aeronautics and Space Administration to the Survey. Of the requested $48,000,000 increase for its implementation, the conferees have provided $2,000,000 for program development only. The conferees note that future requests for the project are estimated by the Administration to escalate to over $400,000,000 by fiscal year 2014. There is little doubt that resources will not be available within the Interior Appropriations bill to support these very large increases without decimating all other Survey programs. The conferees note that the launch of Landsat 9 is not scheduled until 2018. This allows time in the year ahead for all interested parties to re-examine how to proceed with future Landsat missions. In the conferees' view this would be a prudent step, inasmuch as the current budget proposal is based on a report from the Office of Science and Technology Policy issued in 2008, and both technological advances and a vastly different economic environment may point to other, less costly, options for obtaining Landsat data.

Energy, Minerals, and Environmental Health.—The bill provides $96,368,000 for Energy, Minerals, and Environmental Health. The following amounts have been restored to ongoing programs that were proposed to be reduced in the request: $250,000 for the Minerals External Research Program; $5,000,000 for Minerals Resources; $1,000,000 for Energy Resources; $500,000 for Contaminants; and $2,500,000 for Toxic Substances Hydrology. An increase of $1,000,000 is provided for the New Energy Frontier initiative.

Natural Hazards.—The bill provides $134,696,000 for Natural Hazards. The conferees have not agreed to proposed reductions in the request and have restored funds to the following programs: $2,000,000 for Earthquake Grants; $1,800,000 for the 2012 Multi-Hazards Initiative; and $1,500,000 for the National Volcano Early Warning System. Decreases from the request include $800,000 from the 2011 Multi-Hazards Initiative, and $3,000,000 from Coastal and Marine Spatial Planning.

Water Resources.—The bill provides $214,996,000 for Water Resources. Funding has been restored for the following programs that were proposed to be reduced in the request: $2,000,000 for Groundwater Resources; $6,049,000 for the National Water Quality Assessment Program; $1,963,000 for the Cooperative Water Program; and $6,500,000 for the Water Resources Research Act Program. A program increase of $2,846,000 above the request is provided for the National Streamflow Information Program. Decreases from the request include $2,500,000 from the WaterSMART initia-

tive within Hydrologic Networks and Analysis. The conferees encourage the Survey to include with its fiscal year 2013 budget request a proposal to establish a national groundwater monitoring network as authorized by the Secure Water Act.

Core Science Systems.—The bill provides $106,849,000 for Core Science Systems. Increases to the request include $998,000 for the National Geological and Geophysical Data Preservation Program to continue funding at the current year enacted level, and $1,500,000 for National Cooperative Geologic Mapping Federal and State Partnerships to partially restore the proposed reduction to that program. Decreases from the request include $500,000 from WaterSMART.

Administration and Enterprise Information.—The bill provides $110,397,000 for Administration and Enterprise Information. There is a decrease from the request of $5,920,000 for separation costs. This amount is significantly below what the Survey would need to implement its proposed reduction in force. If a similar plan is put forward in future budget requests, the conferees expect that sufficient funds will be requested for its implementation.

Facilities.—The bill provides $100,582,000 for Facilities. The conferees do not agree with the administration's proposal to create a separate "Construction" line item within the budget and consequently have maintained those funds within the "Deferred Maintenance and Capital Improvement" subactivity. In the conferees' view, the Survey has the authorities it requires to manage its facilities and space requirements within the current structure.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

The bill provides $59,792,000 for Ocean Energy Management to be partially offset with the collection of offsetting rental receipts and cost recovery fees totaling $101,082,000. This new account funds the activities of the Bureau of Ocean Energy Management, including leasing, environmental studies, economic analysis and the Renewable Energy Program. The conferees also provide the following directions:

Renewable Energy.—The bill provides $22,697,000 for renewable energy leasing activities, including program development, environmental analysis, consultation with Federal, State, and local stakeholders, and development of a multipurpose marine cadastre. The Director should work with the Secretary of Energy and States to exchange information about the development of new technology related to the structural material, environmental, and design safety criteria, as well as design and performance standards, of transitional depth and floating wind turbines. The Bureau is expected to continue working with coastal States and other stakeholders to study new wind energy areas, including in shallow, transitional, and deep (over 200 feet) waters.

Conventional Energy.—The bill provides $47,283,000 for conventional oil and gas leasing activities, including planning of the Five-year Oil and Gas Leasing Program, surveying Outer Continental Shelf boundaries, implementing the lease sale process, ad-

ministering leases, and reviewing exploration and development plans.

Environmental Assessment—The bill provides $62,041,000 for environmental assessment activities.

The Bureau is encouraged to continue its efforts in working with partners to collect information about methane hydrates on the sea floor and the relationships between gas hydrates and episodes of sediment instability that may pose a threat to the petroleum industry's infrastructure and safety of operations.

Bill Language.—The bill includes in Title IV a general provision that amends Sec. 328 of the Clean Air Act (42 U.S.C. 7627(a)(1)) to transfer air quality permitting authority, as of the date of enactment of this Act, from the Environmental Protection Agency to the Department of the Interior, giving regulatory parity for the Beaufort and Chukchi Sea planning areas with the Western and Central Gulf of Mexico planning areas. Paragraph (c) ensures that this change in the issuance and administration of air quality requirements will not invalidate or stay any permit, or proceeding related thereto, which is existing or pending as of the date of enactment of this Act.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

The bill provides $61,473,000 for Offshore Safety and Environmental Enforcement to be partially offset with the collection of offsetting rental receipts, cost recovery fees and inspection fees totaling $121,081,000. The conferees also provide the following directions:

Funding has been increased with the expectation that much-needed inspectors and engineers will be hired and that permits will be processed expeditiously. The highest priority for BSEE with the funding appropriated is ensuring safety and prompt consideration of permits. Appropriated dollars should not be used for expanding regulation of non-lease holders, with the exception of those involved in the *Deepwater Horizon* accident, unless approved through reprogramming pursuant to the guidelines in the front of this statement.

Environmental Enforcement.—The bill provides $4,110,000 for environmental enforcement actions, as requested. Activities include environmental compliance activities related to issuing permits associated with plans, inspections of environmental measures and enforcement of incidences of noncompliance, and monitoring industry compliance with mitigation and other environmental requirements through office and field inspections. With the additional resources provided, applications for permits to drill should be processed with all due speed.

Operations, Safety, and Regulation.—The bill provides $132,139,000 for operations, safety, and regulation.

Inspection Fees.—The bill includes in Title IV a general provision that provides for the collection of $62,000,000 in inspection fees.

Bill Language.—The bill includes new language requiring that at least fifty percent of collected inspection fees are dedicated to

mission related costs including the review of applications for permits to drill.

The report requested in House Report 112–151 on *Deepwater Horizon* recommendations is no longer required.

OIL SPILL RESEARCH

The bill provides $14,923,000 for Oil Spill Research.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

The bill provides $122,950,000 for Regulation and Technology. Within this amount, the bill funds regulatory grants at $68,700,000, equal to the fiscal year 2011 enacted level. The conferees find the proposal to reduce regulatory grants would undermine the State-based regulatory system. It is imperative that States continue to operate protective regulatory programs as delegation of authority to the States is the cornerstone of the surface mining regulatory program. Further, the conference agreement does not provide funds to expand and enhance Federal oversight activities of State programs.

On October 26, 2011 the Secretary of the Interior issued an order to consolidate the Office of Surface Mining (OSM) within the Bureau of Land Management (BLM). The conferees are deeply concerned about the lack of coordination and consultation prior to the issuance of this order. Subsequently, the Department of the Interior initiated discussions with employees, Members of Congress, and stakeholders. Significant issues have been identified with this proposed reorganization, including questions of the wisdom of attempting to combine statutorily created agencies that have responsibilities in law that cannot be combined with or transferred to another agency. The conferees are aware that on November 28, 2011, the Secretary suspended the effective date of his directive in order to gather further information on this potential restructuring. The conferees expect the Department to enhance its consultation and coordination with employees, Members of Congress and stakeholders on this matter and to consult with the appropriate committees of jurisdiction before any final decisions are made.

ABANDONED MINE RECLAMATION FUND

The bill provides $27,443,000 for the Abandoned Mine Reclamation Fund.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The bill provides $2,371,532,000 for the Operation of Indian Programs. The detailed allocation of funding by program area and activity is included in the table at the end of the statement. Specific changes to the request and direction are the following:

Tribal Government.—The bill provides $520,163,000 for Tribal Government. Contract Support Costs are funded at the fiscal year 2011 enacted level of $219,560,000. Small and Needy Tribes are funded at $1,950,000.

Human Services.—The bill provides $136,579,000 for Human Services. Social Services are funded at $34,379,000.

Trust—Natural Resources Management.—The bill provides $157,496,000 for Trust—Natural Resources Management. Rights Protection Implementation is funded at $29,022,000, and the Tribal Management/Development Program is funded at $7,717,000; increases to the fiscal year 2011 enacted level should be distributed proportionally across all program elements within these two subactivities. Forestry is funded at $43,644,000. Water Resources is funded at $10,150,000. Fish, Wildlife, and Parks is funded at $11,340,000.

Trust—Real Estate Services.—The bill provides $126,963,000 for Trust—Real Estate Services. Trust Services—General is funded at $11,000,000. The increase above the request is for continued implementation of the Klamath Basin Restoration Agreement.

Education.—The bill provides $796,753,000 for Education. Elementary and Secondary Programs (Forward Funded) are funded at $523,083,000, of which $391,333,000 is for ISEP Formula Funds; $5,286,000 is for ISEP Program Adjustments; $12,051,000 is for Education Program Enhancements; $52,716,000 is for Student Transportation; $15,370,000 is for Early Childhood Development; and $46,327,000 is for Administrative Cost Grants. Post-Secondary Programs (Forward Funded) are funded at $67,401,000. Post-Secondary Programs are funded at $61,533,000, of which $18,527,000 is for Haskell and SIPI—an increase of $1,153,000 over the request that is to be divided proportionally between the two schools.

Public Safety and Justice.—The bill provides $346,778,000 for Public Safety and Justice, an increase of $12,688,000 above the fiscal year 2011 enacted level. Law Enforcement is funded at $322,460,000, of which $185,315,000 is for Criminal Investigations and Police Services; and $81,941,000 is for Detention/Corrections. The requested increase for Conservation Law Enforcement is not agreed to.

Indian Employment, Training and Related Services.—The bill does not include section 430 of the House bill pertaining to Indian employment, training, and related services pursuant to Public Law 102–477. This provision was intended to block the Administration from continuing with new, unauthorized and retroactive policies which run counter to how "477" funds have been transferred to tribal governments and how funds have been audited since the program's inception 19 years ago. The conferees have dropped this provision in order to give the Administration time to honor its recent commitments to suspend new policies while working with Tribes to find alternative solutions.

The conferees understand that recent Administration commitments to the Tribes and the Congress include but are not limited to the following: that it has engaged the Tribes in a new consultative process to address agency and tribal concerns; that it has halted any effort to alter the manner and conditions under which "477" funds have historically been transferred to Tribes; that it has

indefinitely suspended its 2009 supplemental audit requirements for any "477" program audits, covering fiscal years 2009 through 2012, that were not completed on or before September 30, 2011; and that annual "477" program audits will continue to comply with the Single Audit Act of 1984.

The conferees expect the Administration to consult with Tribes on a government-to-government basis, and to only proceed with improvements that reflect general consensus among the impacted Tribes and agencies. The P.L. 102–477 Tribal Work Group shall be consulted on the precise content of all guidance documents and similar issuances prior to their finalization. The House and Senate Appropriations Committees will be closely monitoring the progress of the consultation process, and will expect regular updates from the Administration. If issues concerning the transfer and audit of "477" funds are not permanently resolved administratively, the Committees intend to address this issue in the fiscal year 2013 process.

Other Matters.—The conferees are aware of a lack of local support for two recent off-reservation gaming projects in Yuba, California, and Madera, California, which received Secretarial Determinations on September 1, 2010. The evidentiary record provided by the Bureau of Indian Affairs indicates that only two of the 33 elected officials or bodies that were consulted on these projects expressed support for them. The conferees are also concerned that in one case, the Department appears to have largely ignored a popular vote which indicated a majority of the county was opposed to the construction of a casino on the site which was approved by the Department. Therefore, the conferees direct the Secretary to review these applications to verify the claim of "strong local support" and report those findings to the Committees within 60 days of enactment of this Act.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

The bill provides $123,828,000 for Construction. The detailed allocation of funding by program area and activity is included in the table at the end of the statement. Specific changes to the request are the following:

Education.—The bill provides $70,940,000 for Education. Replacement Schools are funded at $17,836,000, which funds the next school on the 2004 priority list. Facilities Improvement and Repair is funded at $48,669,000.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

The bill provides $32,855,000 for Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians, as requested. The detailed allocation of funding by subactivity and program element is included in the table at the end of the statement.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

The bill provides $7,114,000 for the Indian Guaranteed Loan Program Account, an increase of $4,000,000 above the request. The conferees are aware that there is strong interest among tribally owned construction contractors to have the Bureau of Indian Affairs offer supplemental surety bond guarantees in an effort to increase economic opportunity in Indian county, particularly in the construction trades. In an effort to begin to respond to this interest, the conferees request that the Bureau present a plan within 90 days of enactment of this Act detailing the need for such supplemental surety bond guarantees, how the Bureau would implement such a program, whether or not the Bureau currently has the personnel to implement such authorities, and an analysis of how much additional activity would be generated through the offering of supplemental surety bond guarantees.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

The bill provides $262,317,000 for Departmental Offices, Office of the Secretary, Departmental Operations.

The bill includes the proposed restructuring of Departmental Offices, reflecting the incorporation of the Office of Natural Resources Revenue (ONRR) and alignment of the budget with the Department's organization. The increase over the fiscal year 2011 enacted level reflects the move of the ONRR from the former Minerals Management Service. The conferees direct the Department to continue providing the Committees with the level of budget detail that has historically been provided (at the office level). Further, the Department is directed to provide to the Committees within 120 days of enactment of this Act a report on the organization, funding, staffing, and status of reforms with the ONRR.

The conferees direct the Department to work collaboratively with interested parties, including the Congress, States, local communities, Tribal governments and others in making national monument designations.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

The bill provides $87,997,000 for Assistance to Territories. Within that amount, the bill provides the requested increase for staffing, which shall be used by the Department to fill positions at current Office of Insular Affairs locations rather than at a new location as proposed in the request. At least one of the positions shall be dedicated to working on Compact impact issues as detailed below. Within the resources provided, the conferees urge the Secretary to fill the current staffing vacancy in the Federated States of Micronesia.

The bill includes $3,000,000 for insular community infrastructure improvements including $791,000 for water infrastructure projects and $2,209,000 for the Empowering Insular Communities

initiative. That amount includes the proposed funding levels for Guam infrastructure and $1,089,000 for sustainable energy strategies projects that will reduce the islands' over-dependence on imported oil and high electricity prices. Projects shall be chosen based on plans specific to each jurisdiction and which are developed and approved in conjunction with the Department of Energy and island stakeholders, with priority given to energy efficiency projects that result in immediate energy savings. The Department is directed to report annually to Congress on the status of activities funded under this program, including data on oil savings and utility rates.

The bill also provides $5,000,000 to fund discretionary grants to jurisdictions that are affected by Compact migration, as authorized by section 104(e) of Public Law 108–188. The Department shall allocate these grants in conjunction with other currently authorized mandatory grants to help offset educational costs incurred by these jurisdictions. The Department is directed to follow the guidance detailed in Senate Report 112–74 related to the Compact of Free Association agreements with the governments of the Federated States of Micronesia [FSM], the Republic of the Marshall Islands [RMI], and the Republic of Palau. The Department shall also meet regularly with officials from the Freely Associated States, other Federal agencies and affected jurisdictions, and develop and implement a comprehensive plan to mitigate the costs of Compact migration within 90 days of enactment of this Act. This plan shall establish specific goals and action items that include: (1) expanding the education of migrants and potential migrants in order to reinforce that the primary purpose of the Compact migration benefit is to provide educational and employment opportunities to FAS citizens, not for migrants to develop an over-reliance on public services; (2) improving FAS capacity to provide dialysis and other medical services to prevent citizens from needing to seek treatment abroad; and (3) improving screening procedures to identify and restrict migration of individuals who have communicable diseases or who have been convicted of serious crimes. The Department is directed to monitor the progress of meeting these goals and action items and report to Congress every 6 months. The Department is also directed to ensure that the new position dedicated to Compact impact issues will work closely with officials of Compact nations, other Federal areas and affected areas to implement Compact impact priorities identified in the plan detailed above.

The conferees urge the Department to continue funding for the Commonwealth of the Northern Marianas Islands Initiative on Labor, Immigration and Law Enforcement at no less than the enacted level.

COMPACT OF FREE ASSOCIATION

The bill provides $17,318,000 which includes $3,318,000 for obligations related to the Compact of Free Association. The conferees have also included language in the Title I general provisions section to extend the eligibility for the Republic of Palau to receive Federal aid while a new Compact of Free Association is enacted by Congress. The amount provided is equal to the fiscal year 2011 appropriation.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

The bill does not include the requested language that would provide the Secretary with new authority to redistribute capital improvement funds in fiscal year 2012. The conferees are similarly focused on the slow spending rates in the territories and urge all territories to increase expenditure of previously awarded funds. The conferees intend to revisit the issue in fiscal year 2013 if expenditure rates have not substantially increased.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

The bill provides $66,296,000 for the Office of the Solicitor, including the requested increase for the Department's ethics office.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The bill provides $49,471,000 for the Office of Inspector General. The detailed allocation of funding by program and activity is included in the table at the end of the statement.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The bill provides $152,319,000 for the Office of the Special Trustee for American Indians, as requested.

Bill Language.—The bill includes language, as in previous years, limiting the amount of funding that can be used for historical accounting.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

The bill provides $566,495,000 for Department of the Interior Wildland Fire Management. The Department is directed to use $189,577,000 in carryover emergency fire suppression funds before obligating fiscal year 2012 suppression funds. The bill includes a rescission of $82,000,000 in suppression carry-over funds. The amount provided, combined with $92,000,000 in the FLAME Wildfire Suppression Reserve Fund, fully funds the Department's 10-year average expenditure for fire suppression. The bill also terminates the Rural Fire Assistance program. The detailed allocation of funding for these accounts is included in the table at the end of this statement. The conferees also provide the following directions:

The Department is directed to complete an assessment of all Department Wildland Fire programs to determine the most cost ef-

fective and efficient means of providing comprehensive fire management services in support of Department and bureau missions and to better direct scarce resources from duplicative administrative management organizations. As provided in the House Report, the Department is directed to report to the Committees on Appropriations no later than 180 days after enactment of this Act.

The Department is directed to remove the requirement that ninety percent of hazardous fuels funding be spent in the Wildland Urban Interface and instead the conferees direct hazardous fuels funding be spent on the highest priority projects in the highest priority areas. The Department must also work more closely with the Forest Service in developing a strategy for the replacement of the current air tanker fleet.

To reduce the cost of fighting fires in Alaska caused by transporting crews from the continental United States, the Office of Wildland Fire Coordination and the Bureau of Land Management are strongly encouraged to develop a program to train crews in Alaska, particularly the existing native crews that might not now be qualified as type I or type II wildland firefighting crews.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFER OF FUNDS)

The bill provides $92,000,000 for the FLAME Wildfire Suppression Reserve Fund.

CENTRAL HAZARDOUS MATERIALS FUND

The bill provides $10,149,000 for the Central Hazardous Materials Fund.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The bill provides $6,263,000 for the Natural Resource Damage Assessment Fund. The detailed allocation of funding by activity is included in the table at the end of this statement. The conferees are aware that the program is conducting an internal review of the status of restoration funds and options for enhanced implementation of restoration projects. The conferees direct the program to report back to the Committees upon completion of this review.

WORKING CAPITAL FUND

The bill provides $62,019,000 for the Department of the Interior, Working Capital Fund. The conferees have included $52,019,000 for the Financial and Business Management System (FBMS). The bill also provides $5,000,000 as requested to support the Department's ongoing IT transformation. Further, the bill provides $2,500,000 for the Department's effort to identify operating efficiencies and achieve savings across bureaus through consolidation of services, facilities, and infrastructure. Lastly, the bill provides $2,500,000 for training, recruitment, retention, and hiring of the acquisition workforce.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

The conferees have included various legislative provisions affecting the Department in Title I of the bill, "General Provisions, Department of the Interior". Several of these provisions have been carried in previous years and others are newly proposed this year. The provisions are:

Section 101 provides Secretarial authority for the intra-bureau transfer of program funds for expenditures in cases of emergencies when all other emergency funds are exhausted.

Section 102 provides for the Department-wide expenditure or transfer of funds by the Secretary in the event of actual or potential emergencies including forest fires, range fires, earthquakes, floods, volcanic eruptions, storms, oil spills, grasshopper and Mormon cricket outbreaks, and surface mine reclamation emergencies.

Section 103 provides for the use of appropriated funds by the Secretary for contracts, rental cars and aircraft, telephone expenses, and other certain services.

Section 104 provides for the transfer of funds from the Bureau of Indian Affairs or the Office of Special Trustee for American Indians.

Section 105 permits the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities.

Section 106 permits the Secretary to pay private attorney fees for employees and former employees in connection with *Cobell* v. *Salazar*.

Section 107 provides authority to the National Park Service to implement modifications to restoration efforts of the Everglades ecosystem.

Section 108 authorizes the acquisition of lands for the purpose of operating and maintaining facilities that support visitors to Ellis, Governors, and Liberty Islands.

Section 109 establishes Outer Continental Shelf inspection fees to be collected by the Secretary of the Interior.

Section 110 authorizes the Bureau of Land Management to establish an oil and gas Internet leasing program.

Section 111 extends the authority of the Department to hire Indian probate judges.

Section 112 authorizes the Secretary of the Interior to implement the reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement in conformance with Committee reprogramming guidelines.

Section 113 allows the Bureau of Indian Education to utilize funds recovered from grants or ISDA contracts to Tribes upon reassumption of school operations by the Bureau.

Section 114 provides the Secretary of the Interior with authority to enter into multi-year cooperative agreements with non-profit organizations for long-term care of wild horses and burros.

Section 115 provides the Secretary of the Interior statutory authority to enter into rental or lease agreements that benefit Bureau of Indian Education operated schools.

Section 116 extends for one year existing authority of the Department of the Interior to efficiently manage construction and land acquisition projects.

Section 117 addresses the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks.

Section 118 directs the Secretary of the Interior to make certain certifications with respect to existing rights of way. The section also retains a provision limiting funding for a proposal to approve specified rights-of-way on the Mojave National Preserve or lands managed by the Needles Field Office of the Bureau of Land Management.

Section 119 address a matter of jurisdiction between the National Park Service and the Coast Guard relating to boater safety checks on the Yukon River within the Yukon-Charley National Preserve.

Section 120 extends authorization for certain payments to the Republic of Palau for fiscal year 2012.

Section 121 provides the Secretary of the Interior certain hiring authorities.

Section 122 addresses BLM actions regarding grazing on public lands.

Section 123 provides for the trailing of livestock across public lands through fiscal year 2013.

Section 124 allows the Department of the Interior to lease certain lands within Fort Pulaski National Monument.

Section 125 continues a provision prohibiting funds to implement, administer, or enforce Secretarial Order 3310 issued by the Secretary of the Interior on December 22, 2010.

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

Budget Restructuring.—The conferees note that the Agency has proposed major changes to its budget structure in order to better align program goals and outcomes. The conferees have accepted the proposed budget restructuring, as reflected in the program levels below.

Congressional Budget Justification.—In addition to the three directives provided in the fiscal year 2010 House report 111–80, the conferees direct the Agency to include in future Justifications: a comprehensive, detailed explanation of all changes within a program project; a table showing consolidations, realignments or other transfers of resources and personnel from one program project to another such that the outgoing and receiving program projects offset and clearly illustrate a transfer of resources; and, a table listing the budgets and FTE by major office within each National Program Management area with pay/non-pay breakouts. The conferees note that the Congressional Justification includes the bill language for each account. The conferees direct the Agency to highlight and explain any changes to the proposed bill language in the Congressional Justification.

Reprogramming.—The Agency is held to the reprogramming limitation of $1,000,000 and should continue to follow the reprogramming directives as provided in the fiscal year 2010 House

report 111–80. Further, the Agency may not use any amount of deobligated funds to initiate a new program, office, or initiative, without the prior approval of the Committees. The conferees note that the Agency's reprogramming procedures allow the Agency to seek funding to implement its highest-priority items if it identifies offsetting funding reductions during the fiscal year, provided those offsets are not taken from program increases that have specifically been provided herein.

Within 30 days of enactment of this Act, the Agency is directed to submit to the House and Senate Committees on Appropriations its annual operating plan for FY 2012, which shall include detail on how the Agency plans to allocate funds at the program project level.

SCIENCE AND TECHNOLOGY

The bill provides $795,000,000 for Science and Technology programs and transfers $23,016,000 from the Hazardous Substance Superfund account to this account. The bill provides the following specific funding levels and direction:

Clean Air and Climate.—The bill provides $124,576,000 which includes a $1,000,000 increase for the fuel standards program.

Operations and Administration.—The bill provides $72,137,000 for Operations and Administration.

Research: Air, Climate, and Energy.—The bill provides $99,000,000. Within the amount provided, the bill includes $78,649,000 for Research: Clear Air, $18,305,000 for Research: Global Change and, $2,047,000 for Research: Air, Climate, and Energy (Other). The bill does not provide the requested $3,000,000 increase for air toxics monitors.

Research: Chemical Safety and Sustainability.—The bill provides $131,498,000 for Research: Chemical Safety and Sustainability. No new funds have been provided for the requested green chemistry or e-waste initiatives.

Research: National Priorities.—The bill provides $5,000,000 which shall be used for extramural research grants to fund high-priority water quality and availability research by not-for-profit organizations who often partner with the Agency. Funds shall be awarded competitively with priority given to partners proposing research of national scope and who provide a 10 percent match, which may include in-kind contributions. The Agency is directed to allocate funds to grantees within 180 days of enactment of this Act.

Research: Safe and Sustainable Water Resources.—The bill provides $113,654,000. Within the amount provided, the hydraulic fracturing study is funded at the requested amount, and $8,500,000 is provided for green infrastructure research.

Research: Sustainable and Healthy Communities.—The bill provides $171,026,000, as requested. The conferees note that $2,000,000 has been provided within this amount as requested to fund a long-term evaluation of the Agency's laboratory network to ensure that the current organization matches the Agency's strategic needs. The conferees continue to support the Agency's space strategy efforts, including those options that could lead to further efficiencies and potential reductions to the Agency's real property footprint. The conferees encourage the Office of Research and De-

velopment (ORD) to institute efficiency improvements that will result in long term savings using the amounts provided.

Additional Guidance.—The conferees include the following additional guidance with respect to funding provided under this account:

Biocrude Research.—The conferees encourage the Agency to work with its university partners to research the potential for producing biocrude from wastewater treatment plants that allow the production of renewable fuels through traditional petroleum refining techniques.

Integrated Risk Information System (IRIS).—In lieu of the directives contained in H. Rept. 112–151 regarding the Integrated Risk Information System, the conferees agree to the following:

(1) Fundamental improvements to the policies and practices of this program are necessary to ensure that IRIS assessments reflect the highest standard of scientific inquiry.

(2) The Agency shall incorporate, as appropriate, based on chemical-specific datasets and biological effects, the recommendations of Chapter 7 of the National Research Council's Review of the Environmental Protection Agency's Draft IRIS Assessment of Formaldehyde into the IRIS process.

(3) The Agency shall issue a progress report to House and Senate Committees on Appropriations and relevant Congressional authorizing committees no later than March 1, 2012, describing its implementation of the National Research Council's Chapter 7 recommendations for ongoing and new assessments.

(4) For draft assessments released in fiscal year 2012, the Agency shall include documentation describing how the Chapter 7 recommendations of the National Academy of Sciences (NAS) have been implemented or addressed, including an explanation for why certain recommendations were not incorporated.

(5) The Agency shall contract with NAS to conduct up to three reviews of IRIS assessments that EPA seeks to make final. Reviews shall include an evaluation of whether the recommendations it made in previous reviews, including in Chapter 7 of the National Research Council's Review of the Environmental Protection Agency's Draft IRIS Assessment of Formaldehyde, have been implemented. Reviews are not intended to unduly delay the Agency's risk assessment process. The conferees further direct NAS to complete any reviews authorized by this paragraph by no later than 18 months after the date that EPA and the NAS have agreed to the terms of the review. One of these NAS reviews shall be a study of the cancer and non-cancer hazards from oral exposure to inorganic arsenic. The NAS review of inorganic arsenic shall incorporate the direction provided in House Report 112–151 regarding parameters of the study. Additional reviews will be chosen by NAS from a representational sample of IRIS assessments and NAS will notify Congress directly of these choices.

(6) Further, the conferees strongly believe any current and future IRIS assessments must not only be grounded in sound, objective, and peer-reviewed science and methodologies but should also provide risk managers with realistic values that will result in enhanced protection of human health.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

The bill provides $2,682,514,000 for Environmental Programs and Management and includes following specific funding levels and direction:

Brownfields.—The bill provides $23,680,000 and funds the Smart Growth program as requested.

Clean Air and Climate.—The bill provides $286,568,000. Within this amount the bill provides $99,642,000 for the Climate Protection Program.

The conferees believe EPA may not rely on broad user fee authority as the basis for charging Energy Star fees and therefore lacks such authority. If EPA wishes to collect user fees to offset the costs of the program, such fees should be tied to increased performance or service-related goals, and the Administration should send a legislative proposal to the committees of jurisdiction for consideration in the same manner as they have requested for the electronic manifest system and pesticide user fees.

The conferees note that the SmartWay transportation program has successfully established a partnership among government, businesses, and consumers to reduce fuel consumption and improve air quality and supports a robust funding level.

The bill provides $27,343,000 for Federal Stationary Source Regulations. From within this amount, EPA is directed to spend $5,412,000 on New Source Performance Standards. The conferees note that the Administration delayed the issuance of new Ozone NAAQS as urged by House Report 112–151.

The bill provides $123,666,000 for Federal Support for Air Quality Management. EPA is directed to spend $3,408,000 of this amount on greenhouse gas permitting of stationary sources. No new funds have been provided for requested compliance monitoring activities.

Lastly, the bill provides $5,578,000 for Stratospheric Ozone. The conferees direct that $1,000,000 shall be for the Sunwise program. Other than provided herein, the agreement does not include further directives regarding allocation of funds for Clean Air and Climate programs, but instead directs the Agency to submit an allocation of funds at the program project level as part of the operating plan.

Enforcement.—The bill provides $249,965,000 for enforcement activities, with funding for environmental justice maintained at the fiscal year 2011 enacted level. The agreement does not include further directives regarding allocation of funds but instead directs the Agency to submit an allocation of funds at the program project level as part of the operating plan.

Environmental Protection: National Priorities.—The bill provides $15,000,000 for a competitive grant program to provide rural and urban communities with technical assistance to improve water quality and provide safe drinking water. EPA shall award grants on a competitive basis and give priority to not-for-profit organizations that: conduct activities that are national in scope; can provide a 10 percent match, including in-kind contributions; and are supported by a majority of small community water systems, currently provide multi-state regional technical assistance, or currently pro-

vide assistance to private well owners. The Agency is directed to allocate funds to grantees within 180 days of enactment of this Act.

Geographic Programs.—The bill provides $410,375,000, as distributed in the table at the end of this division. No funds have been provided for the proposed Mississippi River program or to continue the Community Action for a Renewed Environment program. The bill includes the following direction:

Great Lakes Restoration Initiative.—The bill provides $300,000,000 and EPA shall follow the direction provided in House Report 112–151 for fiscal year 2012. EPA may distribute the funds provided among the five focus areas but shall not spend less than the fiscal year 2011 enacted level for Toxic Substances and Areas of Concern and for the Invasive Species focus areas. The conferees direct the agency to provide a revised spending plan for the Great Lakes program that includes funding levels for the five focus areas at the same time the Agency submits its operating plan. Once submitted, changes to the funding amounts for the focus areas are subject to a reprogramming threshold of $5,000,000, and the Agency is further directed to report quarterly to the Committees on Appropriations on changes below the threshold.

Chesapeake Bay.—The conference agreement includes $57,391,000 for the Chesapeake Bay program. Within the amount provided, $8,000,000 is for nutrient and sediment removal grants and $2,000,000 is for small watershed grants. The conferees do not provide additional directives regarding the allocation of funds for this program but instead direct the Agency to report a proposed allocation of the remaining funds as part of its operating plan. EPA is further directed to support the local government study through the small watershed grant program as discussed in House Report 112–151.

Puget Sound.—The bill provides $30,000,000 to manage and implement Washington State's Puget Sound Action agenda, an approved Comprehensive Conservation and Management Plan (CCMP) under Section 320 of the Clean Water Act. The conferees direct that funding to restore Puget Sound be allocated consistent with the near-term priorities established in the CCMP and the existing Lead Organization and Tribal capacity agreements funded in prior years. EPA is directed to expeditiously obligate funds, in a manner consistent with the authority and responsibilities under Section 320 and the National Estuary Program. Not more than 4 percent shall be used for EPA intramural costs to manage the cooperative and interagency agreements to restore and protect Puget Sound.

Information Exchange.—The bill provides $130,896,000 for the Information Exchange program. From within this amount, $3,285,000 has been provided for the Administrator's Immediate Office. Funding for Children and Other Sensitive Populations and for Environmental Education programs shall be maintained at the enacted level. The agreement does not include further directives regarding allocation of funds or FTE but instead directs the Agency to submit an allocation of funds at the program project level as part of the operating plan.

International Programs.—The bill provides $17,632,000 for international programs. The agreement does not include further di-

rectives regarding allocation of funds but instead directs the Agency to submit an allocation of funds at the program project level as part of the operating plan.

Legal/Science/Regulatory/Economic Review.—The bill provides $110,946,000 and maintains the enacted level for the SmartGrowth program. The bill provides no more than $15,286,000 for Regulatory/Economic Management and Analysis. The agreement does not include further directives regarding allocation of funds but instead directs the Agency to submit an allocation of funds at the program project level as part of the operating plan.

Operations and Administration.—The bill provides $487,880,000, including requested funding for rent, security and utilities. The agreement does not include further directives regarding allocation of funds but instead directs the Agency to submit an allocation of funds at the program project level as part of the operating plan.

Resource Conservation and Recovery Act.—The bill provides $112,643,000 for the RCRA program. The bill does not provide the $2,000,000 request to develop the e-manifest system despite the conferees' strong support for the establishment of this system because EPA lacks the legal authority to collect user fees to offset system costs as expressed in the House report.

Water: Ecosystems.—The bill provides $48,257,000 for Water: Ecosystems. Within this amount the bill provides the requested amount for the National Estuary Program and Section 320 grants. The bill provides $21,199,000 for the Wetlands program and eliminates previously reprogrammed funds for work on the Enhanced Coordination Procedures with the Army Corps of Engineers, and the Office of Surface Mining. The conferees have not included bill language addressing the enhanced coordination procedures given the U.S. District Court's recent ruling that set aside the procedures.

Water: Human Health Protection.—The bill provides $101,256,000 and directs the reduction below the fiscal year 2011 enacted level to the drinking water regulatory program. The agreement does not include further directives regarding allocation of funds but instead directs the Agency to submit an allocation of funds at the program project level as part of the operating plan.

Water Quality Protection.—The bill provides $217,101,000, of which up to $4,738,000 is for the urban waters program. The agreement does not include further directives regarding allocation of funds but instead directs the Agency to submit an allocation of funds at the program project level as part of the operating plan.

Additional Guidance.—The conferees include the following additional guidance with respect to funding provided under this account:

Administrator Priorities.—Funding for Administrator priorities shall not exceed the fiscal year 2011 enacted level. The conferees direct the Agency to submit a report within 90 days of enactment that identifies how the fiscal year 2010 and 2011 funding was used, by account, program area and program project and include a description of the activities and any anticipated results. Future congressional justifications should identify funding in each program

project that has been set aside for Administrator priorities, and include a justification for the effort and any anticipated results.

Arsenic Reporting.—Not later than 180 days after the date of enactment of this Act, the Agency is directed to: (1) Promptly submit to Congress an overdue report—requested as part of the Consolidated Appropriations Act, 2005 (P.L. 108–447)—on the extent to which communities are being affected by the arsenic rule, and proposing compliance alternatives and making recommendations to minimize costs; (2) convene a working group composed of representatives from States, small publicly owned water systems, local public health officials, drinking water consumers and treatment manufacturers to provide input and recommendations on barriers to the use of point-of-use and point-of-entry treatment units, package plants, (including water bottled by the public water system), and modular units, as well as alternative affordability criteria that give extra weight to small, rural, and lower income communities, and (3) based upon input from the working group submit to the Committees a report on actions to make alternative compliance methods (such as point of use, point of entry and package plants) more accessible to water systems and a report on alternative affordability criteria.

Boiler MACT.—The conferees are encouraged by the outcome of EPA's reconsideration of the Boiler MACT rule and offer no directives regarding Boiler MACT standards. The proposed rule addresses substantive concerns by including additional flexibility with respect to compliance costs, and a biomass exemption.

Eastern Long Island Sound Supplemental Environmental Impact Study.—The conferees are concerned by the lack of progress at the Agency in completing a Supplemental Environmental Impact Statement for eastern Long Island Sound, which has been slated since 2002 and is necessary to ensure that significant military installations do not lose access to dredged disposal sites. The conferees direct the Agency to submit a report no later than 90 days after enactment of this Act outlining its plan to carry out the Supplemental Environmental Impact Statement for the eastern Long Island Sound, including the possible use of existing appropriated funds to begin the study. The conferees also urge the Agency to work collaboratively with appropriate stakeholders, including the Army Corps of Engineers and State partners, to expeditiously determine a dredging solution for eastern Long Island Sound.

Economic Analysis of Reciprocating Engine Rule.—The conferees are aware that EPA has initiated a reconsideration process which the conferees expect will address the concerns expressed in House Report 112–151. Amendments to the reciprocating engine rule are expected in early 2012. The conferees fully expect that EPA will include an analysis of the economic impacts of the rule on small government jurisdictions per the direction in the House report. Therefore the bill does not provide a directive to initiate a separate analysis of the economic impacts of the rule on small government jurisdictions within 60 days of enactment of this Act.

Personnel and Full Time Equivalents.—While the statement does not cap FTE levels for EPA, the conferees do not expect EPA's actual utilization levels will exceed the 2010 utilization levels given that EPA's 2012 budget has been reduced. The conferees remain

concerned about the growing disparity between regional and headquarters personnel as well as how EPA develops its personnel requests in its annual budget proposal.

Recycling Programs.—The conferees direct that the Agency submit the report requested in House Report 112–151 within 90 days of enactment of this Act.

Refrigerant Gas Containers.—Within 90 days of enactment of this Act, the conferees direct the agency to initiate a study on the environmental impacts of using disposable containers to transport and store refrigerant gasses, compared to refillable containers, and to submit the study to the House and Senate Committees on Appropriations upon completion.

Regional Haze.—States have raised legitimate concerns about the costs and compliance deadlines within EPA federal implementation plans to address regional haze issues. The Clean Air Act offers substantial flexibility with regard to how States may choose to mitigate regional haze impacts. The conferees are aware that EPA released a court-ordered schedule for finalizing Regional haze rules in November 2011. Therefore, the agreement does not include the specific directives contained in House Report 112–151 but instead directs EPA to work with the States as partners in order to resolve compliance and cost differences while adhering to the schedule.

Southern New England Estuaries.—The conferees recommend that the Agency convene and lead a comprehensive regional policy coordination and outreach effort to protect, enhance, and restore the coastal watersheds of southern New England. No entity or consortium exists to meet these challenges, and there is an urgent and immediate need for such an effort. For example, in Rhode Island's Narragansett Bay, there are documented extensive areas of pollution severely degrading fish and wildlife habitat and water quality; problems that are compounded by the effects of warmer water temperatures and milder winters. The conferees recommend that EPA establish goals for the regional effort, emphasizing water quality and habitat restoration as well as the development and implementation of innovative technologies to meet these challenges and create jobs. The effort should provide for streamlined interagency communication, and involve an inclusive stakeholder process. Specifically, EPA should collaborate with State agencies as well as other Federal partners such as the National Oceanic and Atmospheric Administration, the U.S. Fish and Wildlife Service, U.S. Geological Survey, Natural Resources Conservation Service, and the Small Business Administration. The Agency should also include stakeholders from local governments and agencies, non-governmental organizations, and academic institutions. The conferees also recommend that the Agency, through this regional effort, facilitate the development of strategies to restore and protect the southern New England Estuaries.

OFFICE OF INSPECTOR GENERAL

The bill provides $42,000,000 for the Office of Inspector General. The conferees appreciate the value of a robust Inspector General and expect the same level of effort as in fiscal year 2011 within the funding provided. The funding level reflects the high unobligated balances that remain in this account and the Inspector Gen-

eral should utilize previously appropriated funds first in fiscal year 2012.

BUILDINGS AND FACILITIES

The bill provides $36,428,000 for Buildings and Facilities, equal to the fiscal year 2011 enacted level.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

The bill provides $1,215,753,000 for the Hazardous Substance Superfund account, and includes bill language to transfer $9,955,000 to the Inspector General account and $23,016,000 to the Science and Technology account. Due to budget constraints, the conferees have reluctantly proposed general program reductions to the Superfund emergency response and removal and remedial programs, as detailed below. The bill provides the following additional direction:

Enforcement.—The bill provides $187,033,000 for Superfund Enforcement.

Operations and Administration.—The bill provides $135,969,000 for Superfund Operations and Administration. The agreement does not include further directives regarding allocation of funds but instead directs the Agency to submit an allocation of funds at the program project level as part of the operating plan.

Superfund Cleanup.—The bill provides $789,180,000 for Superfund Cleanup, of which $189,895,000 is for Superfund: Emergency Response and Removal and $565,922,000 is for Superfund: Remedial. The conferees expect that future budget requests will propose a higher percentage of cleanup funding as part of the total request in addition to proposing funding sufficient to meet program goals, such as increasing the number of annual "construction completes" and more importantly "sites made ready for reuse". The conferees direct the Inspector General to report to the Committees on Appropriations within 90 days of enactment of this Act on current agency efforts to strengthen Superfund contracting controls to prevent future waste, fraud and abuse.

Financial Assurance.—In lieu of the directives contained in H. Rept. 112–151 regarding financial assurance requirements, the conferees direct the Administrator to collect and analyze information from the commercial insurance and financial industries regarding the use and availability of necessary instruments (including surety bonds, letters of credit, and insurance) for meeting any new financial responsibility requirements and to make that analysis available to the House and Senate Committees on Appropriations and to the general public on the Agency website 90 days prior to proposing any rule pursuant to section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9608(b)).

Special Accounts.—The conferees direct EPA to follow the language in House Report 112–151 with respect to managing the unobligated balances in the Superfund special accounts.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

The bill provides $104,309,000 for the Leaking Underground Storage Tank Trust Fund Program.

INLAND OIL SPILL PROGRAMS

The bill provides $18,274,000 for Inland Oil Spill Programs.

STATE AND TRIBAL ASSISTANCE GRANTS

The bill provides $3,618,727,000 for the State and Tribal Assistance Grants (STAG) program and includes the following specific funding levels and direction:

Infrastructure Assistance.—The bill provides $2,528,169,000 for infrastructure assistance, including $1,468,806,000 for the Clean Water State Revolving Fund and $919,363,000 for the Drinking Water State Revolving Fund. The amount provided for the Clean Water State Revolving Fund program will fund approximately 473 new wastewater projects nationwide and more than 81,000 jobs when combined with state matching funds and leverage capabilities, according to Agency estimates. Amounts provided for the Drinking Water State Revolving Funds program will fund approximately 353 new drinking water projects nationwide and more than 50,000 jobs when combined with state matching and leveraged funds.

The conferees do not direct EPA to submit a report on water rates requested in the House report. However, the conferees direct the Agency to report on how EPA and the States have used the additional subsidization authority including information on the number and amounts of loans awarded with additional subsidization, recipient communities, and descriptions of projects funded.

Alaska Native Villages.—The bill provides $10,000,000 as requested.

Brownfields.—The bill provides $95,000,000 for the Brownfields program.

Diesel Emissions Reduction Act (DERA) Grants.—The bill provides $30,000,000 as the conferees do not agree with the proposal to terminate the DERA grants.

Mexico Border.—The bill provides $5,000,000 for the Mexico border program.

Categorical Grants.—The bill provides $1,090,558,000 for Categorical Grants and funding levels are specified in the table at the end of this division. This amount includes $164,757,000 for nonpoint source grants as requested. The amount also includes $236,107,000 for the State and Local Air Quality Management grant program, and the conferees direct EPA to allocate funds for this program using the same formula as fiscal year 2011.

Bill Language.—The bill includes modified language specifying amounts made available under the state revolving fund programs for additional subsidization, and amounts made available for the green infrastructure reserve in the Clean Water State Revolving Fund program. The bill does not provide the requested mandatory set-aside for green infrastructure projects within the Drinking Water State Revolving Fund program but does include language al-

lowing States to continue to fund these types of projects at their discretion.

ADMINISTRATIVE PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

The bill rescinds $50,000,000 from specific unobligated balances. Modified bill language has been included to provide specific wage rate requirements for the Clean Water and Drinking Water State Revolving funds.

Oil Spill Transfer Authority.—The bill includes modified transfer authority language that allows the Agency to meet its obligations to pay contractors responding to inland oil spills. The conferees have included this language for fiscal year 2012 only. The conferees strongly urge EPA, in conjunction with the Office of Management and Budget, to propose a more appropriate legislative fix if the Administration is unable to process routine transfers from the Oil Spill Trust Fund in a timely fashion. The conferees support the approach discussed in the House report to be a more permanent solution.

TITLE III—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

The bill provides $295,773,000 for Forest and Rangeland Research. The conferees also provide the following directions:

The agreement does not specify allocations for individual research facilities. The conferees encourage the Forest Products Laboratory, as part of the Department of Agriculture's effort to promote and use wood products as a green building material, to invest in wood products life cycle assessment research to improve our understanding of the environmental and economic implications of using wood in building construction.

The Forest Service is commended for its localized needs research and is directed to expand this research in support of project development on national forests. The Forest Service should prioritize research related to White Nose Syndrome as well as inventory and monitoring of bat resources on Forest Service lands. The Service is expected to continue ongoing urban natural resources stewardship research and should produce a joint report with the Department of Energy on the role that this work can play in helping reduce the urban heat island effect, as well as reduce the energy demand to cool buildings.

STATE AND PRIVATE FORESTRY

The bill provides $253,331,000 for State and Private Forestry. The conferees also provide the following directions:

Within six months of enactment of this Act, the Forest Service is directed to develop a process in consultation with State foresters

that considers State Assessments and Strategies in the annual budget for Cooperative Forestry Assistance Act (CFAA) programs, and to develop a process allowing State foresters flexibility, with appropriate accountability, to reallocate a percentage of authorizations for CFAA programs to address State priorities consistent with the State Assessments and Strategies.

Forest Legacy.—The bill provides $53,388,000 for the Forest Legacy program. This includes $6,628,000 for program administration, $2,500,000 for new State startups, and $44,260,000 for forest legacy projects. The Service should fund projects in priority order according to their competitively selected national priority list for fiscal year 2012.

NATIONAL FOREST SYSTEM

The bill provides $1,556,628,000 for the National Forest System. The agreement includes a proof of concept pilot for Integrated Resource Restoration (IRR). The conferees also provide the following directions:

Land Management Planning.—The bill provides $40,000,000 for land management planning. The agreement does not approve the consolidation of this line item with the Inventory and Monitoring line item. The Planning Rule should provide for a cost-effective and timely process for forest plan revisions.

Inventory and Monitoring.—The bill provides $161,980,000 for inventory and monitoring. The Forest Service is encouraged to allocate more funding towards monitoring of grazing allotments and work with State agencies, universities, professional societies and other USDA agencies, such as the Natural Resources Conservation Service, to efficiently and effectively increase allotment monitoring.

Recreation, Heritage, and Wilderness.—The bill provides $281,627,000 for recreation, heritage and wilderness programs. In place of House direction on the travel management rule, the Forest Service is encouraged to revise travel management plans where significant issues have arisen and resolve the Maintenance Level–3 road problem in Region 5. The agreement does not provide direction on the Wyoming Wilderness Act.

Grazing Management.—The bill provides $55,445,000 for the grazing management program. The conferees are concerned that the best science should be used in making decisions concerning grazing on the Dakota Prairie Grasslands. Currently, North Dakota State University is conducting research that should benefit the agency in making these determinations. The agency is strongly encouraged to work cooperatively with the university and utilize its research to the extent practicable, to better inform its grazing management decisions.

Forest Products.—The bill provides $336,049,000 for the forest products program. The Forest Service is directed to improve the health and resilience of national forests and through these efforts, work to achieve three billion board feet of timber sold. The conferees note that over the last ten years, the timber supply in Region 10 has been constrained to less than 10 percent of the allowable sale quantity in the current land management plan. The Forest Service is encouraged to prepare and offer, within three years, the four 10-year timber sales as previously indicated.

Vegetation and Watershed Management.—The bill provides $184,341,000 for vegetation and watershed management activities. The Service is strongly encouraged to provide sufficient resources for leafy spurge eradication.

Wildlife and Fish Habitat Management.—The bill provides $140,260,000 for wildlife and fish habitat management activities.

Collaborative Forest Landscape Restoration.—The bill provides $40,000,000 for the Collaborative Forest Landscape Restoration Fund.

Minerals and Geology Management.—The bill provides $83,560,000 for minerals and geology management activities.

The Service should implement the recommendations included in the report, "Assessing the Potential for Renewable Energy on National Forest System Lands" and initiate a planning process for a renewable energy development program and, where appropriate, apply guidelines already developed by the Bureau of Land Management.

Landownership Management.—The bill provides $85,875,000 for landownership management activities. In the case of any land exchange involving National Forest System land carried out directly or through a third-party, the Forest Service is directed to provide written notice of the proposed land exchange to each owner of non-Federal land adjoining a parcel of National Forest System land proposed for exchange and each owner of non-Federal land adjoining the non-Federal land proposed to be acquired in the exchange. The Secretary shall determine adjoining landowners using the most recent available tax records.

Integrated Resource Restoration.—The conferees have agreed to the House proposal to allow the Administration to conduct an Integrated Resource Restoration pilot in Regions 1, 3, and 4. Within 90 days of enactment of this Act, the Forest Service should present a plan and guidance to the pilot regions for measuring performance and accountability. The plan and guidance should ensure program transparency, monitoring, fair allocation of funding, a consistent approach across the three regions, and that restoration is the primary goal of any projects funded through the pilot. The plan should also include traditional measures, such as timber targets and acres treated, while also including new measures such as watershed condition framework.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

The bill provides $394,721,000 for capital improvement and maintenance programs offset by a $12,000,000 scoring credit related to the road and trail fund. The conferees also provide the following directions:

Facilities.—The bill provides $75,785,000 for facilities including $13,124,000 for construction and $62,661,000 for maintenance. For future year planning, the Forest Service should include both new construction and maintenance in its list of major facilities projects based on its facility master plans and the most efficient use of taxpayer dollars.

Roads.—The bill provides $182,818,000 for roads including $27,327,000 for construction and $155,491,000 for maintenance.

Trails.—The bill provides $81,982,000 for trails including $63,422,000 for maintenance and $18,560,000 for construction.

Legacy Roads.—The bill provides $45,000,000 for the legacy roads and trails program. The agreement retains this program within Capital Improvement and Maintenance. The Forest Service should report on the jobs associated with this program and publicly post this information.

Back-country airstrips.—In place of the reporting requirements in the House Report for back-country airstrips, within one year after the date of enactment of this Act, the Forest Service is directed to provide the Committees with a general assessment of back-country airstrips on National Forest System lands with recommendations for improving their function as an important component of the forest transportation and recreation system.

Bill Language.—The bill includes language allowing the transfer of funding from Capital Improvement and Maintenance to the National Forest System for the Integrated Resource Restoration pilot.

LAND ACQUISITION

The bill provides $52,605,000 for Land Acquisition, of which $7,500,000 is for acquisition management; $3,500,000 is for critical inholdings/cash equalization; and $41,605,000 is for acquisitions.

This amount will fully fund projects 1 through 30 as prioritized by the Service pursuant to the Administration's revised request list provided to the Committees on August 26, 2011. Requests for reprogramming will be considered pursuant to the guidelines in the front of this statement.

The conferees direct the Forest Service to use inholding funding to acquire high priority lands within Federal boundaries that maximize benefits to the public through consolidated Federal ownership that provides access, creates management efficiencies, or protects critical resources.

The Secretary of Agriculture is directed to submit a report to the Committees on Appropriations within 90 days of enactment of this Act describing current negotiations between the Forest Service and private landowners for projects receiving prior year and current appropriations within the Tongass National Forest, including the overall scope and timing of these acquisitions.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

The bill provides $955,000 for the Acquisition of Lands for National Forests Special Acts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

The bill provides $227,000 for the Acquisition of Lands to Complete Land Exchanges.

RANGE BETTERMENT FUND

The bill provides $3,262,000 for the Range Betterment Fund.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

The bill provides $45,000 for Gifts, Donations and Bequests for Forest and Rangeland Research.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

The bill provides $2,577,000 for the Management of National Forest Lands for Subsistence Uses.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

The bill provides $1,737,631,000 for Forest Service Wildland Fire Management. In addition to the funding provided, the Forest Service is directed to use $240,000,000 in carryover emergency fire suppression funds before obligating fiscal year 2012 suppression funds. The amount provided, combined with $315,886,000 in the FLAME Wildfire Suppression Reserve Fund, fully funds the Forest Service's 10-year average expenditures for fire suppression. The conferees also provide the following directions:

The Forest Service should complete a plan to replace the aging fleet of federal air tankers as soon as possible. While the Forest Service and others have produced study after study on the critical shortage of firefighting aircraft, there has been a complete lack of substantive progress this year. The Service must work more closely with the Department of the Interior in developing the strategy for replacing the current air tanker fleet.

Hazardous Fuels.—The bill provides $317,584,000 for hazardous fuels activities. The Forest Service is directed to remove the requirement that seventy-five percent of hazardous fuels funding be spent in the Wildland Urban Interface and instead the conferees direct hazardous fuels funding be spent on the highest priority projects in the highest priority areas.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

The bill provides $315,886,000 for the FLAME Wildfire Suppression Reserve Fund.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

The bill includes administrative provisions similar to previous years.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

The bill provides $3,872,377,000 for Indian Health Services. Of the amount requested for current services, the conferees have included $56,019,000 above the fiscal year 2011 enacted level, which

covers the cost of staffing new facilities. Program increases above the fiscal year 2011 enacted level include $12,000,000 for the Indian Health Care Improvement Fund; $3,400,000 for Health IT Security; $65,000,000 for Contract Health Services; $3,185,000 for Direct Operations; and $74,500,000 for Contract Support Costs. In agreement with the request, a reduction of $7,000,000 has been assumed from savings in grant programs. The conferees direct the Service to meet its annual Contract Support Costs reporting requirement due date, and to provide the Committees with current Contract Support Costs estimates in conjunction with its annual budget submission.

The Service is directed to update the Committees at least annually on the progress of the Early Childhood Caries initiative and the ability of the Service to meet its goals in the allowed time frame. The conferees note that the Service has already complied with the request contained in the House report to provide a detailed schedule for implementation of the Electronic Dental Record system.

Within the overall amount identified in the "Indian Health Services" account for the staffing of new facilities, funds are directed to the following projects, as requested in the President's budget request: $1,809,000 for the Carl Albert Hospital replacement, Ada, Oklahoma; $783,000 for the Lake County Tribal Health Center, Lakeport, California; $6,294,000 for the Elbowoods Health Center, New Town, North Dakota; $21,185,000 for the Cheyenne River Health Center, Eagle Butte, South Dakota; $8,226,000 for the Absentee Shawnee Health Center, Little Axe, Oklahoma; $7,879,000 for the Cherokee Nation Vinita Health Center, Vinita, Oklahoma; and $9,843,000 for joint venture projects. This distribution is in agreement with the budget estimate as it has been revised to reflect distributions made under the fiscal year 2011 operating plan, which was not available at the time the Service's request was submitted to Congress.

The conferees understand that a number of joint venture construction projects are nearing completion and will require support for the staffing of these new facilities. The Service is urged to request sufficient funding in future budgets to fulfill its obligations to participating tribes in the joint venture program.

Within the Indian Health Professions activity, the conferees have continued support for the Recruitment/Retention of American Indians into Nursing program; the Indians into Psychology program; and the Indians into Medicine program.

INDIAN HEALTH FACILITIES

The bill provides $441,052,000 for Indian Health Facilities. Of the amount requested for current services, the conferees have included $7,032,000 above the fiscal year 2011 enacted level, which covers the cost of staffing new facilities. Program changes to the fiscal year 2011 enacted level include a decrease of $15,955,000 from Sanitation Facilities Construction, as requested, and an increase of $46,028,000 for Health Care Facilities Construction.

Within the overall amount identified in the "Facilities Services" account for the staffing of new facilities, funds are directed to the following projects, as requested in the President's budget re-

quest: $678,000 for the Carl Albert Hospital replacement, Ada, Oklahoma; $305,000 for the Lake County Tribal Health Center, Lakeport, California; $1,021,000 for the Elbowoods Health Center, New Town, North Dakota; $3,487,000 for the Cheyenne River Health Center, Eagle Butte, South Dakota; $755,000 for the Absentee Shawnee Health Center, Little Axe, Oklahoma; and $786,000 for the Cherokee Nation Vinita Health Center, Vinita, Oklahoma.

The amount provided for health care facilities construction includes, as requested in the President's budget request: $62,184,000 to complete the Barrow Hospital, Barrow, Alaska; $10,000,000 for the Kayenta Health Center, Kayenta, Arizona; $10,000,000 for the San Carlos Health Center, San Carlos, Arizona; $2,000,000 for the Southern California Youth Regional Treatment Center, Hemet, California; and $1,000,000 to complete a feasibility report on the use of modular construction for health facilities.

The conferees are concerned about the large unobligated balances in the "Indian Health Services" and the "Indian Health Facilities" accounts. The conferees direct the Service to review the programs that have carried high unobligated balances in recent years and provide a detailed report to the Committees within 90 days of enactment of this Act on the causes for these unobligated balances and present a plan for reducing them.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The bill provides $79,054,000 for the National Institute of Environmental Health Sciences.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

The bill provides $76,337,000 for the Agency for Toxic Substances and Disease Registry. Within the funds provided, $2,000,000 has been included as requested to continue the important epidemiological studies of health conditions caused by exposures to uranium released from mining and milling operations in the Navajo Nation.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

The bill provides $3,153,000 for the Council on Environmental Quality and Office of Environmental Quality.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

The bill provides $11,147,000 for the Chemical Safety and Hazard Investigation Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

The bill provides $7,750,000 for the Office of Navajo and Hopi Indian Relocation, Salaries and Expenses.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

The bill provides $8,533,000 for the Institute of American Indian and Alaska Native Culture and Arts Development.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

The bill provides a total of $811,530,000 for all Smithsonian Institution accounts, of which $636,530,000 is provided for salaries and expenses. The conferees encourage collaborative efforts between the Smithsonian Institution and regional and rural museums that facilitate greater access to the Smithsonian's virtual collections such as that of the Museum of Natural History. The conferees support the joint venture between the Library of Congress and the Smithsonian Institution creating a comprehensive compilation of personal histories and testimonials of individuals who participated in the Civil Rights movement. The conferees remain committed to the preservation of priceless, irreplaceable Smithsonian Institution collections and direct the Smithsonian to take steps toward implementing the recommendations of a recently completed audit by the Smithsonian's Office of Inspector General (OIG) on collections stewardship at the National Museum of American History. The conferees also support the decision by the OIG to use the Institution's Strategic Plan as a standard by which to measure the Institution's performance in its proposed audits and reviews. The Smithsonian Institution is directed to work with the Committees to standardize its annual budget submission justifications and supporting materials.

FACILITIES CAPITAL

The bill provides $175,000,000 for the Facilities Capital account of which $75,000,000 is to complete the design and begin the construction of the National Museum of African American History and Culture (NMAAHC). Bill language is included providing that a future procurement for construction of the NMAAHC may include the full scope of the project, but that any contract for such procurement must contain a clause clarifying that any payment under the contract will be subject to the availability of funds. The Smithsonian is directed to devote remaining Facilities Capital funds to the highest and best uses on a priority basis and clearly articulate in future budget submissions specific funding needs in priority order for all Facilities Capital program initiatives.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

The bill provides $114,066,000 for the Salaries and Expenses account of the National Gallery of Art of which not to exceed $3,481,000 is for the special exhibition program.

REPAIR, RESTORATION, AND RENOVATION OF BUILDINGS

The bill provides $14,516,000 for the Repair, Restoration, and Renovation of Buildings account. Bill language is included providing the Gallery with the authority to enter into operating lease agreements of no more than 10 years, with no extensions or renewals, in order to address space needs created by ongoing renovations in the Master Facilities Plan.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

The bill provides $23,200,000 for the Operations and Maintenance account.

CAPITAL REPAIR AND RESTORATION

The bill provides $13,650,000 for the Capital Repair and Restoration account.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

The bill provides $11,005,000 for the Woodrow Wilson International Center for Scholars.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

The bill provides $146,255,000 for the National Endowment for the Arts (NEA). The conferees agree that initiatives begun in prior years, such as the *Big Read and Shakespeare in American Communities,* are programs of demonstrated worth that reach a broad geographic audience. The Endowment is urged to maintain these grants at an appropriate funding level to allow a vibrant, competitive program to be maintained.

The conferees understand that the proposal included in the budget request to eliminate the National Heritage Fellowship program and the American Jazz Masters Fellowship program was reconsidered by the Endowment and subsequently withdrawn. The conferees support this decision and expect the Endowment to continue its annual recognition of individuals with outstanding achievements in these disciplines in a similar manner to past years. The conferees disagree with the proposal to exempt funds for the "Our Town" initiative from the overall calculation for providing base funding to State arts agencies and direct that funds be distributed based on the longstanding agreement that States receive

40 percent of all appropriated grant funds. Reforms originally instituted by the Committees more than a decade ago relating to program priorities and grant guidelines are fully restated in Sections 418 and 419. These reforms maintain broad bipartisan support and the conferees expect the NEA to adhere to them fully. Further, the conferees encourage the Administration and the appropriate committees of jurisdiction in Congress to address the vacancies on the National Council on the Arts in a timelier manner than has been the case to date.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

The bill provides $146,255,000 for the National Endowment for the Humanities (NEH). The conferees urge the NEH to provide no less than 40 percent of program funds to support the critical work of state humanities councils. The conferees support the Endowment's efforts to encourage a better understanding of our Nation's history and the democratic principles upon which it was founded by supporting grants for the teaching and study of American history. The conferees, therefore, have included $3,000,000 for the longstanding, successful *We the People* initiative. The NEH is encouraged to include Native American communities in the *Bridging Cultures* initiative and to work with tribes in the preservation of Native American languages through the Documenting Endangered Languages grant program.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

The bill provides $2,400,000 for the Commission of Fine Arts.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

The bill provides $2,000,000 for the National Capital Arts and Cultural Affairs program. Language has been included in the bill amending the program's underlying authorization to ensure that all grantees meet the program's eligibility requirements.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

The bill provides $6,108,000 for the Advisory Council on Historic Preservation.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

The bill provides $8,154,000 for the National Capital Planning Commission.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

The bill provides $50,798,000 for the United States Holocaust Memorial Museum. The conferees concur with the Museum's proposal to re-designate its exhibition fund as an outreach initiatives fund to broaden access to historic material, enhance its website, and provide a larger public education component.

PRESIDIO TRUST

PRESIDIO TRUST FUND

The bill provides $12,000,000 for the Presidio Trust Fund.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

The bill provides $2,000,000 for the Salaries and Expenses account.

CAPITAL CONSTRUCTION

The bill provides $30,990,000 for Capital Construction. Bill language has been included authorizing the contracting officer to procure construction services as long as such contracts are contingent upon the availability of funds, and authorizes the Commission to proceed with the construction process despite not having full funding in place.

TITLE IV—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

The conferees have included various legislative provisions in Title IV of the bill. A number of these provisions have been carried in previous years and others are newly proposed this year. The provisions are:

Section 401 continues a provision providing for public availability of information on consulting service contracts.

Section 402 continues a provision providing that appropriations available in the bill shall not be used to produce literature or otherwise promote public support of a legislative proposal on which legislative action is not complete.

Section 403 continues a provision providing for annual appropriations unless expressly provided otherwise in this Act.

Section 404 continues a provision limiting the use of personal cooks, chauffeurs or servants.

Section 405 continues a provision providing restrictions on departmental assessments unless approved by the Committees on Appropriations.

Section 406 continues a provision limiting the actions of the Forest Service and the Bureau of Land Management with regard to the sale of giant sequoia trees to a manner consistent with such sales as were conducted in fiscal year 2011.

Section 407 continues a limitation on accepting and processing applications for patents and on the patenting of Federal lands.

Section 408 continues a provision regarding the payment of contract support costs.

Section 409 continues a provision providing that the Secretary of Agriculture shall not be considered in violation of certain provisions of the Forest and Rangeland Renewable Resources Planning Act solely because more than 15 years have passed without revision of a forest plan, provided that the Secretary is working in good faith to complete the plan revision.

Section 410 continues a provision limiting preleasing, leasing, and related activities within the boundaries of National Monuments.

Section 411 modifies a provision authorizing the Secretary of the Interior and the Secretary of Agriculture to enter into reciprocal agreements with foreign wildfire suppression organizations.

Section 412 continues a provision through fiscal year 2013 authorizing the Secretary of the Interior and the Secretary of Agriculture to consider local contractors when awarding contracts for certain activities on public lands.

Section 413 restricts funding appropriated for acquisition of land or interests in land from being used for declarations of taking or complaints in condemnation.

Section 414 continues a provision making Alaska red cedar timber available to domestic mills.

Section 415 extends certain authorities through fiscal year 2013 allowing the Forest Service and Department of the Interior to renew grazing permits.

Section 416 continues a provision which prohibits no-bid contracts.

Section 417 continues a provision which requires public disclosure of certain reports.

Section 418 continues a provision which delineates the grant guidelines for the National Endowment for the Arts.

Section 419 continues a provision which delineates the program priorities for the programs managed by the National Endowment for the Arts.

Section 420 amends existing law to allow for the use of certain competitive grant funds.

Section 421 extends authorities from the Forest Service Realignment and Enhancement Act of 2005 through 2016.

Section 422 makes permanent authorities made available to the Secretary of the Interior and the Chief of the Forest Service to conduct joint programs to promote customer service and efficiency.

Section 423 retains a provision allowing the State of Utah, through contracts or cooperative agreements with the Forest Service, to perform certain activities on Forest Service lands through fiscal year 2013.

Section 424 requires the Department of the Interior, EPA, Forest Service and Indian Health Service to provide the Committees on Appropriations quarterly reports on the status of balances of appropriations.

Section 425 requires the President to submit a report to the Committees on Appropriations no later than 120 days after submission of the fiscal year 2013 budget request describing Federal agen-

cy obligations and expenditures for climate change programs in fiscal year 2011.

Section 426 continues a provision prohibiting the use of funds to promulgate or implement any regulation requiring the issuance of permits under Title V of the Clean Air Act for carbon dioxide, nitrous oxide, water vapor, or methane emissions.

Section 427 continues a provision prohibiting the use of funds to implement any provision in a rule if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

Section 428 provides the Forest Service the authority to use a pre-decisional objection process in place of post-decisional appeals.

Section 429 clarifies Silvicultural Operations under the Federal Water Pollution Control Act.

Section 430 modifies claim maintenance fees for placer claims held by two or more persons known as association placer claims.

Section 431 addresses the management of domestic sheep and bighorn sheep on Federal lands.

Section 432 addresses the issuance of air quality permits in the Outer Continental Shelf.

Section 433 prohibits funds from being used to enter into contracts or agreements with any corporation where the agency is aware of a conviction of a felony under any Federal law within the preceding 24 months.

Section 434 prohibits funds for contacts or agreements with any corporation where the agency is aware of any unpaid Federal tax liability that is not being paid in a timely manner pursuant to a payment agreement.

Section 435 continues current authorities for operations of Indian Health Service programs in Alaska.

Section 436 includes an across the board rescission of 0.16 percent. This reduction shall be applied to each program, project, and activity, except for Miscellaneous Payments to Indians, which has a different application of the rescission as specified in the statutory language. The bill also requires the Office of Management and Budget to submit a report within 30 days specifying the account and amount of each rescission.

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
TITLE I - DEPARTMENT OF THE INTERIOR			
BUREAU OF LAND MANAGEMENT			
Management of Lands and Resources			
Land Resources:			
Soil, water and air management	62,989	46,303	46,303
Range management	76,915	71,603	87,532
Forestry management	9,945	9,730	9,730
Riparian management	22,805	23,052	22,718
Cultural resources management	16,816	25,614	16,131
Wild horse and burro management	75,753	75,008	75,008
Subtotal	265,223	251,310	257,422
Wildlife and Fisheries:			
Wildlife management	37,430	36,973	36,973
Fisheries management	13,599	13,354	13,354
Subtotal	51,029	50,327	50,327
Threatened and endangered species	22,159	21,668	21,668
Recreation Management:			
Wilderness management	19,664	19,587	18,421
Recreation resources management	49,153	57,170	49,153
Subtotal	68,817	76,757	67,574
Energy and Minerals:			
Oil and gas	70,130	39,632	72,582
Oil and gas permit processing fund	45,500	32,500	32,500
(Pilot offices, Sec. 365, permit processing fund)	(21,000)	(20,973)	(20,973)
Subtotal, Oil and gas/permit processing fund	115,630	72,132	105,082
Oil and gas offsetting permit processing fees	-45,500	-32,500	-32,500
Inspection fees	---	37,950	---
Offsetting collections, inspection fees	---	-37,950	---
Coal management	9,724	7,054	7,054
Other mineral resources	10,597	8,415	8,415
Renewable energy	---	19,735	19,735
Subtotal, Energy and minerals	90,451	74,836	107,786
Realty and Ownership Management:			
Alaska conveyance	29,108	16,622	29,108
Cadastral survey	12,392	12,015	12,015
Land and realty management	56,400	32,657	32,657
Subtotal	97,900	61,294	73,780
Resource Protection and Maintenance:			
Resource management planning	42,426	40,621	38,121
Abandoned mine lands	---	19,851	19,851
Resource protection and law enforcement	27,685	27,067	27,067
Hazardous materials management	17,028	16,668	16,668
Subtotal	87,139	104,207	101,707

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Transportation and Facilities Maintenance:			
Operations	6,047	---	---
Annual maintenance	31,879	41,226	41,226
Deferred maintenance	34,429	30,008	30,008
Subtotal	72,355	71,234	71,234
Land and resources information systems	16,697	15,852	15,852
Workforce and Organizational Support:			
Information systems operations	15,343	14,697	14,697
Administrative support	50,287	49,209	49,209
Bureauwide fixed costs	91,307	93,576	91,307
Subtotal	156,937	157,482	155,213
Challenge cost share	1,202	9,467	7,467
National landscape conservation system, base program	31,870	39,345	31,870
(National landscape conservation system,total program)	(74,635)	---	---
Subtotal, Management of lands and resources	961,779	933,779	961,900
Mining Law Administration:			
Administration	36,696	39,696	39,696
Offsetting collections	-47,696	-54,000	-54,000
Subtotal, Mining Law Administration	-11,000	-14,304	-14,304
Total, Management of lands and resources	950,779	919,475	947,596
Construction			
Appropriation	4,617	3,576	3,576
Land Acquisition			
Land Acquisition	18,584	46,620	19,000
Inholding, emergency, and hardship	1,497	1,500	1,500
Acquisition management	1,875	1,880	1,880
Total, Land acquisition	21,956	50,000	22,380
Oregon and California Grant Lands			
Western Oregon resources management	96,929	98,056	98,056
Western Oregon information and resource data systems	2,124	1,926	1,926
Western Oregon transportation & facilities maintenance	11,136	11,002	11,002
Western Oregon construction and acquisition	314	310	310
Western Oregon national monument	831	749	749
Total, Oregon and California grant lands	111,334	112,043	112,043
Range Improvements			
Improvements to public lands	7,873	7,873	7,873
Farm Tenant Act lands	1,527	1,527	1,527
Administrative expenses	600	600	600
Total, Range improvements	10,000	10,000	10,000

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Service Charges, Deposits, and Forfeitures			
Rights-of-way processing	16,400	16,400	16,400
Energy and minerals cost recovery	2,600	7,300	7,300
Recreation cost recovery	1,000	1,500	1,500
Adopt-a-horse program	500	450	450
Repair of damaged lands	5,600	3,100	3,100
Cost recoverable realty cases	900	900	900
Timber purchaser expenses	100	50	50
Commercial film and photography fees	200	200	200
Copy fees	2,000	1,100	1,100
Trans Alaska pipeline	4,000	1,125	1,125
Subtotal (gross)	33,300	32,125	32,125
Offsetting fees	-33,300	-32,125	-32,125
Total, Service Charges, Deposits & Forfeitures	---	---	---
Miscellaneous Trust Funds and Permanent Operating Funds			
Current appropriations	15,200	19,700	19,700
TOTAL, BUREAU OF LAND MANAGEMENT	1,113,886	1,114,794	1,115,295
(Mandatory)	(25,200)	(29,700)	(29,700)
(Discretionary)	(1,088,686)	(1,085,094)	(1,085,595)
UNITED STATES FISH AND WILDLIFE SERVICE			
Resource Management			
Ecological Services:			
Endangered species:			
Candidate conservation	11,448	11,426	11,355
Listing and critical habitat	20,902	24,644	20,902
Consultation and HCPs	61,877	62,888	61,041
Recovery	81,219	83,692	82,939
Subtotal, Endangered species	175,446	182,650	176,237
Habitat conservation:			
Partners for fish and wildlife	55,304	59,400	54,856
Conservation planning assistance	36,791	38,368	35,837
Coastal programs	15,137	15,436	14,894
National wetlands inventory	5,292	5,238	5,227
Subtotal, Habitat conservation	112,524	118,442	110,814
Environmental contaminants	13,316	13,825	13,149
Subtotal, Ecological services	301,286	314,917	300,200

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
National Wildlife Refuge System:			
Wildlife and habitat management	226,963	240,241	223,797
Visitor services	75,631	77,621	74,344
Refuge law enforcement	38,071	37,558	37,433
Conservation planning	11,862	8,283	11,723
Refuge maintenance	139,532	139,172	139,172
Subtotal	492,059	502,875	486,469
Migratory Birds, Law Enforcement & International Conservation:			
Migratory bird management	52,175	54,423	51,535
Law enforcement	62,930	62,634	62,243
International affairs	13,119	12,991	12,991
Subtotal	128,224	130,048	126,769
Fisheries and Aquatic Resource Conservation:			
National fish hatchery system operations	48,856	42,761	46,149
Maintenance and equipment	18,180	18,060	18,060
Aquatic habitat and species conservation	71,903	75,191	71,325
Subtotal	138,939	136,012	135,534
Cooperative landscape conservation & adaptive science:			
Cooperative landscape conservation	14,727	20,247	15,500
Adaptive science	16,243	17,236	16,750
Subtotal	30,970	37,483	32,250
General Operations:			
Central office operations	42,720	39,941	38,667
Regional office operations	42,836	42,299	41,017
Servicewide bill paying	36,360	36,097	36,097
National Fish and Wildlife Foundation	7,537	8,537	7,537
National Conservation Training Center	23,930	23,658	23,602
Subtotal	153,383	150,532	146,920
Total, Resource Management	1,244,861	1,271,867	1,228,142
Construction			
Construction and rehabilitation:			
Line item construction projects	9,810	12,149	12,149
Bridge and dam safety programs	1,851	1,855	1,855
Nationwide engineering service	9,143	9,084	9,084
Total, Construction	20,804	23,088	23,088
Land Acquisition			
Acquisitions	35,374	108,990	30,165
Highlands Conservation Act	---	5,000	5,000
Inholdings/emergencies and hardships	4,990	5,000	4,500
Exchanges	1,996	2,000	2,500
Acquisition management	10,534	13,570	10,555
User pay cost share	1,996	2,000	2,000
Refuge land protection planning	---	3,440	---
Total, Land acquisition	54,890	140,000	54,720

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Landowner Incentive Program			
Rescission of prior year balances	-4,941	---	---
Cooperative Endangered Species Conservation Fund			
Grants and administration:			
Conservation grants	11,101	17,000	10,546
HCP assistance grants	10,000	13,500	9,500
Snake River Water Rights Act of 2004	4,987	---	---
Administration	2,854	3,354	2,711
Subtotal, Grants and administration	28,942	33,854	22,757
Land acquisition:			
Species recovery land acquisition	11,000	19,646	10,000
HCP land acquisition grants to states	19,938	46,500	15,000
Subtotal, Land acquisition	30,938	66,146	25,000
Total, Cooperative Endangered Species Conservation Fund	59,880	100,000	47,757
National Wildlife Refuge Fund			
Payments in lieu of taxes	14,471	---	13,980
North American Wetlands Conservation Fund			
North American Wetlands Conservation Fund	37,425	50,000	35,554
Neotropical Migratory Bird Conservation Fund			
Migratory bird grants	3,992	5,000	3,792
Multinational Species Conservation Fund			
African elephant conservation fund	1,735	1,950	1,648
Rhinoceros and tiger conservation fund	2,604	2,450	2,474
Asian elephant conservation fund	1,735	1,950	1,648
Great ape conservation fund	2,170	1,950	2,062
Marine turtle conservation fund	1,736	1,450	1,649
Total, Multinational Species Conservation Fund	9,980	9,750	9,481
State and Tribal Wildlife Grants			
State wildlife grants (formula)	49,900	67,000	51,405
State wildlife grants (competitive)	4,990	20,000	5,741
Tribal wildlife grants	6,986	8,000	4,275
Total, State and tribal wildlife grants	61,876	95,000	61,421
TOTAL, U.S. FISH AND WILDLIFE SERVICE	1,503,238	1,694,705	1,477,935

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
NATIONAL PARK SERVICE			
Operation of the National Park System			
Park Management:			
Resource stewardship	343,640	356,276	339,605
Visitor services	239,817	251,299	240,817
Park protection	362,143	364,895	359,069
Facility operations and maintenance	695,020	706,538	691,020
Park support	442,967	448,679	440,451
Subtotal	2,083,587	2,127,687	2,070,962
External administrative costs	166,463	169,190	169,190
Total, Operation of the National Park System	2,250,050	2,296,877	2,240,152
National Recreation and Preservation			
Recreation programs	587	585	585
Natural programs	11,172	13,376	13,376
Cultural programs	24,882	24,804	24,804
International park affairs	1,646	1,638	1,638
Environmental and compliance review	433	431	431
Grant administration	1,749	1,740	1,740
Heritage Partnership Programs	17,401	8,993	17,401
Total, National Recreation and Preservation	57,870	51,567	59,975
Historic Preservation Fund			
State historic preservation offices	46,407	50,000	47,000
Tribal grants	7,984	11,000	9,000
Total, Historic Preservation Fund	54,391	61,000	56,000
Construction			
General Program:			
Line item construction and maintenance	121,159	70,347	77,847
Emergency and unscheduled	3,853	3,861	3,861
Housing	4,955	2,965	2,965
Dam safety	2,495	1,250	1,250
Equipment replacement	13,723	13,750	13,750
Planning, construction	10,104	7,712	7,712
Construction program management	38,527	37,590	37,590
General management plans	14,830	14,646	14,646
Rescission of prior year balances	-25,000	---	-4,000
Total, Construction	184,646	152,121	155,621
Land and Water Conservation Fund (rescission of contract authority)	-30,000	-30,000	-30,000

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Land Acquisition and State Assistance			
Assistance to States:			
State conservation grants (formula)	37,126	78,000	42,206
State conservation grants (competitive)	---	117,000	---
Administrative expenses	2,794	5,000	2,794
Subtotal	39,920	200,000	45,000
National Park Service:			
Acquisitions	32,767	109,000	30,560
American Battlefield Protection Program	8,982	10,000	9,000
Emergencies and hardships	1,007	12,000	3,000
Acquisition management	7,134	12,000	9,500
Inholdings, donations, and exchanges	5,000	17,000	5,000
Subtotal	54,890	160,000	57,060
Total, Land Acquisition and State Assistance	94,810	360,000	102,060
Rescission	-625	---	---
TOTAL, NATIONAL PARK SERVICE	2,611,142	2,891,565	2,583,808
UNITED STATES GEOLOGICAL SURVEY			
Surveys, Investigations, and Research			
Ecosystems:			
Status and trends	22,403	22,079	22,034
Fisheries: Aquatic and endangered resources	23,694	22,660	22,612
Wildlife: Terrestrial and endangered resources	49,078	48,544	48,246
Terrestrial, Freshwater and marine environments	35,763	40,230	36,794
Invasive species	10,795	14,086	13,064
Cooperative research units	19,104	18,824	18,786
Total, Ecosystems	160,837	166,423	161,536
Climate and Land Use Change:			
Climate variability:			
Climate science centers	20,921	25,573	25,531
Research and development	28,468	24,141	22,084
Carbon sequestration	9,955	14,345	9,000
Science support for DOI bureaus	4,990	8,860	2,400
Subtotal	64,334	72,919	59,015
Land Use Change:			
Land remote sensing	62,387	21,975	73,817
Geographic analysis and monitoring	11,420	11,511	11,488
Subtotal	73,807	33,486	85,305
Total, Climate and Land Use Change	138,141	106,405	144,320

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Energy, Minerals, and Environmental Health:			
Minerals resources	52,168	44,164	49,310
Energy resources	27,750	27,392	27,336
Contaminant biology	9,216	8,695	9,077
Toxic substances hydrology	10,778	8,267	10,645
Total, Energy, Minerals, and Env Health	99,912	88,518	96,368
Natural Hazards:			
Earthquake hazards	55,979	52,326	55,214
Volcano hazards	24,464	23,359	24,810
Landslide hazards	3,318	3,278	3,271
Global seismographic network	5,379	5,332	5,321
Geomagnetism	2,097	2,073	2,069
Coastal and marine geology	44,728	47,501	44,011
Total, Natural Hazards	135,965	133,869	134,696
Water Resources:			
Groundwater resources	8,481	6,947	8,930
National water quality assessment	64,234	57,540	63,010
National streamflow information program	27,100	26,913	29,405
Hydrologic research and development	11,932	12,008	11,684
Hydrologic networks and analysis	30,719	33,940	31,379
Cooperative Water Program	63,471	62,252	64,088
Water Resources Research Act Program	6,486	---	6,500
Total, Water Resources	212,423	199,600	214,996
Core Science Systems:			
Biological information management and delivery	18,563	15,113	15,076
Nat'l Geological & Geophysical Data Pres Program	998	---	998
National cooperative geological mapping	27,712	25,397	26,342
National Geospatial Program	65,755	65,365	64,433
Total, Core Science Systems	113,028	105,875	106,849
Administration and Enterprise Information:			
Science support	77,229	79,620	73,545
Security and technology	23,430	21,072	21,025
Information resources	17,988	15,863	15,827
Total, Admin and Enterprise Information	118,647	116,555	110,397
Facilities:			
Rental payments and operations & maintenance	97,427	93,485	93,290
Deferred maintenance and capital improvement	7,292	4,807	7,292
Construction	---	2,500	---
Total, Facilities	104,719	100,792	100,582
Total, Surveys, Investigations, and Research	1,083,672	1,018,037	1,069,744
National Land Imaging			
National land imaging	---	99,817	---
TOTAL, UNITED STATES GEOLOGICAL SURVEY	1,083,672	1,117,854	1,069,744

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
BUREAU OF OCEAN ENERGY MANAGEMENT			
Ocean Energy Management			
Renewable energy	---	---	22,697
Conventional energy	---	---	47,283
Environmental assessment	---	---	62,041
General support services	---	---	12,791
Executive direction	---	---	16,062
Subtotal	---	---	160,874
(BOEMRE subtotal)	---	(160,874)	---
Offsetting rental receipts	---	---	-98,993
Cost recovery fees	---	---	-2,089
(BOEMRE rental receipts)	---	(-98,993)	---
(BOEMRE cost recovery fees)	---	(-2,089)	---
TOTAL, BUREAU OF OCEAN ENERGY MANAGEMENT	---	---	59,792
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT			
Offshore Safety and Environmental Enforcement			
Environmental enforcement	---	---	4,110
Operations, safety and regulation	---	---	132,139
Administrative operations	---	---	15,553
General support services	---	---	12,613
Executive direction	---	---	18,139
Subtotal	---	---	182,554
(BOEMRE subtotal)	---	(182,554)	(182,554)
Offsetting rental receipts	---	---	-52,587
Inspection fees	---	---	-62,000
Cost recovery fees	---	---	-6,494
Subtotal	---	---	61,473
(BOEMRE inspection fees)	---	(-62,000)	---
(BOEMRE cost recovery fees)	---	(-6,494)	---
Total, Offshore Safety and Environmental Enforcement	---	---	61,473
Oil Spill Research			
Oil spill research	---	---	14,923
TOTAL, BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT	---	---	76,396

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
BUREAU OF OCEAN ENERGY MANAGMENT REGULATION AND ENFORCEMENT			
Ocean Energy Management			
Offshore Energy and Minerals Management:			
Renewable energy	23,192	23,073	---
Leasing and environmental program	65,352	75,410	---
Resource evaluation	35,057	34,733	---
Regulatory program	88,368	143,319	---
Information management program	20,484	20,468	---
Subtotal	232,453	297,003	---
Royalty Management:*			
Compliance and asset management	67,559	---	---
Revenue and operations	41,805	---	---
Subtotal	109,364	---	---
*now ONRR under Office of the Secretary			
General Administration:			
Executive direction	5,751	3,040	---
Policy and management improvement	5,441	10,039	---
Administrative operations	21,215	12,324	---
General support services	29,665	21,022	---
Subtotal	62,072	46,425	---
Total (gross)	403,889	343,428	---
Use of receipts and cost recovery fees	-154,890	-160,163	---
Inspection fees	-10,000	-62,000	---
Total, Ocean Energy Management	238,999	121,265	---
Oil Spill Research			
Oil spill research	11,744	14,923	---
Subtotal, Bureau of Ocean Energy Management Regulation, and Enforcement	250,743	136,188	---
OCS Connect (rescission)(Sec. 128, P.L. 111-242)	-25,000	---	---
TOTAL, BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION, AND ENFORCEMENT	225,743	136,188	---
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT			
Regulation and Technology			
Environmental restoration	161	---	---
Environmental protection	94,578	87,438	92,019
Technology development and transfer	15,455	14,478	14,478

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Financial management	513	506	506
Executive direction	16,219	15,947	15,947
Civil penalties	100	100	100
Total, Regulation and Technology	127,026	118,469	123,050
Abandoned Mine Reclamation Fund			
Environmental restoration	15,015	9,495	9,495
Technology development and transfer	5,751	3,550	3,550
Financial management	6,443	6,406	6,406
Executive direction	8,308	7,992	7,992
Total, Abandoned Mine Reclamation Fund	35,517	27,443	27,443
TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT	162,543	145,912	150,493
BUREAU OF INDIAN AFFAIRS			
Operation of Indian Programs			
Tribal Government:			
Aid to tribal government	31,886	30,541	30,541
Consolidated tribal government program	71,710	76,520	76,520
Self governance compacts	148,951	155,084	155,084
Contract support	219,560	195,490	219,560
Indian self determination fund	1,996	2,000	2,000
New tribes	310	315	315
Small and needy tribes	---	2,950	1,950
Road maintenance	26,390	25,431	25,431
Tribal government program oversight	8,786	8,762	8,762
Subtotal	509,589	497,093	520,163
Human Services:			
Social services	33,879	35,627	34,379
Welfare assistance	74,761	74,911	74,911
Indian child welfare act	11,053	10,867	10,867
Housing improvement program	12,598	12,619	12,619
Human services tribal design	430	430	430
Human services program oversight	3,900	3,373	3,373
Subtotal	136,621	137,827	136,579
Trust - Natural Resources Management:			
Natural resources, general	4,547	5,124	5,124
Irrigation operations and maintenance	11,910	11,939	11,939
Rights protection implementation	28,442	29,602	29,022
Tribal management/development program	6,782	8,651	7,717
Endangered species	1,248	1,247	1,247
Integrated resource information program	2,105	2,109	2,109
Cooperative landscape conservation	419	200	200
Agriculture and range	28,863	28,883	28,883
Forestry	43,644	44,195	43,644
Water resources	10,150	10,839	10,150
Fish, wildlife and parks	11,340	13,342	11,340
Resource management program oversight	6,632	6,121	6,121
Subtotal	156,082	162,252	157,496

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Trust - Real Estate Services	145,821	125,457	126,963
Education:			
Elementary and secondary programs (forward funded)	520,048	526,117	523,083
(Tribal grant support costs)	(46,280)	(46,373)	(46,327)
Post secondary programs (forward funded)	64,192	64,321	67,401
Subtotal, forward funded education	584,240	590,438	590,484
Elementary and secondary programs	76,939	122,730	122,730
Post secondary programs	61,603	60,380	61,533
Education management	29,916	22,006	22,006
Subtotal, Education	752,698	795,554	796,753
Public Safety and Justice:			
Law enforcement	305,893	330,391	322,460
Tribal courts	27,088	23,445	23,445
Fire protection	1,109	873	873
Subtotal	334,090	354,709	346,778
Community and economic development	36,856	34,865	34,865
Executive direction and administrative services	258,089	251,935	251,935
(housing improvement, road maint, etc. in bill lang)	(59,545)	(48,049)	(48,049)
Total, Operation of Indian Programs	2,329,846	2,359,692	2,371,532
Construction			
Education	140,509	52,104	70,940
Public safety and justice	17,864	11,329	11,329
Resources management	42,075	33,012	33,012
General administration	2,039	2,035	2,035
Construction management	7,093	6,512	6,512
Total, Construction	209,580	104,992	123,828
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians			
White Earth Land Settlement Act (Admin)	624	625	625
Hoopa-Yurok settlement fund	250	250	250
Pyramid Lake water rights settlement	142	142	142
Nez Perce/Snake River	15,432	9,450	9,450
Navajo Water Resources Development Trust Fund	5,988	6,000	6,000
Navajo Gallup Water Settlement	---	4,388	4,388
Duck Valley Water Rights Settlement	11,976	12,000	12,000
Puget Sound regional shellfish settlement	6,487	---	---
Soboba Band/Luiseno Indian Settlement	5,488	---	---
Total, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians	46,387	32,855	32,855
Indian Guaranteed Loan Program Account			
Indian guaranteed loan program account	8,199	3,114	7,114
TOTAL, BUREAU OF INDIAN AFFAIRS	2,594,012	2,500,653	2,535,329

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
DEPARTMENTAL OFFICES			
Office of the Secretary, Salaries and Expenses			
Executive direction	18,210	---	---
Policy, management and budget	36,663	---	---
Hearings and appeals	7,151	---	---
Central administrative services	41,586	---	---
Bureau of Mines workers compensation	570	---	---
Indian Arts and Crafts Board	1,308	---	---
Consolidated Appraisal services	12,112	---	---
National Museum of American Latino Commission	998	---	---
Leadership and administration	---	129,418	120,353
Management services	---	34,643	22,355
Office of Natural Resources Revenue	---	119,609	119,609
Total, Office of the Secretary, Salaries and expenses	118,598	283,670	262,317
Insular Affairs			
Assistance to Territories			
Territorial Assistance			
Office of Insular Affairs	9,262	9,480	9,480
Technical assistance	15,271	13,804	18,804
Maintenance assistance fund	2,443	2,241	2,241
Brown tree snake	2,994	3,000	3,000
Coral reef initiative	998	1,000	1,000
Water and wastewater projects	791	---	791
Empowering Insular Communities	1,996	4,120	2,209
Subtotal, Territorial Assistance	33,755	33,645	37,525
American Samoa operations grants	22,707	22,752	22,752
Northern Marianas covenant grants	27,720	27,720	27,720
Total, Assistance to Territories	84,182	84,117	87,997
Compact of Free Association			
Compact of Free Association - Federal services	2,808	2,818	2,818
Discretionary payments - program grant assistance	2,000	---	---
Enewetak support	499	236	500
Compact payments, Palau (section 122)	12,000	---	14,000
Total, Compact of Free Association	17,307	3,054	17,318
Total, Insular Affairs	101,489	87,171	105,315
Office of the Solicitor			
Legal services	47,510	49,481	47,510
General administration	16,244	16,385	16,244
Ethics	1,192	2,610	2,542
Total, Office of the Solicitor	64,946	68,476	66,296

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Office of Inspector General			
Audit and investigations	38,800	39,203	39,203
Administrative services and information management	9,693	10,268	10,268
Total, Office of Inspector General	48,493	49,471	49,471
Office of Special Trustee for American Indians			
Federal Trust Programs			
Program operations, support, and improvements	157,942	150,103	150,103
(Office of Historical Accounting)	(31,534)	(31,171)	(31,171)
Executive direction	2,736	2,216	2,216
Total, Office of Special Trustee for American Indians	160,678	152,319	152,319
TOTAL, DEPARTMENTAL OFFICES	494,204	641,107	635,718
(Mandatory)	(27,720)	(27,720)	(27,720)
(Discretionary)	(466,484)	(613,387)	(607,998)
DEPARTMENT-WIDE PROGRAMS			
Wildland Fire Management			
Fire Operations:			
Preparedness	290,452	276,964	276,964
Fire suppression operations	398,951	270,611	270,611
Subtotal, Fire operations	689,403	547,575	547,575
Other Operations:			
Hazardous fuels reduction	183,314	156,763	183,314
Burned area rehabilitation	33,203	13,046	13,046
Fire facilities	6,137	6,137	6,137
Joint fire science	6,000	6,000	6,000
Subtotal, Other operations	228,654	181,946	208,497
Subtotal, Wildland fire management	918,057	729,521	756,072
Rescission of unobligated balances	-200,000	---	-82,000
Use of emergency suppression funds	---	---	-189,577
Total, Wildland fire management	718,057	729,521	484,495
FLAME Wildfire Suppression Reserve Account			
FLAME wildfire suppression reserve account	60,878	92,000	92,000
Total, all wildland fire accounts	778,935	821,521	576,495
Central Hazardous Materials Fund			
Central hazardous materials fund	10,155	10,149	10,149
Natural Resource Damage Assessment Fund			

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Damage assessments	3,896	3,743	3,743
Program management	1,937	1,906	1,906
Restoration support	616	614	614
Total, Natural Resource Damage Assessment Fund	6,449	6,263	6,263
Working Capital Fund	85,651	73,119	62,019
TOTAL, DEPARTMENT-WIDE PROGRAMS	881,190	911,052	654,926
GENERAL PROVISIONS			
State royalty administrative cost deduction (Office			
State royalty administrative cost deduction (BOEMRE)	-42,000	-42,000	-42,000
(net receipt sharing - both on and offshore)			
Geothermal Energy Receipts (Sec. 423)	-8,000	---	---
Geothermal receipts amendment (P.L. 111-212)	8,000	---	---
TOTAL, GENERAL PROVISIONS	-42,000	-42,000	-42,000
TOTAL, TITLE I, DEPARTMENT OF THE INTERIOR	10,627,630	11,111,830	10,317,436
Appropriations	(10,913,196)	(11,141,830)	(10,433,436)
Rescissions	(-285,566)	(-30,000)	(-116,000)
(Mandatory)	(52,920)	(57,420)	(57,420)
(Discretionary)	(10,574,710)	(11,054,410)	(10,260,016)
TITLE II - ENVIRONMENTAL PROTECTION AGENCY			
Science and Technology			
Air toxics and quality	120,517	---	---
Clean Air and Climate	---	134,370	124,576
(Climate protection program)	---	(16,345)	(16,345)
Climate protection program	16,828	---	---
Enforcement	15,293	15,326	15,293
Homeland security	46,176	42,036	42,036
Indoor air and Radiation	1,264	6,758	6,758
IT / Data management / Security	3,657	4,108	3,657
Operations and administration	69,660	76,521	72,137
(Rent)	(30,237)	(35,661)	(35,661)
(Utilities)	(19,851)	(20,195)	(20,195)
(Security)	(10,327)	(10,714)	(10,714)
Pesticide licensing	6,578	6,831	6,578
Research: Air, climate and energy	---	108,000	99,000
Research: Chemical safety and sustainability	---	138,057	131,498
(Research: Computational toxicology)	(21,054)	(21,211)	(21,211)
(Research: Endocrine disruptor)	(15,950)	(16,888)	(16,888)
Research: Clean air	102,404	---	---

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Research: Human health and ecosystems	243,894	---	---
Research: Land protection	13,372	---	---
Research: National priorities	---	---	5,000
Research: Pesticides and toxics	27,285	---	---
Research: Safe and sustainable water resources	117,297	118,776	113,654
Research: Sustainable and healthy communities	---	171,026	171,026
Research: Sustainability	25,486	---	---
Water: Human health protection	3,769	3,787	3,787
Total, Science and Technology	813,480	825,596	795,000
(transfer from Superfund)	(26,780)	(23,016)	(23,016)
Environmental Programs and Management			
Air toxics and quality	207,272	---	---
Brownfields	23,680	26,397	23,680
Clean air and climate	---	315,286	286,568
(Climate protection program)	---	(111,419)	(99,642)
Climate protection program	107,530	---	---
Compliance	106,874	119,648	106,874
Enforcement	255,850	268,218	249,965
(Environmental justice)	(6,856)	(7,397)	(6,856)
Environmental protection: National priorities	---	---	15,000
Geographic programs:			
Great Lakes Restoration Initiative	299,400	350,000	300,000
Chesapeake Bay	54,391	67,350	57,391
San Franciso Bay	5,333	4,847	5,847
Puget Sound	38,095	19,289	30,000
Long Island Sound	5,333	2,962	3,962
Gulf of Mexico	4,572	4,464	5,464
South Florida	1,653	2,061	2,061
Upper Mississippi River Basin	---	6,000	---
Lake Champlain	3,048	1,399	2,399
Lake Pontchartrain	1,143	955	1,955
CARE(Community Action for a Renewed Environment)	1,865	2,384	---
Other geographic activities	1,209	1,296	1,296
Subtotal	416,042	463,007	410,375
Homeland security	12,856	11,300	11,300
Indoor air and radiation	25,887	33,770	33,770
Information exchange / Outreach	133,979	145,210	130,896
(Children and other sensitive populations: Agency coordination)	(7,491)	(10,795)	(7,491)
(Environmental education)	(9,713)	(9,885)	(9,713)
International programs	19,068	19,447	17,632
IT / Data management / Security	99,549	95,413	94,859
Legal/science/regulatory/economic review	122,657	128,610	110,946
Operations and administration	496,017	507,535	487,880
(Rent)	(162,578)	(170,807)	(170,807)
(Utilities)	(13,182)	(11,221)	(11,221)
(Security)	(30,836)	(29,266)	(29,266)
Pesticide licensing	116,889	110,523	110,523

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Resource Conservation and Recovery Act (RCRA)	118,043	116,871	112,643
Toxics risk review and prevention	100,123	115,297	100,123
(Endocrine disruptors)	(8,554)	(8,268)	(8,268)
Underground storage tanks (LUST / UST)	12,966	12,866	12,866
Water: Ecosystems			
National estuary program / Coastal waterways	26,748	27,058	27,058
Wetlands	26,505	27,368	21,199
Subtotal	53,253	54,426	48,257
Water: Human health protection	104,188	107,324	101,256
Water quality protection	223,747	225,486	217,101
Total, Environmental Programs and Management	2,756,470	2,876,634	2,682,514
Office of Inspector General			
Audits, evaluations, and investigations	44,701	45,997	42,000
(transfer from Superfund)	(9,955)	(10,009)	(9,955)
Buildings and Facilities			
Homeland security: Protection of EPA personnel and infrastructure	7,055	8,038	7,055
Operations and administration	29,373	33,931	29,373
Total, Buildings and Facilities	36,428	41,969	36,428
Hazardous Substance Superfund			
Audits, evaluations, and investigations	9,955	10,009	9,955
Compliance	1,234	1,222	1,222
Enforcement	191,621	191,615	187,033
Homeland security	41,707	41,834	41,834
Indoor air and radiation	2,454	2,487	2,471
Information exchange / Outreach	1,431	1,433	1,433
IT /data management/security	17,408	16,080	16,080
Legal/science/regulatory/economic review	1,528	1,677	1,528
Operations and administration	136,648	138,069	135,969
(Rent)	(43,798)	(47,112)	(47,112)
(Utilities)	(3,741)	(3,765)	(3,765)
(Security)	(8,396)	(8,282)	(8,282)
Research: Chemical safety and sustainability*	4,027	3,342	3,342
Research: Sustainable communities**	20,546	17,706	17,706
Research: Sustainability	95	---	---

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Superfund cleanup:			
Superfund: Emergency response and removal	200,498	194,895	189,895
Superfund: Emergency preparedness	9,345	9,263	9,263
Superfund: Federal facilities	31,135	26,242	26,242
Superfund: Remedial	605,368	574,499	565,922
Superfund: Support to other Federal agencies	5,908	5,858	5,858
Subtotal	852,254	810,757	797,180
Total, Hazardous Substance Superfund	1,280,908	1,236,231	1,215,753
(transfer to Inspector General)	(-9,955)	(-10,009)	(-9,955)
(transfer to Science and Technology)	(-26,780)	(-23,016)	(-23,016)

* Formerly Research: Human health and ecosystems
** Formerly Research: Land protection

Leaking Underground Storage Tank Trust Fund (LUST)

Enforcement	789	832	789
Operations and administration	1,854	1,591	1,591
Research: Sustainable communities*	397	454	397
Underground storage tanks (LUST / UST)	109,835	109,604	101,532
(LUST/UST)	(12,410)	(11,982)	(11,982)
(LUST cooperative agreements)	(63,066)	(63,192)	(59,050)
(Energy Policy Act grants)	(34,359)	(34,430)	(30,500)
Total, Leaking Underground Storage Tank Trust Fund	112,875	112,481	104,309

* Formerly Research: Land protection

Inland Oil Spill Program
(formerly Oil Spill Response)

Compliance	135	138	138
Enforcement	2,288	2,902	2,288
Oil	14,698	19,472	14,698
Operations and administration	537	536	536
Research: Sustainable communities*	684	614	614
Total, Inland Oil Spill Program	18,342	23,662	18,274

* Formerly Research: Land protection

State and Tribal Assistance Grants (STAG)

Alaska Native villages	9,980	10,000	10,000
Brownfields projects	99,800	99,041	95,000
Clean water state revolving fund (SRF)	1,521,950	1,550,000	1,468,806
Diesel emissions grants	49,900	---	30,000
Drinking water state revolving fund (SRF)	963,070	990,000	919,363
Mexico border	9,980	10,000	5,000
Subtotal, Infrastructure assistance grants	2,654,680	2,659,041	2,528,169
Categorical grants:			
Beaches protection	9,880	9,900	9,880
Brownfields	49,396	49,495	49,396
Environmental information	9,980	10,200	9,980
Hazardous waste financial assistance	103,139	103,412	103,139
Lead	14,535	14,855	14,535
Multi-media tribal implementation	---	20,000	---

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Nonpoint source (Sec. 319)	175,505	164,757	164,757
Pesticides enforcement	18,674	19,085	18,674
Pesticides program implementation	13,493	13,140	13,140
Pollution control (Sec. 106)	238,786	250,264	238,786
(Water quality monitoring)	(18,463)	(11,300)	(18,463)
Pollution prevention	4,930	5,039	4,930
Public water system supervision	105,489	109,700	105,489
Radon	8,058	8,074	8,058
State and local air quality management	236,107	305,500	236,107
Toxics substances compliance	5,089	5,201	5,089
Tribal air quality management	13,273	13,566	13,273
Tribal general assistance program	67,739	71,375	67,739
Underground injection control (UIC)	10,869	11,109	10,869
Underground storage tanks	2,495	1,550	1,550
Wetlands program development	16,796	15,167	15,167
Subtotal, Categorical grants	1,104,233	1,201,389	1,090,558
Total, State and Tribal Assistance Grants	3,758,913	3,860,430	3,618,727
Subtotal, ENVIRONMENTAL PROTECTION AGENCY	8,822,117	9,023,000	8,513,005
Rescission	-140,000	-50,000	-50,000
TOTAL, TITLE II, ENVIRONMENTAL PROTECTION AGENCY	8,682,117	8,973,000	8,463,005
Appropriations	(8,822,117)	(9,023,000)	(8,513,005)
Rescissions	(-140,000)	(-50,000)	(-50,000)
TITLE III - RELATED AGENCIES			
DEPARTMENT OF AGRICULTURE			
FOREST SERVICE			
Forest and Rangeland Research			
Forest inventory and analysis	66,805	61,939	64,372
Research and development programs	239,832	233,834	231,401
(Global Climate Change Science)	(31,793)	(28,357)	---
Total, Forest and rangeland research	306,637	295,773	295,773
State and Private Forestry			
Forest Health Management:			
Federal lands forest health management	56,737	55,613	47,501
Cooperative lands forest health management	48,821	43,942	40,063
Subtotal	105,558	99,555	87,564
Cooperative Fire Protection:			
State fire assistance	32,358	33,201	30,537
Volunteer fire assistance	6,680	7,000	6,680
Subtotal	39,038	40,201	37,217

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Cooperative Forestry:			
Forest stewardship	32,548	29,449	28,860
Forest legacy	52,894	135,000	53,388
Community forest and open space conservation	1,000	5,000	2,000
Urban and community forestry	32,040	32,377	31,377
Forest resource information and analysis	5,026	---	4,925
Subtotal, Cooperative Forestry	123,508	201,826	120,550
International forestry	9,492	---	8,000
Total, State and Private Forestry	277,596	341,582	253,331
National Forest System			
Land management planning	45,033	205,602	40,000
Inventory and monitoring	167,219	---	161,980
Recreation, heritage and wilderness	281,627	290,498	281,627
Grazing management	49,738	45,445	55,445
Forest products	336,049	---	336,049
Vegetation and watershed management	184,341	---	184,341
Wildlife and fish habitat management	140,260	---	140,260
(Integrated resource restoration)	---	(854,242)	---
Restoration of Management and Resources	---	659,242	---
Collaborative Forest Landscape Restoration Fund	14,970	40,000	40,000
Priority watersheds and jobs stabilization	---	80,000	---
Legacy roads and trails	---	75,000	---
Minerals and geology management	83,560	78,805	83,560
Landownership management	91,765	85,875	85,875
Law enforcement operations	144,254	144,059	144,059
Valles Caldera National Preserve	3,432	---	3,432
Total, National Forest System	1,542,248	1,704,526	1,556,628
Capital Improvement and Maintenance			
Facilities:			
Maintenance	90,450	82,661	62,661
Construction	44,550	18,124	13,124
Subtotal	135,000	100,785	75,785
Roads:			
Maintenance	167,868	148,944	155,491
Construction	27,327	8,874	27,327
Subtotal	195,195	157,818	182,818
Trails:			
Maintenance	69,821	63,422	63,422
Construction	18,560	18,766	18,560
Subtotal	88,381	82,188	81,982
Deferred maintenance	9,158	9,136	9,136
Legacy road and trail remediation	44,910	---	45,000
Subtotal, Capital improvement and maintenance	472,644	349,927	394,721
Deferral of road and trail fund payment	-13,000	-12,000	-12,000
Total, Capital improvement and maintenance	459,644	337,927	382,721

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Land Acquisition			
Acquisitions	19,235	78,520	41,605
Acquisition management	9,000	7,400	7,500
Cash equalization	400	---	---
Critical inholdings/wilderness protection	4,299	---	---
Critical Inholdings/Cash Equalization	---	4,080	3,500
Total, Land Acquisition	32,934	90,000	52,605
Acquisition of land for national forests, special acts	1,048	955	955
Acquisition of lands to complete land exchanges	250	227	227
Range betterment fund	3,600	3,262	3,262
Gifts, donations and bequests for forest and rangeland research	50	45	45
Management of national forest lands for subsistence uses	2,577	---	2,577
Wildland Fire Management			
Fire operations:			
Wildland fire preparedness	673,650	1,006,052	1,006,052
Wildland fire suppression operations	995,511	538,720	538,720
Subtotal, Fire operations	1,669,161	1,544,772	1,544,772
Other operations:			
Hazardous fuels	349,584	62,015	317,584
(Hazardous Fuels Base Program)*	(334,614)	(249,015)	(312,584)
(Collaborative Forest Landscape Restoration Fund)**	(9,980)	---	---
(Biomass Grants)	(4,990)	(5,000)	(5,000)
Rehabilitation	11,477	---	---
Fire plan research and development	23,869	21,734	21,734
Joint fire sciences program	7,984	7,262	7,262
Forest health management (federal lands)	20,710	12,983	15,983
Forest health management (co-op lands)	11,405	6,366	8,366
State fire assistance	64,870	45,564	55,564
Volunteer fire assistance	8,982	6,366	6,366
Subtotal, Other operations	498,881	162,290	432,859
Subtotal, Wildland fire management	2,168,042	1,707,062	1,977,631
* Non-WUI haz fuels moved to IRR under FY12 request			
**Moved to IRR under FY12 request			
Rescission	-200,000	-192,000	---
Use of emergency suppression funds	---	---	-240,000
Total, Wildland fire management	1,968,042	1,515,062	1,737,631
FLAME Wildfire Suppression Reserve Account			
FLAME wildfire suppression reserve account	290,418	315,886	315,886
Rescission	-200,000	---	---
Total, all wildland fire accounts	2,058,460	1,830,948	2,053,517

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Forest Service payments to communities (leg proposal).	---	328,000	---
Total, Forest Service without Wildland fire.....	2,626,584	2,774,297	2,548,124
TOTAL, FOREST SERVICE.....	4,685,044	4,933,245	4,601,641
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
INDIAN HEALTH SERVICE			
Indian Health Services			
Clinical Services:			
IHS and tribal health delivery			
Hospital and health clinic programs.....	1,762,865	1,963,886	1,813,868
Dental health program.....	152,634	170,859	159,696
Mental health program.....	72,786	81,117	75,710
Alcohol and substance abuse program.....	194,409	211,693	194,608
Contract health services.....	779,927	948,646	844,927
(Catastrophic health emergency fund).....	(47,904)	(58,000)	(51,500)
Subtotal.....	2,962,621	3,376,201	3,088,809
Preventive Health:			
Public health nursing.....	63,943	70,613	66,739
Health education.....	16,649	18,190	17,084
Community health representatives program.....	61,505	65,746	61,505
Immunization (Alaska).....	1,930	2,064	1,930
Subtotal.....	144,027	156,613	147,258
Urban health program.....	43,053	46,745	43,053
Indian health professions.....	40,661	42,016	40,661
Tribal management.....	2,581	2,762	2,581
Direct operations.....	68,583	73,636	71,768
Self-governance.....	6,054	6,329	6,054
Contract support costs.....	397,693	461,837	472,193
Total, Indian Health Services.....	3,665,273	4,166,139	3,872,377
Indian Health Facilities			
Maintenance and improvement.....	53,807	57,078	53,807
Sanitation facilities construction.....	95,665	79,710	79,710
Health care facilities construction.....	39,156	85,184	85,184
Facilities and environmental health support.....	192,701	210,992	199,733
Equipment.....	22,618	24,705	22,618
Subtotal, Indian Health Facilities.....	403,947	457,669	441,052
Total, Indian Health Facilities.....	403,947	457,669	441,052
TOTAL, INDIAN HEALTH SERVICE.....	4,069,220	4,623,808	4,313,429

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
NATIONAL INSTITUTES OF HEALTH			
National Institute of Environmental Health Sciences...	79,054	81,085	79,054
AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY			
Toxic substances and environmental public health.....	76,638	76,337	76,337
TOTAL, DEPARTMENT OF HEALTH AND HUMAN SERVICES..	4,224,912	4,781,230	4,468,820
OTHER RELATED AGENCIES			
EXECUTIVE OFFICE OF THE PRESIDENT			
Council on Environmental Quality and Office of Environmental Quality.....	3,153	3,444	3,153
CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD			
Salaries and expenses.....	10,777	11,147	11,147
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION			
Salaries and expenses.....	7,984	9,570	7,750
INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT			
Payment to the Institute.....	8,283	9,225	8,533
SMITHSONIAN INSTITUTION			
Salaries and Expenses			
Museum and Research Institutes:			
National Air and Space Museum.....	18,359	18,246	18,246
Smithsonian Astrophysical Observatory.....	24,336	24,035	24,035
Major scientific instrumentation.....	3,814	3,822	3,822
Universe Center.....	200	300	300
National Museum of Natural History.....	48,318	48,163	48,163
National Zoological Park.....	23,306	23,352	23,352
Smithsonian Environmental Research Center.....	3,765	3,773	3,773
Smithsonian Tropical Research Institute.....	14,867	12,239	12,239
Biodiversity Center.....	500	2,100	2,100
Arthur M. Sackler Gallery/Freer Gallery of Art.....	6,123	6,135	6,135
Center for Folklife and Cultural Heritage.....	2,295	2,300	2,300
Cooper-Hewitt, National Design Museum.....	4,051	4,244	4,244
Hirshhorn Museum and Sculpture Garden.....	4,347	4,356	4,356
National Museum of African Art.....	4,452	4,461	4,461
World Cultures Center.....	300	300	300
Anacostia Community Museum.....	2,059	2,063	2,063
Archives of American Art.....	1,876	1,880	1,880
National Museum of African American History and Culture.....	13,298	13,437	13,437
National Museum of American History.....	22,392	22,637	22,637
National Museum of the American Indian.....	32,335	31,900	31,900

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
National Portrait Gallery	5,987	5,999	5,999
Smithsonian American Art Museum	9,325	9,343	9,343
American Experience Center	300	800	800
Subtotal, Museums and Research Institutes	246,605	245,885	245,885
Mission enabling:			
Program support and outreach:			
Outreach	9,592	9,291	9,291
Communications	2,490	2,594	2,594
Institution-wide programs	11,607	10,928	10,928
Office of Exhibits Central	3,006	3,012	3,012
Museum Support Center	1,870	1,874	1,874
Museum Conservation Institute	3,230	3,236	3,236
Smithsonian Institution Archives	2,189	2,193	2,193
Smithsonian Institution Libraries	9,963	9,983	9,983
Subtotal, Program support and outreach	43,947	43,111	43,111
Office of Chief Information Officer	45,526	46,144	46,144
Administration	33,293	33,949	33,949
Inspector General	2,602	2,607	2,607
Facilities services:			
Facilities maintenance	70,000	72,107	72,107
Facilities operations, security and support	192,916	192,727	192,727
Subtotal, Facilities services	262,916	264,834	264,834
Subtotal, Mission enabling	388,284	390,645	390,645
Total, Salaries and expenses	634,889	636,530	636,530
Facilities Capital			
Revitalization	91,940	84,830	84,830
Facilities planning and design	32,810	15,170	15,170
Construction	---	125,000	75,000
Total, Facilities Capital	124,750	225,000	175,000
TOTAL, SMITHSONIAN INSTITUTION	759,639	861,530	811,530
NATIONAL GALLERY OF ART			
Salaries and Expenses			
Care and utilization of art collections	36,828	36,708	36,708
Operation and maintenance of buildings and grounds	29,209	35,499	32,289
Protection of buildings, grounds and contents	23,729	23,509	23,509
General administration	20,759	23,065	21,560
Total, Salaries and Expenses	110,525	118,781	114,066

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Repair, Restoration and Renovation of Buildings			
Base program	48,125	19,219	14,516
TOTAL, NATIONAL GALLERY OF ART	158,650	138,000	128,582
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS			
Operations and maintenance	22,455	23,200	23,200
Capital repair and restoration	13,892	13,650	13,650
TOTAL, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS	36,347	36,850	36,850
WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS			
Salaries and expenses	11,203	11,005	11,005
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES			
National Endowment for the Arts			
Grants and Administration			
Grants:			
Direct grants	62,243	58,208	56,208
Challenge America grants	7,984	8,000	8,000
Our Town	5,000	5,000	5,000
Subtotal	75,227	71,208	69,208
State partnerships:			
State and regional	39,469	34,737	36,311
Underserved set-aside	10,683	9,402	9,828
Subtotal	50,152	44,139	46,139
Subtotal, Grants	125,379	115,347	115,347
Program support	1,876	2,845	2,845
Administration	27,435	28,063	28,063
Total, Arts	154,690	146,255	146,255
National Endowment for the Humanities			
Grants and Administration			
Grants:			
Bridging cultures	1,500	4,000	3,500
Federal/State partnership	42,450	40,100	40,500
Preservation and access	16,500	15,600	15,200
Public programs	15,000	13,800	13,425
Research programs	16,250	14,900	14,525

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
Education programs	13,750	13,550	13,200
Program development	500	500	500
We The People Initiative grants	3,219	---	3,000
Digital humanities initiatives	4,000	4,250	4,150
Subtotal, Grants	113,169	106,700	108,000
Matching Grants:			
Treasury funds	4,800	2,750	2,385
Challenge grants	9,471	8,750	8,370
Subtotal, Matching grants	14,271	11,500	10,755
Administration	27,250	28,055	27,500
Total, Humanities	154,690	146,255	146,255
TOTAL, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES	309,380	292,510	292,510
COMMISSION OF FINE ARTS			
Salaries and expenses	2,289	2,400	2,400
NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS			
Grants	2,994	---	2,000
ADVISORY COUNCIL ON HISTORIC PRESERVATION			
Salaries and expenses	5,896	6,108	6,108
NATIONAL CAPITAL PLANNING COMMISSION			
Salaries and expenses	8,490	8,154	8,154
UNITED STATES HOLOCAUST MEMORIAL MUSEUM			
Holocaust Memorial Museum	49,024	52,694	50,798
PRESIDIO TRUST			
Operations	14,970	12,000	12,000

DIVISION E - DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference
DWIGHT D. EISENHOWER MEMORIAL COMMISSION			
Salaries and expenses	---	6,000	2,000
Capital construction	---	83,768	30,990
Total, DWIGHT D. EISENHOWER MEMORIAL COMMISSION	---	89,768	32,990
TOTAL, TITLE III, RELATED AGENCIES	10,299,035	11,258,880	10,495,971
Appropriations	(10,699,035)	(11,450,880)	(10,495,971)
Rescissions	(-400,000)	(-192,000)	---
TITLE IV - GENERAL PROVISIONS			
Cabin user fee	2,000	---	---
Across-the-board cut (.16%)	---	---	-47,000
GRAND TOTAL	29,610,782	31,343,710	29,229,412
Appropriations	(30,436,348)	(31,615,710)	(29,395,412)
Rescissions	(-825,566)	(-272,000)	(-166,000)
Discretionary total	29,559,000	31,289,290	29,174,992

DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012, put in place by this division incorporates the following agreements of the managers. Funds for the individual programs and activities within the accounts in this division are displayed in the detailed table at the end of the statement of the managers for this Act. Funding levels that are not displayed in the detailed table are identified within this statement of the managers. In implementing this conference agreement, the Departments and agencies should be guided by the language and instructions set forth in Senate Report 112–84 accompanying the bill, S. 1599, unless specifically addressed in this statement. In cases where the language and instructions in the Senate report specifically address the allocation of funds, each has been reviewed by the conferees and those that are jointly concurred in have been endorsed in this statement of managers.

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $3,195,383,000 for Training and Employment Services (TES). Of the amount appropriated under the heading TES, $1,423,383,000 shall be available for obligation for the period July 1, 2012 through June 30, 2013, and the remaining $1,772,000,000 shall be available as an advance appropriation for the period October 1, 2012 through June 30, 2013.

The conferees direct that, beginning with the fiscal year 2013 budget request, the TES detailed workload and performance tables in the congressional justification materials be modified to include, as a subset of the "Participants Served in Employment and Training Activities," the number of participants who participated in core and intensive services, the number of participants who participated in training services, the number of exiters, and the number of exiters who gained employment.

The conference agreement includes $1,008,432,000 for Dislocated Worker Assistance employment and training activities, of which $148,432,000 shall be available for obligation for the period July 1, 2012 through June 30, 2013, and the remaining $860,000,000 shall be available as an advance appropriation for the period October 1, 2012 through June 30, 2013. The conferees continue to support the use of National Emergency Grants to meet unanticipated increases in demand for employment and training services and encourage a rapid execution of funding throughout the program year to address these needs throughout the country.

The conference agreement includes $84,451,000 for migrant and seasonal farmworker formula grants. The conferees direct that

$5,689,000 shall be for migrant and seasonal farmworker housing grants, of which not less than 70 percent of this amount shall be used for permanent housing grants. The conferees further direct the Department of Labor to submit annual reports documenting the use of farmworker housing funds. The reports should include information on the amount of funds used for permanent and temporary housing activities, respectively; a list of the communities served; a list of the grantees and the states in which they are located; the total number of individuals or families served; and a list of allowable temporary housing activities.

The conference agreement includes $50,000,000 for the Workforce Innovation Fund.

The conference agreement includes new language that provides that funding previously made available under Public Law 112–10 designated for young parents training grants may be used for research and implementation activities related to the VOW to Hire Heroes Act of 2011 and other pilots, demonstrations, and research activities.

The conferees note that the National Guard's Youth ChalleNGe program at the Department of Defense provides a structured high school curriculum in a residential setting for 16- to 18-year old high school dropouts across 27 states. However, the success of this program is hindered by the lack of a formalized employment training component. As the Department of Labor has a long history with such endeavors, the conferees encourage the Secretary of Labor to work with the Department of Defense, providing technical assistance and guidance where needed, in establishing a vocational training component within the Youth Challe*NG*e program.

The conference agreement includes a directive for the Government Accountability Office to assess the capabilities of the Adult and Dislocated Worker Employment and Training programs to adequately prepare participants for currently available jobs. The study shall include, but is not limited to, the following:

1. An evaluation of the means by which Workforce Investment Act (WIA) local areas identify currently available jobs and the skills required for those jobs in potential growth sectors of the economy. This may include an evaluation of decisions by regional and local WIA areas and an assessment of the quality of available labor market information and job projections.

2. An evaluation of the means by which WIA local areas direct program participants to prepare or train for currently or soon-to-be available jobs in the WIA area. To the extent that prospects for employment are greater outside the WIA area, the evaluation will assess the extent to which WIA areas help the participants of the programs prepare or train for these jobs.

3. A compilation of any recommendations on how participants may be better prepared for current openings and for openings in growth sectors of the economy.

The conference agreement includes $6,475,000 for the Workforce Data Quality Initiative.

OFFICE OF JOB CORPS

The conference agreement includes $1,706,171,000 for the Office of Job Corps (OJC). The budget request includes

$1,033,747,000 in fiscal year 2012 funding and, in addition, $666,000,000 in advance funding for fiscal year 2013. The conferees provide full funding for OJC in fiscal year 2012, eliminating the need for advance appropriations, and direct the Secretary of Labor to submit future budget requests for OJC without advance appropriations beginning with the fiscal year 2013 budget submission.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

The conference agreement includes $449,100,000 for Community Service Employment for Older Americans.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The conference agreement includes $4,094,672,000 for State Unemployment Insurance and Employment Service Operations, including a total of $60,000,000 to conduct in-person reemployment and eligibility assessments (REA) and unemployment insurance improper payment reviews.

The conference agreement for Unemployment Insurance (UI) State operations does not explicitly include funds for the expansion of REAs or for the new initiative requested for UI operations incentive grants for improved operations. Funds not required for workload should be used by the Department to increase REA funding and other activities to address improper payments, to fund State requests for technology improvement funding, and to initiate performance improvement grants.

The conference agreement does not include funding requested for expansion of the worker misclassification initiative.

PROGRAM ADMINISTRATION

The conference agreement includes $147,360,000 for Program Administration.

The conference agreement does not include funding requested for expansion of the worker misclassification initiative.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $183,500,000 for the Employee Benefits Security Administration.

WAGE AND HOUR DIVISION

SALARIES AND EXPENSES

The conference agreement includes $227,491,000 for the Wage and Hour Division.

The conference agreement does not include funding requested for expansion of the worker misclassification initiative.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SALARIES AND EXPENSES

The conference agreement includes $105,386,000 for the Office of Federal Contract Compliance Programs.

The conference agreement does not include funding requested for expansion of the worker misclassification initiative.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $565,857,000 for the Occupational Safety and Health Administration (OSHA).

The conferees note that OSHA's National Emphasis Program (NEP) on Recordkeeping has been underway since October, 2009, to assess the accuracy of injury and illness data recorded by employers. The conferees direct the Secretary of Labor to submit a report, not later than 90 days after enactment of this Act, to the Committees on Appropriations of the House and the Senate detailing the findings of this NEP, as well as other Department activities, related to the accuracy of employer reporting of injury and illness data.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $374,000,000 for the Mine Safety and Health Administration (MSHA).

The conference agreement provides sufficient funding to improve MSHA's emergency response operations and rescue capabilities through the upgrade of emergency response equipment and the purchase and deployment of new underground mine rescue communications systems for mine rescue teams, continue making progress on the elimination of the backlog of mine safety and health appeals, support the reorganization and strengthening of the Office of Accountability within the assessments line, upgrade the Mt. Hope laboratory, continue the coal dust spot inspection program, and acquire continuous personal dust monitors for MSHA personnel.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

The conference agreement includes $610,224,000 for the Bureau of Labor Statistics (BLS).

GENERAL PROVISIONS

JOB CORPS COMPENSATION

The conference agreement modifies a provision that prohibits the use of Job Corps funding from being used to compensate an individual at a rate in excess of Executive Level II.

AMERICAN COMPETITIVENESS AND WORKFORCE IMPROVEMENT ACT

The conference agreement modifies a provision relating to grants made from the Department of Labor under the authority of the American Competitiveness and Workforce Improvement Act.

EMPLOYMENT AND TRAINING ADMINISTRATION COMPENSATION

The conference agreement modifies a provision to prohibit the use of funds provided to the Employment and Training Administration for the compensation of any individual at a rate in excess of Executive Level II.

TRANSFER AUTHORITY FOR TECHNICAL ASSISTANCE SERVICES

The conference agreement modifies a provision providing the Secretary of Labor with the authority to transfer funds made available to the Employment and Training Administration by this Act, or by Public Law 112–10, for technical assistance services to Program Administration.

DEFINITION OF FIDUCIARY REGULATION

The conference agreement includes a new provision relating to the "Definition of Fiduciary" regulation being developed by the Employee Benefits Security Administration (Regulatory Identification Number 1210–AB32). The conferees understand that it is the Secretary of Labor's intention to formally withdraw this proposed rule upon the issuance of a new notice of proposed rulemaking (NPRM). This section shall not be construed as preventing the Secretary from publishing a new or revised NPRM relating to the definition of a fiduciary, provided that interested parties and stakeholders are afforded a sufficient opportunity to review and comment on the proposed rulemaking.

WAGE METHODOLOGY FOR THE TEMPORARY NON-AGRICULTURAL EMPLOYMENT H–2B PROGRAM REGULATION

The conference agreement modifies a provision relating to the "Wage Methodology for the Temporary Non-Agricultural Employment H–2B Program" regulation published by the Employment and Training Administration.

OCCUPATIONAL INJURY AND ILLNESS RECORDING AND REPORTING REQUIREMENTS—MUSCULOSKELETAL DISORDERS (MSD) COLUMN REGULATION

The conference agreement includes a new provision relating to the "Occupational Injury and Illness Recording and Reporting Requirements—Musculoskeletal Disorders (MSD) Column" regulation being developed by the Occupational Safety and Health Administration.

LOWERING MINERS' EXPOSURE TO COAL MINE DUST, INCLUDING CONTINUOUS PERSONAL DUST MONITORS REGULATION

The conference agreement includes a new provision relating to the "Lowering Miners' Exposure to Coal Mine Dust, Including Continuous Personal Dust Monitors" regulation being developed by the

Mine Safety and Health Administration (MSHA). This section is not intended to restrict MSHA's ability to enforce the current rule while this section is in effect or address any compliance assistance or training needs arising from the publication of the final rule during the effective period of this section.

OVERTIME EXEMPTIONS FOR SERVICE ADVISORS IN AUTOMOTIVE DEALERSHIPS

The conference agreement includes a new provision relating to overtime exemptions as defined by the Fair Labor Standards Act.

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

The conference agreement includes $6,450,534,000 for the Health Resources and Services Administration (HRSA). In addition, $25,000,000 is made available under section 241 of the Public Health Service (PHS) Act.

The conference agreement includes bill language that divides HRSA into several accounts to improve transparency and accountability. The conferees direct that future budget requests reflect this new structure.

PRIMARY HEALTH CARE

The conference agreement includes $1,598,957,000 for Primary Health Care.

HEALTH WORKFORCE

The conference agreement includes $734,402,000 for Health Workforce.

Within the funds provided for Training in Oral Health Care, the conferees include $7,563,000 each for general and pediatric dentistry.

The conference agreement includes language prohibiting health workforce funds to be used for section 340G–1, the Alternative Dental Health Care Providers Demonstration programs.

Within the funds provided for Public Health and Preventive Medicine Programs, the conferees direct HRSA to fund preventive medicine residencies at no less than fiscal year 2011 levels. The conferees have provided sufficient funding for a national coordinating center and $2,500,000 for grants to incorporate competency-based integrative medicine curricula in graduate medical education.

Within the funds for Advanced Education Nursing, the conferees direct HRSA to allocate funding for nurse anesthetist education at no less than fiscal year 2011 levels.

MATERNAL AND CHILD HEALTH

The conference agreement includes $863,607,000 for Maternal and Child Health.

The conference agreement includes bill language setting aside $79,586,000 for Special Projects of Regional and National Significance (SPRANS). The agreement includes sufficient funding to continue State grants and the set-asides for oral health, epilepsy, sickle cell, and fetal alcohol syndrome at no less than fiscal year 2011 levels.

Within the funding provided for the Autism and Other Related Developmental Disorders program, the conferees direct HRSA to fund the Leadership Education in Neurodevelopmental and Related Disabilities (LEND) program at no less than fiscal year 2011 levels.

RYAN WHITE HIV/AIDS PROGRAMS

The conference agreement includes $2,351,665,000 for Ryan White HIV/AIDS Programs, of which $2,326,665,000 is provided as budget authority and $25,000,000 is made available under section 241 of the Public Health Service Act.

The conferees intend that HRSA allocate funds for the Minority AIDS Initiative within the Ryan White HIV Programs at no less than the fiscal year 2011 funding level.

HEALTH CARE SYSTEMS

The conference agreement includes $83,526,000 for Health Care Systems.

RURAL HEALTH

The conference agreement includes $139,832,000 for Rural Health.

Rural Outreach Models.—The conferees recognize the continuing challenges facing rural communities in providing adequate healthcare services. The conferees urge HRSA to consider projects that demonstrate new and innovative models of outreach in rural areas, such as the integration and coordination of health services; the utilization of technologies to improve access to health services; distance education for health professionals; and activities that improve mental healthcare services in rural areas.

FAMILY PLANNING

The conference agreement includes $297,400,000 for Family Planning.

PROGRAM MANAGEMENT

The conference agreement includes $161,815,000 for Program Management.

CENTERS FOR DISEASE CONTROL AND PREVENTION

The conference agreement includes $5,667,735,000 in discretionary appropriations for the Centers for Disease Control and Prevention (CDC). In addition, $371,357,000 is made available under section 241 of the Public Health Service (PHS) Act.

The conference agreement includes bill language that divides CDC into several accounts to improve transparency and accountability. The conferees direct that future budget requests, to include the fiscal year 2013 budget request, reflect this new structure. Fur-

ther, the conferees direct CDC to provide additional programmatic information in budget justifications beginning in fiscal year 2014. This information shall be included for every activity identified in this Statement of the Managers and shall include: a short description of the nature of CDC's work on a particular subject; the number of new and continuing grants made; the average grant size; and a State-by-State table for any formula-based funding. The conferees understand that the fiscal year 2013 justification is already in draft form; therefore, the conferees expect an operating plan 90 days after enactment of this Act that details spending levels for all CDC budget lines included in this Statement of the Managers.

Extramural Research.—The conferees request a report from CDC by March 1 of each year that details the breakdown of intramural and extramural funding for each program of the various offices and centers at CDC. This report shall include the amount of funding in each Center dedicated to administrative activities.

IMMUNIZATION AND RESPIRATORY DISEASES

The conference agreement includes $579,375,000 for Immunization and Respiratory Diseases. In addition, $12,864,000 is made available under section 241 of the PHS Act.

Within the program level total for Immunization and Respiratory Diseases, the conference agreement includes the following amounts:

Budget activity	Conference
Section 317 Immunization Program	$369,553,000
Program Operations	63,005,000
National Immunization Survey	12,864,000
Influenza	159,681,000

HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED DISEASES AND TUBERCULOSIS PREVENTION

The conference agreement includes $1,105,995,000 for HIV/AIDS, Viral Hepatitis, Sexually Transmitted Diseases and Tuberculosis Prevention.

Within the total for HIV/AIDS, Viral Hepatitis, Sexually Transmitted Diseases, and Tuberculosis Prevention, the conference agreement includes the following amounts:

Budget activity	Conference
Domestic HIV/AIDS Prevention and Research:	
HIV Prevention by Health Departments	$336,912,000
HIV Surveillance	117,667,000
National/Regional/Local/Community/Other	138,059,000
Enhanced HIV Testing	65,401,000
Improving Program Effectiveness	102,406,000
School Health	30,000,000
Viral Hepatitis	19,784,000
Sexually Transmitted Diseases	154,666,000
Tuberculosis	141,100,000

Within the total for Domestic HIV/AIDS Prevention and Research programs, the conference agreement provides funding at no less than the fiscal year 2011 level to support activities that are targeted to address the growing HIV/AIDS epidemic and its dis-

parate impact on communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders.

EMERGING AND ZOONOTIC INFECTIOUS DISEASES

The conference agreement includes $253,919,000 for Emerging and Zoonotic Infectious Diseases.

Within the total for Emerging and Zoonotic Infectious Diseases, the conference agreement includes the following amounts:

Budget activity	Conference
Vector-borne Diseases	$23,232,000
Lyme Disease	8,773,000
Food Safety	27,172,000
Prion Disease	5,000,000
Chronic Fatigue Syndrome	4,737,000
Emerging Infectious Diseases	124,151,000
National Healthcare Safety Network	14,872,000
Quarantine	26,032,000

Lyme Disease.—The conferees encourage CDC to expand its activities related to developing sensitive and more accurate diagnostic tools and tests for Lyme disease, including the evaluation of emerging diagnostic methods and improving utilization of diagnostic testing to account for the multiple clinical manifestations of acute and chronic Lyme disease. CDC is encouraged to expand its epidemiological research activities on tick-borne diseases, to include an objective to determine the long-term course of illness for Lyme disease and to improve surveillance and reporting of Lyme and other tick-borne diseases in order to produce more accurate data on their prevalence. Finally, the conferees encourage CDC to evaluate the feasibility of developing a national reporting system on Lyme disease, including laboratory reporting; and to expand prevention of Lyme and tick-borne diseases through increased community-based public education and creating a physician education program that includes the full spectrum of scientific research on the diseases.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

The conference agreement includes $760,700,000 for Chronic Disease Prevention and Health Promotion.

Within the total for Chronic Disease Prevention and Health Promotion, the conference agreement includes the following amounts:

Budget activity	Conference
Tobacco	$108,685,000
Nutrition, Physical Activity, and Obesity	34,189,000
School Health	13,600,000
Food Allergies	488,000
Health Promotion	17,682,000
Community Health Promotion	6,141,000
Glaucoma	3,337,000
Visual Screening Education	511,000
Alzheimer's Disease	1,812,000
Inflammatory Bowel Disease	680,000
Interstitial Cystitis	654,000

Budget activity	Conference
Excessive Alcohol Use	2,454,000
Chronic Kidney Disease	2,093,000
Prevention Research Centers	18,001,000
Heart Disease and Stroke	55,284,000
Diabetes	64,796,000
Cancer Prevention and Control	350,332,000
Breast and Cervical Cancer	206,001,000
WISEWOMAN	20,745,000
Breast Cancer Awareness for Young Women	4,908,000
Cancer Registries	50,295,000
Colorectal Cancer	43,070,000
Comprehensive Cancer	20,313,000
Johanna's Law	5,000,000
Ovarian Cancer	4,909,000
Prostate Cancer	13,188,000
Skin Cancer	2,150,000
Cancer Survivorship Resource Center	498,000
Oral Health	14,726,000
Safe Motherhood/Infant Health	44,049,000
Other Chronic Diseases	25,338,000
Arthritis	13,075,000
Epilepsy	7,801,000
National Lupus Patient Registry	4,462,000
Community Grants	14,018,000
Healthy Communities	0
REACH	14,018,000

The conferees expect the Office of Smoking and Health to transfer no less than the amount it did in fiscal year 2011 to the Environmental Health Laboratory. The conferees intend that this transfer is to be provided to the lab in a manner that supplements and in no way replaces existing funding for tobacco-related activities.

The conferees are pleased to learn that CDC has decided to retain the Division of Oral Health. This action is supported by a recent Institute of Medicine (IOM) report titled "Advancing Oral Health in America" that recommends oral health be given a high priority within HHS. This decision will allow CDC to focus on the prevention and elimination of oral disease, support state oral health infrastructure programs, and improve the coordination of oral health activities with other chronic disease prevention activities.

BIRTH DEFECTS AND DEVELOPMENTAL DISEASES

The conference agreement includes $138,072,000 for birth defects and developmental diseases.

The conferees have rejected the consolidation proposed in the fiscal year 2012 budget for disability initiatives in the National Center on Birth Defects and Developmental Disabilities (NCBDDD). The conferees direct that any new consolidation put forward by the administration be accompanied by an assessment of the needs of people with disabilities that includes the categories of disabilities currently served, validates the value of such a consolidation, considers the input of stakeholders, and establishes the basis for any proposed efficiencies and commonalities.

Within the total for Birth Defects and Developmental Diseases, the conference agreement includes the following amounts:

Budget activity	Conference
Child Health and Development	$62,295,000
Birth Defects	20,304,000
Craniofacial Malformation	1,809,000
Fetal Death.	808,000
Fetal Alcohol Syndrome	9,891,000
Folic Acid	2,795,000
Infant Health	7,925,000
Autism	21,380,000
Health and Development for People with Disabilities.	56,920,000
Disability & Health (incl. Child Development)	17,893,000
Limb Loss.	2,836,000
Tourette Syndrome	1,701,000
Early Hearing Detection and Intervention	10,672,000
Muscular Dystrophy	5,865,000
Paralysis Resource Center	6,739,000
Attention Deficit Hyperactivity Disorder	1,718,000
Fragile X	1,684,000
Spina Bifida	5,812,000
Congenital Heart Failure	2,000,000
Public Health Approach to Blood Disorders	18,857,000
Hemophilia	16,670,000
Thallasemia	1,861,000

Congenital Heart Disease.—The conferees are concerned that there is a lack of rigorous epidemiological and longitudinal data on individuals of all ages with congenital heart disease and has included funding to begin to compile this information. The conferees are particularly interested in information on prevalence, barriers to effective care, survival outcomes and neurocognitive outcomes.

PUBLIC HEALTH SCIENTIFIC SERVICES

The conference agreement includes $144,795,000 for public health scientific services. In addition, $247,769,000 is made available under section 241 of the PHS Act.

Within the total for Public Health Scientific Services, the conference agreement includes the following amounts:

Budget activity	FY 2012 Committee
Health Statistics	138,683,000
Surveillance, Epidemiology, and Infomatics	217,747,000
Public Health Workforce	36,134,000

The conferees remain supportive of the Primary Immunodeficiency Education and Awareness Program. The program has successfully leveraged federal money and private contributions to improve the quality of life for these patients.

ENVIRONMENTAL HEALTH

The conference agreement includes $105,598,000 for environmental health programs.

Within the total for Environmental Health, the conference agreement includes the following amounts:

Budget activity	Conference
Environmental Health Laboratory	$42,628,000
Newborn Screening Quality Assurance Program	6,865,000
Newborn Screening/Severe Combined Immuno. Diseases.	970,000

Budget activity	Conference
Environmental Health Activities	35,526,000
Safe Water	7,150,000
Volcanic Emissions	197,000
Environmental and Health Outcome Tracking	0
Amyotrophic Lateral Sclerosis (ALS) Registry	5,903,000
Climate Change	7,401,000
Built Environment and Health Initiative	2,634,000
Asthma	25,444,000
Lead Poisoning	2,000,000

The conferees direct CDC to continue its support of the National Asthma Control Program as currently structured.

The conferees intend that the funds provided for the CDC lead poisoning program be used to maintain expertise and analysis at the national level and to provide a resource for States and localities.

INJURY PREVENTION AND CONTROL

The conference agreement includes $138,480,000 for injury prevention and control activities.

Within the total for Injury Prevention and Control, the conference agreement includes the following amounts:

Budget activity	Conference
Intentional Injury	$93,690,000
Domestic Violence and Sexual Violence	31,315,000
Child Maltreatment	6,974,000
Youth Violence Prevention	15,000,000
Domestic Violence Community Projects	5,423,000
Rape Prevention	39,474,000
Unintentional Injury	31,315,000
Traumatic Brain Injury	6,039,000
Elderly Falls	1,963,000
Injury Control Research Centers	9,996,000
National Violent Death Reporting System	3,479,000

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

The conference agreement includes $182,903,000 for Occupational Safety and Health. In addition, $110,724,000 is made available under section 241 of the PHS Act.

Within the total for Occupational Safety and Health, the conference agreement includes the following amounts:

Budget activity	FY 2012 Committee
Education and Research Centers	$24,321,000
Personal Protective Technology	16,828,000
Healthier Workforce Centers	5,026,000
National Occupational Research Agenda	111,367,000
Mining Research	52,687,000
Other Occupational Safety and Health Research	83,398,000
Miners Choice	647,000
National Mesothelioma Registry and Tissue Bank	1,022,000

Within the total for the National Occupational Research Agenda, the conferees provide no less than fiscal year 2011 levels for the Agriculture, Forestry, and Fishing Program.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

The conference agreement includes $55,358,000 for CDC's responsibilities with respect to the Energy Employee Occupational Illness Compensation Program.

GLOBAL HEALTH

The conference agreement includes $349,547,000 for global health activities.

Within the total for Global Health, the conference agreement includes the following amounts:

Budget activity	FY 2012 Committee
Global AIDS Program	$118,023,000
Global Immunization Program	160,854,000
Polio Eradication	111,597,000
Other Global/Measles	49,257,000
Global Disease Detection and Emergency Response	41,902,000
Parasitic Diseases/Malaria	19,467,000
Global Public Health	9,301,000

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

The conference agreement includes $1,306,906,000 for public health preparedness and response activities.

Within the total for Public Health Preparedness and Response, the conference agreement includes the following amounts:

Budget activity	Conference
Public Health Emergency Preparedness Cooperative Agreements	$643,069,000
Centers for Public Health Preparedness	7,997,000
Advanced Practice Centers	0
All Other State and Local Capacity	7,784,000
CDC Preparedness and Response	138,570,000
BioSense	20,772,000
Lab Reporting	8,092,000
Strategic National Stockpile	509,486,000

CDC-WIDE ACTIVITIES

The conference agreement includes $621,445,000 for CDC-wide activities.

Within the total for CDC-Wide Activities, the conference agreement includes the following amounts:

Budget activity	FY 2012 Committee
Preventive Health/Health Services Block	$80,000,000
Business Services Support	397,026,000
Buildings and Facilities	25,000,000
Public Health Leadership	119,419,000

The conference agreement includes language making Vessel Sanitation Program user fees available through September 30, 2013.

Working Capital Fund.—The conferees have included bill language that allows CDC to begin creating a Working Capital Fund

(WCF) to achieve greater cost efficiencies across the administrative operations of the agency. The conferees expect this WCF to begin making disbursements no sooner than fiscal year 2014. CDC shall notify the House and Senate Committees on Appropriations prior to any funds being transferred to or deposited in the WCF.

The conferees direct CDC to create a strong auditing system for the WCF, which shall include annual auditing of the calculation by which programs are charged to ensure that WCF funds are used solely for administrative costs and that CDC Centers and Offices are not over-charged for services. The conferees instruct that the structure of the WCF shall assume no more than a 2 year availability of any funds within it, that no construction of facilities shall be allowable costs, and that all allowable costs are clearly defined. The conferees further direct that the governance system be designed to include a role for all Center Directors in overseeing the costs incurred. The Committees on Appropriations expect quarterly briefings on the progress being made in drafting the charter and the methodology being used to set up the WCF.

Within the amount provided for Business Services, the conferees have made $30,000,000 available until September 30, 2013.

NATIONAL INSTITUTES OF HEALTH

The conference agreement includes $30,689,990,000 for the accounts that comprise the National Institutes of Health (NIH) total appropriation. This total does not include any funding for the Global Fund to Fight AIDS, Tuberculosis and Malaria; the conferees understand that all fiscal year 2012 funding for the Global Fund is provided through Division I (Department of State, Foreign Operations, and Related Programs). The conference agreement continues the allocation to NIH of $8,200,000 in program evaluation set-aside funding. Appropriation levels for individual institutes and centers are described in the table at the end of this statement of managers.

The conferees recognize NIH's mission to invest in basic biomedical research and apply that knowledge to enhance our Nation's health and well-being, lengthen life, and reduce the burdens of illness and disability. NIH is strongly urged to ensure its policies continue to support a robust extramural community and make certain sufficient research resources are available to the more than 300,000 NIH-supported scientists at over 3,100 institutions across the country. The conferees affirm the critical importance of new and competing research project grants (RPGs) to the mission of NIH and are concerned that in the past few years, NIH has failed to support the number of new, competing RPGs that it estimated would be awarded in its annual congressional budget justifications. The conferees expect NIH to evaluate its new grant-estimating methodology to improve its accuracy and support as many scientifically meritorious new and competing RPGs as possible, at a reasonable award level, with the funding provided in this Act.

In recent years, extramural research has accounted for nearly 90 percent of NIH's budget. The conferees strongly urge NIH to maintain at least that level in fiscal year 2012. NIH should also establish safeguards to ensure the percentage of funds used to support basic research across NIH is maintained.

The Office of the Director (OD) shall ensure, as practicable, the programs and offices within OD receive increases proportional to the overall increase, unless otherwise specified. The conferees request quarterly notification on obligations from the NIH Director's Discretionary Fund to the Committees on Appropriations of the House of Representatives and the Senate.

The conferees expect NIH to continue the long-standing policy for Common Fund projects to be short-term, high-impact awards, with no projects receiving funding for more than 10 years. The conferees recognize that certain investigator-initiated programs such as Pioneer Awards may be exceptions to the 10-year limit. Any other proposed exceptions should be explained in the fiscal year 2013 congressional budget justification.

The conference agreement includes language to eliminate the National Center for Research Resources (NCRR) and create the National Center for Advancing Translational Sciences (NCATS).

NCATS will study steps in the therapeutics development and implementation process, consult with experts in academia and the biotechnology and pharmaceutical industries to identify bottlenecks in the processes that are amenable to re-engineering, and develop new technologies and innovative methods for streamlining the processes. In order to evaluate these innovations and new approaches, NCATS will undertake targeted therapeutics development and implementation projects. In all of these efforts, the conferees expect that NCATS will complement, not compete with, the efforts of the private sector.

While the conferees welcome the creation of NCATS, they were disappointed by the way the administration requested it. The President's proposed budget for fiscal year 2012 included a vague description of NCATS but did not formally request funding for the restructuring or provide any details about which components of NIH would be consolidated into the new Center. The failure to do so caused unnecessary uncertainty about the proposal and contributed to the impression that it was being rushed. The conferees are also aware of concerns that the NIH process for evaluating the merits of the NCATS reorganization did not comply with the NIH Reform Act of 2006 with respect to the role of the Scientific Management Review Board (SMRB).

Lessons learned with NCATS should guide NIH as it considers another proposed restructuring, one that would involve consolidating NIDA, NIAAA and components of other Institutes and Centers (ICs) into a new Institute devoted to research on substance use, abuse and addiction. The conferees understand that NIH plans to adopt a more deliberate approach in evaluating the need for this Institute. The conferees strongly recommend that this approach should include full consideration by the SMRB and that if the administration ultimately decides to seek such a restructuring, it should provide sufficient details in a formal budget request to Congress.

The following table provides the specific funding levels for the institutes and centers and displays the comparable adjustments related to the reorganization.

(Dollars in thousands)	FY 2011 Enacted*	Reallocation of resources	FY 2011 Reorganization comparable	FY 2012 Enacted
National Cancer Institute (NCI)	$5,058,577	−4,163	$5,054,414	$5,081,788
Therapeutics for Rare and Neglected Disease (TRND)		−4,163		
National Heart, Lung, and Blood Institute (NHLBI)	3,069,723	−1,489	3,068,234	3,084,851
Clinical Research Resources		+995		
Biotechnology Research Resources		+29		
Research Management & Support		+14		
TRND		−2,527		
National Institute of Dental & Craniofacial Research (NIDCR)	409,608	−337	409,271	411,488
TRND		−337 0		
Nat. Inst. of Diabetes & Digestive & Kidney Diseases (NIDDK)	1,792,224	−1,476	1,790,748	1,800,447
TRND		−1,476		
National Institute of Neurological Disorders and Stroke (NINDS)	1,622,003	−1,335	1,620,668	1,629,445
TRND		−1,335		
National Institute of Allergy and Infectious Diseases (NIAID)	4,478,668	−3,689	4,474,979	4,499,215
TRND		−3,689		
National Institute of General Medical Sciences (NIGMS)	2,033,782	+338,010	2,371,792	2,434,637
Institutional Development Awards (IDeA)		+226,480		
Biotechnology Research Resources		+97,114		
Research Infrastructure		+8,853		
Research Management & Support		+7,237		
TRND		−1,674		
Nat. Inst. of Child Health and Human Development (NICHD)	1,317,854	−1,085	1,316,769	1,323,900
TRND		−1,085		
National Eye Institute (NEI)	700,828	−577	700,251	704,043
TRND		−577		
National Institute of Environmental Health Sciences (NIEHS)	683,724	−555	683,169	686,869
TRND		−555		
National Institute on Aging (NIA)	1,100,481	−906	1,099,575	1,105,530
TRND		−906		
Nat. Inst. Arthritis & Musculoskeletal & Skin Diseases (NIAMS)	534,349	−440	533,909	536,801
TRND		−440		
Nat. Inst. on Deafness & Other Communication Disorders (NIDCD)	415,155	−341	414,814	417,061
TRND		−341		
National Institute of Mental Health (NIMH)	1,476,294	−1,215	1,475,079	1,483,068
TRND		−1,215		
National Institute on Drug Abuse (NIDA)	1,050,542	−865	1,049,677	1,055,362
TRND		−865		
National Institute on Alcohol Abuse and Alcoholism (NIAAA)	458,286	−377	457,909	460,389
TRND		−377		
National Institute of Nursing Research (NINR)	144,381	−119	144,262	145,043
TRND		−119		
National Human Genome Research Institute (NHGRI)	511,497	−421	511,076	513,844
TRND		−421		
National Institute of Biomedical Imaging and Bioengineering (NIBIB)	313,802	+23,370	337,172	338,998
Biotechnology Research Resources		+22,977		
Research Management & Support		+651		
TRND		−258		
National Institute on Minority Health and Health Disparities (NIMHD)	209,714	+65,757	275,471	276,963
Research Centers in Minority Institutions		+58,686		
Biotechnology Research Resources		+1,784		
Research Infrastructure		+2,578		
Research Management & Support		+2,882		

(Dollars in thousands)	FY 2011 Enacted*	Reallocation of resources	FY 2011 Reorganization comparable	FY 2012 Enacted
TRND		−173		
National Center for Research Resources (NCRR)	1,257,754	−1,257,754	0	0
National Center for Complementary and Alternative Medicine (NCCAM)	127,713	−105	127,608	128,299
TRND		−105		0
John E. Fogarty International Center (FIC)	69,436	−58	69,378	69,754
TRND		−58		0
National Library of Medicine (NLM)	336,733	−277	336,456	338,278
TRND		−277		0
Office of the Director (OD)	1,166,963	+287,042	1,454,005	1,461,880
Comparative Medicine (incl. Nat'l Primate Res. Centers)		+194,921		
Shared & High-end Instrumentation		+64,114		
Clinical Research Resources		+769		
Biotechnology Research Resources		+8,505		
Research Infrastructure		+6,655		
Research Management & Support		+9,594		
Science Education Partnership Award		+18,480		
Clinical Research Resources		+534		
Biotechnology Research Resources		+552		
Research Management & Support		+716		
Office of Rare Diseases Research		−17,798		
National Center for Advancing Translational Sciences (NCATS)	0	+563,405	563,405	576,456
Clinical & Translational Science Awards (CTSAs)		+457,700		
Clinical Research Resources		+27,879		
Biotechnology Research Resources		+18,633		
Research Management & Support		+16,316		
NCBI/PA		+1,079		
TRND		+24,000		
Office of Rare Diseases Research		+17,798		
Cures Acceleration Network (CAN)		0		

Note: The FY 2011 enacted level does not include transfers.

Cures Acceleration Network (CAN).—The conferees provide NCATS with up to $10,000,000 to support the CAN Board and related activities. The conferees expect a high bar for any use of waiver authority for CAN grant matching funds; any use should be extremely limited to maximize funds towards the CAN goals. The conferees encourage the CAN Board to create general principles and measurable outcomes to track success. The conferees request NCATS to charter an Institute of Medicine (IOM) work group to review, evaluate, and identify issues related to the CAN authority and provide a report for use by the CAN Board to help it identify ways to accelerate and expand the number of cures. The report should include a survey and inventory of activities at NIH, FDA, AHRQ, CDC, the Patent and Trademark Office (PTO), and in the private sector that relate to the CAN program. The conferees urge IOM to include balanced participation by the entities listed above as well as the representatives of the pharmaceutical and biotechnology industry and the biotech venture capital community. The report should address patent authority, marketability, use of high-throughput analysis, regulatory timelines, and cost structure issues related to the purpose of CAN.

Accelerating Commercialization of Therapies to Patients.—The conferees understand the need to develop models to assist research universities and institutes on the best ways to leverage and commercialize federally supported basic and applied biomedical re-

search discoveries. This is a key reason why the conferees have agreed to create NCATS. The conferees note the market has started to develop public-private sector models that are beginning to show results in translating basic research far more quickly than traditional models. These types of models use pre-defined technology-licensing terms to rapidly license new products and build a core of options for commercialization partnerships with pharmaceutical and biotechnology companies to establish joint ventures to further advance products to the market. The conferees strongly urge NIH to study and foster these models.

The conferees expect any NIH-supported partnerships to expand translational pharmaceutical development in a manner that does not inhibit creative market models. Top priorities of the Center should include developing tools to improve the "de-risking" process and advancing the drug development process to the point at which it can reasonably be expected to be picked up by the private sector. The conferees suggest the selection of Center projects should consider future market acceptance as one component of the criteria to evaluate and select potential Center projects. The conferees direct NIH to host a trans-NIH workshop with key research organizations, venture capitalists, pharmaceutical firms, the PTO, the FDA, and a sample of research universities and institutes to work together with NIH and the drug development market. The workshop should also consider how existing NIH and government mechanisms can be used to encourage models around the country to speed commercialization of therapies through a market-based approach.

Clinical and Translational Science Awards (CTSAs).—The conferees are encouraged by the success of the CTSA consortium and recommend the program receive full funding as it nears full implementation. The conferees expect the NCATS Director to ensure the current focus on the full spectrum of translational research is maintained, and CTSA resources are not diverted. The inclusion of patient-centered research, community engagement, training, dissemination science, and behavioral research is extremely important to the translation and application of basic science discoveries and success of the CTSAs. CTSAs now represent an investment of half a decade of innovation in translational research. To ensure the benefits of this investment are maintained, the conferees urge NIH to support a study by the IOM that would evaluate the CTSA program and recommend whether changes to the current mission are needed. The review should include stakeholders' input and be available no later than 18 months after the enactment of this bill.

Therapeutics for Rare and Neglected Disease (TRND) Program.—The conferees continue support for TRND at a level of $24,000,000 within NCATS. The conferees urge NIH to provide an annual report on the TRND program that identifies the number of projects started each year, cost per project, and the outcome of each project. The first report should be provided to the Committees on Appropriations by July 1, 2012.

Institutional Development Awards.—The conferees provide $276,480,000 to increase support for the Institutional Development Awards (IDeA) program. The conferees recognize the importance of the Centers of Biomedical Research Excellence (COBRE) and the

IDeA Networks of Biomedical Research Excellence (INBRE) programs. The conferees believe the IDeA program has made a significant contribution to biomedical research and creating a skilled workforce. Therefore, the conferees provide a $45,882,000 increase and recommend it be divided equally toward a new COBRE competition and to support new awards for the IDeA Clinical Trial and Translation Program to develop infrastructure for clinical and translational research in IDeA States. The conferees encourage the NIH Director to expand the program to support co-funding of IDeA projects across NIH ICs to foster the development of efforts in IDeA State programs. Further, as an Office of Experimental Program to Stimulate Competitive Research (EPSCoR) program, the focus of IDeA should continue to be on improving the necessary infrastructure and strengthening the biomedical research capacity and capability of research institutions. Unfortunately, many institutions in EPSCoR-qualifying States who could benefit from the IDeA program are ineligible for funding. The conferees encourage NIH to revise current eligibility criteria to take into account how the decreasing success rate for R01 grants NIH-wide is affecting IDeA eligibility. In particular, the conferees believe the IDeA Director should have the authority to consider funding institutions in any State that is EPSCoR eligible. The conferees urge NIH to develop criteria to incorporate flexibility into the program to address these concerns. The conferees request an update on both the IDeA eligibility criteria proposals and funding level by State and major activities, to include the co-funding activity, in the fiscal year 2013 congressional budget justification.

Third Party Collections 3-Year Pilot.—Since fiscal year 1997, Congress has included bill language authorizing NIH to "collect third party payments for the cost of clinical services that are incurred in NIH research facilities." NIH has not yet exercised that authority. A recent study released in September that was conducted by PricewaterhouseCoopers LLP (PwC) found that there are numerous potential advantages as well as potential disadvantages to implementing a third party billing program. "The potential use of third party billing represents a significant investment and enduring change for the NIH Clinical Center," the study states. "As such, additional efforts beyond the 14-week study represented in this report may be undertaken to more fully consider the challenges associated with the use of third party billing and the opportunities that may exist." The conferees concur with this observation and therefore direct NIH to conduct a 3-year pilot study to assess the viability of third party reimbursement at NIH by looking at one of the services commonly used by a significant number of outpatients at some point in the patient's protocol. One possible example would be radiology services, but this is not the only option. The Committees on Appropriations expect to be briefed on the proposed subject area and scope of the pilot before it is finalized. The conferees include $10,000,000 for the Clinical Center for the costs of building the billing infrastructure for the pilot.

Neuroblastoma.—The conferees note the promising results of a recent clinical trial using a chimeric antibody to treat newly diagnosed neuroblastoma patients. The conferees support efforts to fa-

cilitate access to this new therapy for relapsed patients and request an update in the fiscal year 2013 congressional budget request.

Clinical Trials.—The conferees are aware of a 2010 IOM study on clinical trials that identified a number of concerns which may apply across all ICs.

The conferees direct NIH to conduct a trans-NIH review of the applicability of the 12 IOM recommendations to all NIH ICs that conduct clinical trials. The review should examine ways to develop and strengthen NIH-wide policies with a focus on opportunities to improve the incorporation of innovative science, increase speed of initiation and completion, improve the means of setting priorities, and develop better incentives for participation in clinical trials.

The conferees note the report found it takes over 900 days to open a clinical trial, but trials supported through the American Recovery and Reinvestment Act developed methods to open studies within 90 days. The conferees encourage NIH to consider guidance to incorporate the 90-day opening model into other NIH-wide clinical trial activity.

The review should examine the policies of each IC regarding funding for variable accrual costs per case, and ensure consistent guidelines across NIH. Specifically, the review should examine the viability and effect on speed of opening trials of a multi-tier system in which payments for cost-per-accrual vary according to the time required to open the trial. Furthermore, the review should examine the methods and processes ICs use to prioritize clinical trials based on peer-review input, funding, and other ways to optimize selection of studies.

The conferees request a report by September 30, 2012, that identifies the findings, proposed policy changes, implementation timeline, and key measures NIH will use to monitor clinical trial activity.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

The conference agreement includes $3,354,313,000 for the Substance Abuse and Mental Health Services Administration (SAMHSA). In addition, the conference agreement makes available $129,667,000 under section 241 of the Public Health Service (PHS) Act.

The conference agreement includes bill language that divides SAMHSA into several accounts to improve transparency and accountability. The conferees direct that future budget requests, to include the fiscal year 2013 budget request, reflect this new structure. Further, the conferees direct SAMHSA to include in its budget justification the specific funding increases, decreases and FTE changes being requested by program, project or activity, along with a detailed description of activities funded under each program, the number of new and continuing grants made; the average grant size; and a State-by-State table for any formula-based funding for all budget lines included in this Statement of the Managers. The conferees expect that SAMHSA shall not make changes to any program, project, or activity as outlined by the budget tables included in this Statement of the Managers without prior notification to the House and Senate Committees on Appropriations.

The conferees have provided funding for Programs of Regional and National Significance under each of SAMHSA's statutorily-created Centers rather than consolidate funding into a single account for Innovation and Emerging Issues, as proposed in the budget request.

MENTAL HEALTH

The conference agreement includes $934,853,000 for Mental Health. In addition, $21,039,000 is made available under section 241 of the PHS Act.

Within the total provided for Mental Health Programs of Regional and National Significance, the conference agreement includes the following amounts:

Budget activity	Conference
Capacity:	
Co-Occurring State Incentive Grant	0
Seclusion & Restraint	2,449,000
Youth Violence Prevention	23,200,000
National Traumatic Stress Network	45,800,000
Children and Family Programs.	6,486,000
Consumer and Family Network Grants .	6,236,000
MH System Transformation and Health Reform.	10,623,000
Project LAUNCH	34,706,000
Primary and Behavioral Health Care Integration.	30,807,000
Community Resilience and Recovery Initiative	0
Suicide Lifeline	5,522,000
GLS—Youth Suicide Prevention—States	29,738,000
GLS—Youth Suicide Prevention—Campus	4,975,000
AI/AN Suicide Prevention Initiative	2,944,000
Homelessness Prevention Programs	30,830,000
Older Adult Programs	0
Minority AIDS	9,283,000
Criminal and Juvenile Justice Programs	6,684,000
Science and Service:	
GLS—Suicide Prevention Resource Center	4,957,000
Information Dissemination and Training	7,878,000
Consumer & Consumer Support T.A. Centers	1,927,000
Primary/Behavioral Health Integration TA	2,000,000
Minority Fellowship Program	5,099,000
Disaster Response	1,054,000
Homelessness	2,306,000
HIV/AIDS Education	774,000

Within the funds provided for the National Child Traumatic Stress Network, the conferees provide $1,000,000 for continued data analysis and reports related to the National Center for Child Traumatic Stress core data set.

The conferees intend that funds provided to Project LAUNCH should not duplicate activities eligible for funding elsewhere in HHS.

The conferees intend that all grants awarded for the Primary and Behavioral Health Integration program are funded under the authorities in section 520(K) of the PHS Act. In addition, the conferees have provided $2,000,000 under a separate budget line for SAMHSA to provide technical assistance related to this program.

Within the funds provided for the Minority Fellowship Program, the conferees have provided an increase in funding to allow SAMHSA to increase the pool of culturally competent mental

health professionals by granting professional counselors eligibility to participate in the program.

SUBSTANCE ABUSE TREATMENT

The conference agreement includes $2,123,993,000 for Substance Abuse Treatment. In addition, $81,200,000 is made available under section 241 of the PHS Act.

Within the total provided for Programs of Regional and National Significance, the conference agreement includes the following amounts:

Budget activity	Conference
Capacity:	
Co-occurring State Incentive Grants (SIGs)	0
Opioid Treatment Programs/Regulatory Activities	8,903,000
Screening, Brief Intervention, Referral, & Treatment	28,237,000
TCE—General	28,033,000
Pregnant & Postpartum Women	16,000,000
Strengthening Treatment Access and Retention	1,675,000
Recovery Community Services Program	2,450,000
Access to Recovery	98,454,000
Children and Families.	30,678,000
Treatment Systems for Homeless	41,650,000
Minority AIDS	65,988,000
Criminal Justice Activities	67,635,000
NASPER	0
Science and Service:	
Addiction Technology Transfer Centers	9,081,000
Minority Fellowship Program	547,000
Special Initiatives/Outreach	2,271,000

The conferees direct SAMHSA to ensure that Addiction Technology Transfer Centers continue to maintain a primary focus on addiction treatment and recovery services in order to strengthen the addiction workforce.

The conferees direct SAMHSA to ensure that all funding appropriated to the Center for Substance Abuse Treatment for drug treatment courts is allocated to serve people diagnosed with a substance use disorder as their primary condition.

The conferees direct SAMHSA to ensure that funds provided for SBIRT are used for existing evidence-based models of providing early intervention and treatment services to those at risk of developing substance abuse disorders.

SUBSTANCE ABUSE PREVENTION

The conference agreement includes $186,361,000 for Substance Abuse Prevention.

Within the total provided for Programs of Regional and National Significance, the conference agreement includes the following amounts:

Budget activity	Conference
Capacity:	
Strategic Prevention Framework/Partnerships for Success	110,015,000
Mandatory Drug Testing	5,206,000
Minority AIDS	41,385,000
Sober Truth on Preventing Underage Drinking (STOP Act)	7,000,000
National Adult-Oriented Media Public Service Campaign	1,000,000
Community-based Coalition Enhancement Grants	5,000,000

Budget activity	Conference
Intergovernmental Coordinating Committee on the Prevention of Underage Drinking	1,000,000
Science and Service:	
Fetal Alcohol Spectrum Disorder	9,821,000
Center for the Application of Prevention Technologies.	8,074,000
Science and Service Program Coordination	4,789,000
Minority Fellowship Program	71,000

The conferees direct SAMHSA to fund the remaining cohort of Strategic Prevention Framework State Incentive Grant grantees at amounts not less than what they received in fiscal year 2011.

The conferees note that building on the infrastructure of current and past Drug Free Communities grantees is an effective way to invest minimal federal dollars to address underage drinking issues at the community level.

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

The conference agreement includes $109,106,000 for health surveillance and program support activities. In addition, $27,428,000 is made available under section 241 of the PHS Act.

The conferees have included $3,500,000 to conduct Military Families Initiatives policy academies.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

The conference agreement includes a program level of $369,053,000 for the Agency for Healthcare Research and Quality. The conference agreement makes these funds available through section 241 of the Public Health Service (PHS) Act.

Within the total for the Crosscutting Activities Related to Quality, Effectiveness and Efficiency Research portfolio, the conferees provide $43,364,000 for investigator-initiated research.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

The conference agreement includes $184,279,110,000 for the Federal share of current law State Medicaid costs. In addition, the agreement includes $90,614,082,000 for program costs in the first quarter of fiscal year 2013.

PAYMENTS TO HEALTH CARE TRUST FUNDS

The conference agreement includes $230,741,378,000 for the Payments to Health Care Trust Funds account.

PROGRAM MANAGEMENT

The conference agreement includes $3,879,476,000 for the Program Management account. The agreement maintains the State Health Insurance Assistance Program within the Program Management account. The conferees recommend the following levels within the Program Management account:

Program Management	
Research, Demonstration and Evaluation	$21,200,000
Program Operations	2,663,935,000
State Survey and Certification	355,876,000
State High Risk Insurance Pools	44,000,000
Federal Administration	794,465,000

The conferees include funding for Research, Demonstration, and Evaluation activities, including the Medicare Current Beneficiary Survey. The conferees encourage CMS to review the programs within this account to determine if they are funded in the appropriate budget line. Specifically, CMS is encouraged to evaluate the advantages and disadvantages of moving the Medicare Current Beneficiary Survey into the Program Operations activity.

Ambulatory Surgical Centers (ASC).—The conferees understand that in 2008, ASCs provided 3.3 million Medicare recipients with outpatient surgical services, including screening services. The conferees have heard concerns related to the use of the consumer price index for urban consumers (CPI–U) to update the payment rates of ASCs, a different method than is used for other comparable service providers. The conferees request that CMS develop a report that compares other potential options for updating the payment rates of ASCs and report back the findings in the fiscal year 2013 budget request.

CMS Test Environment for Testing Industry Solutions in Secure Settings.—The conferees direct and provide $5,000,000 for CMS to provide a test environment "sandbox" where vendors can work independently and with CMS to seek solutions and execute "proof of concept" tests to Medicare issues in a secure environment, using Medicare data, on CMS technical architecture. The conferees recommend support within the Enterprise IT Activities function to establish an isolated, stand-alone test environment for independent vendor testing of industry solutions that could provide significant benefit to CMS operations. The test environment will provide controlled access to Medicare data to run "proof of concept" tests that determine solution effectiveness in addressing Medicare issues such as improper payment and quality measurement. The test environment must ensure data privacy and security, comply with CMS technical architecture standards, provide temporary access and secure connectivity for vendor testing, and make relevant data sets available for product testing. The conferees request a report and timeline in the fiscal year 2013 budget request.

Comparison of Residency Position.—The conferees request CMS conduct an analysis evaluating the implementation of Section 5503 of Public Law 111–148 on the allocation of Medicare Graduate Medical Education (GME) resident slots to hospitals. This analysis shall compare how residency slots are allocated according to two assignment strategies. Strategy one is the allocation of GME slots according to the current final CMS Federal Rule as published in the *Federal Register* on November 24, 2010. The current final rule states that fiscal year 2009 report data not be included if it was reported after March 23, 2010. Strategy two involves an assessment of GME slot allocation which includes all fiscal year 2009 cost reports, including data for hospitals whose fiscal year ended on December 31, 2009, and as such have cost data reported after March

23, 2010. The report of this analysis shall include the number of Medicare GME slots allocated to each hospital under the two different allocation strategies. The conferees request CMS provide the final report with the detailed hospital level information under each option to the House and Senate Appropriations Committees not later than 6 months after enactment.

Dialysis Facilities.—The conferees are concerned by reports of delays in the processing for surveys and certifications for dialysis facilities and encourage CMS to reduce the wait times. Further, the conferees request CMS report back to the Congress within 6 months on major impediments related to processing applications timely and provide its plan to address these impediments.

The conferees urge CMS to develop an overall strategic plan that links its vision for operations, program integrity, information technology, and other areas into a comprehensive approach with measurable objectives and resources. The conferees request a copy of this plan no later than 180 days after enactment.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

The conference agreement includes $310,377,000 from the Medicare trust funds for the Health Care Fraud and Abuse Control Account.

ADMINISTRATION FOR CHILDREN AND FAMILIES

LOW INCOME HOME ENERGY ASSISTANCE

The conference agreement includes $3,478,246,000 for the Low Income Home Energy Assistance Program.

REFUGEE AND ENTRANT ASSISTANCE

The conference agreement includes $769,789,000 for Refugee and Entrant Assistance programs.

Within the total provided for Transitional and Medical Services, the conferees include $65,000,000 for the voluntary agency matching grant program.

Within the total for Unaccompanied Alien Children, the conference agreement includes up to $6,100,000 for the pro bono legal services pilot to ensure legal representation for both released and detained children.

CHILD CARE AND DEVELOPMENT BLOCK GRANT

The conference agreement includes $2,282,627,000 for the Child Care and Development Block Grant.

CHILDREN AND FAMILIES SERVICES PROGRAMS

The conference agreement includes $9,926,709,000 for Children and Families Services Programs. In addition, $5,762,000 is made available under section 241 of the Public Health Service (PHS) Act.

The conferees direct that not later than 120 days after enactment, ACF shall submit to the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives the results of the study related to suspected and known instances of child abuse

and neglect, as required under section 110(d) of the Child Abuse Prevention and Treatment Reauthorization Act of 2010.

The conference agreement includes up to $10,000,000 for the Healthy Foods Financing Initiative within the Community Economic Development Program.

PROMOTING SAFE AND STABLE FAMILIES

The conference agreement includes $345,000,000 in mandatory funds for Promoting Safe and Stable Families.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The conference agreement includes $1,473,703,000 for Aging Services Programs. The conferees urge the Administration on Aging to improve its consultation with the Committees on Appropriations regarding any reallocation of funds that may occur after the submission of its congressional justification. The conferees have not transferred the SHIP program from CMS.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

The conference agreement includes $475,221,000 for General Departmental Management. In addition, the conference agreement includes $69,211,000 in funding from the Public Health Service program evaluation set-aside.

Within the funds for the Office of the Secretary, the conference agreement designates $1,000,000 for the Office of the Assistant Secretary for Financial Resources to begin implementing a new, integrated system that can accurately track and report the Department's finances, including by source year of the appropriation.

The conference agreement provides $9,000,000 for the Office of the Assistant Secretary for Public Affairs.

The conference agreement provides $250,000 for the Advisory Council on Alzheimer's Research, Care and Services, $1,000,000 for a competitive grant program to provide assistance regarding transportation assistance for individuals with disabilities, $1,000,000 to continue the national health education program on lupus for healthcare providers, and $3,010,000 to continue the preventing violence against women initiative, all as proposed in Senate Report 112–84.

In addition, the conference agreement includes $1,000,000 for the Assistant Secretary for Health to contract with the National Academy of Sciences to conduct a scientific peer review of the 12th Report on Carcinogens determinations related to formaldehyde and styrene. Included in the review should be all relevant, peer-reviewed research related to both formaldehyde and styrene.

The conference agreement includes no funding for the Adolescent Family Life program, as proposed in the budget request.

The conference agreement provides $104,790,000 for the teenage pregnancy prevention initiative. In addition, $8,455,000 is to be derived from the Public Health Service program evaluation set-

aside, including $4,000,000 to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches.

The conference agreement also includes $5,000,000 for an abstinence education program.

OFFICE OF MEDICARE HEARINGS AND APPEALS

The conference agreement includes $72,147,000 for the Office of Medicare Hearings and Appeals.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

The conference agreement includes $61,257,000 for the Office of the National Coordinator for Health Information Technology, of which $16,446,000 is provided in budget authority and $44,811,000 is made available through the Public Health Service program evaluation set-aside.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $50,178,000 for the Office of Inspector General.

OFFICE FOR CIVIL RIGHTS

The conference agreement includes $41,016,000 in budget authority only for the Office for Civil Rights.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $984,452,000 for the Public Health and Social Services Emergency Fund.

Within the total for Preparedness and Emergency Operations, the conference agreement includes $10,000,000 to prepare for and respond to non-Stafford Act National Special Security Events and makes such funds available until September 30, 2014.

The conferees direct the Biomedical Advanced Research and Development Authority to develop a plan to deliver recombinant anthrax vaccine to the Strategic National Stockpile by 2015 and brief the House and Senate Committees on Appropriations on such a plan not later than 60 days after enactment of this Act.

GENERAL PROVISIONS

SALARY CAP ON GRANTS AND OTHER EXTRAMURAL MECHANISMS

The conference agreement includes a general provision capping the permitted use of grant and contract funds that may be used to pay the salary of a grantee to Executive Level II and applies the cap to all HHS operating divisions funded in this Act.

TRANSFER AUTHORITY

(TRANSFER OF FUNDS)

The conference agreement modifies a general provision providing the Secretary of Health and Human Services the authority

to transfer up to 1 percent of discretionary funds between appropriations accounts.

CENTERS FOR DISEASE CONTROL AND PREVENTION STAFF TRAINING

The conference agreement modifies a general provision regarding Centers for Disease Control and Prevention Individual Learning Accounts.

NIH MINOR REPAIRS AND ALTERATIONS

The conference agreement modifies a general provision allowing NIH to use up to $45,000,000 for alteration, repair or improvement of its facilities and caps the amount that can be spent on any single project to $3,500,000.

GUN CONTROL

The conference agreement modifies a provision previously carried in the CDC account that prohibits any HHS operating division funded in this Act from being used to advocate or promote gun control.

FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS

The conference agreement includes a general provision prohibiting creation of a new Federally Funded Research and Development Center unless certain conditions are met.

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

The conference agreement includes $15,750,983,000 for Education for the Disadvantaged. The conference agreement provides $4,909,806,000 in fiscal year 2012 and $10,841,177,000 in fiscal year 2013 funding for this account.

For Title I School Improvement Grants, the conference agreement continues bill language permitting fiscal year 2012 appropriations to be used by local educational agencies to serve any Title I, part A-eligible school that has not made adequate yearly progress for at least two years or is in a State's lowest quintile of performance based on proficiency rates and, in the case of secondary schools, priority shall be given to those schools with graduation rates below 60 percent.

The conference agreement includes language permitting the Secretary to establish a maximum subgrant size of $2,000,000 for Title I School Improvement Grants and allows the Secretary to reserve up to 5 percent of school improvement funds for State and local capacity building.

The conferees note that many children in schools receiving SIG funds face myriad personal, familial, and community challenges (including poverty-related stressors), and these challenges follow students into their schools, often resulting in distracting, disruptive, and ineffective learning environments. Even the best school leaders and teachers cannot achieve optimal results unless poverty-

related barriers to teaching, learning, and school organization are addressed and effective conditions for learning are established. These barriers to teaching and learning must be addressed in addition to in-school factors in order to achieve sustained academic success.

The conferees direct the Department to require that all schools receiving SIG funds have a plan in place for addressing the academic and non-academic needs of their students, including improving the overall school climate where necessary, in addition to addressing factors such as the usage of time, instructional practices, and professional development and supports. The conferees expect the plan to assess and address as appropriate the mental health needs and interventions of the students at the school in an integrated manner within the overall turnaround strategy; related training and professional development for all staff that increase classroom efficacy such as classroom organization and management, including teachers and administrators; access to school-based counseling services; the development of school-based systems, such as teams, to identify and address individual student academic, behavioral, health, or social needs and to support a positive and developmentally appropriate school climate; and how parents, families and the community will be engaged in this and other aspects of the school turnaround process.

For the Striving Readers program, the conference agreement includes $160,000,000 and bill language to continue a comprehensive literacy program for States.

IMPACT AID

The conference agreement includes $1,293,631,000 for Impact Aid. In addition, the conference agreement includes bill language providing for competitive grants for Impact Aid construction grants.

SCHOOL IMPROVEMENT PROGRAMS

The conference agreement includes $4,550,018,000 for the School Improvement Programs account. The conference agreement provides $2,868,577,000 in fiscal year 2012 and $1,681,441,000 in fiscal year 2013 funding for this account.

Within the amount provided for Teacher Quality State Grants, the conference agreement provides a set aside of one and one-half percent of funds for competitive awards for teacher or principal training or professional enhancement activities to national not-for-profit organizations.

The conference agreement includes bill language that allows funds under the Education of Native Hawaiians program to be used for construction, renovation, and modernization of any elementary school, secondary school, or related structure run by the Department of Education of the State of Hawaii that serves a predominantly Native Hawaiian student body.

The conference agreement also includes bill language that requires the Alaska Native Education program to be awarded without regard to earmarks included in the program's authorizing stat-

ute. The conference agreement also allows funds within this program to be used for construction.

The conferees intend that in providing the technical assistance and guidance described in Senate Report 112–84, the Department of Education should not give priority to, show preference for, or provide direction about whether communities use 21st Century Community Learning Center funds for after school, before school, summer school or extended school day programs, unless specifically requested by a State or local educational agency.

The conference agreement provides $27,000,000 for the Advanced Placement program. The conferees intend that $20,000,000 of these funds be used to continue the Advanced Placement Test Fee program and that $7,000,000 be used for continuation costs for the Advanced Placement Incentive Program.

INDIAN EDUCATION

The conference agreement includes $131,027,000 for Indian Education.

The conferees recognize that tribal education departments and agencies are uniquely situated at the local level to implement innovative education programs to improve Native American education. Accordingly, the conference agreement includes $2,000,000 under the National Activities line for a pilot project to increase the role of tribal education departments in Native American education. In the pilot, tribal education agencies would directly administer some Elementary and Secondary Education Act programs to enter into collaborative agreements with States to work closely with school districts located on Indian reservations or former Indian reservations located in Oklahoma. The conferees expect the Department of Education to collaborate with the Bureau of Indian Affairs on this effort.

INNOVATION AND IMPROVEMENT

The conference agreement includes $1,530,429,000 for Innovation and Improvement.

The conference agreement includes $550,000,000 for the Race to the Top program and authorizes the Secretary to make grants under this authority to local educational agencies. The conferees expect that the Secretary will include a robust early childhood education component in administering the Race to the Top competition. The conference agreement also authorizes the Secretary to use up to five percent of funds under the Race to the Top and Investing in Innovation authorities for technical assistance and evaluation of these programs.

The conference agreement continues language in the Teacher Incentive Fund program that provides for competitive grants to implement performance-based compensation systems for teachers, principals and other personnel in high-need schools.

In the charter schools program, the conference agreement continues language requiring $23,000,000 to be used to support charter school facilities needs. The conference agreement also includes language allowing the Secretary to reserve up to $55,000,000 to make multiple awards to nonprofit charter management organiza-

tions and other entities that are not-for-profit entities for replication and expansion of successful charter school models.

The conference agreement also includes bill language for the charter school program requiring the Secretary of Education to reserve up to $11,000,000 for national activities for technical assistance, evaluation and to make grants to authorized public chartering agencies in order to increase the number of high-performing charter schools.

Within FIE, the conference agreement includes funding for the following activities in the following amounts:

Budget activity	Conference agreement
Arts in Education	$25,000,000
Data Quality and Evaluation	1,300,000
Full Service Community Schools	10,113,000
National Clearinghouse for Educational Facilities	733,000
Peer Review	100,000

The conference agreement also includes $28,654,000 for a literacy initiative within FIE as described in Senate Report 112–84.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

The conference agreement includes $256,237,000 for Safe Schools and Citizenship Education. Within this total, $60,000,000 is provided for Promise Neighborhoods with funding available through December 31, 2012.

ENGLISH LANGUAGE ACQUISITION

The conference agreement includes $733,530,000 for English Language Acquisition.

SPECIAL EDUCATION

The conference agreement includes $12,647,066,000 for Special Education. The conference agreement provides $3,363,683,000 in fiscal year 2012 and $9,283,383,000 in fiscal year 2013 funding for this account.

The conference agreement includes $2,000,000 to remain available through September 30, 2013 for a program to improve the outcomes of children receiving Supplemental Security Income (SSI) benefits and their families. The agreement allows States to subgrant funds to other public and private non-profit entities. The conferees note that additional funds for this PROMISE initiative are available through the Rehabilitation Services and Disability Research Account and Social Security Administration.

REHABILITATION SERVICES AND DISABILITY RESEARCH

The conference agreement includes $3,512,019,000 for Rehabilitation Services and Disability Research.

The conference agreement includes language allowing the Secretary to use amounts that remain available after reallotment of State vocational rehabilitation funds for activities to improve the outcomes of children receiving SSI benefits and their families, allows States to make subgrants of such funds to other public and

private, non-profit entities and extends availability of these funds to September 30, 2013.

The conference agreement provides $2,000,000 for competitive grants to support alternative financing programs that provide for the purchase of assistive technology (AT) devices. The conferees' goal in providing these funds is to allow greater access to affordable financing to help people with disabilities purchase the specialized technologies needed to live independently, to succeed at school and work and to otherwise live active and productive lives. The conferees intend that applicants incorporate credit building activities in their programs, including financial education and information about other possible funding sources. Successful applicants must emphasize consumer choice and control and build programs that will provide financing for the full array of AT devices and services and ensure that all people, regardless of type of disability or health condition, age, level of income and residence have access to the program.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The conference agreement includes $65,546,000 for operations for the National Technical Institute for the Deaf. The conferees have consolidated funds into the operations line for NTID this year due to fiscal constraints, but will consider construction funding for NTID in the future as needs may warrant.

GALLAUDET UNIVERSITY

The conference agreement includes $125,754,000 for Gallaudet University. The conference agreement includes bill language designating $7,990,000 of this amount for construction and provides that the funds are available until expended.

CAREER, TECHNICAL, AND ADULT EDUCATION

The conference agreement includes $1,738,946,000 for Career, Technical, and Adult Education. The conference agreement provides $947,946,000 in fiscal year 2012 funding and $791,000,000 in fiscal year 2013 funding for this account.

STUDENT FINANCIAL ASSISTANCE

The conference agreement includes $24,538,521,000 for Student Financial Assistance.

The conference agreement includes $22,824,000,000 for the Pell Grant program. The funds in this conference agreement will support a $4,860 maximum discretionary Pell grant for the 2012–2013 award year.

The conferees concur that the Department shall provide the same funding in fiscal year 2012 for the Work Colleges program authorized under section 448 of the Higher Education Act from the Federal Work-Study Program appropriation.

STUDENT AID ADMINISTRATION

The conference agreement includes $1,045,363,000 for student aid administration. Within the total, $370,000,000 is provided for servicing activities and $675,363,000 is provided for salaries and expenses to remain available until September 30, 2013.

The conferees direct the Department to provide a report by April 1, 2012 and quarterly reports thereafter detailing their obligation plan by quarter for spending mandatory and discretionary funding for student aid administrative activities broken out by servicer, activity and funding source.

HIGHER EDUCATION

The conference agreement includes $1,873,196,000 for Higher Education.

The conference agreement provides $74,177,000 for International Education and Foreign Language Studies. The conferees acknowledge that funding provided in the conference agreement for international education will likely only allow funding for continuation costs. The conferees encourage the Department to look for ways to support undergraduate study abroad programs as authorized by section 604 of the Higher Education Act (HEA).

The conference agreement includes language that allows international education funds to be used to support visits and study in foreign countries to develop language skills and allows up to one percent of international education funds to be used for evaluation, outreach and information dissemination. The conferees direct the Secretary to use international education domestic program funding to maintain a focus on continuing instruction in foreign languages that are less commonly taught, emphasize those critical for national security, and to maintain a pool of international experts for national security needs.

The conference agreement continues language that requires recipients of a multi-year award under the tribal colleges program to continue to receive the amount they would have received prior to the Higher Education Act's reauthorization in accordance with the original award terms.

The conference agreement includes language which consolidates the Javits Fellowship program within the Graduate Assistance in Areas of National Need Program as proposed by the Administration.

Within the amount for FIPSE, the conference agreement includes $1,130,000 for the Training for Realtime Writers program. The conferees direct that these funds be awarded in accordance with section 872 of the HEA.

Within the amount for FIPSE, $2,103,000 is included for the European Union-United States Atlantis Program. The conferees direct that these funds be awarded in accordance with section 744 of the HEA.

Within the amount for FIPSE, $267,000 is for continuation of a data contract.

The conferees continue to be concerned with the tardiness of the Department in making TRIO and GEARUP awards this year. Accordingly, the conferees direct the Department to provide a re-

port to the Committees on Appropriations of both the House and the Senate outlining the causes of grant award delays and providing an action plan for remedying this situation in the future.

HOWARD UNIVERSITY

The conference agreement provides $234,507,000 for support for Howard University and Howard University Hospital.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM

The conference agreement includes $20,541,000 for the HBCU Capital Financing Program. The conference agreement provides a total loan principal of $367,255,000 and includes language to allow funds to be used to support loans without regard to section 344(a) of the Higher Education Act.

INSTITUTE OF EDUCATION SCIENCES

The conference agreement includes $594,788,000 for the Institute of Education Sciences to remain available through fiscal year 2013. The agreement provides $11,000,000 for awards to public or private organizations or agencies to support activities to improve data coordination, quality and use at the local, State and national levels and modifies language to clarify that funds for statewide data systems may be used to link various State systems together.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

The conference agreement includes $447,104,000 for Program Administration.

The conferees are aware that the Government Accountability Office issued a report this year which identified 82 federal programs designed to improve teacher quality spread across several federal agencies, including 64 at the Department of Education. The conferees note that the report "recognize[d] that there could be instances where some degree of program duplication, overlap, or fragmentation may be warranted due to the nature or magnitude of the federal effort". The conferees also note that under the fiscal year 2011 bill and this conference agreement nearly 25 percent of the identified programs within the Department have been consolidated or eliminated.The conferees request the Department to issue a report within 180 days of enactment of this Act that identifies remaining programs designed to improve teacher quality, which agency administers the program, the most recent program evaluation data available for each (if any), and includes recommendations on how agencies can better collaborate and coordinate on administration of these programs.

GENERAL PROVISIONS

TRANSFER OF FUNDS

The conference agreement includes language allowing the Secretary to transfer not to exceed one percent of appropriated funds

between appropriations, provided that no appropriation is increased by more than three percent as a result of such transfer, and that no new programs are created, nor programs for which funds were not appropriated are funded, as a result of such transfer. The conference agreement also requires the Secretary to notify the Committees on Appropriations of both the House and the Senate at least 15 days in advance of any transfer.

OUTLYING AREAS FUNDS CONSOLIDATION

The conference agreement includes a general provision that extends Palau's eligibility to participate in certain education programs through the end of fiscal year 2012.

PELL ELIGIBILITY

The conference agreement includes changes to limit the number of full-time equivalent Pell grants to a lifetime maximum of six years/twelve semesters; to lower the adjusted gross income level at which an expected family contribution will automatically receive a "zero" to $23,000; to raise the minimum award for eligibility to ten percent of the maximum award; and to require students to either have completed a high school diploma, a GED, or have been homeschooled to be eligible for a Pell award, unless they were enrolled prior to July 1, 2012. The conference agreement further provides that these provisions will take effect on July 1, 2012 and that negotiated rulemaking will not apply to changes made by these amendments.

INTEREST SUBSIDY ELIMINATION

The conference agreement includes language that suspends for two years the interest subsidies on loans made on or after July 1, 2012 through June 30, 2014 during the six-month grace period following a student's withdrawal or graduation.

STUDENT LOAN INDEX

The conference agreement includes language that changes the index used for holders of federal student loans from commercial paper to LIBOR.

HBCU GULF HURRICANE DISASTER LOANS

The conference agreement includes language that authorizes the Secretary to modify terms of Gulf hurricane disaster loans to HBCUs if such modifications result in no net cost to the government and if such modifications are approved by the Departments of Education, Treasury and the Office of Management and Budget.

RACE TO THE TOP SUBGRANTING AUTHORITY

The conference agreement includes language that clarifies that a State may make subgrants to public or private agencies and organizations under the early childhood component of the Race to the Top program. Not later than 60 days after enactment of this Act, the conferees direct the Department to provide a briefing on expected outcomes of grantees awarded funds from the fiscal year 2011 Race to the Top appropriation, including specifically how this

subgranting authority will contribute to the successful implementation of State plans.

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

The conference agreement includes $5,385,000 for the Committee for Purchase from People Who Are Blind or Severely Disabled.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

The conference agreement includes $751,672,000 for the operating expenses of the programs administered by the Corporation for National and Community Service (CNCS).

Within the total provided for Innovation, Assistance, and Other Activities, the conference agreement includes $53,381,000, which includes $44,900,000 for the Social Innovation Fund, $3,992,000 for the Volunteer Generation Fund, and $1,000,000 for the Martin Luther King Day of Service. The conferees have included language allowing CNCS to make minimum grants of $200,000 to State Service Commissions to spread funding more equitably across the Nation.

NATIONAL SERVICE TRUST

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $212,198,000 for the National Service Trust.

SALARIES AND EXPENSES

The conference agreement includes $83,000,000 for the CNCS Salaries and Expenses.

INSPECTOR GENERAL

The conference agreement includes $4,000,000 for the CNCS Inspector General Office.

ADMINISTRATIVE PROVISIONS

The conferees have included a new provision that clarifies the use of Education Awards at G.I. Bill institutions related to CNCS.

CORPORATION FOR PUBLIC BROADCASTING

The conference agreement includes a fiscal year 2014 advance appropriation of $445,000,000 for the Corporation for Public Broadcasting (CPB).

In addition, the conferees request CPB provide a report within 180 days of enactment to House and Senate Committees on Appro-

priations on alternative sources of funding for public broadcasting stations in lieu of federal funding.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

The conference agreement includes $46,250,000 for the Federal Mediation and Conciliation Service and does not include funding for the Labor-Management Cooperation Grant program.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $17,637,000 for the Federal Mine Safety and Health Review Commission.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

The conference agreement includes $232,393,000 for the Institute of Museum and Library Services (IMLS).

Within the total for IMLS, the conference agreement includes funds for the following activities in the following amounts:

Budget activity	Conference
Library Services Technology Act:	
Grants to States	$156,661
Native American Library Services	3,876
National Leadership: Libraries	11,968
Laura Bush 21st Century Librarian	12,548
Museum Services Act:	
Museums for America	18,064
21st Century Museum Professionals	1,972
Conservation Project Support	2,619
Native American/Hawaiian Museum Services	927
National Leadership: Museums	5,923
African American History and Culture Act:	
Museum Grants for African American History & Culture	1,413
Program Administration	16,422

Within the amount provided for Program Administration, the conference agreement includes $1,889,000 for research and data collection activities.

MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $6,000,000 for the Medicaid and CHIP Payment and Access Commission.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $11,800,000 for the Medicare Payment Advisory Commission.

NATIONAL COUNCIL ON DISABILITY

The conference agreement includes $3,264,000 for the National Council on Disability.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

The conference agreement includes $278,833,000 for the National Labor Relations Board.

ADMINISTRATIVE PROVISIONS

The conference agreement includes a new provision that prohibits the National Labor Relations Board from issuing any new administrative directive or regulation related to electronic voting.

RAILROAD RETIREMENT BOARD

LIMITATION ON ADMINISTRATION

The conference agreement includes $108,855,000 for administrative expenses of the Railroad Retirement Board.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME

The conference agreement includes $37,582,991,000 for the Supplemental Security Income (SSI) program. Within this amount, the agreement includes $8,000,000, available through fiscal year 2013, for the Research and Demonstration activity conducted under sections 1110 and 1144 of the Social Security Act to support research activities like PROMISE, the Occupational Information System, and the Disability Research Consortium. The conferees encourage the Commissioner to develop policies related to section 1110 research portfolio governance related to funding and ensure projects meet the intent of section 1110. Such policies should ensure that research projects, with very limited exceptions, are either discontinued or graduated into a more appropriate funding line within 5 years from project's beginning. The conferees direct SSA to include in its operating plan funding allocations by project at the level of detail included in its congressional budget justification and expect advance notification of any subsequent realignment of funds within those activities.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes $10,984,494,000 for a Limitation on Administrative Expenses (LAE) for the SSA, including dedicated program integrity funding and applicable user fees.

Information Technology Investments.—The conferees direct SSA to include information in its congressional budget justification each year regarding LAE expired unobligated balances and the amount made available from these balances without fiscal year limitation for information technology investments. This should include actual or estimated amounts for the prior, current, and budget years. In addition, the conferees direct SSA to include a consoli-

dated information technology plan in its congressional budget justification each year, including the total amount of Information Technology (IT) expenses and the actual or estimated amount paid for with LAE funds and no-year IT funds.

Independent SSA Resource Analysis and Strategy.—With a large percentage of SSA's workforce eligible for retirement, and short- and long-term constraints on available resources, the conferees are concerned that SSA faces continued service delivery challenges in the coming decades. Therefore, the conferees provide SSA with up to $500,000 to contract with the National Academy of Public Administration to develop and submit a report proposing a long-range strategic plan for SSA's consideration. This report shall be conducted in consultation with SSA and its stakeholders and address the following: an evaluation of SSA's existing organizational structure, workforce capacity, physical infrastructure and review of SSA's electronic service delivery and investment in automation and information technology. The report shall be submitted within 180 days of enactment to the House and Senate Committees on Appropriations, the House Committee on Ways and Means and the Senate Committee on Finance.

Annual Social Security Statement Review.—The conferees note the public value of the annual Social Security statement. The conferees encourage the Commissioner to examine a broad range of options for continuing to provide the information included in the annual statement to the public and request a report no later than March 2012 to examine options to continue to do so. The report should examine the advantages and disadvantages, costs, benefits, and other potential implications to each method considered. The conferees request the Commissioner submit the report to the House and Senate Committees on Appropriations, the House Committee on Ways and Means and the Senate Committee on Finance.

DOL and SSA Occupational Handbook.—The conferees appreciate the steps SSA has taken to update occupational information used by the SSA to adjudicate claims for disability benefits. The conferees urge DOL and SSA to continue to work together on this effort and submit a joint report to the House and Senate Committees on Appropriations, the House Committee on Ways and Means, and the Senate Committee on Finance with a timeline, major milestones, and projected 5-year costs of this project within 180 days of enactment of this bill and to provide annual progress reports thereafter.

Budget Request.—The conferees direct SSA to include the following information in its annual budget requests, operating plans, and reprogramming requests:

SSI Extramural Research and Demonstration program, project, and activity details;

Annual fiscal year workload table on disability appeals at the same level of detail as provided in the House fiscal year 2011 questions for the record;

Annual performance targets for pending cases and processing times for the reconsideration level of appeal;

Updates on the new national data center project milestones and plans to use the projected IT refresh/replacement, operations,

and repair/maintenance funds over the next 5 years to outfit the new facility;

FTE table by major component for the prior actual year at the level of detail as answered in the House fiscal year 2011 hearing question for the record; and

Identification of key assumption and cost drivers for each program.

The conferees note the required operating plan and reprogramming rules in the bill apply to SSA at the program, project, and activity level for all funds provided.

OFFICE OF THE INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $102,477,000 for the SSA Office of the Inspector General (OIG).

Video Technology.—The conferees note the recent Administrative Conference of the United States report that referred to ODAR's use of video technology as a model for other agencies. The conferees request a report by OIG within 180 days of enactment analyzing legislative and administrative options, including potential challenges, for expanding access to video hearings. The report should analyze the costs and benefits to the claimant, claimant representatives, and taxpayers related to the current use and potential expansion of the use of video hearings by SSA. The report should be sent to the House and Senate Appropriations Committees, the House Committee on Ways and Means and the Senate Committee on Finance.

TITLE V

GENERAL PROVISIONS

LOBBYING RESTRICTION

The conference agreement modifies a general provision related to lobbying.

STATUS OF FUNDS REPORTING

The conference agreement includes a general provision that requires the Departments of Labor, Health and Human Services, and Education and the Social Security Administration to report quarterly on unobligated balances, by source year, beginning on October 1, 2012. The conferees direct the Departments of Labor, Health and Human Services, and Education and the Social Security Administration to continue providing quarterly status of funds reports as have been provided during fiscal year 2011.

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
TITLE I - DEPARTMENT OF LABOR						
EMPLOYMENT AND TRAINING ADMINISTRATION						
TRAINING AND EMPLOYMENT SERVICES						
Grants to States:						
Adult Training, current year	D	58,922	136,645	58,922	---	FF
Advance from prior year	NA	(710,576)	(712,000)	(712,000)	(+1,424)	
FY 2013	D	712,000	655,040	712,000	---	
Subtotal		770,922	791,685	770,922	---	
Youth Training	D	825,914	850,000	825,914	---	FF
Dislocated Worker Assistance, current year	D	203,432	289,435	148,432	-55,000	FF
Advance from prior year	NA	(858,280)	(860,000)	(860,000)	(+1,720)	
FY 2013	D	860,000	791,200	860,000	---	
Subtotal		1,063,432	1,080,635	1,008,432	-55,000	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Workforce Innovation Fund	D	124,750	110,963	---	-124,750	
FY 2013	D	---	125,760	---	---	
Subtotal		124,750	236,723	---	-124,750	
Subtotal, Grants to States		2,785,018	2,959,043	2,605,268	-179,750	UA
Current Year		(1,213,018)	(1,387,043)	(1,033,268)	(-179,750)	
FY 2013		(1,572,000)	(1,572,000)	(1,572,000)	---	
Federally Administered Programs:						
Dislocated Worker Assistance National Reserve:						
Current year	D	24,112	29,160	24,112	---	FF
Advance from prior year	NA	(199,600)	(200,000)	(200,000)	(+400)	
FY 2013	D	200,000	200,000	200,000	---	
Subtotal		224,112	229,160	224,112	---	
Subtotal, Dislocated Worker Assistance		1,287,544	1,309,795	1,232,544	-55,000	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Native Americans	D	52,652	54,158	47,652	-5,000	FF UA
Migrant and Seasonal Farmworker programs	D	84,451	86,620	84,451	---	FF UA
Women in Apprenticeship	D	998	1,000	998	---	FF
YouthBuild activities	D	79,840	115,000	79,840	---	FF
Workforce Innovation Fund	D	---	---	50,000	+50,000	
Subtotal, Federally Administered Programs (FAP)		442,053	485,938	487,053	+45,000	
Current Year		(242,053)	(285,938)	(287,053)	(+45,000)	
FY 2013		(200,000)	(200,000)	(200,000)	---	
National Activities:						
Pilots, Demonstrations, and Research	D	9,980	6,616	6,616	-3,364	
Reintegration of Ex-Offenders	D	85,390	90,000	80,390	-5,000	
Evaluation	D	9,581	11,600	9,581	---	
Green Jobs Innovation Fund	D	---	60,000	---	---	FF
Workforce Data Quality Initiative	D	12,475	13,750	6,475	-6,000	
Subtotal		117,426	181,966	103,062	-14,364	FF UA
Total, Training and Employment Services (TES)		3,344,497	3,626,947	3,195,383	-149,114	
Current Year		(1,572,497)	(1,854,947)	(1,423,383)	(-149,114)	
FY 2013		(1,772,000)	(1,772,000)	(1,772,000)	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
OFFICE OF JOB CORPS						
Administration	D	29,132	31,430	29,132	---	
Operations	D	981,049	998,817	1,572,049	+591,000	FF
Advance from prior year	NA	(589,818)	(591,000)	(591,000)	(+1,182)	
FY 2013	D	591,000	591,000	---	-591,000	
Construction, Rehabilitation and Acquisition	D	4,990	3,500	104,990	+100,000	FF
Advance from prior year	NA	(99,800)	(100,000)	(100,000)	(+200)	
FY 2013	D	100,000	75,000	---	-100,000	
Total, Office of Job Corps		1,706,171	1,699,747	1,706,171	---	UA
Current Year		(1,015,171)	(1,033,747)	(1,706,171)	(+691,000)	UA
FY 2013		(691,000)	(666,000)	---	(-691,000)	UA
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS 1/	D	449,100	---	449,100	---	FF
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES	M	721,312	1,100,100	1,100,100	+378,788	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS						
Unemployment Compensation (UI):						
State Operations	TF	3,239,154	3,275,610	3,231,154	-8,000	
National Activities	TF	11,287	11,310	11,287	---	
Subtotal, Unemployment Compensation		3,250,441	3,286,920	3,242,441	-8,000	
Employment Service (ES):						
Allotments to States:						
Federal Funds	D	22,638	83,864	22,638	---	
(Workforce Innovation Fund) NA		---	(61,181)	---	---	
Trust Funds	TF	679,531	680,893	679,531	---	
Subtotal		702,169	764,757	702,169	---	FF
ES National Activities	TF	20,952	20,994	20,952	---	
Subtotal, Employment Service		723,121	785,751	723,121	---	
Federal Funds		(22,638)	(83,864)	(22,638)	---	
Trust Funds		(700,483)	(701,887)	(700,483)	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Foreign Labor Certification:						
Federal Administration	TF	50,418	50,537	50,418	---	
Grants to States	TF	15,099	15,129	15,099	---	
Subtotal, Foreign Labor Certification		65,517	65,666	65,517	---	
One-Stop Career Centers/Labor Market Information	D	63,593	63,720	63,593	---	FF
Total, State UI and ES		4,102,672	4,202,057	4,094,672	-8,000	
Federal Funds		(86,231)	(147,584)	(86,231)	---	
Trust Funds		(4,016,441)	(4,054,473)	(4,008,441)	(-8,000)	
STATE PAID LEAVE FUND	D	---	23,000	---	---	UA
ADVANCES TO THE UI AND OTHER TRUST FUNDS 2/	M	290,000	---	---	-290,000	
PROGRAM ADMINISTRATION						
Adult Employment and Training	D	46,765	51,577	46,765	---	
Trust Funds	TF	8,536	9,960	8,536	---	
Youth Employment and Training	D	12,283	14,442	12,283	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Employment Security	D	3,483	4,713	3,483	---
Trust Funds	TF	39,417	41,298	39,417	---
Apprenticeship Services	D	27,728	28,718	27,728	---
Executive Direction	D	7,061	7,083	7,061	---
Trust Funds	TF	2,087	2,091	2,087	---
Total, Program Administration		147,360	159,882	147,360	---
Federal Funds		(97,320)	(106,533)	(97,320)	---
Trust Funds		(50,040)	(53,349)	(50,040)	---
Total, Employment and Training Admin. (ETA)		10,761,112	10,811,733	10,692,786	-68,326
Federal Funds		6,694,631	6,703,911	6,634,305	-60,326
Current Year		(4,231,631)	(4,265,911)	(4,862,305)	(+630,674)
FY 2013		(2,463,000)	(2,438,000)	(1,772,000)	(-691,000)
Trust Funds		4,066,481	4,107,822	4,058,481	-8,000

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
EMPLOYEE BENEFITS SECURITY ADMINISTRATION (EBSA)					
SALARIES AND EXPENSES					
Enforcement and Participant Assistance	D	131,137	149,884	142,956	+11,819
Policy and Compliance Assistance	D	21,571	40,926	33,826	+12,255
Executive Leadership, Program Oversight and Admin	D	6,655	6,718	6,718	+63
Total, EBSA		159,363	197,528	183,500	+24,137
PENSION BENEFIT GUARANTY CORPORATION (PBGC)					
Pension Insurance Activities	NA	(74,506)	(86,023)	(86,023)	(+11,517)
Pension Plan Termination	NA	(242,300)	(243,372)	(243,372)	(+1,072)
Operational Support	NA	(147,261)	(147,506)	(147,506)	(+245)
Total, PBGC (program level)		(464,067)	(476,901)	(476,901)	(+12,834)
WAGE AND HOUR DIVISION	D	227,491	240,937	227,491	---
OFFICE OF LABOR-MANAGEMENT STANDARDS	D	41,367	41,367	41,367	---
FEDERAL CONTRACT COMPLIANCE PROGRAMS	D	105,386	109,010	105,386	---

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
FEDERAL PROGRAMS FOR WORKERS' COMPENSATION	D				
Salaries and Expenses	D	115,939	121,354	115,939	---
Trust Funds	TF	2,124	2,184	2,124	---
Total, Salaries and Expenses		118,063	123,538	118,063	---
Federal Funds		(115,939)	(121,354)	(115,939)	---
Trust Funds		(2,124)	(2,184)	(2,124)	---
SPECIAL BENEFITS					
Federal Employees' Compensation Benefits	M	180,000	347,000	347,000	+167,000
Longshore and Harbor Workers' Benefits	M	3,000	3,000	3,000	---
Total, Special Benefits		183,000	350,000	350,000	+167,000
SPECIAL BENEFITS FOR DISABLED COAL MINERS					
Benefit Payments	M	198,000	177,000	177,000	-21,000

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Administration	M	5,220	5,227	5,227	+7
Subtotal, FY 2012 program level		203,220	182,227	182,227	-20,993
Less funds advanced in prior year	M	-45,000	-41,000	-41,000	+4,000
Total, Current Year, FY 2012		158,220	141,227	141,227	-16,993
New advances, 1st quarter FY 2013	M	41,000	40,000	40,000	-1,000
Total, Special Benefits for Disabled Coal Miners		199,220	181,227	181,227	-17,993
ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND					
Part B Administrative Expenses	M	53,778	52,147	52,147	-1,631
BLACK LUNG DISABILITY TRUST FUND					
Benefit Payments and Interest on Advances	M	237,808	241,689	241,689	+3,881
Workers' Compensation Programs, Salaries and Expenses	M	33,075	32,906	32,906	-169
Departmental Management, Salaries and Expenses	M	25,394	25,217	25,217	-177
Departmental Management, Inspector General	M	327	327	327	---
Subtotal, Black Lung Disability		296,604	300,139	300,139	+3,535

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Treasury Department Administrative Costs	M	356	356	356	---
Total, Black Lung Disability Trust Fund		296,960	300,495	300,495	+3,535
Total, Federal Programs for Workers' Compensation		851,021	1,007,407	1,001,932	+150,911
Federal Funds		848,897	1,005,223	999,808	+150,911
Current year		(807,897)	(965,223)	(959,808)	(+151,911)
FY 2013		(41,000)	(40,000)	(40,000)	(-1,000)
Trust Funds		2,124	2,184	2,124	---
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)					
SALARIES AND EXPENSES					
Safety and Health Standards	D	20,288	25,982	20,000	-288
Federal Enforcement	D	208,146	216,365	208,146	---
Whistleblower enforcement	D	14,806	20,948	15,903	+1,097
State Programs	D	104,393	105,893	104,393	---
Technical Support	D	25,868	25,950	25,868	---

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Compliance Assistance:					
Federal Assistance	D	73,383	74,039	76,500	+3,117
State Consultation Grants	D	54,688	55,798	58,000	+3,312
Training Grants	D	10,729	12,000	10,729	---
Subtotal, Compliance Assistance	D	138,800	141,837	145,229	+6,429
Safety and Health Statistics	D	34,805	34,875	34,805	---
Executive Direction and Administration	D	11,513	11,536	11,513	---
Total, OSHA		558,619	583,386	565,857	+7,238
MINE SAFETY AND HEALTH ADMINISTRATION					
SALARIES AND EXPENSES					
Coal Enforcement	D	160,369	161,303	164,210	+3,841
Metal/Non-Metal Enforcement	D	87,644	89,990	88,831	+1,187
Standards Development	D	4,352	5,550	4,473	+121
Assessments	D	6,221	6,574	7,116	+895
Educational Policy and Development	D	38,148	36,338	38,398	+250
Technical Support	D	31,031	33,403	33,677	+2,646
Program Evaluation and Information Resources (PEIR)	D	18,173	20,654	18,191	+18
Program Administration	D	15,906	30,465	19,104	+3,198
Total, Mine Safety and Health Administration		361,844	384,277	374,000	+12,156

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Total, Worker Protection Agencies		1,572,133	1,680,043	1,615,664	+43,531
Federal Funds		(1,570,009)	(1,677,859)	(1,613,540)	(+43,531)
Trust Funds		(2,124)	(2,184)	(2,124)	---
BUREAU OF LABOR STATISTICS					
SALARIES AND EXPENSES					
Employment and Unemployment Statistics	D	210,673	219,043	210,673	---
Labor Market Information	TF	67,303	69,136	67,303	---
Prices and Cost of Living	D	205,410	232,839	205,410	---
Compensation and Working Conditions	D	80,418	81,197	80,418	---
Productivity and Technology	D	12,078	10,201	12,078	---
Executive Direction and Staff Services	D	34,342	34,614	34,342	---
Total, Bureau of Labor Statistics		610,224	647,030	610,224	---
Federal Funds		542,921	577,894	542,921	---
Trust Funds		67,303	69,136	67,303	---
OFFICE OF DISABILITY EMPLOYMENT POLICY	D				
SALARIES AND EXPENSES	D	38,953	39,031	38,953	---

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
DEPARTMENTAL MANAGEMENT					
SALARIES AND EXPENSES					
Executive Direction	D	33,283	33,213	33,283	---
Departmental IT Crosscut	D	---	---	---	---
Departmental Program Evaluation	D	8,500	18,400	8,500	---
Legal Services	D	119,121	132,578	129,121	+10,000
Trust Funds	TF	326	331	326	---
International Labor Affairs	D	92,484	101,504	92,484	---
Administration and Management	D	30,339	30,745	30,339	---
Adjudication	D	29,227	30,576	29,227	---
Women's Bureau	D	11,581	11,620	11,581	---
Civil Rights Activities	D	6,798	7,223	6,798	---
Chief Financial Officer	D	5,350	5,364	5,350	---
Total, Salaries and expenses		337,009	371,554	347,009	+10,000
Federal Funds		(336,683)	(371,223)	(346,683)	(+10,000)
Federal Funds (emergency)		---	---	---	---
Trust Funds		(326)	(331)	(326)	---

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
VETERANS EMPLOYMENT AND TRAINING						
State Administration, Grants	TF	165,063	165,394	165,394	+331	
Transition Assistance Program	TF	6,986	9,000	9,000	+2,014	
Federal Administration	TF	35,242	35,222	35,222	-20	
National Veterans Training Institute	TF	2,444	2,449	2,444	---	
Homeless Veterans Program	D	36,257	39,330	38,257	+2,000	
Veterans Workforce Investment Programs	D	9,622	9,641	14,622	+5,000	FF UA
Total, Veterans Employment and Training		255,614	261,036	264,939	+9,325	
Federal Funds		45,879	48,971	52,879	+7,000	
Trust Funds		209,735	212,065	212,060	+2,325	
INFRASTRUCTURE TECHNOLOGY MODERNIZATION						
Departmental support systems	D	11,852	17,000	11,852	---	
Infrastructure technology modernization	D	8,000	8,000	8,000	---	
Total, IT Modernization		19,852	25,000	19,852	---	
OFFICE OF INSPECTOR GENERAL						
Program Activities	D	77,937	78,453	77,937	---	
Trust Funds	TF	5,909	5,992	5,909	---	
Total, Office of Inspector General		83,846	84,445	83,846	---	

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(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Total, Departmental Management		696,321	742,035	715,646	+19,325
Federal Funds		480,351	523,647	497,351	+17,000
Current Year		(480,351)	(523,647)	(497,351)	(+17,000)
Trust Funds		215,970	218,388	218,295	+2,325
Working Capital Fund	D	---	4,620	---	---
Total, Workforce Investment Act Programs		5,059,292	5,335,335	4,915,178	-144,114
Current Year		(2,596,292)	(2,897,335)	(3,143,178)	(+546,886)
FY 2013		(2,463,000)	(2,438,000)	(1,772,000)	(-691,000)
Total, Title I, Department of Labor		14,411,701	14,808,361	14,557,142	+145,441
Federal Funds		10,059,823	10,410,831	10,210,939	+151,116
Current Year		(7,555,823)	(7,932,831)	(8,398,939)	(+843,116)
FY 2013		(2,504,000)	(2,478,000)	(1,812,000)	(-692,000)
Trust Funds		4,351,878	4,397,530	4,346,203	-5,675

Title I Footnotes:
1/ FY2012 Budget requested $450 million in Department of Health and Human Services, Administration on Aging.
2/ Two year availability

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(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES					
HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA)					
HEALTH RESOURCES AND SERVICES					
Primary Health Care					
Community Health Centers	D	1,580,749	2,117,814	1,580,749	---
Free Clinics Medical Malpractice	D	40	40	40	---
National Hansen's Disease Program	D	16,077	16,075	16,075	-2
Hansen's Disease Program Buildings and Facilities	D	129	129	129	---
Payment to Hawaii, Treatment of Hansen's	D	1,964	1,976	1,964	---
Subtotal		1,598,959	2,136,034	1,598,957	-2
Bureau of Health Professions (BHP)					
National Health Service Corps:					
Field placements	D	---	24,695	---	---
Marketing	D	---	---	---	---
Recruitment	D	24,848	98,782	---	-24,848
Undistributed	D	---	---	---	---
Total, NHS Corps program level		24,848	123,477	---	-24,848

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(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Health Professions					
Health Professions, Training for Diversity:					
Centers of Excellence	D	24,452	24,602	22,952	-1,500
Health Careers Opportunity Program	D	21,998	22,133	15,000	-6,998
Faculty Loan Repayment	D	1,258	1,266	1,258	---
Scholarships for Disadvantaged Students	D	49,042	52,921	47,542	-1,500
Evaluation Tap Funding	NA	---	(7,079)	---	---
Subtotal, Training for Diversity		96,750	108,001	86,752	-9,998
Training in Primary Care Medicine	D	39,036	53,018	39,036	---
Evaluation Tap Funding	NA	---	(86,914)	---	---
Subtotal, Training in Primary Care Medicine		39,036	139,932	39,036	---
Oral Health Training	D	32,781	35,419	32,781	---
Evaluation Tap Funding	NA	---	(14,509)	---	---
Subtotal, Oral Health programs		32,781	49,928	32,781	---

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(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Interdisciplinary Community-Based Linkages:					
Area Health Education Centers	D	33,142	33,345	30,142	-3,000
Evaluation Tap Funding	NA	---	(1,488)	---	---
Allied Health and Other Disciplines	D	1,933	---	---	-1,933
Geriatric Programs	D	33,542	36,907	30,997	-2,545
Evaluation Tap Funding	NA	---	(6,840)	---	---
Mental and Behavorial Health	D	2,927	17,945	2,927	---
Subtotal, Interdisciplinary Community Linkages		71,544	88,197	64,066	-7,478
Subtotal, Evaluation Tap Funding		---	8,328	---	---
Workforce Information and Analysis	D	2,815	---	2,815	---
Evaluation Tap Funding	NA	---	(20,000)	---	---
State Grants for Health Workforce Development	D	---	51,000	---	---
Public Health and Preventive Medicine programs	D	9,609	---	8,209	-1,400
Evaluation Tap Funding	NA	---	(10,068)	---	---
Subtotal		9,609	10,068	8,209	-1,400

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(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Nursing Programs:						
Advanced Education Nursing	D	64,046	64,438	64,046	---	
Evaluation Tap Funding	NA	---	(40,000)	---	---	
Nurse Education, Practice, and Retention	D	39,653	40,141	39,653	---	
Evaluation Tap Funding	NA	---	(19,632)	---	---	
Nursing Workforce Diversity	D	16,009	16,107	16,009	---	
Evaluation Tap Funding	NA	---	(3,893)	---	---	
Loan Repayment and Scholarship Program	D	93,292	93,864	83,292	-10,000	
Comprehensive Geriatric Education	D	4,539	---	4,539	---	
Evaluation Tap Funding	NA	---	(5,000)	---	---	
Nurse Managed Health Centers	D	---	10,000	---	---	
Evaluation Tap Funding	NA	---	(10,000)	---	---	
Nursing Faculty Loan Program	D	24,848	---	24,848	---	
Evaluation Tap Funding	NA	---	(30,000)	---	---	
Subtotal, Nursing programs		242,387	224,550	232,387	-10,000	
Subtotal, Evaluation Tap Funding		---	(108,525)	---	---	
Subtotal, Health Professions		494,922	553,106	466,046	-28,876	UA
Subtotal, Evaluation tap funding		---	255,423	---	---	UA
Total, Health Professions		494,922	808,529	466,046	-28,876	UA

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		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Children's Hospitals Graduate Medical Education.....	D	268,356	---	268,356	---	
Patient Navigator.....	D	4,990	---	---	-4,990	
Teaching Health Centers Planning Grants.....	D	---	10,000	---	---	
National Practitioner Data Bank.....	D	19,750	28,016	28,016	+8,266	
User Fees.....	D	-19,750	-28,016	-28,016	-8,266	
Health Care Integrity and Protection Data Bank.....	D	3,758	---	---	-3,758	
User Fees.....	D	-3,758	---	---	+3,758	
Total, BHP program level.....		793,116	686,583	734,402	-58,714	
Maternal and Child Health Bureau						
Maternal and Child Health Block Grant.....	D	656,319	654,489	646,319	-10,000	
Sickle Cell Anemia Demonstration Program.....	D	4,721	4,740	4,721	---	UA
Traumatic Brain Injury.....	D	9,878	9,918	9,878	---	UA
Autism and Other Developmental Disorders.....	D	47,708	55,000	47,708	---	
Heritable Disorders.....	D	9,952	9,992	9,952	---	
Congenital Disabilities.....	D	---	499	---	---	
Healthy Start.....	D	104,361	104,776	104,776	+415	
Universal Newborn Hearing.....	D	18,884	18,960	18,884	---	UA
Emergency Medical Services for Children.....	D	21,369	21,454	21,369	---	UA
Subtotal, Maternal and Child Health Bureau.....		873,192	879,828	863,607	-9,585	

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(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
HIV/AIDS Bureau						
Ryan White AIDS Programs:						
Emergency Assistance	D	672,529	679,074	672,529	---	
Comprehensive Care Programs	D	1,308,141	1,358,791	1,323,141	+15,000	
AIDS Drug Assistance Program (ADAP) (NA)	NA	(885,000)	(940,000)	(900,000)	(+15,000)	
Early Intervention Program	D	205,564	211,522	205,564	---	
Children, Youth, Women, and Families	D	77,313	77,787	77,313	---	
AIDS Dental Services	D	13,511	13,594	13,511	---	
Education and Training Centers	D	34,607	34,819	34,607	---	
Subtotal, Ryan White AIDS programs		2,311,665	2,375,587	2,326,665	+15,000	UA
Evaluation Tap Funding (NA)	NA	(25,000)	(25,000)	(25,000)	---	
Subtotal, Ryan White AIDs program level		(2,336,665)	(2,400,587)	(2,351,665)	(+15,000)	
Subtotal, HIV/AIDS Bureau		2,311,665	2,375,587	2,326,665	+15,000	
Healthcare Systems Bureau						
Organ Transplantation	D	24,896	25,991	24,896	---	UA
National Cord Blood Inventory	D	11,910	13,883	11,910	---	
Bone Marrow Program	D	23,374	26,544	23,374	---	
Office of Pharmacy Affairs	D	4,480	5,220	4,480	---	
340B Drug Pricing User Fees	D	---	5,000	---	---	
User Fees	D	---	-5,000	---	---	

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		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Poison Control	D	21,866	29,250	18,866	-3,000	
Subtotal, Healthcare systems bureau		86,526	100,888	83,526	-3,000	
Rural Health						
Rural Outreach Grants	D	55,658	57,266	55,658	---	UA
Rural Health Research/Policy Development	D	9,885	9,929	9,885	---	
Rural Hospital Flexibility Grants	D	41,118	26,200	41,118	---	UA
Rural and Community Access to Emergency Devices	D	236	---	2,500	+2,264	UA
State Offices of Rural Health	D	10,055	10,075	10,055	---	UA
Black Lung Clinics	D	7,153	7,185	7,153	---	UA
Radiation Exposure Screening and Education Program	D	1,939	1,948	1,939	---	UA
Telehealth	D	11,524	11,575	11,524	---	UA
Subtotal, Rural health		137,568	124,178	139,832	+2,264	
Family Planning	D	299,400	327,356	297,400	-2,000	UA
Program Management	D	161,815	170,808	161,815	---	
Total, Health resources and services (HRSA)		6,262,241	6,801,262	6,206,204	-56,037	
Total, Health resources & services program level		(6,287,241)	(7,081,685)	(6,231,204)	(-56,037)	
Total, Evaluation tap funding		(25,000)	(280,423)	(25,000)	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT					
HEAL Liquidating Account	NA	(1,000)	---	(1,000)	---
HEAL Program Management	D	2,841	---	2,841	---
Total, HEAL		2,841	---	2,841	---
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND					
Post-FY 1988 Claims	M	220,000	235,000	235,000	+15,000
HRSA Administration	D	6,489	6,502	6,489	---
Total, Vaccine Injury Compensation Trust Fund		226,489	241,502	241,489	+15,000
Total, Health Resources & Services Administration		6,491,571	7,042,764	6,450,534	-41,037
Total, Evaluation tap funding		(25,000)	(280,423)	(25,000)	---
Total, HRSA program level		(6,516,571)	(7,323,187)	(6,475,534)	(-41,037)

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
CENTERS FOR DISEASE CONTROL AND PREVENTION						
DISEASE CONTROL, RESEARCH, AND TRAINING						
Immunization and Respiratory Diseases	D	479,049	647,200	579,375	+100,326	UA
Evaluation Tap Funding	NA	(12,864)	(12,864)	(12,864)	---	
Pandemic Flu balances (Public Law 111-32)	NA	(156,344)	---	---	(-156,344)	
Subtotal		(648,257)	(660,064)	(592,239)	(-56,018)	
HIV/AIDS, Viral Hepatitis, STD, and TB Prevention	D	1,075,995	1,157,133	1,105,995	+30,000	UA
Emerging and Zoonotic Infectious Diseases	D	252,443	289,118	253,919	+1,476	
Chronic Disease Prevention and Health Promotion	D	813,987	725,207	760,700	-53,287	UA
Birth Defects and Developmental Disabilities	D	136,072	143,899	138,072	+2,000	UA
Public Health Scientific Services	D	147,795	205,942	144,795	-3,000	
Evaluation Tap Funding	NA	(247,769)	(217,674)	(247,769)	---	
Subtotal		(395,564)	(423,616)	(392,564)	(-3,000)	
Environmental Health	D	134,855	128,715	105,598	-29,257	UA
Injury Prevention and Control	D	143,714	147,501	138,480	-5,234	UA
National Institute for Occupational Safety & Health 1/	D	224,355	---	182,903	-41,452	
Evaluation Tap Funding	NA	(91,724)	(259,934)	(110,724)	(+19,000)	
Subtotal		(316,079)	(259,934)	(293,627)	(-22,452)	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Energy Employees Occupational Illness Compensation Program	M	55,358	55,358	55,358	---
Global Health	D	340,265	381,245	349,547	+9,282
Public Health Preparedness and Response	D	1,336,901	1,422,618	1,306,906	-29,995
Pandemic Flu balances (Public Law 111-32)	NA	(68,515)	(30,000)	(30,000)	(-38,515)
Subtotal		1,405,416	1,452,618	1,336,906	-68,510
CDC-Wide Activities and Program Support	D	563,539	568,834	621,445	+57,906
CDC contracting and administrative reduction	D	---	---	-20,000	-20,000
Total, Centers for Disease Control		5,704,328	5,872,770	5,723,093	+18,765
Discretionary		5,648,970	5,817,412	5,667,735	+18,765
Evaluation Tap Funding (NA)	NA	(352,357)	(490,472)	(371,357)	(+19,000)
Pandemic Flu balances (Public Law 111-32)	NA	(224,859)	(30,000)	(30,000)	(-194,859)
Total, Centers for Disease Control Program Level		(6,281,544)	(6,393,242)	(6,124,450)	(-157,094)

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
NATIONAL INSTITUTES OF HEALTH					
National Cancer Institute	D	5,058,577	5,196,136	5,081,788	+23,211
National Heart, Lung, and Blood Institute	D	3,069,723	3,147,992	3,084,851	+15,128
National Institute of Dental & Craniofacial Research	D	409,608	420,369	411,488	+1,880
National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK)	D	1,792,224	1,837,957	1,800,447	+8,223
National Institute of Neurological Disorders & Stroke	D	1,622,003	1,664,253	1,629,445	+7,442
National Institute of Allergy and Infectious Diseases	D	4,478,668	4,615,970	4,499,215	+20,547
Global HIV/AIDS Fund Transfer	D	297,300	300,000	---	-297,300
Subtotal, NIAID program level		4,775,968	4,915,970	4,499,215	-276,753
National Institute of General Medical Sciences	D	2,033,782	2,102,300	2,434,637	+400,855
National Institute of Child Health & Human Development	D	1,317,854	1,352,189	1,323,900	+6,046
National Eye Institute	D	700,828	719,059	704,043	+3,215
National Institute of Environmental Health Sciences	D	683,724	700,537	686,869	+3,145
National Institute on Aging	D	1,100,481	1,129,987	1,105,530	+5,049
National Institute of Arthritis and Musculoskeletal and Skin Diseases	D	534,349	547,891	536,801	+2,452
National Institute on Deafness and Other Communication Disorders	D	415,155	426,043	417,061	+1,906
National Institute of Nursing Research	D	144,381	148,114	145,043	+662
National Institute on Alcohol Abuse and Alcoholism	D	458,286	469,197	460,389	+2,103
National Institute on Drug Abuse	D	1,050,542	1,080,018	1,055,362	+4,820
National Institute of Mental Health	D	1,477,292	1,517,006	1,483,068	+5,776

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
National Human Genome Research Institute	D	511,497	524,807	513,844	+2,347	
National Institute of Biomedical Imaging and Bioengineering	D	313,802	322,106	338,998	+25,196	
National Center for Research Resources	D	1,257,754	1,297,900	---	-1,257,754	
National Center for Complementary and Alternative Medicine	D	127,713	131,002	128,299	+586	
National Institute on Minority Health and Health Disparities	D	209,714	214,608	276,963	+67,249	
John E. Fogarty International Center	D	69,436	71,328	69,754	+318	
National Center for Advancing Translation Sciences	D	---	---	576,456	+576,456	
National Library of Medicine (NLM)	D	336,733	387,153	338,278	+1,545	
Evaluation Tap Funding	NA	(8,200)	(8,200)	(8,200)	---	
Subtotal		344,933	395,353	346,478	+1,545	
Office of the Director	D	1,166,963	1,298,412	1,461,880	+294,917	
Common fund	NA	(543,021)	(556,890)	(545,962)	(+2,941)	
Buildings and Facilities	D	49,900	125,581	125,581	+75,681	
Total, National Institutes of Health (NIH)		30,688,289	31,747,915	30,689,990	+1,701	UA
Global HIV/AIDS Fund Transfer out		-297,300	-300,000	---	+297,300	
Pandemic Flu balances (Public Law 111-32)		---	---	---	---	
Evaluation Tap Funding		(8,200)	(8,200)	(8,200)	---	
Total, NIH Program Level		(30,399,189)	(31,456,115)	(30,698,190)	(+299,001)	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA)					
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES					
Mental Health:					
Programs of Regional and National Significance....	D	338,276	273,342	276,278	-61,998
Mental Health block grant.....	D	398,936	413,645	439,548	+40,612
Evaluation Tap Funding.....	NA	(20,997)	(21,039)	(21,039)	(+42)
Subtotal, Program level.....		(419,933)	(434,684)	(460,587)	(+40,654)
Children's Mental Health.....	D	117,803	121,316	117,803	---
Grants to States for the Homeless (PATH).....	D	64,917	65,047	64,917	---
Protection and Advocacy.....	D	36,307	36,380	36,307	---
State prevention grants.....	D	---	90,000	---	---
Subtotal, Mental Health.....		956,239	999,730	934,853	-21,386
Subtotal, Mental health program level.....		(977,236)	(1,020,769)	(955,892)	(-21,344)
Substance Abuse Treatment:					
Programs of Regional and National Significance....	D	404,480	401,822	399,602	-4,878
Evaluation Tap Funding.....	NA	(2,000)	(2,000)	(2,000)	---
Subtotal, Program level.....		(406,480)	(403,822)	(401,602)	(-4,878)

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Substance Abuse block grant	D	1,703,452	1,419,603	1,724,391	+20,939	
Evaluation Tap Funding	NA	(79,200)	(74,711)	(79,200)	---	
Subtotal, Program level		(1,782,652)	(1,494,314)	(1,803,591)	(+20,939)	
Subtotal, Substance Abuse Treatment		2,107,932	1,821,425	2,123,993	+16,061	
Subtotal, Program level		(2,189,132)	(1,898,136)	(2,205,193)	(+16,061)	
Substance Abuse Prevention:						
Programs of Regional and National Significance	D	186,061	74,582	186,361	+300	
Substance abuse prevention grants	D	---	395,000	---	---	
Subtotal		186,061	469,582	186,361	+300	
Total, Substance Abuse		2,375,193	2,367,718	2,391,554	+16,361	
Health Surveillance and Program Support	D	129,306	96,166	109,106	-20,200	
Evaluation Tap Funding (NA)	NA	(29,346)	(71,995)	(27,428)	(-1,918)	
Subtotal, Program level		158,652	168,161	136,534	-22,118	
Total, SAMHSA		3,379,538	3,386,903	3,354,313	-25,225	UA
Evaluation Tap Funding		(131,543)	(169,745)	(129,667)	(-1,876)	
Total, SAMHSA Program Level		(3,511,081)	(3,556,648)	(3,483,980)	(-27,101)	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY (AHRQ)					
HEALTHCARE RESEARCH AND QUALITY					
Research on Health Costs, Quality, and Outcomes					
Program Level	NA	(265,653)	(256,612)	(247,768)	(-17,885)
Comparative Effectiveness Research (NA)	NA	21,000	21,600	16,600	-4,400
Evaluation Tap funding	NA	(21,000)	(21,600)	(16,600)	(-4,400)
Patient Safety Research and Health (NA)	NA	(93,230)	(92,194)	(91,157)	(-2,073)
Preventive/Care Management (NA)	NA	15,904	23,304	15,904	---
Evaluation Tap funding	NA	(15,904)	(23,304)	(15,904)	---
Value Research (NA)	NA	(3,730)	(3,730)	(3,730)	---
Crosscutting (NA)	NA	(111,789)	(91,784)	(108,377)	(-3,412)
Subtotal, Health Costs, Quality, and Outcomes		(265,653)	(256,612)	(247,768)	(-17,885)
Subtotal, Evaluation Tap Funding		(245,653)	(232,612)	(235,768)	(-9,885)
Medical Expenditures Panel Surveys:					
Evaluation Tap Funding (NA)	NA	(58,800)	(59,300)	(59,300)	(+500)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Program Support:					
Evaluation Tap Funding (NA).....	NA	(67,600)	(74,485)	(73,985)	(+6,385)
Evaluation Tap Funding (NA).....		(372,053)	(366,397)	(369,053)	(-3,000)
Total, AHRQ Program Level.....		(372,053)	(366,397)	(369,053)	(-3,000)
Total, Public Health Service (PHS) appropriation		46,263,726	48,050,352	46,217,930	-45,796
Total, Public Health Service Program Level.....		(47,378,738)	(49,395,589)	(47,152,207)	(-226,531)
CENTERS FOR MEDICARE AND MEDICAID SERVICES					
GRANTS TO STATES FOR MEDICAID					
Medicaid Current Law Benefits.....	M	242,714,348	253,884,907	253,884,907	+11,170,559
State and Local Administration.....	M	13,567,479	12,808,496	12,808,496	-758,983
Vaccines for Children.....	M	3,651,354	4,030,996	4,030,996	+379,642
Subtotal, Medicaid Program Level.....		259,933,181	270,724,399	270,724,399	+10,791,218
Less funds advanced in prior year.....	M	-86,789,382	-86,445,289	-86,445,289	+344,093
Total, Grants to States for Medicaid.....		173,143,799	184,279,110	184,279,110	+11,135,311
New advance, 1st quarter.....	M	86,445,289	90,614,082	90,614,082	+4,168,793

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
PAYMENTS TO HEALTH CARE TRUST FUNDS					
Supplemental Medical Insurance	M	172,697,622	178,041,000	178,041,000	+5,343,378
Federal Uninsured Payment	M	275,000	262,000	262,000	-13,000
Program Management	M	229,000	222,000	222,000	-7,000
General Revenue for Part D Benefit	M	55,548,000	51,431,000	51,431,000	-4,117,000
General Revenue for Part D Administration	M	404,000	475,000	475,000	+71,000
HCFAC Reimbursement	M	310,378	581,000	310,378	---
Total, Payments to Trust Funds, Program Level		229,464,000	231,012,000	230,741,378	+1,277,378
PROGRAM MANAGEMENT					
Research, Demonstration, Evaluation	TF	35,529	31,200	21,200	-14,329
Medicare Operations	TF	2,419,569	---	---	-2,419,569
Program operations	TF	---	3,062,025	2,663,935	+2,663,935
State Survey and Certification	TF	362,076	400,283	355,876	-6,200
High Risk Insurance Pools	TF	54,890	44,000	44,000	-10,890
Federal Administration	TF	766,791	859,465	794,465	+27,674
Total, Program management, Limitation on new BA.		3,638,855	4,396,973	3,879,476	+240,621
HEALTH CARE FRAUD AND ABUSE CONTROL					
Part D Drug Benefit/Medicare Advantage (MIP)	TF	219,879	345,295	219,879	---
HHS Office of Inspector General	TF	29,730	97,556	29,730	---

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Medicaid/CHIP	TF	31,038	44,644	31,038	---
Department of Justice	TF	29,730	93,085	29,730	---
Total, Health Care Fraud and Abuse Control		310,377	580,580	310,377	---
Total, Centers for Medicare and Medicaid Services		493,002,320	510,882,745	509,824,423	+16,822,103
Federal funds		489,053,088	505,905,192	505,634,570	+16,581,482
Current year		(402,607,799)	(415,291,110)	(415,020,488)	(+12,412,689)
New advance, FY 2013		(86,445,289)	(90,614,082)	(90,614,082)	(+4,168,793)
Trust Funds		3,949,232	4,977,553	4,189,853	+240,621
ADMINISTRATION FOR CHILDREN AND FAMILIES					
PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS					
Payments to Territories	M	33,000	33,000	33,000	---
Repatriation	M	1,000	1,000	1,000	---
Subtotal, Welfare payments		34,000	34,000	34,000	---

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Child Support Enforcement:					
State and Local Administration.....	M	3,507,323	2,942,035	2,942,035	-565,288
Federal Incentive Payments.....	M	513,000	519,000	519,000	+6,000
Access and Visitation.....	M	10,000	10,000	10,000	---
Subtotal, Child Support Enforcement.....		4,030,323	3,471,035	3,471,035	-559,288
Total, Family Support Payments Program Level....		4,064,323	3,505,035	3,505,035	-559,288
Less funds advanced in previous years.....	M	-1,100,000	-1,200,000	-1,200,000	-100,000
Total, Family Support Payments, current year....		2,964,323	2,305,035	2,305,035	-659,288
New advance, 1st quarter, FY 2013.....	M	1,200,000	1,100,000	1,100,000	-100,000

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
LOW-INCOME HOME ENERGY ASSISTANCE (LIHEAP)						
Formula Grants	D	4,500,653	1,980,000	3,478,246	-1,022,407	
Contingency Fund	D	199,927	589,551	---	-199,927	
Total, LIHEAP, Program Level		4,700,580	2,569,551	3,478,246	-1,222,334	
REFUGEE AND ENTRANT ASSISTANCE						
Transitional and Medical Services	D	352,625	394,224	373,000	+20,375	UA
Victims of Trafficking	D	9,794	9,814	9,794	---	
Social Services	D	153,697	179,005	153,697	---	UA
Preventive Health	D	4,739	4,748	4,739	---	UA
Targeted Assistance	D	48,493	48,590	48,493	---	UA
Unaccompanied Minors	D	149,052	177,225	169,000	+19,948	
Victims of Torture	D	11,066	11,088	11,066	---	UA
Total, Refugee and Entrant Assistance		729,466	824,694	769,789	+40,323	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
PAYMENTS TO STATES FOR THE	D					
CHILD CARE AND DEVELOPMENT BLOCK GRANT	D					
Child Care and Development Block Grant.....	D	2,222,627	2,926,757	2,282,627	+60,000	UA
SOCIAL SERVICES BLOCK GRANT (TITLE XX).....	M	1,700,000	1,700,000	1,700,000	---	
CHILDREN AND FAMILIES SERVICES PROGRAMS						
Programs for Children, Youth and Families:						
Head Start, current funded.....	D	7,559,633	8,099,783	7,983,633	+424,000	
Consolidated Runaway, Homeless Youth Program.....	D	97,539	102,734	97,539	---	
Prevention Grants to Reduce Abuse of Runaway Youth	D	17,935	17,971	17,935	---	
Child Abuse State Grants.....	D	26,482	26,535	26,482	---	UA
Child Abuse Discretionary Activities.....	D	25,793	29,020	25,793	---	
Community Based Child Abuse Prevention.....	D	41,606	41,689	41,606	---	
Abandoned Infants Assistance.....	D	11,605	11,575	11,575	-30	UA
Child Welfare Services.....	D	281,181	281,744	281,181	---	
Child Welfare Training/	D					
Innovative Approaches to Foster Care.....	D	27,153	27,207	26,141	-1,012	
Adoption Opportunities.....	D	39,253	39,332	39,253	---	UA
Adoption Incentive.....	D	39,421	49,875	39,421	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Strengthening Communities Fund	D	---	20,000	---	---	
Social Services and Income Maintenance Research	D	---	3,000	---	---	
Evaluation Tap Funding	NA	(5,762)	(5,762)	(5,762)	---	
Developmental Disabilities Programs:						
State Councils	D	74,916	75,066	74,916	---	
Protection and Advocacy	D	40,942	41,024	40,942	---	
Voting Access for Individuals with Disabilities	D	17,375	---	5,245	-12,130	
Developmental Disabilities Projects of National	D					
Significance	D	14,134	8,333	8,333	-5,801	
University Centers for Excellence in Developmental	D					
Disabilities	D	38,865	38,943	38,865	---	
Subtotal, Developmental Disabilities Programs		186,232	163,366	168,301	-17,931	
Native American Programs	D	48,675	48,773	48,675	---	UA
Community Services:						
Community Services Block Grant Act programs:						
Grants to States for Community Services	D	678,640	350,000	678,640	---	UA
Economic Development	D	17,964	20,000	30,000	+12,036	UA
Rural Community Facilities	D	4,990	---	4,990	---	UA
Subtotal		701,594	370,000	713,630	+12,036	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Job Opportunities for Low-Income Individuals..	D	1,641	---	---	-1,641	
Individual Development Account Initiative.....	D	23,977	23,907	19,907	-4,070	UA
Subtotal, Community Services.....		727,212	393,907	733,537	+6,325	
Domestic Violence Hotline.....	D	3,202	4,500	3,203	+1	UA
Family Violence/Battered Women's Shelters.....	D	129,792	135,052	129,792	---	UA
Mentoring Children of Prisoners.....	D	---	25,000	---	---	
Independent Living Training Vouchers.....	D	45,260	45,351	45,260	---	
Faith-Based Center.....	D	1,373	1,376	1,373	---	
Disaster Human Services Case Management.....	D	1,996	2,000	1,996	---	
Program Direction.....	D	208,013	224,808	204,013	-4,000	
Total, Children and Families Services Programs..		9,519,356	9,794,598	9,926,709	+407,353	
Current Year.....		(9,519,356)	(9,794,598)	(9,926,709)	(+407,353)	
Evaluation Tap Funding.....		(5,762)	(5,762)	(5,762)	---	
Total, Program Level.....		(9,525,118)	(9,800,360)	(9,932,471)	(+407,353)	
PROMOTING SAFE AND STABLE FAMILIES	M	365,000	365,000	345,000	-20,000	
Discretionary Funds.....	D	63,184	63,311	63,184	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
PAYMENTS FOR FOSTER CARE AND PERMANENCY					
Foster Care	M	3,967,000	4,288,000	4,288,000	+321,000
Adoption Assistance	M	2,480,000	2,495,000	2,495,000	+15,000
Kinship Guardianship	M	32,000	80,000	80,000	+48,000
Independent Living	M	140,000	140,000	140,000	---
Total, Payments to States		6,619,000	7,003,000	7,003,000	+384,000
Less Advances from Prior Year	M	-1,850,000	-1,850,000	-1,850,000	---
Total, payments, current year		4,769,000	5,153,000	5,153,000	+384,000
New Advance, 1st quarter	M	1,850,000	2,100,000	2,100,000	+250,000
Total, Administration for Children & Families		30,083,536	28,901,946	29,223,590	-859,946
Current year		(27,033,536)	(25,701,946)	(26,023,590)	(-1,009,946)
FY 2013		(3,050,000)	(3,200,000)	(3,200,000)	(+150,000)
Evaluation Tap Funding		(5,762)	(5,762)	(5,762)	---
Total, ACF Program Level		30,089,298	28,907,708	29,229,352	-859,946

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
ADMINISTRATION ON AGING					
AGING SERVICES PROGRAMS					
Grants to States:					
Home and Community-based Supportive Services.....	D	367,611	416,476	367,611	---
Preventive Health.....	D	20,984	21,026	20,984	---
Protection of Vulnerable Older Americans-Title VII	D	21,839	26,880	21,839	---
Subtotal.....		410,434	464,382	410,434	---
Family Caregivers.....	D	153,912	192,220	153,912	---
Native American Caregivers Support.....	D	6,376	8,388	6,376	---
Subtotal, Caregivers.....		160,288	200,608	160,288	---
Nutrition:					
Congregate Meals.....	D	439,901	440,718	439,901	---
Home Delivered Meals.....	D	217,241	217,644	217,241	---
Nutrition Services Incentive Program.....	D	160,693	160,991	160,693	---
Subtotal.....		817,835	819,353	817,835	---
Subtotal, Grants to States.....		1,388,557	1,484,343	1,388,557	---

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Grants for Native Americans	D	27,653	27,704	27,653	---	
Program Innovations	D	19,069	11,509	---	-19,069	
Aging Network Support Activities	D	8,183	7,948	7,888	-295	
Alzheimer's Disease Demonstrations	D	11,441	11,462	4,018	-7,423	UA
Lifespan Respite Care	D	2,495	10,000	2,495	---	
Chronic Disease Self-Management Program	D	---	10,000	---	---	
Adult Protective Services Demonstration	D	---	16,500	---	---	
Community Service Employment for Older Americans	D	---	450,000	---	---	
Program Administration--Aging services	D	19,939	24,543	23,107	+3,168	
Program Administration--CLASS Administration	D	---	120,000	---	---	
Senior Medicare Patrol Program	D	9,420	9,438	9,420	---	
Elder Rights Support Activities	D	4,096	4,103	4,096	---	
Aging and Disability Resources	D	6,469	3,434	6,469	---	
State Health Insurance Program	TF	---	46,960	---	---	
Total, Administration on Aging		1,497,322	2,237,944	1,473,703	-23,619	
Federal funds		1,497,322	2,190,984	1,473,703	-23,619	
Trust Funds		---	(46,960)	---	---	
Total, Administration on Aging program level		1,497,322	2,237,944	1,473,703	-23,619	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
OFFICE OF THE SECRETARY						
GENERAL DEPARTMENTAL MANAGEMENT						
General Departmental Management:						
Federal Funds	D	201,713	250,905	220,014	+18,301	UA
Trust Funds	TF	5,851	---	---	-5,851	
Subtotal		207,564	250,905	220,014	+12,450	
Teen Pregnancy Prevention Community Grants	D	104,790	---	104,790	---	
Teen Pregnancy Prevention approaches	D					
Evaluation Tap Funding	NA	(4,455)	(8,455)	(8,455)	(+4,000)	
Subtotal, Pregnancy Grants		(109,245)	(8,455)	(113,245)	(+4,000)	
Abstinence Education	D	---	---	5,000	+5,000	
Adolescent Family Life (Title XX)		12,474	---	---	-12,474	
Minority Health	D	55,888	57,980	55,888	---	
Office of Women's Health	D	33,746	33,746	33,746	---	
Minority HIV/AIDS	D	53,783	---	53,783	---	
Evaluation Tap Funding	NA	---	(53,891)	---	---	
Transformation of the Commissioned Corps	D	8,071	7,013	---	-8,071	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Embryo Adoption Awareness Campaign	D	2,004	2,000	2,000	-4
Healthcare-associated infections activities	D	1,450	5,000	---	-1,450
Acquisition reform	D	---	7,000	---	---
Planning and Evaluation, Evaluation Tap Funding	NA	(60,756)	(64,356)	(60,756)	---
Total, General Departmental Management		479,770	363,644	475,221	-4,549
Federal Funds		(473,919)	(363,644)	(475,221)	(+1,302)
Trust Funds		5,851	---	---	-5,851
Evaluation Tap Funding (NA)		(65,211)	(126,702)	(69,211)	(+4,000)
Total, General Departmental Management Program		544,981	490,346	544,432	-549
OFFICE OF MEDICARE HEARINGS AND APPEALS	TF	71,005	81,019	72,147	+1,142
OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY	D	42,246	57,013	16,446	-25,800
Evaluation Tap Funding	NA	(19,011)	(21,400)	(44,811)	(+25,800)
Total, Program Level		(61,257)	(78,413)	(61,257)	---
OFFICE OF INSPECTOR GENERAL					
Inspector General Federal Funds	D	50,178	53,329	50,178	---
Evaluation tap funding, Planning and Evaluation	D	---	(10,000)	---	---
HIPAA/HCFAC funding (NA)	NA	(197,998)	(193,387)	(193,387)	(-4,611)
HCFAC funding (NA)	NA	(29,730)	(97,556)	(97,556)	(+67,826)

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
HCFAC collections (NA)	NA	---	(12,000)	(12,000)	(+12,000)
Medicaid Integrity Program	NA				
Deficit Reduction Act (P.L. 109-171) (NA)	NA	---	(25,000)	(25,000)	(+25,000)
Total, Inspector General Program Level		(277,906)	(391,272)	(378,121)	(+100,215)
OFFICE FOR CIVIL RIGHTS:					
Federal Funds	D	37,709	46,717	41,016	+3,307
Trust Funds	TF	3,307	---	---	-3,307
Total, Office for Civil Rights		41,016	46,717	41,016	---
RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS					
Retirement Payments	M	386,040	418,082	418,082	+32,042
Survivors Benefits	M	27,888	31,625	31,625	+3,737
Dependents' Medical Care	M	103,608	114,798	114,798	+11,190
Total,Medical Benefits for Commissioned Officers		517,536	564,505	564,505	+46,969

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND					
Assistant Secretary for Preparedness and Response	D				
Operations	D	12,548	38,624	33,053	+20,505
ASPR Co-located Office Facility	D	---	10,000	---	---
Preparedness and Emergency Operations		32,999	34,647	29,647	-3,352
National Disaster Medical System	D	55,925	52,850	52,850	-3,075
Hospital Preparedness Cooperative Agreement Grants:	D				
Formula Grants	D	377,997	352,411	352,411	-25,586
Other Costs	D	---	23,055	23,055	+23,055
Emergency Systems for Advanced Registration of	D				
Volunteer Health Professionals (ESAR-VHP)	D	5,861	5,000	5,000	-861
Bioterrorism Advanced Research and Development	D				
Authority	D	415,000	765,000	415,000	---
Medical Countermeasure Dispensing	D	---	5,000	---	---
Global Medicine, Science, and Public Health	D	8,731	---	---	-8,731
Policy, Strategic Planning, and Communications	D	4,358	15,708	15,708	+11,350
Subtotal, AS for Preparedness and Response	D	913,419	1,302,295	926,724	+13,305

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Assistant Secretary for Administration	D				
Assistant Secretary for Administration, Cybersecurity	D	56,680	40,000	40,000	-16,680
Office of Security and Strategic Information.....	D	7,428	6,460	6,460	-968
Public Health and Science	D				
Medical Reserve Corps.....	D	11,925	11,268	11,268	-657
Office of the Secretary	D				
Parklawn Lease Expiration.....	D	34,930	---	---	-34,930
Pandemic Influenza Preparedness:	D				
Fiscal year 2013.....	D	65,447	---	---	-65,447
Subtotal, Office of the Secretary.....	D	100,377	---	---	-100,377

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Subtotal, Non-pandemic flu/BARDA/BioShield/Parklawn D	574,452	585,023	569,452	-5,000
Total, PHSSEF	1,089,829	1,360,023	984,452	-105,377
Total, Office of the Secretary	2,291,580	2,526,250	2,203,965	-87,615
Federal Funds	2,211,417	2,445,231	2,131,818	-79,599
Trust Funds	80,163	81,019	72,147	-8,016
Evaluation Tap Funding (NA)	(84,222)	(158,102)	(114,022)	(+29,800)
Total, Office of the Secretary Program Level	2,375,802	2,684,352	2,317,987	-57,815
Total, Title II, Dept of Health & Human Services	573,138,484	592,599,237	588,943,611	+15,805,127
Federal Funds	569,109,089	587,493,705	584,681,611	+15,572,522
Current year	(479,613,800)	(493,679,623)	(490,867,529)	(+11,253,729)
FY 2013	(89,495,289)	(93,814,082)	(93,814,082)	(+4,318,793)
Trust Funds	4,029,395	5,105,532	4,262,000	+232,605
Pandemic Flu balances (Public Law 111-32)	(224,859)	(30,000)	(30,000)	(-194,859)

Title II Footnotes:
1/ Includes Mine Safety and Health

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
TITLE III - DEPARTMENT OF EDUCATION						
EDUCATION FOR THE DISADVANTAGED						
Grants to Local Educational Agencies (LEAs)						
Basic Grants:						
Advance from prior year.....	NA	(3,448,145)	(2,962,510)	(2,962,510)	(-485,635)	
Forward funded.....	D	3,618,248	2,806,504	3,618,248	---	FF
Current funded.....	D	3,992	4,000	3,992	---	
Subtotal, Basic grants current year approp..		3,622,240	2,810,504	3,622,240	---	
Subtotal, Basic grants total funds available		(7,070,385)	(5,773,014)	(6,584,750)	(-485,635)	
Basic Grants FY 2013 Advance.....	D	2,962,510	3,787,442	2,962,510	---	
Subtotal, Basic grants, program level.....		6,584,750	6,597,946	6,584,750	---	
Concentration Grants:						
Advance from prior year.....	NA	(1,365,031)	(1,362,301)	(1,362,301)	(-2,730)	
FY 2013 Advance.....	D	1,362,301	1,365,031	1,362,301	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Targeted Grants:						
Forward funded	D	---	---	30,000	+30,000	FF
Advance from prior year	NA	(3,014,000)	(3,258,183)	(3,258,183)	(+244,183)	
FY 2013 Advance	D	3,258,183	3,264,712	3,258,183	---	
Subtotal (excluding emergencies)		3,258,183	3,264,712	3,288,183	+30,000	
Education Finance Incentive Grants:						
Forward Funded	D	---	---	30,000	+30,000	FF
Advance from prior year	NA	(3,014,000)	(3,258,183)	(3,258,183)	(+244,183)	
FY 2013 Advance	D	3,258,183	3,264,712	3,258,183	---	
Subtotal		3,258,183	3,264,712	3,288,183	+30,000	
Subtotal, Grants to LEAs, program level		14,463,417	14,792,401	14,523,417	+60,000	
Title I Rewards		---	300,000	---	---	
Subtotal, Grants to LEAs, program level		14,463,417	14,792,401	14,523,417	+60,000	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
School Improvement Grants	D	534,562	600,000	534,562	---	FF
Early Learning Challenge Fund	D	---	350,000	---	---	FF
Striving Readers	D	---	---	160,000	+160,000	FF
State Agency Programs:						
Migrant	D	393,981	394,771	393,981	---	FF
Neglected and Delinquent/High Risk Youth	D	50,326	50,427	50,326	---	FF
Subtotal, State Agency programs		444,307	445,198	444,307	---	
Evaluation	D	8,151	---	3,200	-4,951	
High School Graduation Initiative	D	48,902	---	48,902	---	
Migrant Education:						
High School Equivalency Program	D	36,595	36,668	36,595	---	
Total, Education for the disadvantaged		15,535,934	16,224,267	15,750,983	+215,049	
Current Year		(4,694,757)	(4,542,370)	(4,909,806)	(+215,049)	
FY 2013		(10,841,177)	(11,681,897)	(10,841,177)	---	
Subtotal, Forward Funded		(4,597,117)	(4,201,702)	(4,817,117)	(+220,000)	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
IMPACT AID						
Basic Support Payments	D	1,135,724	1,138,000	1,155,724	+20,000	
Payments for Children with Disabilities	D	48,505	48,602	48,505	---	
Facilities Maintenance (Sec. 8008)	D	4,854	4,864	4,854	---	
Construction (Sec. 8007)	D	17,474	17,509	17,474	---	
Payments for Federal Property (Sec. 8002)	D	67,074	67,208	67,074	---	
Total, Impact aid		1,273,631	1,276,183	1,293,631	+20,000	
SCHOOL IMPROVEMENT PROGRAMS						
Effective Teaching and Learning: Literacy	D	---	383,348	---	---	
Effective Teaching and Learning: STEM	D	---	206,046	---	---	
Effective Teaching and Learning for Well-Rounded Educ.	D	---	246,084	---	---	
College Pathways	D	---	86,000	---	---	
State Grants for Improving Teacher Quality	D	786,613	---	786,613	---	FF
Advance from prior year	NA	(1,678,078)	(1,681,441)	(1,681,441)	(+3,363)	
FY 2013	D	1,681,441	---	1,681,441	---	
Subtotal, State Grants for Improving Teacher Quality, program level		2,468,054	---	2,468,054	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Mathematics and Science Partnerships	D	175,127	---	150,000	-25,127	FF
Supplemental Education Grants	D	17,652	17,687	17,652	---	
21st Century Community Learning Centers	D	1,153,854	1,266,166	1,153,854	---	FF
State Assessments/Enhanced Assessment Instruments	D	389,951	420,000	389,951	---	FF
Foreign Language Assistance	D	26,874	---	---	-26,874	
Consolidated Runaway and Homeless Youth programs	D	65,296	65,427	65,296	---	FF
Training and Advisory Services (Civil Rights)	D	6,975	6,989	6,975	---	
Education for Native Hawaiians	D	34,246	34,315	34,246	---	
Alaska Native Education Equity	D	33,248	33,315	33,248	---	
Rural Education	D	174,532	174,882	179,532	+5,000	FF
Comprehensive Centers	D	51,210	56,313	51,210	---	
Total, School improvement programs		4,597,019	2,996,572	4,550,018	-47,001	
Current Year		(2,915,578)	(2,996,572)	(2,868,577)	(-47,001)	
FY 2013		(1,681,441)	---	(1,681,441)	---	
Subtotal, Forward Funded		(2,745,373)	(1,926,475)	(2,725,246)	(-20,127)	
INDIAN EDUCATION						
Grants to Local Educational Agencies	D	104,122	104,331	106,122	+2,000	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Federal Programs:						
Special Programs for Indian Children	D	19,022	19,060	19,022	---	
National Activities	D	3,883	3,891	5,883	+2,000	
Subtotal, Federal Programs		22,905	22,951	24,905	+2,000	
Total, Indian Education		127,027	127,282	131,027	+4,000	
INNOVATION AND IMPROVEMENT						
Race to the Top	D	698,600	900,000	550,000	-148,600	
Investing in Innovation Fund	D	149,700	300,000	149,700	---	
Effective Teachers and Leaders State Grants	D	---	2,500,000	---	---	
Teacher and Leader Innovation Fund	D	---	500,000	---	---	
Teacher and Leader Pathways	D	---	250,000	---	---	
Expanding Educational Options	D	---	372,000	---	---	
Transition to Teaching	D	41,124	---	26,103	-15,021	
Teaching of Traditional American History	D	45,908	---	---	-45,908	
School Leadership	D	29,162	---	29,162	---	
Charter Schools Grants	D	255,519	---	255,519	---	
Voluntary Public School Choice	D	25,767	---	---	-25,767	
Magnet Schools Assistance	D	99,800	110,000	99,800	---	
Fund for the Improvement of Education (FIE)	D	40,900	13,000	65,900	+25,000	
Advanced research projects	D	---	50,000	---	---	UA
Teacher Incentive Fund	D	399,200	---	300,000	-99,200	
Ready-to-Learn television	D	27,245	---	27,245	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
Advanced Placement	D	43,253	---	27,000	-16,253	
Total, Innovation and Improvement		1,856,178	4,995,000	1,530,429	-325,749	
Current Year		(1,856,178)	(4,995,000)	(1,530,429)	(-325,749)	
SAFE SCHOOLS AND CITIZENSHIP EDUCATION						
Safe and Healthy Students	D	---	364,966	---	---	
Promise Neighborhoods	D	29,940	150,000	60,000	+30,060	
National Programs	D	119,226	---	65,000	-54,226	
Alcohol Abuse Reduction	D	6,907	---	---	-6,907	
Elementary and Secondary School Counseling	D	52,395	---	52,395	---	
Carol M. White Physical Education Program	D	78,842	---	78,842	---	
Civic Education	D	1,155	---	---	-1,155	
Total, Safe Schools and Citizenship Education		288,465	514,966	256,237	-32,228	
ENGLISH LANGUAGE ACQUISITION						
Current funded	D	47,679	48,750	47,679	---	
Forward funded	D	685,851	701,250	685,851	---	FF
Total, English Language Acquisition		733,530	750,000	733,530	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
SPECIAL EDUCATION						
State Grants:						
Grants to States Part B current year	D	2,889,817	2,272,108	2,298,817	-591,000	FF
Part B advance from prior year	NA	(8,575,198)	(8,592,383)	(8,592,383)	(+17,185)	
Grants to States Part B (FY 2013)	D	8,592,383	9,433,103	9,283,383	+691,000	
Subtotal, program level		11,482,200	11,705,211	11,582,200	+100,000	
Preschool Grants	D	373,351	374,099	373,351	---	FF
Grants for Infants and Families	D	438,548	489,427	443,548	+5,000	FF
Subtotal, program level		12,294,099	12,568,737	12,399,099	+105,000	
IDEA National Activities (current funded):						
State Personnel Development	D	46,846	48,000	44,000	-2,846	
Technical Assistance and Dissemination	D	56,885	57,644	54,885	-2,000	
Personnel Preparation	D	88,466	90,653	88,466	---	
Parent Information Centers	D	27,972	28,028	28,972	+1,000	
Technology and Media Services	D	28,644	33,289	29,644	+1,000	
Subtotal, IDEA special programs		248,813	257,614	245,967	-2,846	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Mentoring for Individuals with Disabilities	D	---	5,000	---	---
PROMISE		---	30,000	2,000	+2,000
Total, Special education		12,542,912	12,861,351	12,647,066	+104,154
Current Year		(3,950,529)	(3,428,248)	(3,363,683)	(-586,846)
FY 2013		(8,592,383)	(9,433,103)	(9,283,383)	(+691,000)
Subtotal, Forward Funded		(3,701,716)	(3,135,634)	(3,115,716)	(-586,000)
REHABILITATION SERVICES AND DISABILITY RESEARCH					
Vocational Rehabilitation State Grants	M	3,084,696	3,121,712	3,121,712	+37,016
Discretionary supplement	D	---	19,266	---	---
Subtotal, VR State grants program level		3,084,696	3,140,978	3,121,712	+37,016
Client Assistance State grants	D	12,263	12,288	12,263	---
Training	D	35,582	33,251	35,582	---
Demonstration and Training programs	D	6,459	---	5,335	-1,124
Migrant and Seasonal Farmworkers	D	1,856	---	1,264	-592
Protection and Advocacy of Individual Rights (PAIR)	D	18,065	18,101	18,065	---
Supported Employment State grants	D	29,123	---	29,123	---

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Independent Living:					
Independent Living grants	D	---	103,716	---	---
State Grants	D	23,403	---	23,403	---
Centers	D	80,105	---	80,105	---
Services for Older Blind Individuals	D	34,083	34,151	34,083	---
Subtotal		137,591	137,867	137,591	---
National activities to improve rehabilitation	D	---	8,000	---	---
Access through cloud computing	D	---	10,000	---	---
Workforce innovation fund	D	---	30,000	---	---
Helen Keller National Center for Deaf/Blind Youth and Adults	D	9,163	9,181	9,163	---
National Inst. Disability and Rehab. Research (NIDRR)	D	109,023	110,485	109,023	---
Assistive Technology	D	30,898	30,960	32,898	+2,000
Subtotal, Discretionary programs		390,023	419,399	390,307	+284
Total, Rehabilitation services		3,474,719	3,541,111	3,512,019	+37,300

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES						
AMERICAN PRINTING HOUSE FOR THE BLIND	D	24,551	24,600	24,551	---	
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF (NTID):						
Operations	D	65,306	63,037	65,546	+240	
Construction	D	240	2,000	---	-240	
Total, NTID		65,546	65,037	65,546	---	
GALLAUDET UNIVERSITY:						
Operations	D	117,764	118,000	117,764	---	UA
Construction	D	4,990	---	7,990	+3,000	
Total, Gallaudet University		122,754	118,000	125,754	+3,000	
Total, Special Institutions for Persons with Disabilities		212,851	207,637	215,851	+3,000	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
CAREER, TECHNICAL AND ADULT EDUCATION						
Career Education:						
Basic State Grants/Secondary & Technical Education						
State Grants, current funded.....	D	332,659	209,000	332,659	---	FF
Advance from prior year.....	NA	(791,000)	(791,000)	(791,000)	---	
FY 2013.....	D	791,000	791,000	791,000	---	
Subtotal, Basic State Grants, program level.		1,123,659	1,000,000	1,123,659	---	
National Programs.....	D	7,844	7,860	7,844	---	FF
Subtotal, Career Education.....		1,131,503	1,007,860	1,131,503	---	
Adult Education:						
State Grants/Adult Basic and Literacy Education:	D					
State Grants, current funded.....	D	596,120	635,000	596,120	---	FF
National Leadership Activities.....	D	11,323	23,346	11,323	---	FF
Subtotal, Adult education.....		607,443	658,346	607,443	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
State Grants for Incarcerated Youth Offenders.....	D	---	17,186	---	---	FF UA
Total, Career and adult education.....		1,738,946	1,683,392	1,738,946	---	
Current Year.....		(947,946)	(892,392)	(947,946)	---	
FY 2013.....		(791,000)	(791,000)	(791,000)	---	
Subtotal, Forward Funded.....		(947,946)	(892,392)	(947,946)	---	
STUDENT FINANCIAL ASSISTANCE						
Pell Grants -- maximum grant (NA).....	NA	(4,860)	(4,860)	(4,860)	---	
Pell Grants.....	D	22,955,996	28,600,059	22,824,000	-131,996	
Federal Supplemental Educational Opportunity Grants...	D	735,990	757,465	735,990	---	
Federal Work Study.....	D	978,531	980,492	978,531	---	
Total, Student Financial Assistance (SFA).....		24,670,517	30,338,016	24,538,521	-131,996	
STUDENT AID ADMINISTRATION						
Salaries and Expenses	D	675,363	725,104	675,363	---	
Servicing Activities.....	D	316,649	370,314	370,000	+53,351	
Total, Student Aid Administration.....		992,012	1,095,418	1,045,363	+53,351	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
HIGHER EDUCATION					
Aid for Institutional Development:					
Strengthening Institutions	D	83,832	84,000	80,776	-3,056
Hispanic Serving Institutions	D	104,395	117,429	100,622	-3,773
Promoting Post-Baccalaureate Opportunities for	D				
Hispanic Americans	D	9,336	10,500	9,028	-308
Strengthening Historically Black Colleges (HBCUs)	D	236,991	266,586	228,412	-8,579
Strengthening Historically Black Graduate	D				
Institutions	D	61,302	61,425	59,070	-2,232
Strengthening Predominantly Black Institutions	D	9,602	10,801	9,280	-322
Asian American Pacific Islander	D	3,199	3,600	3,125	-74
Strengthening Alaska Native and	D				
Native Hawaiian-Serving Institutions	D	13,412	15,084	12,883	-529
Strengthening Native American-Serving Nontribal	D				
Institutions	D	3,199	3,600	3,125	-74
Strengthening Tribal Colleges	D	26,820	30,169	25,762	-1,058
Subtotal, Aid for Institutional development		552,088	603,194	532,083	-20,005

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
International Education and Foreign Language:						
Domestic Programs	D	66,712	108,360	66,712	---	UA
Overseas Programs	D	7,465	15,576	7,465	---	
Institute for International Public Policy	D	1,552	1,945	---	-1,552	UA
Subtotal, International Education & Foreign Lang		75,729	125,881	74,177	-1,552	
Fund for the Improvement of Postsec. Ed. (FIPSE)	D	19,607	150,000	3,500	-16,107	UA
Postsecondary Program for Students with Intellectual Disabilities	D	10,978	---	10,978	---	
Minority Science and Engineering Improvement	D	9,484	9,503	9,484	---	UA
Tribally Controlled Postsec Voc/Tech Institutions	D	8,146	8,162	8,146	---	UA
Federal TRIO Programs	D	826,522	920,089	841,522	+15,000	UA
GEAR UP	D	302,816	323,212	302,816	---	UA
Javits Fellowships	D	8,084	---	---	-8,084	UA
Graduate Assistance in Areas of National Need	D	30,968	40,717	30,968	---	UA
Teacher Quality Partnerships	D	42,914	---	42,914	---	UA
Child Care Access Means Parents in School	D	16,002	16,034	16,000	-2	UA
GPRA Data/HEA Program Evaluation	D	608	609	608	---	UA
Hawkins Centers of Excellence	D	---	40,000	---	---	UA
Thurgood Marshall Legal Education Opportunities	D	---	3,000	---	---	
Total, Higher Education		1,903,946	2,240,401	1,873,196	-30,750	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
HOWARD UNIVERSITY						
Academic Program	D	202,026	202,431	202,019	-7	
Endowment Program	D	3,593	3,600	3,600	+7	UA
Howard University Hospital	D	28,888	28,946	28,888	---	
Total, Howard University		234,507	234,977	234,507	---	
COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS(CHAFL)	D	460	478	460	---	
HBCU CAPITAL FINANCING PROGRAM	D					
HBCU Federal Administration	D	353	354	353	---	
HBCU Loan Subsidies		20,188	20,228	20,188	---	
Total, HBCU Capital Financing Program		20,541	20,582	20,541	---	
INSTITUTE OF EDUCATION SCIENCES (IES)						
Research, Development and Dissemination	D	199,796	260,413	190,146	-9,650	
Statistics	D	108,304	117,021	108,954	+650	
Regional Educational Laboratories	D	57,535	69,650	57,535	---	
Research in Special Education	D	50,983	58,085	50,000	-983	
Special Education Studies and Evaluations	D	11,437	11,460	11,437	---	
Statewide Data Systems	D	42,166	100,000	38,149	-4,017	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Assessment:					
National Assessment	D	129,861	135,121	129,861	---
National Assessment Governing Board	D	8,706	8,723	8,706	---
Subtotal, Assessment		138,567	143,844	138,567	---
Total, IES		608,788	760,473	594,788	-14,000
DEPARTMENTAL MANAGEMENT					
PROGRAM ADMINISTRATION					
Salaries and Expenses	D	447,104	476,327	447,104	---
Building Modernization	D	8,184	2,711	---	-8,184
Total, Program administration		455,288	479,038	447,104	-8,184
OFFICE FOR CIVIL RIGHTS	D	102,818	107,772	102,818	---
OFFICE OF THE INSPECTOR GENERAL	D	59,933	67,187	59,933	---
Total, Departmental management		618,039	653,997	609,855	-8,184
Total, Title III, Department of Education		71,430,022	80,522,103	71,276,968	-153,054
Current Year		(49,524,021)	(58,616,103)	(48,679,967)	(-844,054)
FY 2013		(21,906,001)	(21,906,000)	(22,597,001)	(+691,000)

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
TITLE IV - RELATED AGENCIES					
COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED.....	D	5,385	5,841	5,385	---
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE					
OPERATING EXPENSES					
Domestic Volunteer Service Programs:					
Volunteers in Service to America (VISTA).....	D	98,876	100,000	95,000	-3,876
National Senior Volunteer Corps:					
Foster Grandparents Program.....	D	110,774	111,100	110,774	---
Senior Companion Program.....	D	46,810	47,000	46,810	---
Senior Corps Demonstration.....	D	---	5,000	---	---
Retired Senior Volunteer Program.....	D	50,299	63,000	50,299	---
Subtotal, Senior Volunteers.....		207,883	226,100	207,883	---
Subtotal, Domestic Volunteer Service Programs...		306,759	326,100	302,883	-3,876

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
National and Community Service Programs:					
AmeriCorps State and National Grants	D	347,360	399,790	345,000	-2,360
Disability Placement Funds	D	4,990	5,000	---	-4,990
Innovation, Assistance, and Other Activities	D	60,379	80,500	53,381	-6,998
Evaluation	D	5,988	6,000	3,000	-2,988
National Civilian Community Corps	D	28,942	35,000	31,942	+3,000
Learn and Serve America	D	---	39,500	---	---
State Commission Administrative Grants	D	16,966	17,000	13,466	-3,500
Training and Technical Assistance	D	7,485	7,500	2,000	-5,485
Subtotal, National & Community Service Programs		472,110	590,290	448,789	-23,321
Total, Operating expenses		778,869	916,390	751,672	-27,197
National Service Trust	D	201,200	235,326	212,198	+10,998
Salaries and Expenses	D	87,824	97,694	83,000	-4,824
Office of Inspector General	D	7,685	8,450	4,000	-3,685
Total, Corp. for National and Community Service		1,075,578	1,257,860	1,050,870	-24,708

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable	
CORPORATION FOR PUBLIC BROADCASTING:						
FY 2014 (current) with FY 2013 comparable.....	D	445,000	451,000	445,000	---	
FY 2013 advance with FY 2012 comparable (NA).....	NA	(445,000)	(445,000)	(445,000)	---	
FY 2012 advance with FY 2011 comparable (NA).....	NA	(445,000)	(445,000)	(445,000)	---	
Digitalization program, current funded.....	D	5,988	6,000	---	-5,988	
Subtotal, FY 2012 appropriation.....		5,988	6,000	---	-5,988	UA
FEDERAL MEDIATION AND CONCILIATION SERVICE.....	D	46,559	48,025	46,250	-309	
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.....	D	10,337	22,417	17,637	+7,300	
INSTITUTE OF MUSEUM AND LIBRARY SERVICES.....	D	237,393	242,605	232,393	-5,000	
MEDICARE PAYMENT ADVISORY COMMISSION.....	TF	12,425	13,100	11,800	-625	
MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION.....		---	11,000	6,000	+6,000	
NATIONAL COUNCIL ON DISABILITY.....	D	3,264	3,400	3,264	---	UA
NATIONAL HEALTH CARE WORKFORCE COMMISSION.....	D	---	3,000	---	---	UA
NATIONAL LABOR RELATIONS BOARD.....	D	282,833	287,699	278,833	-4,000	
NATIONAL MEDIATION BOARD.....	D	13,436	13,961	13,436	---	
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.....	D	11,689	12,773	11,689	---	

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
RAILROAD RETIREMENT BOARD					
Dual Benefits Payments Account	D	56,886	51,000	51,000	-5,886
Less Income Tax Receipts on Dual Benefits	D	-3,000	-2,000	-2,000	+1,000
Subtotal, Dual Benefits		53,886	49,000	49,000	-4,886
Federal Payment to the RR Retirement Account	M	150	150	150	---
Limitation on Administration	TF	108,855	112,239	108,855	---
Inspector General	TF	8,170	9,259	8,170	---
SOCIAL SECURITY ADMINISTRATION					
Payments to Social Security Trust Funds	M	21,404	20,404	20,404	-1,000
SUPPLEMENTAL SECURITY INCOME					
Federal Benefit Payments	M	52,387,000	47,554,000	47,554,000	-4,833,000
Beneficiary Services	M	60,000	47,000	47,000	-13,000
Research and Demonstration	M	42,928	38,000	8,000	-34,928

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Administration	D	3,486,286	3,844,000	3,373,991	-112,295
Subtotal, SSI program level		55,976,214	51,483,000	50,982,991	-4,993,223
Less funds advanced in prior year	M	-16,000,000	-13,400,000	-13,400,000	+2,600,000
Subtotal, regular SSI current year		39,976,214	38,083,000	37,582,991	-2,393,223
New advance, 1st quarter, FY 2013	M	13,400,000	18,200,000	18,200,000	+4,800,000
Total, SSI program		53,376,214	56,283,000	55,782,991	+2,406,777
LIMITATION ON ADMINISTRATIVE EXPENSES					
OASDI Trust Funds	TF	5,556,741	5,931,407	5,310,602	-246,139
HI/SMI Trust Funds	TF	2,049,942	2,253,780	2,093,751	+43,809
Social Security Advisory Board	TF	2,295	2,150	2,150	-145
Acquisition Workforce Capacity and Capabilities	D	---	1,863	---	---
SSI	D	3,144,970	3,546,000	3,148,991	+4,021
Program Integrity adjustment		-272,454	-315,000	---	+272,454
Subtotal, regular LAE		10,481,494	11,420,200	10,555,494	+74,000

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
User Fees:					
SSI User Fee activities	D	185,628	163,000	155,000	-30,628
SSPA User Fee Activities	D	---	1,000	---	---
Subtotal, User fees		185,628	164,000	155,000	-30,628
Subtotal, Limitation on administrative expenses		10,667,122	11,584,200	10,710,494	+43,372
Program Integrity Funding:					
SSI Limitation on administrative expenses	TF	272,454	315,000	---	-272,454
OASDI Trust Funds	TF	142,714	325,000	49,000	-93,714
SSI	TF	341,316	298,000	225,000	-116,316
Subtotal, Program integrity funding		756,484	938,000	274,000	-482,484
Total, Limitation on Administrative Expenses		11,423,606	12,522,200	10,984,494	-439,112

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

		FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
OFFICE OF THE INSPECTOR GENERAL					
Federal Funds	D	28,942	30,000	28,942	---
Trust Funds	TF	73,535	77,113	73,535	---
Total, Office of the Inspector General		102,477	107,113	102,477	---
Adjustment: Trust fund transfers from general revenues	TF	-3,486,286	-3,844,000	-3,373,991	+112,295
Total, Social Security Administration		61,437,415	65,088,717	63,516,375	+2,078,960
Federal funds		53,612,188	56,499,267	55,987,337	+2,375,149
Current year		(40,212,188)	(38,299,267)	(37,787,337)	(-2,424,851)
New advances, 1st quarter		(13,400,000)	(18,200,000)	(18,200,000)	(+4,800,000)
Trust funds		7,825,227	8,589,450	7,529,038	-296,189
Total, Title IV, Related Agencies		63,758,363	67,638,046	65,805,107	+2,046,744
Federal Funds		55,803,686	58,913,998	58,147,244	+2,343,558
Current Year		(41,958,686)	(40,262,998)	(39,502,244)	(-2,456,442)
FY 2013 Advance		(13,400,000)	(18,200,000)	(18,200,000)	(+4,800,000)
FY 2014 Advance		(445,000)	(451,000)	(445,000)	---
Trust Funds		7,954,677	8,724,048	7,657,863	-296,814

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
RECAP				
Mandatory, total in bill	557,434,753	577,048,325	576,727,703	+19,292,950
Less advances for subsequent years	-102,936,289	-112,054,082	-112,054,082	-9,117,793
Plus advances provided in prior years	105,784,382	102,936,289	102,936,289	-2,848,093
Total, mandatory, current year	560,282,846	567,930,532	567,609,910	+7,327,064
Discretionary, total in bill	165,303,817	178,519,422	163,855,125	-1,448,692
Less advances for subsequent years	-24,814,001	-24,795,000	-24,814,001	---
Plus advances provided in prior years	24,772,666	24,814,001	24,814,001	+41,335
Subtotal, discretionary, current year	165,262,482	178,538,423	163,855,125	-1,407,357
Discretionary Scorekeeping adjustments:				
Office of Job Corps (DOL) (rescission)	-75,000	-25,000	---	+75,000
Investment in Reinvention Fund (DOL) (rescission)	-3,900	---	---	+3,900
PHSSEF (PL111-32) (rescission) (emergency)	-1,259,000	---	---	+1,259,000
SSI User Fee Collection	-185,628	-164,000	-155,000	+30,628
SSA no-year IT funds (rescission)	-275,000	---	---	+275,000
Average Weekly Insured Unemployment (AWIU) Conting	5,000	5,000	5,000	---
Career Pathways Innovation Fund (rescission)	-125,000	---	---	+125,000
Refugee and Entrant Assistance (rescission)	-25,000	---	---	+25,000
Academic Competiveness & SMART grants (rescission)	-560,000	---	---	+560,000
Pell grants (CBO adjustment)	---	3,175,984	---	---
Higher Ed reconciliation (rescission)	-31,000	---	---	+31,000

DIVISION F: LABOR - HEALTH AND HUMAN SERVICES - EDUCATION - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Comparable	FY 2012 Request	Conference	Conference Vs. Comparable
Medicare Eligible Accruals (permanent,indefinite).	37,470	38,614	38,614	+1,144
BARDA Transfer (from Bioshield to PHSSEF).....	-415,000	-765,000	-415,000	---
Highly Qualified Teacher fix (Sec. 163).....	3,000	---	---	-3,000
Childrens Health Insurance Program (rescission)...	-3,500,000	---	-6,367,964	-2,867,964
Rescissions (CHIMPs) (PL111-148):				
Consumer Operated and Oriented Plan (CO-OP).....	-2,200,000	---	-400,000	+1,800,000
Independent Payment Advisory Board.....	---	---	-10,000	-10,000
Pell grant mandatory adjustment.....	-492,000	---	---	+492,000
CBO estimate of discretionary FY12 across-the-board (excluding Pell) (rescission)..	---	---	-267,000	-267,000
Plus rescissions of emergency appropriations.....	1,259,000	---	---	-1,259,000
Total, discretionary.....	157,420,424	180,804,021	156,283,775	-1,136,649
Adjustment to balance with 2011 enacted.....	21,576	---	---	-21,576
Total, discretionary (FY 2011 enacted).....	157,442,000	180,804,021	156,283,775	-1,158,225
Grand total, current year (incl FY 2011 comparable)...	717,703,270	748,734,553	723,893,685	+6,190,415

DIVISION G—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

The following is an explanation of the effects of Division G, which makes appropriations for the Legislative Branch for fiscal year 2012. Unless otherwise noted, reference to the House and Senate reports are to House Report 112–148 and Senate Report 112–80. The language included in House Report 112–148 and Senate Report 112–80 should be complied with and carry the same emphasis as the language included in the explanatory statement, unless specifically addressed to the contrary in this explanatory statement. While repeating some report language for emphasis, this explanatory statement does not intend to negate the language referred to above unless expressly provided herein.

TITLE I

LEGISLATIVE BRANCH

SENATE

The conferees agree to appropriate $868,593,000 for Senate operations. This item relates solely to the Senate, and is in accordance with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention.

The conferees note one technical correction to the chart included in Senate Report 112–80 under the heading Senators' Official Personnel and Office Expense Allowance Fiscal Year 2012 to take into account a population change for the state of Colorado that was inadvertently omitted.

State	Administrative and clerical assistance allowance 10/1/2011	Legislative assistance allowance 10/1/2011	O.O.E.A. allowance 10/1/2011	Total allowance 10/1/2011
Colorado	2,431,275	477,874	180,096	3,089,245

HOUSE OF REPRESENTATIVES

The conferees agree to appropriate $1,225,680,000 for House operations. This item relates solely to the House, and is in accordance with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention.

SECURITY IN CONGRESSIONAL DISTRICT OFFICES

The conferees are aware of efforts underway by the House Sergeant At Arms (HSAA) and the Capitol Police (USCP) to improve security in Congressional district offices. With the assistance of the HSAA and USCP, many Member offices had security assessments conducted and were provided a list of recommended security upgrades as a result of those assessments. Member offices currently pay for their office leases, including physical security, through their office budgets, also called the Members' Representational Allowance, which have been reduced. While the payment for district se-

curity is decentralized, the guiding principles and policies should not be. Therefore, the HSAA, along with USCP, shall assist offices in prioritizing improvements and highlighting alternative office locations that yield greater security with less cost. In addition the House's Chief Administrative Officer is directed to provide outreach to Member offices and offer assistance in lease negotiations as Member offices look to relocate or negotiate more favorable terms that incorporate heightened security concerns.

JOINT ITEMS

JOINT ECONOMIC COMMITTEE

The conference agreement includes $4,203,000 for salaries and expenses.

JOINT COMMITTEE ON INAUGURAL CEREMONIES OF 2013

The conference agreement includes $1,237,000 for salaries and expenses associated with conducting the inaugural ceremonies of the President and Vice President of the United States.

JOINT COMMITTEE ON TAXATION

The conference agreement includes $10,004,000 for salaries and expenses.

OFFICE OF THE ATTENDING PHYSICIAN

The conference agreement includes $3,400,000.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

The conference agreement includes $1,363,000.

ADMINISTRATIVE PROVISION

The conferees have included an administrative provision which authorizes employees of the Office of Congressional Accessibility Services to participate in the Senate employee student loan repayment program.

CAPITOL POLICE

SALARIES

The conference agreement includes $277,133,000 for salaries of officers, members, and employees of the Capitol Police. This level will support a staffing level of 1,775 sworn officers and 370 civilian personnel.

GENERAL EXPENSES

The conference agreement includes $63,004,000 for general expenses of the Capitol Police.

WORKFORCE MANAGEMENT/MISSION REQUIREMENTS

The conferees support the directive contained in House Report 112–148 regarding workforce management and mission requirements in lieu of the directive in Senate Report 112–80.

OVERTIME

The conferees recommend no more than 634,667 hours of additional duty in fiscal year 2012 as depicted below. The conferees direct that the Department report on the expenditure of overtime within individual accounts by pay period to the House and Senate Committees on Appropriations, and that the Committees are notified prior to any transfer within accounts, including the associated hours of additional duty.

	Funding	Hours (est.)
Scheduled	$28,915,170	503,364
Annualization of overtime savings	(700,370)	0
Unscheduled	1,141,850	20,000
DPD	876,018	15,326
Conventions	1,626,240	28,000
Training	1,371,840	24,000
LOC—non-reimbursable events	214,896	3,700
Dome Skirt	1,853,739	31,917
Red Tunnel Project	485,548	8,360
Dome Skirt and other project re-estimations	(677,000)	0
Total	$35,107,931	634,667

THREAT ASSESSMENT

The conferees understand that the Capitol Police conduct many different types of threat assessments and direct the Chief of Police to work with the House and Senate Committees on Appropriations to develop methods of updating the Committees on threat assessment activities.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

The conferees have included a routine administrative provision, section 1101, which continues authorization for transfers between various accounts upon the approval of the Committees on Appropriations of the House and Senate. The conferees have also included an administrative provision, section 1102, which authorizes the Secretary of the Senate and the Chief Administrative Officer of the House to waive erroneous payments to officers and employees.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

The conference agreement includes $3,817,000, of which $700,000 shall remain available until September 30, 2013 for salaries and expenses of the Office of Compliance.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

The conference agreement includes $43,787,000 for salaries and expenses of the Congressional Budget Office.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

The conference agreement includes $101,340,000 for General Administration, of which $3,749,000 shall remain available until September 30, 2016.

With respect to operations and projects, the House and Senate conferees have agreed to the following:

Operating Budget	$97,591,000
Project Budget:	
1. Energy Savings Performance Contracts (ESPC)	2,700,000
2. Senate Reception Room	550,000
3. Conservation of Fine Architectural Art	499,000
Total, General Administration	$101,340,000

CONGRESSIONAL YOUTH PARK

The conferees note that the fiscal year 2002 Legislative Branch appropriations bill, Public Law 107–68 included a provision designating a special parcel of the Capitol Grounds as the Congressional Youth Park. The conferees commend the Architect of the Capitol (AOC) for developing the Capitol Complex Master Plan as a guiding document for the future development of the Capitol grounds. The plan embraces Frederick Law Olmstead's original landscape design establishing grounds that enhance and elevate the U.S. Capitol. Integral to this plan should be the original intent of the Botanic Garden to educate visitors about the aesthetic, cultural, economic, therapeutic, and ecological importance of plants. In this spirit, the conferees direct the AOC to develop, as part of the Capitol Complex Master Plan, the cultural landscape plan for the Congressional Youth Park that aligns the use of the Park with Olmstead's historically important vision about the importance of the natural world in their daily lives. This segment of the Master Plan shall also take into consideration landscape requirements necessary to ensure the continued security of the Capitol complex.

CAPITOL BUILDING

The conference agreement includes $36,154,000, of which $11,063,000 shall remain available until September 30, 2016, for maintenance, care, and operation of the Capitol.

With respect to operations and projects, the House and Senate conferees have agreed to the following:

Operating Budget:	$25,091,000
Project Budget:	
1. Presidential Inaugural Stand and Support Facilities	4,263,000
2. Brumidi Corridors Restoration and Conservation Plan	800,000
3. Minor Construction	6,000,000
Total, Capitol Building	$36,154,000

CAPITOL GROUNDS

The conference agreement includes $9,852,000 for the care and improvements of the grounds surrounding the Capitol, House and Senate office buildings, and the Capitol Power Plant.

With respect to operations and projects, the House and Senate conferees have agreed to the following:

Operating Budget	$9,852,000
Total, Capitol Grounds	$9,852,000

SENATE OFFICE BUILDINGS

The conference agreement includes $71,128,000 for Senate Office Buildings, of which $13,128,000 shall remain available until September 30, 2016, for the maintenance, care and operation of the Senate office buildings. This item relates solely to the Senate and is in accordance with long practice under which each body determines its own housekeeping requirements, and the other concurs without intervention.

Operating Budget	$58,000,000
Project Budget:	
1. Skylight Replacement (HSOB)	5,000,000
2. Infrastructure Improvements, Phase 3, North Wing (DSOB)	6,128,000
3. Minor Construction	2,000,000
Total, Senate Office Buildings	$71,128,000

HOUSE OFFICE BUILDINGS

Base funding, House Office Buildings.—The conference agreement includes $94,154,000 for the basic and recurring needs of the House within the House Office Buildings account, of which $45,631,000 shall remain available until September 30, 2016. These funds support the regular maintenance, care, and operation of the House office buildings by the Architect of the Capitol.

Operating Budget	$48,523,000
Project Budget:	
1. Alternate Life Safety Approach, CHOB	4,229,000
2. Interior Rehabilitation of the West House Underground Garage	18,000,000
3. Power Distribution System Replacement, Vault C, FHOB	3,957,000
4. Domestic Water and Sanitary Piping Replacement, RHOB	1,598,000
5. Fire Alarm System Replacement, RHOB	1,457,000
6. CAO Project Support	4,390,000
7. 480V Switchgear & Transformer Replacement, Phase III, HOB	5,000,000
8. Minor Construction	7,000,000
Total, House Office Buildings (base program)	$94,154,000

House Historic Buildings Revitalization Trust Fund.—In addition to funding for core facility needs, the conference agreement includes $30,000,000 for the Historic Buildings Revitalization Trust Fund, to remain available until expended.

As these funds relate solely to the House, and is in accordance with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention.

CAPITOL POWER PLANT

In addition to the $9,000,000 made available from receipts credited as reimbursements to this appropriation, the conference agreement includes $123,229,000 for maintenance, care and oper-

ation of the Capitol Power Plant. Of this amount, $37,617,000 shall remain available until September 30, 2016.

With respect to operations and project differences, the House and Senate conferees have agreed to the following:

Operating Budget (net)	$94,612,000
Project Budget:	
1. Utility Tunnel Program	14,406,000
2. WRP Chiller System Replacement, RPR, CPP	800,000
3. East Plant Chiller Relocation, RPR, CPP	16,411,000
4. Cogeneration Management Program	2,000,000
5. Minor Construction	4,000,000
Total, Capitol Power Plant	$132,229,000

LIBRARY BUILDINGS AND GROUNDS

The conference agreement includes $46,876,000 for Library of Congress buildings and grounds. Of this amount, $21,116,000 shall remain available until September 30, 2016.

With respect to operations and projects, the House and Senate conferees have agreed to the following:

Operating Budget	$25,760,000
Project Budget:	
1. Sprinkler System, West Main Pavilion 1st Floor, Phase III TJB	4,100,000
2. Egress Improvements	1,126,000
3. Generator Replacement JAB	5,000,000
4. Secured Storage Facilities, Phase III	2,000,000
5. East and West Pavilion Copper Roof and Fall Protection Replacement, Design	309,000
6. Air Handling Unit Replacement and Hazardous Materials Abatement, TJB	2,047,000
7. Fall Protection	4,034,000
8. ABA Space Reorganization, JMMB	500,000
9. Minor Construction	2,000,000
Total, Library Buildings and Grounds	$46,876,000

CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

The conference agreement includes $21,500,000 for Capitol Police Buildings, Grounds and Security. Of this amount, $3,473,000 shall remain available until September 30, 2016.

With respect to operations and projects, the conferees have agreed to the following:

Operating Budget	$18,027,000
Project Budget:	
1. Fire Alarm System Replacement, Headquarters	2,473,000
2. Minor Construction	1,000,000
Total, Capitol Police Buildings, Grounds and Security	$21,500,000

BOTANIC GARDEN

The conference agreement includes $12,000,000 for salaries and expenses, Botanic Garden.

CAPITOL VISITOR CENTER

The conference agreement includes $21,276,000 for the Capitol Visitor Center (CVC).

CVC GIFT SHOP

The conferees note that the CVC gift shop operating budget exceeds the revenues generated within the gift shop revolving fund. The conferees understand that there are mitigating circumstances such as "Buy American" requirements that account for the CVC gift shop operating differently than other gift shops, such as the Library of Congress gift shop. Given that the CVC gift shop has been operating for a few years, the conferees believe it would be beneficial at this juncture for the AOC to review and report on the operations and steps that can be taken to improve operations within the revolving fund understanding the distinctive parameters under which the CVC gift shop operates. This report should be provided to the Committee on Appropriations of the House and Senate no later than March 31, 2012.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

REIMBURSABLE OVERTIME COSTS

The conference agreement includes an administrative provision, section 1201, which authorizes the Architect of the Capitol to reimburse the Capitol Police for the cost of overtime associated with construction projects.

The conferees direct the Architect of the Capitol and the United States Capitol Police to enter into a memorandum of understanding to establish the appropriate mechanisms necessary to implement this reimbursable process. The memorandum of understanding shall include, but not be limited to, the identification of the type and scope of construction projects subject to reimbursement, the projected overtime and related benefits costs for security requirements necessitated by a specific project before the project commences, and the reporting to the Architect of the Capitol actual costs for reimbursement on a regular basis during and upon completion of a security project. It is the conferees intent that this practice will commence with the submission of the fiscal year 2013 budget request. The Architect of the Capitol shall submit the requested overtime for ongoing and future construction projects for fiscal year 2013. During fiscal year 2013, and for future fiscal years, if overtime costs exceed those requested, the Architect of the Capitol, with the concurrence of the Capitol Police, will submit such costs to the House and Senate Committees on Appropriations for approval.

The conference agreement includes an administrative provision, section 1202, concerning the Capitol grounds.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

The conference agreement includes $413,743,000 in direct appropriations, of which $6,959,000 is to remain available until expended for digital collections and educational curricula program, Library of Congress. In addition to this amount $6,350,000 is avail-

able from receipts collected by the Library of Congress and is to remain available until expended.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

The conference agreement includes $16,137,000 in direct appropriations to the Copyright Office. An additional $35,513,000 is made available from receipts for salaries and expenses.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement includes $106,790,000 for salaries and expenses, Congressional Research Service including up to $1,000,000 for a review of the Government Printing Office.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

The conference agreement includes $50,674,000 for salaries and expenses. This amount includes $650,000 for costs to provide recorded newspaper services for the blind and physically handicapped. The conferees have agreed that up to $2,000,000 of unobligated balances can be utilized for media production.

ADMINISTRATIVE PROVISIONS

The conferees have agreed to include administrative provisions (sections 1301–1304) related to reimbursable and revolving fund activities, transfer authority, availability of funds for Workers Compensation Payments, and disposition of surplus or obsolete personal property.

GOVERNMENT PRINTING OFFICE

Operational Review

Over the past 10 years, the Government Printing Office has regularly contracted out approximately 75% of the dollar value of all work ordered annually (other than U.S. passports and secure credentials). The vast majority of the work that is contracted out is for the Executive Branch. Printing for the Congress, passports for State Department, secure credentials for Federal agencies and Congress, products for the Office of the Federal Register, and several important jobs of the Executive Branch, such as the President's Annual Budget and printing for the White House, are conducted in-house, as are all of GPO's digital information operations serving all three branches of the Federal Government. The conferees note that several studies evaluating GPO's production, procurement, and information dissemination programs and operations, including the Federal Depository Library Program, have been conducted in the past. The conferees also note that past reviews have supported the GPO's business model as the most efficient way in which the government should operate its printing and information dissemination responsibilities. The conferees believe that the GPO

and the Congress would benefit from an update of these reviews, particularly given the growth in printing and digital technology in recent years, including the feasibility of Executive Branch printing being continued to be performed by the GPO, and other cost saving operational alternatives that might be worthy of consideration. Within available funds under the heading, "Congressional Research Service" , the conferees direct the Congressional Research Service to award a grant or contract to the National Academy of Public Administration, an independent, nonpartisan organization that was chartered by Congress to assist Federal, State, and local governments in improving their effectiveness, efficiency, and accountability, to conduct a study on updating a review of GPO operations and additional cost saving opportunities beyond what GPO has already instituted, if any, and report its findings to the Committee on Appropriations of the House and Senate no later than one year after enactment of this Act.

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $90,700,000 for authorized printing and binding for the Congress.

OFFICE OF THE SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $35,000,000.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The conference agreement includes $500,000.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

The conference agreement includes $511,296,000 in direct appropriations for salaries and expenses, Government Accountability Office. In addition, $22,304,000 is available from offsetting collections.

ADMINISTRATIVE PROVISION

The agreement includes an administrative provision, section 1401, that allows GAO to be treated the same as other Legislative Branch agencies regarding employee buyout authority.

The conferees direct that GAO cease all work and no funds are provided for any GAO study related to the study requested in House Report 112–148 regarding the future of the Government Printing Office. That work is being conducted by NAPA through CRS.

Cost Analysis

The conferees believe that in order to provide the GAO with the appropriate funding level to conduct its audits efficiently, the

conferees need a complete understanding of the costs associated with conducting the audits. The concern that certain costs associated with the reports cannot be accounted for was heightened by the GAO Office of Inspector General report noting that "GAO's travel card program could be strengthened by adopting selected best practices identified in related Office of Management and Budget (OMB) guidance. . . . Further, we found that OMB's travel card guidance was not used by GAO to manage or assess the effectiveness of its travel card program controls." Therefore, the conferees direct the GAO to report to the Senate and House Committees on Appropriations on a semi-annual basis, with a cost analysis by function of its work products, a total funding level for any completed report during the fiscal year, and the number of reports previously conducted on the particular issues for which reports are being conducted.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

The conference agreement includes $10,000,000 for payment to the Open World Leadership Center Trust Fund.

In June 2003 the House Committee on Appropriations directed the Government Accountability Office (GAO) to assess the overall effectiveness and efficiency of the Open World Leadership Center (OWLC) in fulfilling its responsibilities and role in achieving the overall intent and purposes of the program. In March 2004 the GAO issued a report (GAO–04–436) containing recommendations that OWLC establish strategic and performance plans, strengthen assessing and reporting on program performance, and improve its financial management and accountability mechanisms. In the report the OWLC took issue with the GAO emphasis on performance measures, noting that its success is only measurable in the medium or long term. The conferees direct the GAO to reexamine the OWLC regarding the recommendations to determine what action has been taken to meet the GAO recommendations with special emphasis on financial management and performance measures. It has been a number of years since this report was issued, and the conferees believe enough time has lapsed to determine progress in both these fields. Therefore, the conferees direct the GAO to reexamine the recommendations of the March 2004 report with emphasis on financial management and accountability mechanisms and the measurable benefits of the OWLC. GAO shall consult with the Committees on Appropriations as it develops the methodology and scope of the review. GAO shall issue its final report by August 2012 and provide regular updates to the Committees prior to issuing the final report.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

The conference agreement includes $430,000. The conferees direct that future budget requests from the John C. Stennis Center be accompanied by an appropriately detailed budget justification.

TITLE II—GENERAL PROVISIONS

The conference agreement continues, in sections 201 to 209, nine routine provisions carried in prior years. In addition the agreement includes section 210 related to delivery of printed copies of bills, joint resolutions, and resolutions, section 211 related to delivery of printed copies of the Congressional Record being delivered to a Member's House office, and section 212 related to Members of the House, which places a limitation on the amount that can be expended for the lease of a vehicle.

REPROGRAMMING GUIDELINES FOR LEGISLATIVE BRANCH AGENCIES

The conferees expect all agencies to notify the Committees on Appropriations of the House and Senate of any significant departures from budget plans presented to the Committees of the House and Senate. In particular, agencies funded in this bill are required to notify the Committees prior to each reprogramming of funds in excess of the lesser of 10 percent or $500,000 between programs, projects, or activities, or in excess of $500,000 between object classifications (except for shifts within the pay categories, object class 11, 12, and 13, or as further specified in each agency's respective section). This includes cumulative reprogrammings that together total at least $500,000 from or to a particular program, activity, or object classification, as well as reprogramming of FTEs or funds to create new organizational entities within the Agency or to restructure entities which already exist. These guidelines remain effective unless modified by a subsequent conference.

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE I - LEGISLATIVE BRANCH				
SENATE				
Expense allowances:				
Vice President	20	20	19	-1
President Pro Tempore of the Senate	40	40	38	-2
Majority Leader of the Senate	40	40	40	---
Minority Leader of the Senate	40	40	40	---
Majority Whip of the Senate	10	10	10	---
Minority Whip of the Senate	10	10	10	---
Chairman of the Majority Conference Committee	5	5	5	---
Chairman of the Minority Conference Committee	5	5	5	---
Chairman of the Majority Policy Committee	5	5	5	---
Chairman of the Minority Policy Committee	5	5	5	---
Subtotal, expense allowances	180	180	177	-3
Representation allowances for the Majority and Minority Leaders	30	30	28	-2
Total, Expense allowances and representation	210	210	205	-5

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Salaries, Officers and Employees				
Office of the Vice President	2,512	2,517	2,361	-151
Office of the President Pro Tempore	750	752	705	-45
Offices of the Majority and Minority Leaders	5,202	5,212	5,202	---
Offices of the Majority and Minority Whips	3,281	3,288	3,281	---
Committee on Appropriations	15,812	15,844	14,864	-948
Conference committees	3,445	3,452	3,238	-207
Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority	848	850	797	-51
Policy Committees	3,519	3,526	3,308	-211
Office of the Chaplain	414	415	406	-8
Office of the Secretary	25,738	25,790	24,194	-1,544
Office of the Sergeant at Arms and Doorkeeper	76,846	77,588	73,000	-3,846
Offices of the Secretaries for the Majority and Minority	1,832	1,836	1,722	-110
Agency contributions and related expenses	45,409	45,500	42,684	-2,725
Total, Salaries, officers and employees	185,608	186,570	175,762	-9,846
Office of the Legislative Counsel of the Senate				
Salaries and expenses	7,140	7,411	6,995	-145

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of Senate Legal Counsel				
Salaries and expenses	1,541	1,544	1,449	-92
Expense Allowances of the Secretary of the Senate, Sergeant at Arms and Doorkeeper of the Senate, and Secretaries for the Majority and Minority of the Senate: Expenses allowances	30	30	28	-2
Contingent Expenses of the Senate				
Inquiries and investigations	140,219	161,346	131,306	-8,913
Expenses of United States Senate Caucus on International Narcotics Control	519	520	488	-31
Secretary of the Senate	6,188	6,200	5,816	-372
Sergeant at Arms and Doorkeeper of the Senate	142,116	141,588	130,722	-11,394
Miscellaneous items	21,103	18,860	19,360	-1,743
Senators' Official Personnel and Office Expense Account	409,180	446,967	396,180	-13,000
Official Mail Costs				
Expenses	299	300	281	-18
Total, Contingent expenses of the Senate	719,624	775,781	684,153	-35,471
Total, Senate	914,153	971,546	868,592	-45,561

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
HOUSE OF REPRESENTATIVES				
Salaries and Expenses				
House Leadership Offices				
Office of the Speaker	4,878	4,877	6,943	+2,065
Speaker's Office for Legislative Floor Activities	498	497	---	-498
Republican Steering Committee	941	942	---	-941
Republican Policy Committee	344	348	---	-344
Training and Program Development, Majority	278	279	---	-278
Cloakroom Personnel, Majority	477	477	---	-477
Subtotal, Office of the Speaker	7,416	7,420	6,943	-473
Office of the Majority Floor Leader	2,433	2,430	2,278	-155
Office of the Minority Floor Leader	4,378	4,385	7,433	+3,055
Democratic Steering and Policy Committee	1,319	1,312	---	-1,319
Nine minority employees	1,487	1,491	---	-1,487
Training and Program Development, Minority	277	279	---	-277
Cloakroom Personnel, Minority	477	477	---	-477
Subtotal, Office of the Minority Floor Leader	7,938	7,944	7,433	-505

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of the Majority Whip	2,105	2,108	1,971	-134
Office of the Minority Whip	1,629	1,624	1,525	-104
Republican Conference	1,680	1,679	1,573	-107
Democratic Caucus	1,660	1,657	1,554	-106
Subtotal, House Leadership Offices	24,861	24,862	23,277	-1,584
Transition to Calendar Year Funding				
Office of the Speaker	---	---	1,736	+1,736
Office of the Majority Floor Leader	---	---	569	+569
Office of the Minority Floor Leader	---	---	1,858	+1,858
Office of the Majority Whip	---	---	493	+493
Office of the Minority Whip	---	---	381	+381
Republican Conference	---	---	393	+393
Democratic Caucus	---	---	388	+388
Subtotal, Transition to Calendar Year Funding	---	---	5,818	+5,818
Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail				
Expenses	613,052	633,848	573,939	-39,113

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Committee Employees				
Standing Committees, Special and Select	134,549	134,549	125,965	-8,584
Committee on Appropriations (including studies and investigations)	28,483	28,483	26,666	-1,817
Subtotal, Committee employees	163,032	163,032	152,631	-10,401
Salaries, Officers and Employees				
Office of the Clerk	28,589	30,516	26,114	-2,475
Office of the Sergeant at Arms	9,034	15,009	8,140	-894
Office of Emergency Management	---	4,445	4,445	+4,445
Office of the Chief Administrative Officer	127,782	130,782	116,782	-11,000
Office of the Inspector General	5,045	5,045	5,045	---
Office for Emergency Planning, Preparedness and Operations	4,445	---	---	-4,445
Office of General Counsel	1,415	1,415	1,415	---
Office of the Chaplain	179	179	179	---
Office of the Parliamentarian	2,060	2,060	2,060	---
Office of the Parliamentarian	(1,466)	(1,466)	(1,466)	---
Compilation of precedents of the House of Representatives	(594)	(594)	(594)	---

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of the Law Revision Counsel of the House.....	3,258	3,258	3,258	---
Office of the Legislative Counsel of the House.....	8,814	8,814	8,814	---
Office of Interparliamentary Affairs.....	859	859	859	---
Other authorized employees.....	1,249	1,249	347	-902
Office of the Historian.....	597	170	170	-427
Subtotal, Salaries, officers and employees.....	193,326	203,801	177,628	-15,698
Allowances and Expenses				
Supplies, materials, administrative costs and Federal tort claims.....	3,948	3,948	3,696	-252
Official mail for committees, leadership offices, and administrative offices of the House.....	201	201	201	---
Government contributions.....	280,349	276,703	264,848	-15,501
Business Continuity and Disaster Recovery.....	22,912	17,098	17,112	-5,800
Transition activities.....	2,907	2,907	1,722	-1,185
Wounded Warrior program.....	2,000	2,500	2,500	+500
Energy demonstration projects.....	2,500	2,500	---	-2,500
Office of Congressional Ethic.....	1,548	1,548	1,548	---
Miscellaneous items.....	760	760	760	---
Subtotal, Allowances and expenses.....	317,125	308,165	292,387	-24,738
Total, House of Representatives.....	1,311,396	1,333,708	1,225,680	-85,716

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
JOINT ITEMS				
Joint Economic Committee	4,490	4,814	4,203	-287
Joint Congressional Committee on Inaugural Ceremonies	---	---	1,237	+1,237
Joint Committee on Taxation	10,530	11,327	10,004	-526
Office of the Attending Physician				
Medical supplies, equipment, expenses, and allowances	3,400	3,403	3,400	---
Office of Congressional Accessibility Services	1,374	1,363	1,363	-11
Total, Joint items	19,794	20,907	20,207	+413
CAPITOL POLICE				
Salaries	277,133	299,343	277,133	---
General expenses	63,004	88,273	63,004	---
Total, Capitol Police	340,137	387,616	340,137	---
OFFICE OF COMPLIANCE				
Salaries and expenses	4,077	4,782	3,817	-260

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
CONGRESSIONAL BUDGET OFFICE				
Salaries and expenses	46,771	46,865	43,787	-2,984
ARCHITECT OF THE CAPITOL				
General administration	106,569	119,150	101,340	-5,229
Capitol building	33,116	41,545	36,154	+3,038
Capitol grounds	10,952	10,799	9,852	-1,100
Senate office buildings	74,243	87,253	71,128	-3,115
House of Representatives buildings:				
House office buildings	100,265	119,647	94,154	-6,111
House Historic buildings revitalization fund	49,900	50,000	30,000	-19,900
Capitol Power Plant	126,879	150,101	132,229	+5,350
Offsetting collections	-7,984	-8,000	-9,000	-1,016
Subtotal, Capitol Power Plant	118,895	142,101	123,229	+4,334
Library buildings and grounds	45,703	67,888	46,876	+1,173
Capitol police buildings, grounds and security	26,958	32,312	21,500	-5,458
Botanic garden	11,367	12,344	12,000	+633
Capitol Visitor Center:				
CVC Operations	22,414	23,016	21,276	-1,138
Total, Architect of the Capitol	600,382	706,055	567,509	-32,873

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
LIBRARY OF CONGRESS				
Salaries and expenses	438,122	462,329	420,093	-18,029
Authority to spend receipts	-6,337	-6,350	-6,350	-13
Subtotal, Salaries and expenses	431,785	455,979	413,743	-18,042
Copyright Office, salaries and expenses	54,367	56,440	51,650	-2,717
Authority to spend receipts	-36,539	-34,717	-35,513	+1,026
Subtotal, Copyright Office	17,828	21,723	16,137	-1,691
Congressional Research Service, salaries and expenses	111,018	117,102	106,790	-4,228
Books for the blind and physically handicapped Salaries and expenses	68,046	71,927	50,674	-17,372
Total, Library of Congress	628,677	666,731	587,344	-41,333
GOVERNMENT PRINTING OFFICE				
Congressional printing and binding	93,580	100,001	90,700	-2,880
Office of the Superintendent of Documents, salaries and expenses	39,831	42,173	35,000	-4,831
Government Printing Office Revolving Fund	1,656	6,300	500	-1,156
Total, Government Printing Office	135,067	148,474	126,200	-8,867

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
GOVERNMENT ACCOUNTABILITY OFFICE				
Salaries and expenses	565,715	575,153	533,600	-32,115
Offsetting collections	-19,461	-18,304	-22,304	-2,843
Total, Government Accountability Office	546,254	556,849	511,296	-34,958
OPEN WORLD LEADERSHIP CENTER				
Payment to the Open World Leadership Center Trust Fund	11,377	12,600	10,000	-1,377
JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT				
Stennis Center for Public Service	429	430	430	+1
GENERAL PROVISIONS				
Architect of the Capitol, Capitol Visitor Center (rescission)	-14,600	---	---	+14,600
Grand total	4,543,914	4,856,563	4,304,999	-238,915

DIVISION G - LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012 (H.R. 2055)
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
RECAPITULATION				
Senate	914,153	971,546	868,592	-45,561
House of Representatives	1,311,396	1,333,708	1,225,680	-85,716
Joint Items	19,794	20,907	20,207	+413
Capitol Police	340,137	387,616	340,137	---
Office of Compliance	4,077	4,782	3,817	-260
Congressional Budget Office	46,771	46,865	43,787	-2,984
Architect of the Capitol	600,382	706,055	567,509	-32,873
Library of Congress	628,677	666,731	587,344	-41,333
Government Printing Office	135,067	148,474	126,200	-8,867
Government Accountability Office	546,254	556,849	511,296	-34,958
Open World Leadership Center	11,377	12,600	10,000	-1,377
Stennis Center for Public Service	429	430	430	+1
General provisions	-14,600	---	---	+14,600
Grand total	4,543,914	4,856,563	4,304,999	-238,915
Scorekeeping adjustments:				
GAO buyout authority (CBO estimate)	---	---	2,000	+2,000
Grand total, discretionary	4,543,914	4,856,563	4,306,999	-236,915

DIVISION H—MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 112–94 and Senate Report 112–29 should be complied with unless specifically addressed to the contrary in the conference agreement and this explanatory statement. Report language included by the House, which is not changed by the report of the Senate or this explanatory statement, and Senate report language, which is not changed by this explanatory statement, is approved by the Committees on Appropriations of both Houses of Congress. This explanatory statement, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or the Senate has directed the submission of a report, such report is to be submitted to both Houses of Congress. House or Senate reporting requirements with deadlines prior to, or within 15 days after, enactment of the conference agreement shall be submitted no later than 60 days after enactment of this Act. All other reporting deadlines not changed by this explanatory statement are to be met.

TITLE I

DEPARTMENT OF DEFENSE

ITEMS OF GENERAL INTEREST

Reprogramming Guidelines.—The following reprogramming guidelines apply for all military construction and family housing projects. A project or account (including the sub-elements of an account) which has been specifically reduced by the Congress in acting on the budget request is considered to be a congressional interest item and as such, prior approval is required. Accordingly, no reprogrammings to an item specifically reduced below the threshold by the Congress are permitted, except that the Department of Defense may seek reprogrammings for appropriated increments.

The reprogramming criteria that apply to military construction projects (25 percent of the funded amount or $2,000,000, whichever is less) continue to apply to new housing construction projects and to improvements over $2,000,000. To provide the services the flexibility to proceed with construction contracts without disruption or delay, the costs associated with environmental hazard remediation such as asbestos removal, radon abatement, lead-based paint removal or abatement, and any other legislated environmental hazard remediation may be excluded, provided that such remediation requirements could not be reasonably anticipated at the time of the budget submission. This exclusion applies to projects authorized in this budget year, as well as projects authorized in prior years for which construction has not been completed. Planning and design costs associated with military construction and family housing projects may also be excluded from these guidelines. In instances where prior approval to a reprogramming request for a project or account has been received from the Committees on Appropriations, the adjusted amount approved becomes the new base for any future

increase or decrease via below-threshold reprogrammings (provided that the project or account is not a congressional interest item as defined above).

In addition to these guidelines, the services are directed to adhere to the guidance for military construction reprogrammings and notifications, including the pertinent statutory authorities contained in DOD Financial Management Regulation 7000.14–R and relevant updates and policy memoranda. The conferees encourage the Office of the Director of National Intelligence to use a format similar to that used by the Office of the Secretary of Defense to submit reprogramming requests.

Incrementally Funded Projects.—The conferees note that the Administration requested several large military construction projects that can be incrementally funded, but were instead submitted as large single-year requests, in accordance with a directive from the Office of Management and Budget to the Department of Defense to severely restrict the use of incremental funding for military construction. The Committees on Appropriations of both Houses of Congress have previously notified the Administration that they reserve the prerogative to provide incremental funding where appropriate, in accordance with authorizing legislation. The conferees continue to believe that military construction projects should be fully funded or separated into stand-alone phases when practical. In some cases, however, incremental funding makes fiscal and programmatic sense. The conference agreement therefore incrementally funds the following projects: Aviation Complex Phase 3A, Fort Wainwright, Alaska; Mountainview Operations Facility, Buckley AFB, Colorado; Hospital Replacement, Increment 3, Fort Bliss, Texas; Ambulatory Care Center Phase 3, Joint Base San Antonio, Texas; STRATCOM Replacement Facility, Increment 1, Offutt AFB, Nebraska; Data Center, Increment 3, Camp Williams, Utah; Ambulatory Care Center, Ph 3, Joint Base Andrews, Maryland; and Strike Fuel Systems Maintenance Hanger, Anderson AFB, Guam.

Quarterly Summary of Notifications.—The conferees direct the services and the Office of the Secretary of Defense (on behalf of itself and Defense agencies) to continue to submit a quarterly report listing all notifications, to include bid savings by service and Defense agencies, that have been submitted to the Committees during the preceding three-month period.

Report on Design Obligations.—The conferees direct that the Secretary of Defense, and the secretaries of the Army, Navy, and Air Force, each submit separate semi-annual reports on the obligation and expenditure of planning and design funds. The Secretary of Defense's report shall cover Military Construction, Defense-Wide, and the reports by the Army, Navy, and Air Force shall cover active, guard, and reserve military construction accounts. Each report shall provide data on the total amount available from each and all fiscal years for planning and design activities, as well as the amounts currently obligated and expended. The reports shall be submitted no later than 30 days following the end of the second and fourth quarters of fiscal year 2012 and semi-annually no later than 30 days following the second and fourth quarters of each fiscal year thereafter.

Quadrennial Defense Review/Nuclear Posture Review (QDR/NPR).—The conference agreement does not reference language requiring the Secretary of Defense to submit a report regarding future funding for the QDR/NPR programs because the reporting requirement has already been fulfilled.

Army Stationing in Europe.—In order to better understand future requirements for U.S. military construction in Germany in light of current and projected realignment activities, the conferees direct that no later than 90 days after enactment of this Act, the Secretary of Defense shall provide a report, in writing, on installations and properties in Germany that the Department of Defense intends to return to the host nation. This report should include (1) intended timelines for closures of U.S. Army installations along with a list of military construction projects required at other installations to facilitate the downsizing and consolidation of Army forces in Germany; (2) identification of the brigade combat team that will be withdrawn from Germany; (3) an estimate of costs (including operation and maintenance costs and military construction costs) to be incurred during fiscal years 2012 through 2015 in connection with keeping the brigade identified in Germany through September 30, 2015, versus stationing a similar brigade in the United States; and (4) identification of the Army installations in the United States with the capability, existing infrastructure, and training facilities to support a brigade combat team similar to the one referenced above. The report should be submitted to the Committees on Appropriations of both Houses of Congress and may include a classified annex if necessary.

Guam Realignment.—The conferees support the Administration's focus on strengthening the U.S. military posture in the Pacific region. One of the most ambitious undertakings by the Department of Defense is the joint U.S.-Japanese plan to move 8,000 Marines and their families from Okinawa to Guam. The conferees note that a number of unforeseen obstacles, including lengthy environmental studies, legal challenges, and land use issues, have hampered the Department's ability to execute planned military construction projects associated with the realignment that have been funded in previous appropriations bills. In light of these delays, the conference agreement does not include funding, as requested, for two projects associated with the realignment. The conferees encourage the Department to complete the Guam master plan and provide a revised cost estimate and timetable for the Guam relocation so that the realignment can proceed without further delay.

MILITARY CONSTRUCTION, ARMY

The conference agreement appropriates $3,006,491,000 for Military Construction, Army, instead of $3,041,491,000 as proposed by the House and $3,066,891,000 as proposed by the Senate. Within this amount, the agreement provides $229,741,000 for study, planning, design, architect and engineer services, and host nation support, the same amount as proposed by the House and Senate.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The conference agreement appropriates $2,112,823,000 for Military Construction, Navy and Marine Corps, instead of $2,436,547,000 as proposed by the House and $2,187,622,000 as proposed by the Senate. Within this amount, the agreement provides $84,362,000 for study, planning, design, architect and engineer services, the same amount as proposed by the House and Senate.

MILITARY CONSTRUCTION, AIR FORCE

The conference agreement appropriates $1,227,058,000 for Military Construction, Air Force, instead of $1,247,358,000 as proposed by the House and $1,227,058,000 as proposed by the Senate. Within this amount, the agreement provides $81,913,000 for study, planning, design, architect and engineer services, the same amount as proposed by the House and Senate.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $3,431,957,000 for Military Construction, Defense-Wide, instead of $3,533,757,000 as proposed by the House and $3,380,917,000 as proposed by the Senate. Within this amount, the agreement provides $430,602,000 for study, planning, design, architect and engineer services, the same amount as proposed by the House and Senate.

Fort Gordon, Georgia, National Security Agency (NSA) Project Adjustment.—The President's budget submission included $11,340,000 for the NSA Whitelaw Wedge Building addition at Fort Gordon, Georgia. Subsequent to the budget submission NSA determined that the cost of the project had increased to $17,705,000 and requested a $6,365,000 funding adjustment for the project. The Director of the NSA transmitted a formal request for this adjustment to the Committees on Appropriations of the House and Senate on June 2, 2011. Therefore, the conference agreement includes an additional $6,365,000 for this project as requested, with a corresponding decrement from the NSA minor construction account.

Department of Defense Education Activity (DODEA) Schools.—The conferees note that over 86,000 children attend DODEA schools in the United States and overseas, but according to the 2009 DOD Report to Congress on Department of Defense Education Activity's Military Construction Program, 79 percent of DODEA schools were structurally rated as poor or failing. The conferees note that DOD's Future Years Defense Plan (FYDP) for fiscal years 2012 through 2016 includes funding to recapitalize many, but not all, of these schools. The conferees urge the Secretary of Defense to prioritize the recapitalization of all poor or failing DODEA schools, and accelerate funding for this purpose in future FYDPs.

Energy Conservation Investment Program (ECIP).—The conference agreement provides $135,000,000 for ECIP, as proposed by both the House and the Senate. Additionally, the conference agreement provides $10,000,000 in dedicated funding for ECIP planning and design, as proposed by the Senate. The conferees strongly sup-

port the efforts of the Department of Defense to promote energy conservation, green building initiatives, energy security, and investment in renewable energy resources, and commend the leadership of the Department and the services for making energy efficiency a key component of construction on military installations. The conferees urge the Department to use the the dedicated planning and design funds to invest in innovative renewable energy projects as well as projects that enhance energy security at military installations and encourages the Department to request dedicated planning and design funding for ECIP in future budget submissions.

Landstuhl Regional Medical Center.—The conferees strongly support the construction of the new Landstuhl Regional Medical Center in Germany to replace the current aging facility, which is inefficient, and structurally a failing facility. However, the conferees note that the size, scope and design of the proposed replacement hospital was initiated several years ago, before the withdrawal schedule for U.S. troops in Iraq and Afghanistan was established, and before looming budget restraints prompted the Department of Defense (DOD) to reconsider all overseas basing of U.S. military forces. Given the potential for major force structure reductions in Europe, the conferees believe that the planning assumptions for the new Landstuhl Regional Medical Center should be reevaluated to ensure that the facility is properly sized and scoped to meet the emerging contingency and force structure requirements in Europe.

Because of the importance of this project, the conference agreement fully funds the Department's request to proceed with site preparation and utility infrastructure for the replacement hospital. However, the conference agreement restricts the Department from awarding a design contract for the hospital that exceeds the 20 percent design level until the Secretary of Defense has provided a plan to the Committees on Appropriations of the House of Representatives and the Senate describing how it intends to implement the recommendations of a Government Accountability Office study with regard to the plans, baseline data, and estimated cost of the new facility, and certifies that the replacement hospital is properly sized and scoped to meet the projected health care requirements.

The conferees further direct DOD to provide to the Committees, in conjunction with the certification, justification supporting the size and scope of the replacement hospital that includes, at a minimum, (1) documentation that clearly shows how health care requirements were used to calculate the size, configuration, and associated costs of the facility, and (2) a risk or sensitivity analysis that assesses, at a minimum, how potential global posture changes in the area of responsibility of the European Command may impact the health care requirements for the proposed facility.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conference agreement appropriates $773,592,000 for Military Construction, Army National Guard, as proposed by the Senate instead of $798,592,000 as proposed by the House. Within this amount, the agreement provides $20,671,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conference agreement appropriates $116,246,000 for Military Construction, Air National Guard, as proposed by the both the House and the Senate. Within this amount, the agreement provides $12,225,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, ARMY RESERVE

The conference agreement appropriates $280,549,000 for Military Construction, Army Reserve, as proposed by both the House and the Senate. Within this amount, the agreement provides $28,924,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, NAVY RESERVE

The conference agreement appropriates $26,299,000 for Military Construction, Navy Reserve, as proposed by both the House and the Senate. Within this amount, the agreement provides $2,591,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

The conference agreement appropriates $33,620,000 for Military Construction, Air Force Reserve, as proposed by both the House and the Senate. Within this amount, the agreement provides $2,200,000 for study, planning, design, architect and engineer services.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

The conference agreement appropriates $247,611,000 for the North Atlantic Treaty Organization Security Investment Program, the same amount as proposed by the House, instead of $272,611,000 as proposed by the Senate.

FAMILY HOUSING CONSTRUCTION, ARMY

The conference agreement appropriates $176,897,000 for Family Housing Construction, Army, instead of $186,897,000 as proposed by both the House and the Senate.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

The conference agreement appropriates $493,458,000 for Family Housing Operation and Maintenance, Army instead of $494,858,000 as proposed by both the House and the Senate.

General Officer Flag Officer Quarters.—The conferees reduced the request for Family Housing Operation and Maintenance by $1,400,000 based on the Secretary of the Army's notification that the exterior repairs in Stuttgart, Germany, are no longer necessary.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

The conference agreement appropriates $100,972,000 for Family Housing Construction, Navy and Marine Corps as proposed by both the House and the Senate.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

The conference agreement appropriates $367,863,000 for Family Housing Operation and Maintenance, Navy and Marine Corps as proposed by both the House and the Senate.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

The conference agreement appropriates $60,042,000 for Family Housing Construction, Air Force instead of $84,804,000 as proposed by both the House and the Senate. The funding adjustment was requested by the Air Force to offset a shortfall in family housing operation and maintenance funding. To cover the shortfall, the Air Force requested the cancellation of a family housing construction improvement project at Misawa, Japan, resulting in a decrease of $24,762,000 from the budget submission.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement appropriates $429,523,000 for Family Housing Operation and Maintenance, Air Force instead of $404,761,000 as proposed by both the House and the Senate. The $24,762,000 increase was requested by the Air Force to cover a projected shortfall in family housing operation and maintenance funding. The funding increase is offset by a corresponding reduction of $24,762,000 in Air Force family housing construction funding.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement appropriates $50,723,000 for Family Housing Operation and Maintenance, Defense-Wide as proposed by both the House and the Senate.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

The conference agreement appropriates $2,184,000 for the Department of Defense Family Housing Improvement Fund as proposed by both the House and the Senate.

HOMEOWNERS ASSISTANCE FUND

The conference agreement appropriates $1,284,000 for the Homeowners Assistance Fund as proposed by both the House and the Senate. The conference agreement also includes language that the Secretary of Defense shall not issue any regulation or otherwise take any action to limit the submission of applications prior to September 30, 2012, for benefits, including permanent change of sta-

tion benefits, as provided under section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, (42 U.S.C. 3374), as amended.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

The conference agreement appropriates $75,312,000 for Chemical Demilitarization Construction, Defense-Wide as proposed by both the House and the Senate.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

The conference agreement appropriates $323,543,000 for the Department of Defense Base Closure Account 1990, as proposed by the Senate instead of $373,543,000 as proposed by the House.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

The conference agreement appropriates $258,776,000 for the Department of Defense Base Closure Account 2005, as proposed by both the House and Senate. The conferees note that significant bid savings have been realized in the BRAC 2005 military construction program, primarily as a result of the favorable bid climate over the past several years, and believe that these savings should be used to offset current BRAC 2005 requirements as well as current and projected requirements of the Homeowners Assistance Program. The conferees therefore are rescinding $258,776,000 from previous BRAC 2005 appropriations (Sec. 132 of Administrative Provisions) to offset the fiscal 2012 request. Additionally, the conferees direct the Department to use the transfer authority provided elsewhere in this Act to transfer sufficient unobligated balances from the BRAC 2005 account to the Homeowners Assistance Program to address eligible claims for benefits, including permanent change of station benefits, submitted through September 30, 2012.

BRAC 133.—On November 30, 2011, the Department of Defense Inspector General (DODIG) released report number DODIG 2012–024, which found that the Army's transportation management plan for Base Closure and Realignment (BRAC) recommendation #133 (Mark Center) was based on faulty data, rendering the transportation plan's findings and conclusions unreliable. Further, the Inspector General found that the traffic studies used to develop the plan do not address the totality of issues related to site ingress and egress, nor will the plan achieve its goal of reducing single-occupancy vehicle utilization. The conferees find the analysis as outlined in the DODIG's report deeply troubling. Equally troubling is the Army's refusal to even consider the DODIG's recommendations.

In an effort to mitigate traffic congestion surrounding the Mark Center site, the conference agreement includes a limitation on the number of parking spaces the Department may utilize at the Mark Center to no more than 2,000, with the exception of disabled parking spaces. The limitation may be waived in part, but not in whole, if the Secretary of Defense certifies that none of the intersections surrounding the Mark Center reach failing levels of service "e" or "f," as defined by the Transportation Research Board Highway Capacity Manual, during a consecutive 90-day period.

Should the intersections currently undergoing traffic monitoring surrounding the Mark Center be deemed as not to have reached failing levels of service, the Department of Defense (DOD) and the Virginia Department of Transportation (VDOT) must agree to the number of additional spaces that may be utilized at the Mark Center, which would then be subject to another 90-day traffic monitoring program. To ensure that the Department adequately plans and mitigates traffic generated by the BRAC #133 development, the Department is directed to implement the DODIG's recommendations outlined in report number DODIG–2012–024, and certify to Congress not later than 180 days after enactment of this Act that the recommendations have been implemented.

The conferees recognize that the employees that work at the Mark Center bear no fault in the poor planning and execution of the transportation management plan. The conferees therefore strongly encourage the Department of Defense to examine mandatory commuting alternatives such as telework, flexible work schedules, satellite parking facilities with dedicated shuttle service to the Mark Center, parking capacity at the Pentagon, additional ridesharing and public transit incentives and all other means to ensure that Mark Center employees can commute to and from work without undue burden.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

The conference agreement includes section 101 as proposed by both the House and the Senate limiting the use of funds under a cost-plus-a-fixed-fee contract.

The conference agreement includes section 102 as proposed by both the House and the Senate allowing the use of construction funds in this title for hire of passenger motor vehicles.

The conference agreement includes section 103 as proposed by both the House and the Senate allowing the use of construction funds in this title for advances to the Federal Highway Administration for the construction of access roads.

The conference agreement includes section 104 as proposed by both the House and the Senate prohibiting construction of new bases in the United States without a specific appropriation.

The conference agreement includes section 105 as proposed by both the House and the Senate limiting the use of funds for the purchase of land or land easements that exceed 100 percent of the value.

The conference agreement includes section 106 as proposed by both the House and the Senate prohibiting the use of funds, except funds appropriated in this title for that purpose, for family housing.

The conference agreement includes section 107 as proposed by both the House and the Senate limiting the use of minor construction funds to transfer or relocate activities.

The conference agreement includes section 108 as proposed by both the House and the Senate prohibiting the procurement of steel unless American producers, fabricators, and manufacturers have been allowed to compete.

The conference agreement includes section 109 as proposed by both the House and the Senate prohibiting the use of construction or family housing funds to pay real property taxes in any foreign nation.

The conference agreement includes section 110 as proposed by both the House and the Senate prohibiting the use of funds to initiate a new installation overseas without prior notification.

The conference agreement includes section 111 as proposed by the Senate establishing a preference for American architectural and engineering services for overseas projects. The House bill contained a similar provision, but included countries within the United States Central Command Area of Responsibility.

The conference agreement includes section 112 as proposed by the Senate establishing a preference for American contractors in certain locations. The House bill contained a similar provision, but included countries within the United States Central Command Area of Responsibility.

The conference agreement includes section 113 as proposed by both the House and the Senate requiring congressional notification of military exercises when construction costs exceed $100,000.

The conference agreement includes section 114 as proposed by both the House and the Senate limiting obligations in the last two months of the fiscal year.

The conference agreement includes section 115 as proposed by both the House and the Senate allowing funds appropriated in prior years for new projects authorized during the current session of Congress.

The conference agreement includes section 116 as proposed by both the House and the Senate allowing the use of expired or lapsed funds to pay the cost of supervision for any project being completed with lapsed funds.

The conference agreement includes section 117 as proposed by both the House and the Senate allowing military construction funds to be available for five years.

The conference agreement includes section 118 as proposed by both the House and the Senate allowing the transfer of proceeds between BRAC accounts.

The conference agreement includes section 119 as proposed by both the House and the Senate allowing the transfer of funds from Family Housing Construction accounts to the Family Housing Improvement Fund.

The conference agreement includes section 120 as proposed by both the House and the Senate allowing transfers to the Homeowners Assistance Fund.

The conference agreement does not include a provision proposed by the Senate (Sec. 120) requiring congressional notification prior to issuing a solicitation for a contract with the private sector for family housing. The House bill contained no similar provision.

The conference agreement includes section 121 as proposed by both the House and the Senate limiting the source of operation and maintenance funds for flag and general officer quarters and allowing for notification by electronic medium.

The conference agreement includes section 122 as proposed by both the House and the Senate extending the availability of funds in the Ford Island Improvement Account.

The conference agreement includes section 123 as proposed by both the House and the Senate placing limitations on the expenditure of funds for projects impacted by BRAC 2005.

The conference agreement includes section 124 as proposed by both the House and the Senate allowing the transfer of expired funds to the Foreign Currency Fluctuations, Construction, Defense account.

The conference agreement includes section 125 as proposed by the Senate allowing for the reprogramming of construction funds among projects and activities subject to certain criteria. The House bill contained a similar provision with an additional reporting requirement.

The conference agreement does not include a provision proposed by the House (Sec. 126) rescinding unobligated balances available for the Base Realignment and Closure Account 1990. The Senate bill contained no similar provision.

The conference agreement includes a modified section 126 as proposed by the Senate related to the closure of the Umatilla Army Chemical Depot. The House bill contained no similar provision.

The conference agreement includes a modified section 127 as proposed by the House which limits parking at BRAC 133 to 2,000 spaces and includes other requirements and exemptions. The Senate bill contained no similar provision.

The conference agreement includes section 128 as proposed by the Senate restricting the obligation of funds for a permanent United States Africa Command headquarters outside of the United States until an analysis of all military construction costs is submitted to the congressional defense committees. The House bill contained no similar provision.

The conference agreement includes section 129 as proposed by the House prohibiting the use of funds for any action related to the expansion of Pinon Canyon Maneuver Site, Colorado. The Senate bill contained no similar provision.

The conference agreement includes a modified section 130 as proposed by the House restricting the obligation of funds for relocating an Army unit that performs a testing mission. The Senate bill contained no similar provision.

The conference agreement does not include a provision proposed by the Senate (Sec. 129) restricting the obligation of funds for military construction projects in Germany. The House bill contained no similar provision. This issue is instead addressed under Items of General Interest in Title I.

The conference agreement does not include a provision proposed by the Senate (Sec. 130) requiring a report on the status and improvement plan for all DODEA schools with Q3 or Q4 rating. The House bill contained no similar provision. This issue is instead addressed under Military Construction, Defense-Wide in Title I.

The conference agreement includes section 131 rescinding unobligated balances primarily due to bid savings from the following accounts in the specified amounts: Military Construction, Army, $100,000,000; Military Construction, Navy and Marine Corps,

$25,000,000; Military Construction, Air Force, $32,000,000; and Military Construction, Defense-Wide, $131,400,000. The Senate bill contained no similar provision.

The conference agreement includes section 132 rescinding unobligated balances from the Department of Defense Base Closure Account 2005. The House bill contained a similar provision and the Senate bill contained no similar provision.

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ALABAMA		
ARMY		
FORT RUCKER		
COMBAT READINESS CENTER	11,600	11,600
DEFENSE-WIDE		
REDSTONE ARSENAL		
VON BRAUN COMPLEX PHASE IV	58,800	58,800
ARMY NATIONAL GUARD		
FORT MC CLELLAN		
READINESS CENTER PH2	16,500	16,500
ALASKA		
ARMY		
FORT WAINWRIGHT		
AVIATION COMPLEX, PH 3A	114,000	57,000
JB ELMENDORF-RICHARDSON		
BRIGADE COMPLEX, PH 2	74,000	74,000
ORGANIZATIONAL PARKING	3,600	3,600
PHYSICAL FITNESS FACILITY	26,000	26,000
AIR FORCE		
EIELSON AFB		
DORMITORY (168 RM)	45,000	45,000
JB ELMENDORF-RICHARDSON		
BRIGADE COMBAT TEAM (LIGHT) COMPLEX, (480 RM)	97,000	97,000
DEFENSE-WIDE		
ANCHORAGE		
SOF COLD WEATHER MARITIME TRAINING FACILITY	18,400	18,400
EIELSON AFB		
UPGRADE RAIL LINE	14,800	14,800
ARIZONA		
NAVY		
YUMA		
AIRCRAFT MAINTENANCE HANGAR	39,515	39,515
DOUBLE AIRCRAFT MAINTENANCE HANGAR	81,897	81,897
JSF AUXILIARY LANDING FIELD	41,373	41,373
AIR FORCE		
DAVIS-MONTHAN AFB		
EC-130H SIMULATOR/TRAINING OPERATIONS	20,500	20,500
HC-130J JOINT USE FUEL CELL	12,500	12,500
LUKE AFB		
F-35 ADAL AIRCRAFT MAINTENANCE UNIT	6,000	6,000
F-35 SQUAD OPS/AMU 2	18,000	18,000
DEFENSE-WIDE		
DAVIS-MONTHAN AFB		
REPLACE HYDRANT FUEL SYSTEM	23,000	23,000
ARMY NATIONAL GUARD		
PAPAGO MILITARY RESERVATION		
READINESS CENTER	17,800	17,800
ARKANSAS		
ARMY NATIONAL GUARD		
FORT CHAFFEE		
CONVOY LIVE FIRE/ENTRY CONTROL POINT RANGE	3,500	3,500
CALIFORNIA		
ARMY		
FORT IRWIN		
INFANTRY SQUAD BATTLE COURSE	7,500	7,500
QUALIFICATION TRAINING RANGE	15,500	15,500
PRESIDIO MONTEREY		
GENERAL INSTRUCTION BUILDING	3,000	3,000
NAVY		
BARSTOW		
DIP TANK CLEANING FACILITY	8,590	8,590

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
BRIDGEPORT		
MULTI-PURPOSE BUILDING - ADDITION	19,238	16,138
CAMP PENDLETON		
ARMORY, 1ST MARINE DIVISION	12,606	12,606
INDIVIDUAL EQUIPMENT ISSUE WAREHOUSE	16,411	16,411
INFANTRY SQUAD DEFENSE RANGE	29,187	29,187
INTERSECTION BRIDGE AND IMPROVEMENTS	12,476	12,476
MV-22 AVIATION FUEL STORAGE	6,163	6,163
MV-22 AVIATION PAVEMENT	18,530	18,530
MV-22 DOUBLE HANGAR REPLACEMENT	48,345	48,345
NEW POTABLE WATER CONVEYANCE	113,091	113,091
NORTH AREA WASTE WATER CONVEYANCE	78,271	78,271
CORONADO		
FITNESS CENTER NORTH ISLAND	46,763	46,763
ROTARY AIRCRAFT DEPOT MAINT FAC (NORTH IS.)	61,672	61,672
POINT MUGU		
E-2D AIRCREW TRAINING FACILITY	15,377	15,377
TWENTYNINE PALMS		
CHILD DEVELOPMENT CENTER	23,743	23,743
LAND EXPANSION	8,665	8,665
MULTI-USE OPERATIONAL FITNESS AREA	18,819	18,819
TRACKED VEHICLE MAINTENANCE COVER	15,882	15,882
AIR FORCE		
TRAVIS AFB		
DORMITORY (144 RM)	22,000	22,000
VANDENBERG AFB		
EDUCATION CENTER	14,200	14,200
DEFENSE-WIDE		
CAMP PENDLETON		
SOF MILITARY WORKING DOG FACILITY	3,500	3,500
SOF RANGE 130 SUPPORT PROJECTS	8,641	8,641
CORONADO		
SOF SUPPORT ACTIVITY OPERATIONS FACILITY	42,000	42,000
DEFENSE DISTRIBUTION DEPOT-TRACY		
REPLACE PUBLIC SAFETY CENTER	15,500	15,500
POINT LOMA ANNEX		
REPLACE FUEL STORAGE FACILITIES INCR 4	27,000	27,000
SAN CLEMENTE		
REPLACE FUEL STORAGE TANKS & PIPELINE	21,800	21,800
ARMY NATIONAL GUARD		
CAMP ROBERTS		
TACTICAL UNMANNED AIRCRAFT SYSTEM FACILITY	6,160	6,160
UTILITIES REPLACEMENT PH1	32,000	32,000
CAMP SAN LUIS OBISPO		
FIELD MAINTENANCE SHOP	8,000	8,000
AIR NATIONAL GUARD		
BEALE AFB		
WING OPERATIONS AND TRAINING FACILITY	6,100	6,100
MOFFETT FIELD		
REPLACE PARARESCUE TRAINING FACILITY	26,000	26,000
ARMY RESERVE		
FORT HUNTER LIGGETT		
AUTOMATED MULTIPURPOSE MACHINE GUN (MPMG)	5,200	5,200
AIR FORCE RESERVE		
MARCH AFB		
AIRFIELD CONTROL TOWER/BASE OPS	16,393	16,393
COLORADO		
ARMY		
FORT CARSON		
AIRCRAFT LOADING AREA	34,000	34,000
AIRCRAFT MAINTENANCE HANGAR	63,000	63,000
BARRACKS	67,000	67,000
BARRACKS	46,000	46,000
BRIGADE HEADQUARTERS	14,400	14,400
CONTROL TOWER	14,200	14,200

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
U.S. AIR FORCE ACADEMY		
CONSTRUCT LARGE VEHICLE INSPECTION FACILITY	13,400	13,400
DEFENSE-WIDE		
BUCKLEY AIR FORCE BASE		
MOUNTAINVIEW OPERATIONS FACILITY	140,932	70,432
PUEBLO DEPOT		
AMMUNITION DEMILITARIZATION FACILITY, PH XIII	15,338	15,338
ARMY NATIONAL GUARD		
ALAMOSA		
READINESS CENTER	6,400	6,400
AURORA		
TACTICAL UNMANNED AIRCRAFT SYSTEM FACILITY	3,600	3,600
FORT CARSON		
BARRACKS COMPLEX (ORTC)	43,000	43,000
ARMY RESERVE		
FORT COLLINS		
ARMY RESERVE CENTER	13,600	13,600
DELAWARE		
AIR FORCE		
DOVER AFB		
C-5M FORMAL TRAINING UNIT FACILITY	2,800	2,800
DISTRICT OF COLUMBIA		
DEFENSE-WIDE		
BOLLING AFB		
COOLING TOWER EXPANSION	2,070	2,070
DIAC PARKING GARAGE	13,586	13,586
ELECTRICAL UPGRADES	1,080	1,080
ARMY NATIONAL GUARD		
ANACOSTIA		
US PROPERTY & FISCAL OFFICE ADD/ALT	5,300	5,300
FLORIDA		
NAVY		
JACKSONVILLE		
BAMS UAS OPERATOR TRAINING FACILITY	4,482	4,482
P-8A HANGAR UPGRADES	6,085	6,085
P-8A TRAINING FACILITY	25,985	25,985
MAYPORT		
MASSEY AVENUE CORRIDOR IMPROVEMENTS	14,998	14,998
WHITING FIELD		
APPLIED INSTRUCTION FACILITIES, EOD COURSE	20,620	20,620
AIR FORCE		
PATRICK AFB		
AIR FORCE TECHNICAL APPLICATIONS CTR - INCR 2	79,000	79,000
DEFENSE-WIDE		
EGLIN AFB		
MEDICAL CLINIC	11,600	11,600
SOF COMPANY OPERATIONS FACILITY (GSB)	21,000	21,000
SOF COMPANY OPERATIONS FACILITY (GSTB)	19,000	19,000
EGLIN AUX 9		
SOF ENCLOSED ENGINE NOISE SUPPRESSORS	3,200	3,200
SOF SIMULATOR FACILITY	6,300	6,300
MACDILL AFB		
SOF ACQUISITION CENTER (PHASE II)	15,200	15,200
WHITING FIELD		
TRUCK LOAD/UNLOAD FACILITY	3,800	3,800
ARMY NATIONAL GUARD		
CAMP BLANDING		
CONVOY LIVE FIRE/ENTRY CONTROL POINT RANGE	2,400	2,400
LIVE FIRE SHOOT HOUSE	3,100	3,100

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
GEORGIA		
ARMY		
FORT BENNING		
LAND ACQUISITION	5,100	5,100
LAND ACQUISITION	25,000	25,000
RAIL LOADING FACILITY	13,600	13,600
TRAINEE BARRACKS COMPLEX, PH 3	23,000	23,000
FORT GORDON		
HAND GRENADE FAMILIARIZATION RANGE	1,450	1,450
FORT STEWART		
DOG KENNEL	2,600	2,600
NAVY		
KINGS BAY		
CRAB ISLAND SECURITY ENCLAVE	52,913	52,913
WRA LAND/WATER INTERFACE	33,150	33,150
DEFENSE-WIDE		
FORT BENNING		
REPLACE MCBRIDE ELEMENTARY SCHOOL	37,205	37,205
FORT GORDON		
WHITELAW WEDGE BUILDING ADDITION	11,340	17,705
FORT STEWART		
HOSPITAL ADDITION/ALTERATION PHASE 2	72,300	72,300
ARMY NATIONAL GUARD		
ATLANTA		
READINESS CENTER	11,000	11,000
HINESVILLE		
MANEUVER AREA TRAINING & EQUIPMENT SITE PH1	17,500	17,500
MACON		
READINESS CENTER PH1	14,500	14,500
HAWAII		
ARMY		
FORT SHAFTER		
CHILD DEVELOPMENT CENTER	17,500	17,500
SCHOFIELD BARRACKS		
CENTRALIZED WASH FACILITY	32,000	32,000
COMBAT AVIATION BRIGADE COMPLEX, PH 1	73,000	73,000
NAVY		
BARKING SANDS		
NORTH LOOP ELECTRICAL REPLACEMENT	9,679	9,679
JOINT BASE PEARL HARBOR-HICKAM		
NAVY INFORMATION OPERATIONS COMMAND FES FAC	7,492	7,492
KANEOHE BAY		
MCAS OPERATIONS COMPLEX	57,704	57,704
DEFENSE-WIDE		
JOINT BASE PEARL HARBOR-HICKAM		
ALTER WAREHOUSE SPACE	9,200	9,200
UPGRADE REFULER TRUCK PARKING AREA	5,200	5,200
ARMY NATIONAL GUARD		
KALAELOA		
READINESS CENTER PH1	33,000	33,000
AIR NATIONAL GUARD		
JOINT BASE PEARL HARBOR-HICKAM		
TFI - F-22 COMBAT AIRCRAFT PARKING APRON	12,721	12,721
TFI - F-22 FLIGHT SIMULATOR FACILITY	19,800	19,800
TFI - F-22 WEAPONS LOAD CREW TRAINING FACILIT	7,000	7,000
ILLINOIS		
NAVY		
GREAT LAKES		
DECENTRALIZE STEAM SYSTEM	91,042	91,042
DEFENSE-WIDE		
GREAT LAKES		
HEALTH CLINIC DEMOLITION	16,900	16,900

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
NORMAL		
READINESS CENTER	10,000	10,000
ARMY RESERVE		
HOMEWOOD		
ARMY RESERVE CENTER	16,000	16,000
ROCKFORD		
ARMY RESERVE CENTER/LAND	12,800	12,800
INDIANA		
ARMY NATIONAL GUARD		
CAMP ATTERBURY		
DEPLOYMENT PROCESSING FACILITY	8,900	8,900
OPERATIONS READINESS TRAINING CMPLX 2	27,000	27,000
OPERATIONS READINESS TRAINING COMPLEX 1	25,000	25,000
RAILHEAD EXPANSION & CONTAINER FACILITY	21,000	21,000
INDIANAPOLIS		
JFHQ ADD/ALT	25,700	25,700
AIR NATIONAL GUARD		
FORT WAYNE IAP		
A-10 FACILITY CONVERSION - MUNITIONS	4,000	4,000
ARMY RESERVE		
LAWRENCE		
ARMY RESERVE CENTER	57,000	57,000
KANSAS		
ARMY		
FORBES AIR FIELD		
DEPLOYMENT SUPPORT FACILITY	5,300	5,300
FORT RILEY		
CHAPEL	10,400	10,400
PHYSICAL FITNESS FACILITY	13,000	13,000
UNMANNED AERIAL VEHICLE MAINTENANCE HANGAR	60,000	60,000
AIR FORCE		
FORT RILEY		
AIR SUPPORT OPERATIONS CENTER	7,600	7,600
ARMY RESERVE		
KANSAS CITY		
ARMY RESERVE CENTER/LAND	13,000	13,000
KENTUCKY		
ARMY		
FORT CAMPBELL		
BARRACKS	23,000	23,000
BARRACKS COMPLEX	65,000	65,000
PHYSICAL FITNESS FACILITY	18,500	18,500
SCOUT/RECCE GUNNERY RANGE	18,000	18,000
UNMANNED AERIAL VEHICLE MAINTENANCE HANGAR	67,000	67,000
VEHICLE MAINTENANCE FACILITY	16,000	16,000
VEHICLE MAINTENANCE FACILITY	40,000	40,000
FORT KNOX		
AUTOMATED INFANTRY PLATOON BATTLE COURSE	7,000	7,000
BATTALION COMPLEX	48,000	48,000
DEFENSE-WIDE		
BLUE GRASS ARMY DEPOT		
AMMUNITION DEMILITARIZATION PH XII	59,974	59,974
FORT CAMPBELL		
HOSPITAL ADDITION/ALTERATION	56,600	56,600
SOF MH47 AVIATION FACILITY	43,000	43,000
SOF ROTARY WING HANGAR	38,900	38,900
FORT KNOX		
REPLACE KINGSOLVER-PIERCE ELEMENTARY SCHOOLS	38,845	38,845

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
LOUISIANA		
ARMY		
FORT POLK		
BRIGADE COMPLEX	23,000	23,000
FIRE STATION	9,200	9,200
LAND ACQUISITION	27,000	27,000
MILITARY WORKING DOG FACILITY	2,600	2,600
MULTIPURPOSE MACHINE GUN RANGE	8,300	8,300
AIR FORCE		
BARKSDALE AFB		
MISSION SUPPORT GROUP COMPLEX	23,500	23,500
DEFENSE-WIDE		
BARKSDALE AFB		
HYDRANT FUEL SYSTEM	6,200	6,200
MAINE		
ARMY NATIONAL GUARD		
BANGOR		
READINESS CENTER	15,600	15,600
BRUNSWICK		
ARMED FORCES RESERVE CENTER	23,000	23,000
MARYLAND		
ARMY		
ABERDEEN PROVING GROUND		
AUTO TECHNOLOGY EVALUATION FAC, PH 3	15,500	15,500
COMMAND AND CONTROL FACILITY	63,000	63,000
FORT MEADE		
APPLIED INSTRUCTION FACILITY	43,000	43,000
BRIGADE COMPLEX	36,000	36,000
NAVY		
INDIAN HEAD		
DECENTRALIZE STEAM SYSTEM	67,779	67,779
PATUXENT RIVER		
AIRCRAFT PROTOTYPE FACILITY PHASE 2	45,844	45,844
DEFENSE-WIDE		
ABERDEEN PROVING GROUND		
USAMRICD REPLACEMENT, INC 4	22,850	22,850
BETHESDA NAVAL HOSPITAL		
CHILD DEVELOPMENT CENTER ADDITION/ALTERATION	18,000	18,000
FORT DETRICK		
USAMRIID STAGE I, INC 6	137,600	137,600
FORT MEADE		
HIGH PERFORMANCE COMPUTING CAPACITY INC 1	29,640	9,640
JOINT BASE ANDREWS		
AMBULATORY CARE CENTER	242,900	154,300
DENTAL CLINIC REPLACEMENT	22,800	22,800
ARMY NATIONAL GUARD		
DUNDALK		
READINESS CENTER ADD/ALT	16,000	16,000
LA PLATA		
READINESS CENTER	9,000	9,000
WESTMINSTER		
READINESS CENTER ADD/ALT	10,400	10,400
AIR NATIONAL GUARD		
MARTIN STATE AIRPORT		
TFI - C-27 CONVERSION - SQUADRON OPERATIONS	4,900	4,900
MASSACHUSETTS		
DEFENSE-WIDE		
HANSCOM AFB		
REPLACE HANSCOM MIDDLE SCHOOL	34,040	34,040
WESTOVER ARB		
REPLACE HYDRANT FUEL SYSTEM	23,300	23,300

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
NATICK		
READINESS CENTER	9,000	9,000
AIR NATIONAL GUARD		
OTIS ANGB		
TFI - CNAF BEDDOWN - UPGRADE FACILITY	7,800	7,800
ARMY RESERVE		
ATTLEBORO		
ARMY RESERVE CENTER/LAND	22,000	22,000
MINNESOTA		
ARMY NATIONAL GUARD		
CAMP RIPLEY		
MULTIPURPOSE MACHINE GUN RANGE	8,400	8,400
ARMY RESERVE		
SAINT JOSEPH		
ARMY RESERVE CENTER	11,800	11,800
MISSISSIPPI		
DEFENSE-WIDE		
COLUMBUS AFB		
REPLACE REFUELER PARKING FACILITY	2,600	2,600
GULFPORT		
MEDICAL CLINIC REPLACEMENT	34,700	34,700
ARMY NATIONAL GUARD		
CAMP SHELBY		
DEPLOYMENT PROCESSING FACILITY	12,600	12,600
OPERATIONAL READINESS TRAINING CMPLX PH1	27,000	27,000
TROOP HOUSING (ORTC) PH1	25,000	25,000
MISSOURI		
ARMY		
FORT LEONARD WOOD		
VEHICLE MAINTENANCE FACILITY	49,000	49,000
AIR FORCE		
WHITEMAN AFB		
WSA SECURITY CONTROL FACILITY	4,800	4,800
DEFENSE-WIDE		
ARNOLD		
DATA CTR WEST #1 POWER & COOLING UPGRADE	9,253	9,253
ARMY RESERVE		
WELDON SPRINGS		
ARMY RESERVE CENTER	19,000	19,000
NEBRASKA		
AIR FORCE		
OFFUTT AFB		
STRATCOM REPLACEMENT FACILITY INCR 1	150,000	120,000
ARMY NATIONAL GUARD		
GRAND ISLAND		
READINESS CENTER	22,000	22,000
MEAD		
READINESS CENTER	9,100	9,100
NEVADA		
AIR FORCE		
NELLIS AFB		
COMMUNICATIONS NETWORK CONTROL CENTER	11,600	11,600
F-35 ADD/ALTER ENGINE SHOP	2,750	2,750
F-35A AGE FACILITY	21,500	21,500
ARMY NATIONAL GUARD		
LAS VEGAS		
FIELD MAINTENANCE SHOP	23,000	23,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
NEW JERSEY		
ARMY NATIONAL GUARD		
LAKEHURST		
ARMY AVIATION SUPORT FACILITY	49,000	49,000
NEW MEXICO		
AIR FORCE		
CANNON AFB		
ADAL WASTEWATER TREATMENT PLANT	7,598	7,598
DORMITORY (96 RM)	15,000	15,000
HOLLOMAN AFB		
CHILD DEVELOPMENT CENTER	11,200	11,200
F-16 ACADEMIC FACILITY	5,800	5,800
F-16 SEAD TRAINING FACILITY	4,200	4,200
PARALLEL TAXIWAY 07/25	8,000	8,000
KIRTLAND AFB		
AFNWC SUSTAINMENT CENTER	25,000	25,000
DEFENSE-WIDE		
CANNON AFB		
SOF ADAL SIMULATOR FACILITY	9,600	9,600
SOF AIRCRAFT MAINTENANCE SQUADRON FACILITY	15,000	15,000
SOF APRON AND TAXIWAY	28,100	28,100
SOF C-130 SQUADRON OPERATIONS FACILITY	10,941	10,941
SOF C-130 WASH RACK HANGAR	10,856	10,856
SOF HANGAR AIRCRAFT MAINTENANCE UNIT	41,200	41,200
SOF SQUADRON OPERATIONS FACILITY	17,300	17,300
ARMY NATIONAL GUARD		
SANTA FE		
READINESS CENTER ADD/ALT	5,200	5,200
NEW YORK		
ARMY		
FORT DRUM		
AMMUNITION SUPPLY POINT	5,700	5,700
CHAPEL	7,600	7,600
DEFENSE-WIDE		
FORT DRUM		
DENTAL CLINIC ADDITION/ALTERATION	4,700	4,700
MEDICAL CLINIC	15,700	15,700
ARMY RESERVE		
SCHENECTADY		
ARMY RESERVE CENTER	20,000	20,000
NORTH CAROLINA		
ARMY		
FORT BRAGG		
ACCESS ROADS, PH 2	18,000	18,000
BATTLE COMMAND TRAINING CENTER	23,000	23,000
BRIGADE COMPLEX FACILITIES	49,000	49,000
NCO ACADEMY	42,000	42,000
UNMANNED AERIAL VEHICLE MAINTENANCE HANGAR	54,000	54,000
NAVY		
CAMP LEJEUNE		
2ND COMBAT ENGINEER MAINTENANCE/OPS COMPLEX	75,214	75,214
BACHELOR ENLISTED QUARTERS - WALLACE CREEK	27,439	27,439
BASE ENTRY POINT AND ROAD	81,008	81,008
SQUAD BATTLE COURSE	16,821	16,821
CHERRY POINT MARINE CORPS AIR STATION		
H-1 HELICOPTER GEARBOX REPAIR & TEST FACILITY	17,760	17,760
NEW RIVER		
AIRCRAFT MAINTENANCE HANGAR AND APRON	69,511	69,511
ORDNANCE LOADING AREA ADDITIION	9,419	9,419
AIR FORCE		
POPE AFB		
C-130 FLIGHT SIMULATOR	6,000	6,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
CAMP LEJEUNE		
SOF ARMORY FACILITY EXPANSION	6,670	6,670
FORT BRAGG		
HOSPITAL ALTERATION	57,600	57,600
REPLACE DISTRICT SUPERINTENDANT'S OFFICE	3,138	3,138
SOF ADMINISTRATIVE ANNEX	12,000	12,000
SOF BATTALION OPERATIONS COMPLEX	23,478	23,478
SOF BATTALION OPERATIONS FACILITY	41,000	41,000
SOF BRIGADE HEADQUARTERS	19,000	19,000
SOF COMMUNICATIONS TRAINING COMPLEX	10,758	10,758
SOF ENTRY CONTROL POINT	2,300	2,300
SOF GROUP HEADQUARTERS	26,000	26,000
SOF SQUADRON HQ ADDITION	11,000	11,000
NEW RIVER		
REPLACE DELALIO ELEMENTARY SCHOOL	22,687	22,687
POPE AFB		
SOF TRAINING FACILITY	5,400	5,400
ARMY NATIONAL GUARD		
GREENSBORO		
READINESS CENTER ADD/ALT	3,700	3,700
ARMY RESERVE		
GREENSBORO		
ARMY RESERVE CENTER/LAND	19,000	19,000
NORTH DAKOTA		
AIR FORCE		
MINOT AFB		
B-52 3-BAY CONVENTIONAL MUNITIONS MAINTENANCE	11,800	11,800
B-52 TWO-BAY PHASE MAINTENANCE DOCK	34,000	34,000
DORMITORY (168 RM)	22,000	22,000
OHIO		
DEFENSE-WIDE		
COLUMBUS		
SECURITY ENHANCEMENTS	10,000	10,000
AIR NATIONAL GUARD		
SPRINGFIELD BECKLEY-MAP		
ALTER PREDATOR OPERATIONS CENTER	6,700	6,700
OKLAHOMA		
ARMY		
FORT SILL		
BATTLE COMMAND TRAINING CENTER	23,000	23,000
CHAPEL	13,200	13,200
PHYSICAL FITNESS FACILITY	25,000	25,000
RAIL DEPLOYMENT FACILITY	3,400	3,400
RECEPTION STATION, PH 1	36,000	36,000
THAAD INSTRUCTION FACILITY	33,000	33,000
VEHICLE MAINTENANCE FACILITY	51,000	51,000
MCALESTER		
AMMUNITION LOADING PADS	1,700	1,700
RAILROAD TRACKS	6,300	6,300
DEFENSE-WIDE		
ALTUS AFB		
REPLACE FUEL TRANSFER PIPELINE	8,200	8,200
ARMY NATIONAL GUARD		
CAMP GRUBER		
LIVE FIRE SHOOT HOUSE	3,000	3,000
UPGRADE-COMBINED ARMS COLLECTIVE TRAINING FAC	10,361	10,361
OREGON		
ARMY NATIONAL GUARD		
THE DALLES		
READINESS CENTER	13,800	13,800

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
PENNSYLVANIA		
DEFENSE-WIDE		
DEF DISTRIBUTION DEPOT NEW CUMBERLAND		
ENCLOSE OPEN-SIDED SHED	3,000	---
REPLACE GENERAL PURPOSE WAREHOUSE	25,500	25,500
UPGRADE ACCESS CONTROL POINTS	17,500	17,500
PHILADELPHIA		
UPGRADE HVAC SYSTEM	8,000	8,000
NAVY RESERVE		
PITTSBURGH		
ARMED FORCES RESERVE CENTER (PITTSBURGH)	13,759	13,759
SOUTH CAROLINA		
ARMY		
FORT JACKSON		
MODIFIED RECORD FIRE RANGE	4,900	4,900
TRAINEE BARRACKS COMPLEX, PH 2	59,000	59,000
NAVY		
BEAUFORT		
VERTICAL LANDING PADS	21,096	21,096
DEFENSE-WIDE		
JOINT BASE CHARLESTON		
REPLACE FUEL STORAGE & DISTRIBUTION FACILITY	24,868	24,868
ARMY NATIONAL GUARD		
ALLENDALE		
READINESS CENTER ADD/ALT	4,300	4,300
ARMY RESERVE		
ORANGEBURG		
ARMY RESERVE CENTER/LAND	12,000	12,000
AIR FORCE RESERVE		
CHARLESTON AFB		
TFI RED HORSE READINESS & TRNG CENTER	9,593	9,593
TENNESSEE		
NAVY RESERVE		
MEMPHIS		
RESERVE TRAINING CENTER	7,949	7,949
TEXAS		
ARMY		
FORT BLISS		
APPLIED INSTRUCTION BUILDING	8,300	8,300
BARRACKS COMPLEX	13,000	13,000
ELECTRONICS MAINTENANCE FACILITY	14,600	14,600
INFRASTRUCTURE	14,600	14,600
JLENS TACTICAL TRAINING FACILITY	39,000	39,000
VEHICLE MAINTENANCE FACILITY	24,000	---
VEHICLE MAINTENANCE FACILITY	14,600	14,600
VEHICLE MAINTENANCE FACILITY	19,000	19,000
WATER WELL, POTABLE	2,400	2,400
FORT HOOD		
OPERATIONAL READINESS TRAINING COMPLEX	51,000	51,000
UNMANNED AERIAL VEHICLE MAINTENANCE HANGAR	47,000	47,000
VEHICLE MAINTENANCE FACILITY	15,500	15,500
VEHICLE MAINTENANCE FACILITY	18,500	18,500
JB SAN ANTONIO		
VEHICLE MAINTENANCE FACILITY	10,400	10,400
RED RIVER ARMY DEPOT		
MANEUVER SYSTEMS SUSTAINMENT CTR, PH 3	44,000	44,000
AIR FORCE		
JB SAN ANTONIO		
BMT RECRUIT DORMITORY 4, PHASE IV	64,000	64,000
JOINT BASE SAN ANTONIO		
ADV INDIV TRAINING (AIT) BARRACKS (300 RM)	46,000	46,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
FORT BLISS		
HOSPITAL REPLACEMENT INCR 3	136,700	86,700
JOINT BASE SAN ANTONIO		
AMBULATORY CARE CENTER PHASE 3	161,300	80,600
HOSPITAL NUTRITION CARE DEPARTMENT ADD/ALT	33,000	33,000
UTAH		
ARMY		
DUGWAY PROVING GROUND		
LIFE SCIENCES TEST FACILITY ADDITION	32,000	32,000
AIR FORCE		
HILL AFB		
F-22 SYSTEM SUPPORT FACILITY	16,500	16,500
F-35 ADAL HANGAR 45E/AMU	6,800	---
DEFENSE-WIDE		
CAMP WILLIAMS		
IC CNCI DATA CENTER 1 INC 3	246,401	166,401
ARMY NATIONAL GUARD		
CAMP WILLIAMS		
MULTI PURPOSE MACHINE GUN RANGE	6,500	6,500
VIRGINIA		
ARMY		
FORT BELVOIR		
INFORMATION DOMINANCE CENTER, PH 1	52,000	52,000
ROAD AND INFRASTUCTURE IMPROVEMENTS	31,000	25,000
JB LANGLEY EUSTIS		
AVIATION TRAINING FACILITY	26,000	26,000
NAVY		
NORFOLK		
BACHELOR QUARTERS, HOMEPORT ASHORE	81,304	81,304
DECENTRALIZE STEAM SYSTEM	26,924	26,924
PORTSMOUTH		
CONTROLLED INDUSTRIAL FACILITY	74,864	74,864
QUANTICO		
ACADEMIC INSTRUCTION FACILITY	75,304	75,304
BACHELOR ENLISTED QUARTERS	31,374	31,374
EMBASSY SECURITY GROUP FACILITIES	27,079	27,079
ENLISTED DINING FACILITY	5,034	5,034
REALIGN PURVIS RD/RUSSELL RD INTERSECTION	6,442	6,442
THE BASIC SCHOOL STUDENT QUARTERS - PHASE 6	28,488	28,488
WASTE WATER TREATMENT PLANT - UPSHUR	9,969	9,969
AIR FORCE		
JB LANGLEY EUSTIS		
AIT BARRACKS COMPLEX, PH 2	50,000	50,000
DEFENSE-WIDE		
CHARLOTTESVILLE		
REMOTE DELIVERY FACILITY	10,805	10,805
DAHLGREN		
DAHLGREN E/MS SCHOOL ADDITION	1,988	1,988
DAM NECK		
SOF BUILDING RENOVATION	3,814	3,814
SOF LOGISTIC SUPPORT FACILITY	14,402	14,402
SOF MILITARY WORKING DOG FACILITY	4,900	4,900
FORT BELVOIR		
TECHNOLOGY CENTER THIRD FLOOR FIT-OUT	54,625	54,625
JOINT EXPEDITIONARY BASE LITTLE CREEK - STORY		
SOF SEAL TEAM OPERATIONS FACILITY	37,000	37,000
PENTAGON		
HELIPORT CONTROL TOWER/FIRE STATION	6,457	6,457
PENTAGON MEMORIAL PEDESTRIAN PLAZA	2,285	2,285
QUANTICO		
DEFENSE ACCESS ROAD IMPROVEMENTS-TELEGRAPH RD	4,000	4,000
DSS HEADQUARTERS ADDITION	42,727	42,727

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
FORT PICKETT		
COMBINED ARMS COLLECTIVE TRAINING FACILITY	11,000	11,000
WASHINGTON		
ARMY		
JB LEWIS MCCHORD		
AIR SUPPORT OPERATIONS FACILITIES	7,300	7,300
AVIATION COMPLEX, PH 1B	48,000	48,000
AVIATION UNIT COMPLEX, PH 1A	34,000	34,000
BATTALION COMPLEX	59,000	59,000
BRIGADE COMPLEX, PH 2	56,000	56,000
INFRASTRUCTURE, PH 1	64,000	64,000
OPERATIONAL READINESS TRAINING CPLX, PH 1	28,000	28,000
NAVY		
BREMERTON		
INTEGRATED DRY DOCK WATER TREATMENT FAC PH1	13,341	13,341
KITSAP		
EHW SECURITY FORCE FACILITY (BANGOR)	25,948	25,948
EXPLOSIVES HANDLING WHARF #2 (INC. 1)	78,002	78,002
WATERFRONT RESTRICTED AREA VEHICLE BARRIERS	17,894	17,894
AIR FORCE		
FAIRCHILD AFB		
SERE FORCE SUPPORT PH 2	14,000	14,000
WING HEADQUARTERS	13,600	13,600
DEFENSE-WIDE		
JB LEWIS MCCHORD		
SOF COMPANY OPERATIONS FACILITY	21,000	21,000
JOINT BASE LEWIS-MCCHORD		
REPLACE FUEL DISTRIBUTION FACILITIES	14,000	14,000
WHIDBEY ISLAND		
REPLACE FUEL PIPELINE	25,000	25,000
WEST VIRGINIA		
DEFENSE-WIDE		
CAMP DAWSON		
REPLACE HYDRANT FUEL SYSTEM	2,200	2,200
ARMY NATIONAL GUARD		
BUCKHANNON		
READINESS CENTER PH1	10,000	10,000
WISCONSIN		
ARMY NATIONAL GUARD		
CAMP WILLIAMS		
TACTICAL UNMANNED AIRCRAFT SYSTEM FACILITY	7,000	7,000
ARMY RESERVE		
FORT MCCOY		
AUTOMATED RECORD FIRE RANGE	4,600	4,600
CONTAINER LOADING FACILITY	5,300	5,300
MODIFIED RECORD FIRE KNOWN DISTANCE RANGE	5,400	5,400
NCOA PHASE III - BILLETING	12,000	12,000
WYOMING		
ARMY NATIONAL GUARD		
CHEYENNE		
READINESS CENTER	8,900	8,900
AFGHANISTAN		
ARMY		
BAGRAM AIR BASE		
BARRACKS, PH 5	29,000	---
CONSTRUCT DRAINAGE SYSTEM, PH 3	31,000	---
ENTRY CONTROL POINT	20,000	---

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
BAHRAIN ISLAND		
NAVY		
SW ASIA		
BACHELOR ENLISTED QUARTERS	55,010	---
WATERFRONT DEVELOPMENT PHASE 4	45,194	---
BELGIUM		
DEFENSE-WIDE		
BRUSSELS		
NATO HEADQUARTERS FACILITY	24,118	24,118
DIEGO GARCIA		
NAVY		
DIEGO GARCIA		
POTABLE WATER PLANT MODERNIZATION	35,444	35,444
DJIBOUTI		
NAVY		
CAMP LEMONIER		
AIRCRAFT LOGISTICS APRON	35,170	---
BACHELOR QUARTERS	43,529	---
TAXIWAY ENHANCEMENT	10,800	---
GERMANY		
ARMY		
GERMERSHEIM		
CENTRAL DISTRIBUTION FACILITY	21,000	---
INFRASTRUCTURE	16,500	---
GRAFENWOEHR		
BARRACKS	17,500	17,500
CHAPEL	15,500	15,500
CONVOY LIVE FIRE RANGE	5,000	5,000
LANDSTUHL		
SATELLITE COMMUNICATIONS CENTER	24,000	24,000
SATELLITE COMMUNICATIONS CENTER	39,000	39,000
OBERDACHSTETTEN		
AUTOMATED RECORD FIRE RANGE	12,200	12,200
STUTTGART		
ACCESS CONTROL POINT	12,200	12,200
VILSECK		
BARRACKS	20,000	20,000
AIR FORCE		
RAMSTEIN AB		
DORMITORY (192 RM)	34,697	34,697
DEFENSE-WIDE		
ANSBACH		
ANSBACH MIDDLE/HIGH SCHOOL ADDITION	11,672	11,672
BAUMHOLDER		
REPLACE WETZEL-SMITH ELEMENTARY SCHOOLS	59,419	59,419
GRAFENWOEHR		
NETZABERG MS SCHOOL ADDITION	6,529	6,529
RHINE ORDNANCE BARRACKS		
MEDICAL CENTER REPLACEMENT INCR 1	70,592	70,592
SPANGDAHLEM AB		
REPLACE BITBURG ELEMENTARY SCHOOL	41,876	41,876
REPLACE BITBURG MIDDLE & HIGH SCHOOL	87,167	87,167
STUTTGART-PATCH BARRACKS		
DISA EUROPE FACILITY UPGRADES	2,434	2,434
GREENLAND		
AIR FORCE		
THULE AB		
DORMITORY (72 PN)	28,000	28,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
GUAM		
NAVY		
JOINT REGION MARIANAS		
FINEGAYAN WATER UTILITIES	77,267	---
NORTH RAMP UTILITIES - ANDERSON AFB (INC)	78,654	---
AIR FORCE		
JOINT REGION MARIANAS		
AIR FREIGHT TERMINAL COMPLEX	35,000	35,000
GUAM STRIKE CLEAR WATER RINSE FACILITY	7,500	7,500
GUAM STRIKE CONVENTIONAL MUNITIONS MAINTENANC	11,700	11,700
GUAM STRIKE FUEL SYSTEMS MAINTENANCE HANGAR	128,000	64,000
PRTC COMBAT COMMUNICATIONS COMBAT SUPPORT	9,800	9,800
PRTC COMBAT COMMUNICATIONS TRANSMISSION SYST	5,600	5,600
PRTC RED HORSE CANTONMENT OPERATIONS FACILITY	14,000	14,000
HONDURAS		
ARMY		
SOFO CANO AB		
BARRACKS	25,000	---
ITALY		
AIR FORCE		
SIGONELLA		
UAS SATCOM RELAY PADS AND FACILITY	15,000	15,000
DEFENSE-WIDE		
VICENZA		
REPLACE VICENZA HIGH SCHOOL	41,864	41,864
JAPAN		
DEFENSE-WIDE		
YOKOTA AB		
REPLACE TEMP CLASSRM/JOAN K. MENDEL ES	12,236	12,236
REPLACE YOKOTA HIGH SCHOOL	49,606	49,606
KOREA		
ARMY		
CAMP CARROLL		
BARRACKS	41,000	41,000
CAMP HENRY		
BARRACKS COMPLEX	48,000	48,000
AIR FORCE		
OSAN AB		
DORMITORY (156 RM)	23,000	23,000
PUERTO RICO		
ARMY NATIONAL GUARD		
FORT BUCHANAN		
READINESS CENTER	57,000	57,000
QATAR		
AIR FORCE		
AL UDEID		
BLATCHFORD PRESTON COMPLEX, PHASE IV	37,000	---
UNITED KINGDOM		
DEFENSE-WIDE		
MENWITH HILL STATION		
MHS PSC CONSTRUCTION GENERATOR PLANT	68,601	68,601
ROYAL AIR FORCE ALCONBURY		
REPLACE ALCONBURY HIGH SCHOOL	35,030	35,030
NATO SECURITY INVESTMENT PROGRAM	272,611	247,611
WORLDWIDE UNSPECIFIED		
ARMY		
HOST NATION SUPPORT	25,500	25,500

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
MINOR CONSTRUCTION	20,000	20,000
PLANNING AND DESIGN	229,741	229,741
RESCISSION	---	-100,000
NAVY		
PLANNING AND DESIGN	84,362	84,362
MINOR CONSTRUCTION	21,495	21,495
RESCISSION	---	-25,000
AIR FORCE		
PLANNING AND DESIGN	81,913	81,913
MINOR CONSTRUCTION	20,000	20,000
RESCISSION	---	-32,000
DEFENSE-WIDE		
CONTINGENCY CONSTRUCTION	10,000	10,000
ENERGY CONSERVATION INVESTMENT PROGRAM	135,000	135,000
RESCISSION	---	-131,400
PLANNING AND DESIGN		
DEFENSE FINANCE AND ACCOUNTING SERVICE	1,993	1,993
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION	66,974	66,974
ENERGY CONSERVATION INVESTMENT PROGRAM	---	10,000
NATIONAL SECURITY AGENCY	52,974	28,974
SPECIAL OPERATIONS COMMAND	31,468	31,468
TRICARE MANAGEMENT ACTIVITY	227,498	227,498
WASHINGTON HEADQUARTERS SERVICE	5,277	5,277
MISSILE DEFENSE AGENCY	8,368	8,368
DEFENSE INFORMATION SYSTEMS AGENCY	6,000	6,000
DEFENSE INTELLIGENCE AGENCY	3,043	3,043
DEFENSE LOGISTICS AGENCY	3,000	3,000
DEFENSE LEVEL ACTIVITIES	48,007	38,007
SUBTOTAL, PLANNING AND DESIGN	454,602	430,602
UNSPECIFIED MINOR CONSTRUCTION		
DEFENSE LOGISTICS AGENCY	6,571	6,571
NATIONAL SECURITY AGENCY	6,365	---
JOINT CHIEFS OF STAFF	8,417	8,417
SPECIAL OPERATIONS COMMAND	8,876	8,876
TRICARE MANAGEMENT ACTIVITY	6,100	6,100
DEFENSE LEVEL ACTIVITIES	3,000	3,000
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION	39,329	32,964
ARMY NATIONAL GUARD		
PLANNING AND DESIGN	20,671	20,671
MINOR CONSTRUCTION	11,700	11,700
AIR NATIONAL GUARD		
PLANNING AND DESIGN	9,000	12,225
MINOR CONSTRUCTION	12,225	9,000
ARMY RESERVE		
PLANNING AND DESIGN	28,924	28,924
MINOR CONSTRUCTION	2,925	2,925
NAVY RESERVE		
PLANNING AND DESIGN	2,591	2,591
MINOR CONSTRUCTION	2,000	2,000
AIR FORCE RESERVE		
PLANNING AND DESIGN	2,200	2,200
MINOR CONSTRUCTION	5,434	5,434

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, ARMY		
BELGIUM		
BRUSSELS		
LAND PURCHASE FOR GFOQ (10 ACRES)	10,000	---
GERMANY		
GRAFENWOEHR		
FAMILY HOUSING NEW CONSTRUCTION (26 UNITS)	13,000	13,000
ILLESHEIM		
FAMILY HOUSING REPLACEMENT CONSTRUCTION (80 UNITS)	41,000	41,000
VILSECK		
FAMILY HOUSING NEW CONSTRUCTION (22 UNITS)	12,000	12,000
CONSTRUCTION IMPROVEMENTS (276 UNITS)	103,000	103,000
PLANNING AND DESIGN	7,897	7,897
SUBTOTAL, CONSTRUCTION	186,897	176,897
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	73,637	73,637
SERVICES ACCOUNT	15,797	15,797
MANAGEMENT ACCOUNT	54,728	54,728
MISCELLANEOUS ACCOUNT	605	605
FURNISHINGS ACCOUNT	14,256	14,256
LEASING	204,426	204,426
MAINTENANCE OF REAL PROPERTY	105,668	104,268
PRIVATIZATION SUPPORT COSTS	25,741	25,741
SUBTOTAL, OPERATION AND MAINTENANCE	494,858	493,458
FAMILY HOUSING, NAVY AND MARINE CORPS		
CONSTRUCTION IMPROVEMENTS	97,773	97,773
PLANNING AND DESIGN	3,199	3,199
SUBTOTAL, CONSTRUCTION	100,972	100,972
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	70,197	70,197
SERVICES ACCOUNT	14,510	14,510
MANAGEMENT ACCOUNT	61,090	61,090
MISCELLANEOUS ACCOUNT	476	476
FURNISHINGS ACCOUNT	15,979	15,979
LEASING	79,798	79,798
MAINTENANCE OF REAL PROPERTY	97,231	97,231
PRIVATIZATION SUPPORT COSTS	28,582	28,582
SUBTOTAL, OPERATION AND MAINTENANCE	367,863	367,863
FAMILY HOUSING, AIR FORCE		
CONSTRUCTION IMPROVEMENTS	80,596	55,834
PLANNING AND DESIGN	4,208	4,208
SUBTOTAL, CONSTRUCTION	84,804	60,042
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	67,639	76,131
MANAGEMENT ACCOUNT	57,391	57,391
SERVICES ACCOUNT	13,675	15,805
FURNISHINGS ACCOUNT	35,290	35,490
MISCELLANEOUS ACCOUNT	2,165	2,165
LEASING	80,897	80,897
MAINTENANCE	100,133	114,073
PRIVATIZATION SUPPORT COSTS	47,571	47,571
SUBTOTAL, OPERATION AND MAINTENANCE	404,761	429,523

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, DEFENSE-WIDE		
OPERATION AND MAINTENANCE		
NATIONAL SECURITY AGENCY		
UTILITIES	10	10
FURNISHING	70	70
LEASING	10,100	10,100
MAINTENANCE OF REAL PROPERTY	70	70
DEFENSE INTELLIGENCE AGENCY		
FURNISHINGS	2,699	2,699
LEASING	36,552	36,552
DEFENSE LOGISTICS AGENCY		
UTILITIES	280	280
FURNISHINGS	19	19
SERVICES	30	30
MANAGEMENT	347	347
MAINTENANCE OF REAL PROPERTY	546	546
SUBTOTAL, OPERATION AND MAINTENANCE	50,723	50,723
DOD FAMILY HOUSING IMPROVEMENT FUND	2,184	2,184
HOMEOWNERS ASSISTANCE PROGRAM	1,284	1,284
BASE REALIGNMENT AND CLOSURE		
BASE REALIGNMENT AND CLOSURE ACCOUNT, 1990	323,543	323,543
BASE REALIGNMENT AND CLOSURE ACCOUNT, 2005	258,776	258,776
RESCISSION	---	-258,776
SUBTOTAL, BRAC	582,319	323,543

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $51,237,567,000 for Compensation and Pensions instead of $58,067,319,000 as proposed by both the House and the Senate. The agreement reflects new estimates provided in the Administration's mid-session review. Of the amount provided, not more than $32,187,000 is to be transferred to General Operating Expenses, Veterans Benefits Administration, Medical Support and Compliance, and Information Technology Systems for reimbursement of necessary expenses in implementing provisions of title 38, as proposed by both the House and the Senate.

READJUSTMENT BENEFITS

The conference agreement appropriates $12,108,488,000 for Readjustment Benefits instead of $11,011,086,000 as proposed by both the House and the Senate. The agreement reflects new estimates provided in the Administration's mid-session review.

VETERANS INSURANCE AND INDEMNITIES

The conference agreement appropriates $100,252,000 for Veterans Insurance and Indemnities as proposed by both the House and the Senate.

VETERANS HOUSING BENEFIT PROGRAM FUND

The conference agreement appropriates such sums as may be necessary for costs associated with direct and guaranteed loans for the Veterans Housing Benefit Program Fund, as proposed by both the House and the Senate. The agreement limits obligations for direct loans to not more than $500,000 and provides that $154,698,000 shall be available for administrative expenses, as proposed by both the House and the Senate.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

The conference agreement appropriates $19,000 for the cost of direct loans from the Vocational Rehabilitation Loans Program Account, plus $343,000 to be paid to the appropriation for General Operating Expenses, Veterans Benefits Administration, as proposed by both the House and the Senate. The agreement provides for a direct loan limitation of $3,019,000 as proposed by both the House and the Senate.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

The conference agreement appropriates $1,116,000 for administrative expenses of the Native American Veteran Housing Loan Program Account as proposed by both the House and the Senate.

VETERANS HEALTH ADMINISTRATION

AREAS OF INTEREST

Rural access. The conferees are deeply concerned about the difficulties veterans in rural areas face in finding appropriate and accessible Department of Veterans Affairs (VA) health care. As identified in the House and Senate reports, the conferees urge the VA to focus on infrastructure improvements at small and mid-sized medical centers, to consider offering mobile health services, to promulgate regulations allowing veterans service organizations to provide better transportation options for rural veterans, and to partner with State and local organizations to identify veterans in rural and highly rural areas. The conferees also expect to see a long-range strategic plan for the Office of Rural Health, as well as that Office's response to recommendations in the Inspector General's April 2011 report. The conferees emphasize that all reports on rural access issues requested by either the House or Senate are required to be submitted to the Committees on Appropriations of the House of Representatives and the Senate ("Committees") 90 days after enactment of this Act, as described in the first section of this explanatory statement. In addition to the strategic plan, the conferees strongly urge the Department to improve the accessibility, efficiency, and effectiveness of rural healthcare by detailing options available for veterans who need to access healthcare from facilities which are "split campus" models where outpatient care and specialty services are not collocated.

Licensing. The conferees urge the Department of Defense (DOD) and the VA to examine ways to eliminate duplicative licensing requirements as described in Senate Report 112–29.

MEDICAL SERVICES

The conference agreement appropriates $41,354,000,000 in advance for fiscal year 2013 for Medical Services, as proposed by both the House and the Senate. The agreement does not extend the availability of any of this funding until September 30, 2014, as proposed by the House. The conferees do not include the language proposed by the House limiting the use of $664,000,000 of fiscal year 2012 medical services funding to the fourth quarter and only once approval is obtained from the Committees.

The conference agreement fully funds the family caregivers program at the request level of $248,000,000 for fiscal year 2013. The conferees urge the VA to ensure that the caregivers program remains a top priority.

The conference agreement provides sufficient resources to fully implement VA homeless assistance programs, including the providers grant and per diem, domiciliary care for homeless veterans, and the HUD–VA supported housing program. In particular, the

conferees urge the VA to focus on homeless veterans living in rural and highly rural areas.

The conferees concur with the direction of the House regarding an annual report detailing the distribution of medical services funding among the Veterans Integrated Service Networks, central headquarters, and medical centers.

The conferees concur with the House report language directing the VA not to convert dialysis service from contract-provided care to in-house care until after completion and evaluation of its pilot demonstration. The conferees include an exception to this directive if there are any locations where it would result in a diminution of clinical care.

The conferees urge the VA to continue implementation of the Integrated Mental Health Strategy.

The conferees note that VA HIV testing rates significantly improved at VA facilities which used a clinical reminder to prompt routine HIV testing. The conferees urge the VA to employ HIV testing clinical reminders at all VA medical centers to accelerate the implementation of routine HIV testing, consistent with VHA Directive 2009–036. The conferees also encourage the VA to continue to award laboratory and clinical grants to implement routine HIV testing.

MEDICAL SUPPORT AND COMPLIANCE

The conference agreement appropriates $5,746,000,000 in advance for fiscal year 2013 for Medical Support and Compliance, as proposed by both the House and the Senate. The agreement does not extend the availability of any of this funding until September 30, 2014, as proposed by the House.

MEDICAL FACILITIES

The conference agreement appropriates $5,441,000,000 in advance for fiscal year 2013 for Medical Facilities, as proposed by both the House and the Senate. The agreement does not extend the availability of any of this funding until September 30, 2014, as proposed by the House. The conferees urge the Department to submit an additional fiscal year 2013 budget request for Medical Facilities with the submission of the 2013 budget to address the need for increased non-recurring maintenance funding. Additionally, the conferees direct the Department to submit no later than April 6, 2012, a comprehensive list by location of all established multi-specialty outpatient clinics and any proposed to be opened in fiscal year 2012.

MEDICAL AND PROSTHETIC RESEARCH

The conference agreement appropriates $581,000,000 for Medical and Prosthetic Research as proposed by the Senate instead of $530,774,000 as proposed by the House.

The conferees continue to support the development of advanced prosthetic devices and direct that, no later than 90 days after the enactment of this Act, the Secretary, in coordination with the Defense Advanced Research Projects Agency, shall submit to the Committees on Appropriations, the Committees on Veterans Affairs,

and the Committees on Armed Services of both Houses of Congress a report on the Department's plans to make the next generation of advanced prosthetics available for injured veterans and members of the Armed Forces. The report shall include the strategic plan and timetable to make the next generation prosthetic devices available and a description of the challenges (both technical and administrative) that could impact the schedule, as well as the Department's plans to mitigate these challenges.

NATIONAL CEMETERY ADMINISTRATION

The conference agreement appropriates $250,934,000 for the National Cemetery Administration (NCA) as proposed by both the House and the Senate. Of the amount provided, $25,100,000 is available until September 30, 2013, as proposed by both the House and the Senate.

The conferees are concerned that the NCA has failed to adequately serve the burial needs the nation's veterans in rural areas. The NCA fiscal year 2012 budget submission acknowledges that 10 percent of all veterans will not have access to a burial option in a national, State or tribal cemetery. The majority of these underserved veterans live in rural areas, and the conferees are concerned that the NCA's Urban Initiative will exacerbate the disparity of burial services between urban and rural veterans. The conferees have included a provision in the bill prohibiting funds from being used to expand the Urban Initiative beyond the sites already outlined in the budget until the NCA submits to the Committees a detailed strategy to meet the burial needs of veterans residing in rural and highly rural areas. The report shall include a timeline for implementation of such a strategy and cost estimates of establishing new burial sites in at least five rural or highly rural locations. This report shall be submitted no later than February 6, 2012.

In the short term, because the Secretary has the authority to waive Department guidance establishing a population threshold for creating national cemeteries, the conferees urge the Secretary to use this waiver authority to address the pressing needs for access to VA cemeteries in some rural areas.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $416,737,000 for General Administration, instead of $400,500,000 as proposed by the House and $431,257,000 as proposed by the Senate. Of the amount provided, $20,837,000 is available for obligation until September 30, 2013, instead of $22,144,000 as proposed by the House and $21,562,000 as proposed by the Senate. The conference agreement includes bill language permitting the transfer of funds from this account to "General Operating Expenses, Veterans Benefits Administration", as proposed by both the House and Senate. Bill language is not included to identify specific resources to improve acquisition

workforce capacity. The House and Senate had included such language, but with different funding amounts.

The Administration's budget request proposed that funding for administrative expenses associated with executive offices be included in a single account with the general operating expenses of the Veterans Benefits Administration. The conference agreement includes funding for these two distinct functions in two separate accounts: General operating expenses, Veterans Benefits Administration; and General administration, as proposed by both the House and Senate. The conferees believe that differences in the mission and purpose of the Department's executive offices and the Veterans Benefits Administration justify providing funding in two separate accounts. Further, separating these two broad categories will provide the Congress with greater visibility of budgetary resources and oversight of expenditures for these two vital missions.

The conference agreement includes the following funding levels:

[In thousands of dollars]

Office	House	Senate	Conference
The Secretary	9,270	10,104	10,085
Board of Veterans Appeals	78,273	78,006	78,006
General Counsel	80,778	84,073	83,099
Management	43,956	45,686	45,598
Human Resources	68,590	70,516	70,379
Policy and Planning	26,015	26,127	26,015
Operations Security and Prep	16,746	19,543	18,510
Public and Intergovernmental Affairs	22,079	23,330	23,286
Cong and Legislative Affairs	6,065	6,065	6,053
Acquisition, Logistics and Construction	70,728	67,807	55,706
Undistributed	−22,000	.....	.....
Total	400,500	431,257	416,737

The total for the Office of the General Counsel includes $1,889,000 for staffing to speed the appeals process and regulation promulgation, as requested by the Administration and proposed by the Senate. The House had no similar provision.

Within the total for the Office of Management, the conference agreement provides $1,600,000 to conduct audits of the Veterans Health Administration Fee Care program, as requested by the Administration and proposed by the Senate. The House did not include a similar provision. The conferees concur in the Fee Care report requirement proposed by the Senate and expect the report to be submitted within 90 days of enactment of this Act.

The conferees provide $1,900,000 within the Office of Operations, Security and Preparedness to implement the Homeland Security Presidential Directive 12 mandate. The Senate provided $2,900,000 for this activity, as proposed in the Administration request; the House did not provide specific funding. The agreement also provides $705,000 to activate the Integrated Operations Center and the Capital Region Readiness Center, as requested by the Administration and proposed by the Senate. The House did not include a similar provision.

The conference agreement provides $1,150,000 within the Office of Public and Intergovernmental Affairs for the tribal government outreach and new media offices, as requested by the Adminis-

tration and proposed by the Senate. The House did not include similar provisions.

The conference agreement provides $5,000,000 within the Office of Acquisition, Logistics, and Construction for the 2012 President's acquisition initiative and the facilities management transformation. The House provided $20,000,000 for these activities; the Senate provided $17,000,000.

The conferees require the VA to include in budget justification documents each year a detailed summary of the marketing campaign budget, as proposed in the House report. The Senate report did not include a similar requirement.

The conferees concur in the Senate report directive requiring a report on adopting payment recapture audits, with the report to be submitted within 90 days of enactment of this Act.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

The conference agreement appropriates $2,018,764,000 for General Operating Expenses, Veterans Benefits Administration, as proposed by the Senate instead of $2,020,128,000, as proposed by the House. The agreement makes available not to exceed $105,000,000 of this funding until the end of fiscal year 2013, as proposed by the Senate, instead of $105,856,000 as proposed by the House. The conferees concur with Senate report language regarding Decision Review Officers.

INFORMATION TECHNOLOGY SYSTEMS

The conference agreement appropriates $3,111,376,000 for Information Technology (IT) Systems instead of $3,025,000,000 as proposed by the House and $3,161,376,000 as proposed by the Senate. The agreement follows the Senate format of identifying separately in bill language the funding available for pay ($915,000,000); operations and maintenance ($1,616,018,000); and systems development, modernization, and enhancement ($580,358,000). The Senate bill provided $915,000,000 for pay; $1,709,953,000 for operations and maintenance; and $536,423,000 for development. The House provided all IT funding in one lump sum. The agreement also adopts the Senate proposal of making $25,000,000 of pay funding available until the end of fiscal year 2013; $110,000,000 of operations and maintenance funding available until the end of fiscal year 2013; and all IT systems development, modernization and enhancement funding available until the end of fiscal year 2013. The House proposed to make the entire IT appropriation available until the end of fiscal year 2013.

On May 2, 2011, the Secretary of Veterans Affairs and the Secretary of Defense entered into an agreement to implement an integrated electronic health record (iEHR) system rather than pursue separate strategies for modernizing the two existing health record systems. The conferees are encouraged by this agreement and believe that successful development and implementation is crucial for both Departments to continue to provide high-quality medical care in the 21st century and to enhance seamless transition from active duty to the VA.

The conferees strongly encourage the Secretaries of the Department of Veterans Affairs and the Department of Defense to continue to work together throughout the development of this new system to ensure an unambiguous and unified message is clearly articulated to both Departments. It is imperative the new iEHR system be agreed to and driven by senior leadership at both Departments to ensure system development is on time and within budget.

Given that the two Departments entered into this agreement after the Administration had transmitted the fiscal year 2012 budget request to Congress, the VA has had to alter its original Information Technology budget submission to account for iEHR. According to the VA, the requirement for iEHR in fiscal year 2012 is $100,000,000, which includes $73,200,000 in development funds. The conference agreement fully funds this request and includes an updated development chart displaying the iEHR development requirement.

The conferees direct the Department of Veterans Affairs, in conjunction with the Department of Defense, to identify the timeframe for completion of an integrated electronic health record system and develop detailed benchmarks to track progress. Additionally, the conferees direct the Office of Information Technology to provide quarterly updates on the progress of this project to the Committees on Appropriations of both Houses of Congress.

The conference agreement includes language proposed in both the House and Senate bills requiring that no IT funding may be obligated until the VA submits to the Committees, and the Committees approve, an expenditure plan meeting the four criteria outlined. The conferees are disturbed that the VA has not complied with this language in previous years and expect prompt compliance in fiscal year 2012.

The conference agreement includes bill language proposed by the Senate but not the House prohibiting the obligation of IT development, modernization, and enhancement funding until the VA submits a certification of the amounts to be obligated, in part or in full, for each development project.

The conference agreement includes bill language proposed by the Senate but not the House permitting funding made available for the three IT subaccounts to be transferred among them after the VA requests and receives approval from the Committees.

The conferees include bill language making funds available for IT development, modernization, and enhancement for the projects and in the amounts specified in the following table:

INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS

[In thousands of dollars]

Project	Conference agreement
Veterans Benefits Management System (VBMS):	
VBMS	88,870
Veterans Service Network (VETSNET)	17,843
Total VBMS Development	106,713
Virtual Lifetime Electronic Record (VLER):	
Memorial/Cemeterial Legacy Development	10,859

INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS—Continued

[In thousands of dollars]

Project	Conference agreement
VISTA Web Performance and User Interface	600
Bidirectional Health Information Exchange	3,760
NHIN Gateway and Adaptor Development	8,435
Veteran Authorization and Policies Development	4,100
VLER Services	5,200
Warrior Support/Information Sharing Initiative Development	5,000
Warrior Support/VA-DOD Identity Repository Development	5,000
Warrior Support/Federal Case Management Tool	6,640
Total VLER Development	49,594
Access to Healthcare:	
Access IT-Program Management Office	1,000
Emergency Department Information System Development	7,400
Surgical Quality and Workflow Management Development	22,200
Veterans Benefits Handbook Development	6,000
TeleHealth	3,300
Bed Management Solution Development	3,900
National Utilization Management Integration Development	1,760
VPS Kiosk Development	1,700
Total Access to Healthcare	47,260
New Models of Care:	
Patient Centered Medical Home Proposed Initiatives Development	2,200
MyHealtheVet	2,410
Enterprise Web Applications	4,350
TeleHealth	10,700
Program Management Office	1,100
VISTA Imaging—Telemedicine Development	5,034
Woman's Health Proposed Projects Development	1,900
Total New Models of Care	27,694
Homelessness:	
Homelessness—At Risk Tracking	2,470
Homelessness Registries	2,250
Homelessness Case Management Development	150
Total Homelessness IT Development	4,870
Healthcare Efficiency:	
PMO Support	2,000
Total Healthcare Efficiency	2,000
Mental Health:	
Behavioral Health Lab Software Development	1,060
My Recovery Plan	2,130
Mental Health Systems Development	4,121
Total Mental Health IT Development	7,311
Other Development:	
Chapter 33 Development	52,000
Integrated Electronic Health Record Development	73,200
Health Management Platform Development	8,000
Revenue Improvements System Enhancements Development	1,091
Compensation and Pension Records Interface Development	1,091
Caregivers Development	8,000
International Classification of Diseases—10 Development	29,930
Health Provider Systems Development	4,000

INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS—Continued

[In thousands of dollars]

Project	Conference agreement
VHA Research IT Support Development	16,755
Human Capital Development	1,800
Innovations	14,024
Integrated Operating Model	16,520
Strategic Capital Investment Planning Database Development	2,800
VA Learning Management Systems Development	3,650
Enterprise IT Support Development	2,930
Repositories Development	3,273
Standards and Terminology Services	1,091
Safety and Security Initiative	21,163
Enrollment System Modernization	3,323
Veterans Relationship Management Development	70,275
Total Other Development	334,916
Total Development	580,538

As proposed in the Senate bill, the conferees intend this table to serve as the Department's approved list of development projects; any requested changes are subject to reprogramming guidelines. The agreement does not include the House proposed bill language requiring the VA to submit to the Committees a reprogramming base letter by project within 30 days of enactment of this Act.

The conference agreement directs the Department to submit an expenditure plan to the Committees within 30 days of enactment of this Act as proposed by both the House and the Senate. This plan should be in the same format as the table above. The conferees also expect all future IT budget displays provided to the Committees to use this format.

The conferees concur in the Senate report language concerning metrics for evaluating the Veterans Benefits Management System pilot.

OFFICE OF INSPECTOR GENERAL

The conference agreement appropriates $112,391,000 for the Office of Inspector General as proposed by the Senate instead of $109,391,000 as proposed by the House. Of the amount provided, $6,000,000 is available for obligation until September 30, 2013, as proposed by the House instead of $6,600,000 as proposed by the Senate.

CONSTRUCTION, MAJOR PROJECTS

The conference agreement appropriates $589,604,000 for Construction, Major Projects as proposed by both the House and the Senate.

The agreement makes this funding available until expended, as proposed by the Senate, rather than with a limitation of five years as proposed by the House. The conferees are concerned about the very large unobligated balances that have built up in the major construction account and believe that the account's "no year" funding framework must be changed. In contrast, military construction funds provided in this bill are made available on a five-year basis.

The Department of Defense (DOD) is able to manage these funds and construct its buildings in a timely way. The conferees understand that the VA will need to make process changes in planning, budgeting, and execution to make the DOD five-year obligation approach viable. The conferees direct the VA to develop a plan to transition to five-year availability of funds for both major and minor construction and deliver the plan to the Committees within 180 days of enactment of this Act. The plan should identify any legislative language needed to make the plan workable. The conferees' goal is to implement this plan when finalizing the fiscal year 2013 budget in the fall of 2012.

The conference agreement funds the following items as requested in the budget submission and as proposed by both the House and Senate:

Project	Conference agreement
Veterans Health Admin (VHA):	
New Orleans, LA new medical facility	$60,000,000
Denver, CO new medical facility	42,000,000
San Juan, PR seismic corrections	100,720,000
St. Louis, MO medical facility improvements	80,000,000
Palo Alto, CA polytrauma/ambulatory care	75,900,000
Bay Pines, FL in-/outpatient improvements	43,970,000
Seattle, WA seismic deficiencies	47,500,000
Reno, NV expansion of clinical services	21,380,000
W. Los Angeles, CA new tower/renovation	50,790,000
San Francisco, CA seismic deficiencies	22,480,000
Advance Planning Fund	59,145,000
Asbestos	40,000,000
Facility Security	8,000,000
CFM Staff	24,200,000
Judgment Fund	5,000,000
Total VHA	681,085,000
National Cemetery Admin (NCA):	
National Memorial Cemetery of Pacific columbarium/administration	23,700,000
Advance Planning Fund	4,500,000
NCA Land Acquisition Fund	10,000,000
Total NCA	38,200,000
General Admin staff offices	6,000,000
Available from existing projects	(135,681,000)
Major construction total	589,604,000

The conferees direct the VA to submit a master plan at the time of the budget submission describing each major construction project included in the budget. The plan should include the projected time line for completion of each component of each of the projects and the annual and total cost of each project. The format of the DOD Form 1391 is a good model for the VA to use to describe clearly and completely the expected obligations for each project.

The conferees encourage the VA to examine its practices on rehabilitation and re-use of national landmarks within the VA infrastructure that are aging, outdated, or obsolete and report to the Committees on any actions taken or planned to be taken on these facilities.

CONSTRUCTION, MINOR PROJECTS

The conference agreement appropriates $482,386,000 for Construction, Minor Projects, instead of $475,091,000 as proposed by the House and $550,091,000 as proposed by the Senate. The agreement makes this funding available until expended, as proposed by the Senate, rather than with a limitation of five years as proposed by the House. As indicated in the narrative for Construction, Major Projects, the VA is directed to develop a plan to transition to five-year availability of funds for both major and minor construction and deliver the plan to the Committees within 180 days of enactment of this Act.

As proposed by the Senate, the conferees direct the Department to provide to the Committees an expenditure plan for this account within 30 days of enactment of this Act. The House did not propose a similar requirement.

The conferees expect the fiscal year 2013 budget submission to include a separate list of all minor construction projects proposed to be funded in fiscal year 2013 in priority order, consistent with the integrated Strategic Capital Investment Plan.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

The conference agreement appropriates $85,000,000 for Grants for Construction of State Extended Care Facilities, as proposed by both the House and the Senate.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

The conference agreement appropriates $46,000,000 for Grants for Construction of Veterans Cemeteries, as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

The conference agreement includes section 201 as proposed by both the House and the Senate allowing for transfers among three mandatory accounts.

The conference agreement includes section 202 as proposed by both the House and the Senate allowing for the transfer of funds among the three medical accounts.

The conference agreement includes section 203 as proposed by both the House and the Senate allowing salaries and expenses funds to be used for related authorized purposes.

The conference agreement includes section 204 as proposed by both the House and the Senate restricting the use of funds for the acquisition of land.

The conference agreement includes section 205 as proposed by both the House and the Senate limiting the use of funds in the Medical Services account only for entitled beneficiaries unless reimbursement is made to the Department.

The conference agreement includes section 206 as proposed by both the House and the Senate allowing for the use of certain man-

datory appropriations accounts for payment of prior year accrued obligations for those accounts.

The conference agreement includes section 207 as proposed by both the House and the Senate allowing the use of appropriations available in this title to pay prior year obligations.

The conference agreement includes section 208 as proposed by both the House and the Senate allowing the Department to use surplus earnings from the National Service Life Insurance Fund, the Veterans' Special Life Insurance Fund, and the United States Government Life Insurance Fund to administer these programs.

The conference agreement includes section 209 as proposed by both the House and the Senate allowing the Department to cover the administrative expenses of enhanced-use leases and provides authority to obligate these reimbursements in the year in which the proceeds are received.

The conference agreement includes section 210 as proposed by both the House and the Senate limiting the amount of reimbursement the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication can charge other offices of the Department for services provided.

The conference agreement includes section 211 as proposed by both the House and the Senate limiting the use of funds for any lease with an estimated annual rental cost of more than $1,000,000 unless approved by the Committees on Appropriations of both Houses of Congress.

The conference agreement includes section 212 as proposed by both the House and the Senate requiring the Department to collect third-party payer information for persons treated for a non-service connected disability.

The conference agreement includes section 213 as proposed by both the House and the Senate allowing for the use of enhanced-use leasing revenues for Construction, Major Projects and Construction, Minor Projects.

The conference agreement includes section 214 as proposed by both the House and the Senate allowing Medical Services funds to be used for expenses related to the broader mission of medical care to veterans.

The conference agreement includes section 215 as proposed by both the House and the Senate allowing for funds deposited into the Medical Care Collections Fund to be transferred to the Medical Services account.

The conference agreement includes section 216 as proposed by both the House and the Senate which allows Alaskan veterans to use medical facilities of the Indian Health Service or tribal organizations.

The conference agreement includes section 217 as proposed by the Senate providing for the transfer of funds from the Department of Veterans Affairs Capital Asset Fund to the Construction, Major Projects and Construction, Minor Projects accounts and makes those funds available until expended. The House proposed that these funds be made available for five years.

The conference agreement includes section 218 as proposed by both the House and the Senate prohibiting the use of funds for any

policy prohibiting the use of outreach or marketing to enroll new veterans.

The conference agreement includes section 219 as proposed by both the House and the Senate requiring the Secretary to submit quarterly reports on the financial status of the Veterans Health Administration.

The conference agreement includes section 220 as proposed by both the House and the Senate requiring the Department to notify and receive approval from the Committees of any proposed transfer of funding to or from the Information Technology Systems account.

The conference agreement includes section 221 as proposed by the Senate providing for transfer of funds among development, modernization and enhancement projects or to newly identified projects within the Information Technology Systems account. The House proposed similar but more general language.

The conference agreement includes section 222 as proposed by the Senate prohibiting any funds to be used to contract out any function performed by more than ten employees without a fair competition process. The House did not propose a similar provision.

The conference agreement includes section 223 as proposed by both the House and the Senate limiting the obligation of non-recurring maintenance funds during the last two months of the fiscal year.

The conference agreement includes section 224 as proposed by both the House and the Senate providing up to $241,666,000 for transfer to the joint DoD-VA Medical Facility Demonstration Fund.

The conference agreement includes section 225 as proposed by both the House and the Senate which authorizes transfers from the Medical Care Collections Fund to the joint DoD-VA Demonstration Fund.

The conference agreement includes section 226 as proposed by both the House and the Senate which transfers at least $15,000,000 from VA medical accounts to the DoD-VA health care sharing incentive fund.

The conference agreement includes section 227 which is similar to a provision proposed by both the House and the Senate. It rescinds fiscal year 2012 medical account funding and re-appropriates it to be available for two years. The provision rescinds and re-appropriates $1,400,000,000 for Medical Services, $100,000,000 for Medical Support and Compliance, and $250,000,000 for Medical Facilities. The House bill provided slightly different amounts.

The conference agreement includes section 228 as proposed by the Senate requiring that the Department notify the Committees of bid savings in major construction projects of at least $5,000,000 or 5 percent within 14 days of a contract identifying the programmed amount. The House bill proposed similar language.

The conference agreement includes section 229 as proposed by both the House and the Senate which prohibits the VA from increasing the scope of work for a major construction project above the scope specified in the original budget request.

The conference agreement includes section 230 which is similar to a provision proposed by the House regarding VA provision of information about controlled substance prescriptions to State con-

trolled substance monitoring programs. The Senate bill did not contain a similar provision.

The conference agreement does not include section 230 as proposed by the Senate, requiring the Secretary, in coordination with the Defense Advanced Research Projects Agency (DARPA), to submit a report on the next generation of advanced prosthetics. This issue is addressed under the Medical and Prosthetic Research account.

The conference agreement includes section 231 requiring the Secretary to report to the Committees each quarter about any single national outreach and awareness marketing campaign exceeding $2,000,000. The House bill contained similar language. The Senate did not have a comparable provision.

The conference agreement includes, as VA administrative provision section 232, a general provision proposed by the House prohibiting the VA from using any funds to declare as excess to the needs of the VA Federal land and improvements to the St. Albans campus in New York. The Senate bill did not include a similar provision.

The conference agreement includes, as VA administrative provision section 233, a general provision proposed by the House prohibiting the use of funds in the Act for any contract using procedures that do not give to small business concerns owned and controlled by veterans any preference with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans. The Senate bill did not include a similar provision.

The conference agreement includes section 234 extending the authorization for the VA office in the Philippines through December 31, 2012. Neither the House nor the Senate bill contained a comparable provision.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $61,100,000 for Salaries and Expenses of the American Battle Monuments Commission.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

The conference agreement includes such sums as necessary, estimated at $16,000,000, for the Foreign Currency Fluctuations Account.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

The conference agreement includes $30,770,000 for Salaries and Expenses.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

The conference agreement includes $45,800,000 for Salaries and Expenses.

Information Technology.—The conferees recognize the significant management and oversight improvements that have been made at Arlington National Cemetery over the past year, particularly efforts to improve the accuracy and reliability of burial and headstone records. The conferees also realize that the development of a robust information technology system is essential to this effort. To ensure that information technology development remains on track, the Executive Director of the Cemetery is directed to provide a report to Congress detailing the strategic plan and timetable for completing the modernization of the Cemetery's information technology system, including electronic burial records. The report should also include a description of improvements implemented to date, and identify any remaining information technology and systems infrastructure requirements. The report should be submitted to the following Committees of both Houses of Congress no later than 90 days after enactment of this Act: The Committees on Appropriations, Armed Services, Veterans Affairs, and the Senate Homeland Security and Governmental Affairs Committee.

ARMED FORCES RETIREMENT HOME

TRUST FUND

The conference agreement includes $67,700,000 for the Armed Forces Retirement Home, to be derived from the Trust Fund.

GENERAL FUND PAYMENT, ARMED FORCES RETIREMENT HOME

The conference agreement includes $14,630,000 for the Armed Forces Retirement Home, to be derived from the General Treasury. The amount provided is to facilitate repairs at the Washington, DC, campus to correct damage sustained by an earthquake on August 23, 2011.

ADMINISTRATIVE PROVISION

The conference agreement does not include a Senate provision (Sec. 301) requiring a report on information technology modernization for Arlington National Cemetery. This issue is instead addressed elsewhere in this Statement of Managers.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

The conference agreement includes a new title IV, Overseas Contingency Operations. Title IV provides funding for certain mili-

tary construction projects in the Central Command and Africa Command Areas of Responsibility that was requested in title I, Military Construction, in the budget submission. The conferees agree that the projects transferred to title IV are necessary to support the global war on terrorism and should be designated as overseas contingency operations functions.

MILITARY CONSTRUCTION, ARMY

The conference agreement appropriates $80,000,000 for Military Construction, Army in this title instead of title I of this Act as proposed by both the House and Senate.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The conference agreement appropriates an additional $189,703,000 for Military Construction, Navy and Marine Corps in this title instead of title I of this Act as proposed by both the House and Senate.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

The conference agreement includes section 401 rescinding unobligated balances from title IV, Division E of Public Law 111–117 in the specific amount of $269,703,000. The House and Senate bill included no similar provision.

OVERSEAS CONTINGENCY OPERATIONS
(AMOUNTS IN THOUSANDS)

	CONFERENCE AGREEMENT
TITLE IV	
FY 2012 OVERSEAS CONTIGENCY OPERATIONS	
AFGHANISTAN	
ARMY	
BAGRAM AIR BASE	
BARRACKS, PHASE 5	29,000
CONSTRUCT DRAINAGE SYSTEM, PHASE 3	31,000
ENTRY CONTROL POINT	20,000
BAHRAIN ISLAND	
NAVY	
SW ASIA	
BACHELOR ENLISTED QUARTERS	55,010
WATERFRONT DEVELOPMENT PHASE 4	45,194
DJIBOUTI	
NAVY	
CAMP LEMONIER	
AIRCRAFT LOGISTICS APRON	35,170
BACHELOR QUARTERS	43,529
TAXIWAY ENHANCEMENT	10,800
RESCISSION FROM TITLE IV, DIVISION E OF P.L. 111-117	-269,703
TOTAL	---

Note: Funding for these projects was requested and is displayed in title I, Military Construction. The conference agreement provides the requested level of funding for these projects in title IV.

TITLE V

GENERAL PROVISIONS

Section 501 prohibits the obligation of funds in the Act beyond the current fiscal year unless expressly so provided.

Section 502 prohibits the use of the funds in this Act for programs, projects or activities not in compliance with Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

Section 503 requires pay raises to be absorbed within the levels appropriated in the Act.

Section 504 prohibits the use of funds in the Act to support or defeat legislation pending before Congress.

Section 505 encourages all Departments to expand their use of "E-Commerce".

Section 506 specifies the Congressional Committees that are to receive all reports and notifications.

Section 507 prohibits the transfer of funds to any instrumentality of the United States Government without authority from an appropriations Act.

Section 508 prohibits the use of funds for a project or program named for a serving Member, Delegate, or Resident Commissioner of the United States House of Representatives.

Section 509 requires all reports submitted to the Congress to be posted on official websites of the submitting agency.

Section 510 prohibits the use of funds to establish or maintain a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, except for law enforcement investigation, prosecution, or adjudication activities.

Section 511 prohibits the use of funds in this Act for the renovation, expansion, or construction of any facility in the continental United States for the purpose of housing any individual who has been detained at the United States Naval Station, Guantanamo Bay, Cuba.

Section 512 prohibits the use of funds for the payment of first-class travel by an employee of the executive branch.

Section 513 prohibits the use of funds in this Act for any contract where the contractor has not complied with E-Verify requirements.

The conference agreement includes a modified House provision, Section 514, which prohibits the use of funds in this Act for any contract, memorandum of understanding, or cooperative agreement with any corporation convicted of a felony criminal violation within the preceding 24 months, where the awarding agency is aware of the conviction.

The conference agreement includes House provision 416 as an administrative provision under title II.

The conferees have not included a House provision, section 417 which prohibited funds for the enforcement of section 526 of the Energy Independence and Security Act of 2007. The conferees note that the enforcement of section 526 of the Energy Independence and Security Act of 2007 may lead to higher fuel costs for federal fleets in the absence of competitively priced new generation fuels that emit fewer emissions. In carrying out this statute, the Sec-

retary of Defense and the Secretary of Veterans Affairs should work to ensure that costs associated with fuel purchases necessary to carry out the missions of their respective departments should be minimized to the extent possible under the law.

The conference agreement includes House provision 418 as an administrative provision under title II.

The conference agreement does not include House provision 419 which prohibited funds to be used in contravention of the War Powers Resolution.

DIVISION H: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
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(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF DEFENSE				
Military construction, Army	3,780,023	3,235,991	3,006,491	-773,532
Rescission	-263,000	---	---	+263,000
Total	3,517,023	3,235,991	3,006,491	-510,532
Military construction, Navy and Marine Corps	3,297,004	2,461,547	2,112,823	-1,184,181
Rescission	-61,050	---	---	+61,050
Total	3,235,954	2,461,547	2,112,823	-1,123,131
Military construction, Air Force	1,104,781	1,364,858	1,227,058	+122,277
Rescission	-121,700	---	---	+121,700
Total	983,081	1,364,858	1,227,058	+243,977
Military construction, Defense-Wide	2,867,316	3,848,757	3,431,957	+564,641
Rescission	-148,500	---	---	+148,500
Total	2,718,816	3,848,757	3,431,957	+713,141
Total, Active components	10,454,874	10,911,153	9,778,329	-676,545
Military construction, Army National Guard	871,917	773,592	773,592	-98,325
Military construction, Air National Guard	194,596	116,246	116,246	-78,350
Military construction, Army Reserve	317,539	280,549	280,549	-36,990

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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Military construction, Navy Reserve	61,434	26,299	26,299	-35,135
Military construction, Air Force Reserve	7,816	33,620	33,620	+25,804
Total, Reserve components	1,453,302	1,230,306	1,230,306	-222,996
Total, Military construction	11,908,176	12,141,459	11,008,635	-899,541
Appropriations	(12,502,426)	(12,141,459)	(11,008,635)	(-1,493,791)
Rescissions	(-594,250)	---	---	(+594,250)
Emergency appropriations	---	---	---	---
North Atlantic Treaty Organization Security Investment Program	258,366	272,611	247,611	-10,755
Family housing construction, Army	92,184	186,897	176,897	+84,713
Family housing operation and maintenance, Army	517,104	494,858	493,458	-23,646
Family housing construction, Navy and Marine Corps	186,071	100,972	100,972	-85,099
Family housing operation and maintenance, Navy and Marine Corps	365,613	367,863	367,863	+2,250
Family housing construction, Air Force	77,869	84,804	60,042	-17,827
Family housing operation and maintenance, Air Force	512,764	404,761	429,523	-83,241
Family housing construction, Defense-Wide	---	---	---	---
Family housing operation and maintenance, Defense-Wide	50,363	50,723	50,723	+360
Department of Defense Family Housing Improvement Fund	1,094	2,184	2,184	+1,090

DIVISION H: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Homeowners assistance fund	16,482	1,284	1,284	-15,198
Total, Family housing	1,819,544	1,694,346	1,682,946	-136,598
Appropriations	(1,819,544)	(1,694,346)	(1,682,946)	(-136,598)
Rescissions	---	---	---	---
Emergency appropriations	---	---	---	---
Chemical demilitarization construction, Defense-Wide	124,721	75,312	75,312	-49,409
Base realignment and closure:				
Base realignment and closure account, 1990	359,753	323,543	323,543	-36,210
Base realignment and closure account, 2005	2,349,576	258,776	258,776	-2,090,800
Rescission	-232,363	---	---	+232,363
Total	2,117,213	258,776	258,776	-1,858,437
Total, Base realignment and closure	2,476,966	582,319	582,319	-1,894,647
Rescission (Sec. 126):				
Base Realignment and Closure, 1990	---	---	---	---
Rescissions (Sec. 131):				
Military Construction, Army	---	---	-100,000	-100,000
Military Construction, Navy and Marine Corps	---	---	-25,000	-25,000
Military Construction, Air Force	---	---	-32,000	-32,000
Military Construction, Defense-Wide	---	---	-131,400	-131,400
Rescission (Sec. 132):				

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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Base Realignment and Closure, 2005	---	---	-258,776	-258,776
Total, title I	16,587,773	14,766,047	13,049,647	-3,538,126
Appropriations	(17,414,386)	(14,766,047)	(13,596,823)	(-3,817,563)
Rescissions	(-826,613)	---	(-547,176)	(+279,437)
TITLE II - DEPARTMENT OF VETERANS AFFAIRS				
Veterans Benefits Administration				
Compensation and pensions	53,978,000	58,067,319	51,237,567	-2,740,433
Readjustment benefits	10,396,245	11,011,086	12,108,488	+1,712,243
Veterans insurance and indemnities	77,589	100,252	100,252	+22,663
Veterans housing benefit program fund (indefinite)	19,078	318,612	318,612	+299,534
(Limitation on direct loans)	(500)	(500)	(500)	---
Credit subsidy	-165,000	---	---	+165,000
Administrative expenses	164,752	154,698	154,698	-10,054
Guaranteed Transitional Housing Loans for Homeless Veterans	(750)	---	---	(-750)
Vocational rehabilitation loans program account	29	19	19	-10
(Limitation on direct loans)	(2,298)	(3,019)	(3,019)	(+721)
Administrative expenses	328	343	343	+15

DIVISION H: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Native American veteran housing loan program account..	662	1,116	1,116	+454
Total, Veterans Benefits Administration.....	64,471,683	69,653,445	63,921,095	-550,588
Veterans Health Administration				
Medical services:				
Advance from prior year.....	(37,061,728)	(39,649,985)	(39,649,985)	(+2,588,257)
Advance appropriation, FY 2013.....	39,649,985	41,354,000	41,354,000	+1,704,015
Subtotal.....	39,649,985	41,354,000	41,354,000	+1,704,015
Medical support and compliance:				
Advance from prior year.....	(5,296,454)	(5,535,000)	(5,535,000)	(+238,546)
Fiscal year 2011 payraise rescission.....	(-34,000)	---	---	(+34,000)
Advance appropriation, FY 2013.....	5,535,000	5,746,000	5,746,000	+211,000
Subtotal.....	5,535,000	5,746,000	5,746,000	+211,000
Medical facilities:				
Advance from prior year.....	(5,728,550)	(5,426,000)	(5,426,000)	(-302,550)
Fiscal year 2011 payraise rescission.....	(-15,000)	---	---	(+15,000)
Advance appropriation, FY 2013.....	5,426,000	5,441,000	5,441,000	+15,000
Subtotal.....	5,426,000	5,441,000	5,441,000	+15,000
Medical and prosthetic research.....	579,838	508,774	581,000	+1,162

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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Medical care cost recovery collections:				
Offsetting collections	-3,393,000	-3,326,000	-3,326,000	+67,000
Appropriations (indefinite)	3,393,000	3,326,000	3,326,000	-67,000
Total, Veterans Health Administration	51,141,823	53,049,774	53,122,000	+1,980,177
Appropriations	(579,838)	(508,774)	(581,000)	(+1,162)
Emergency appropriations	---	---	---	---
Rescissions	-49,000	---	---	+49,000
Advance from prior year	(48,086,732)	(50,610,985)	(50,610,985)	(+2,524,253)
Advance appropriations, FY 2013	(50,610,985)	(52,541,000)	(52,541,000)	(+1,930,015)
National Cemetery Administration				
National Cemetery Administration	249,500	250,934	250,934	+1,434
Departmental Administration				
General operating expenses	2,529,207	2,466,989	---	-2,529,207
General administration	---	---	416,737	+416,737
General operating expenses, VBA	---	---	2,018,764	+2,018,764
Information technology systems	3,140,604	3,161,376	3,111,376	-29,228
Rescission	-147,000	---	---	+147,000
Office of Inspector General	108,782	109,391	112,391	+3,609
Construction, major projects	1,148,734	589,604	589,604	-559,130
Rescission	-75,000	---	---	+75,000
Construction, minor projects	466,765	550,091	482,386	+15,621
Grants for construction of State extended care facilities	84,830	85,000	85,000	+170

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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Grants for the construction of veterans cemeteries....	45,908	46,000	46,000	+92
Total, Departmental Administration.....	7,302,830	7,008,451	6,862,258	-440,572
Appropriations.....	(7,524,830)	(7,008,451)	(6,862,258)	(-662,572)
Rescissions.....	(-222,000)	---	---	(+222,000)
Medical Care - Section 225 (Rescission).....	---	-713,000	---	---
Medical Care - Section 226.....	---	953,000	---	---
Total, title II.....	123,165,836	130,202,604	124,156,287	+990,451
Appropriations.....	(72,825,851)	(78,374,604)	(71,615,287)	(-1,210,564)
Emergency appropriations.....	---	---	---	---
Rescissions.....	(-271,000)	(-713,000)	---	(+271,000)
Advance from prior year.....	(48,086,732)	(50,610,985)	(50,610,985)	(+2,524,253)
Advance appropriations, FY 2013.....	(50,610,985)	(52,541,000)	(52,541,000)	(+1,930,015)
(Limitation on direct loans).....	(2,798)	(3,519)	(3,519)	(+721)
Discretionary.....	(58,859,924)	(60,705,335)	(60,391,368)	(+1,531,444)
Mandatory.....	(64,305,912)	(69,497,269)	(63,764,919)	(-540,993)

TITLE III - RELATED AGENCIES

American Battle Monuments Commission

Salaries and expenses.....	64,072	61,100	61,100	-2,972

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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Foreign currency fluctuations account	20,168	16,000	16,000	-4,168
Total, American Battle Monuments Commission	84,240	77,100	77,100	-7,140
U.S. Court of Appeals for Veterans Claims				
Salaries and expenses	27,560	55,770	30,770	+3,210
Department of Defense - Civil				
Cemeterial Expenses, Army				
Salaries and expenses	45,010	45,800	45,800	+790
Armed Forces Retirement Home - Trust Fund				
Operation and maintenance	69,058	65,700	65,700	-3,358
Capital program	2,000	2,000	2,000	---
Armed Forces Retirement Home - General Fund				
Capital program	---	---	14,630	+14,630
Total, Armed Forces Retirement Home	71,058	67,700	82,330	+11,272
Total, title III	227,868	246,370	236,000	+8,132

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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE IV - OVERSEAS CONTINGENCY OPERATIONS				
Military Construction, Army	981,346	---	80,000	-901,346
Military Construction, Navy and Marine Corps	---	---	189,703	+189,703
Military Construction, Air Force	195,006	---	---	-195,006
Military Construction, Defense-Wide	46,500	---	---	-46,500
Rescission from Title IV, Division E of P.L. 111-117	---	---	-269,703	-269,703
Total, title IV	1,222,852	---	---	-1,222,852
Grand total	141,204,329	145,215,021	137,441,934	-3,762,395
Appropriations	(90,468,105)	(93,387,021)	(85,448,110)	(-5,019,995)
Rescissions	(-1,097,613)	(-713,000)	(-547,176)	(+550,437)
Emergency appropriations	---	---	---	---
Rescission of emergency funding	---	---	---	---
Advance from prior year	(48,086,732)	(50,610,985)	(50,610,985)	(+2,524,253)
Advance appropriations, FY 2013	(50,610,985)	(52,541,000)	(52,541,000)	(+1,930,015)
Overseas contingency operations	(1,222,852)	---	---	(-1,222,852)
(By transfer)	---	---	---	---
(Limitation on direct loans)	(2,798)	(3,519)	(3,519)	(+721)

DIVISION I—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2012

In implementing this conference agreement, the departments and agencies shall comply with the Senate report (S. Rept. 112–85) accompanying S. 1601 as though stated in this joint explanatory statement unless specifically directed to the contrary. Matters addressed in the report of the House Subcommittee on State, Foreign Operations, and Related Programs (Full Committee Print, circulated on July 29, 2011) are restated in this joint explanatory statement where the conferees concur.

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $6,550,947,000 for Diplomatic and Consular Programs (D&CP), of which up to $1,355,000,000 is for Worldwide Security Protection. The conference agreement provides an additional $4,389,064,000 in title VIII under this heading, which is designated for Overseas Contingency Operations/Global War on Terrorism (OCO/GWOT) pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

Within the total provided under this heading, the conference agreement includes:

$2,277,862,000 for Human Resources (of which $121,814,000 is for public diplomacy);

$2,109,293,000 for Overseas Programs (of which $347,572,000 is for public diplomacy);

$822,513,000 for Diplomatic Policy and Support; and

$1,341,279,000 for security programs.

The conference agreement does not include funding for the 185 new positions requested in fiscal year 2012. The conference agreement assumes continuation of the pay freeze in fiscal year 2012 for all Department of State employees, including Foreign Service Officers.

The conference agreement includes language amending the heading "Civilian Stabilization Initiative" included in prior acts to "Conflict Stabilization Operations" (CSO) and provides transfer authority of up to $35,000,000 of the funds appropriated under this heading to funds made available under the CSO heading. The conference agreement provides an additional $8,500,000 in title VIII under the CSO heading, which is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985. The conferees remain concerned with CSO's limited activities, specifically the minor role it has played in response to the

earthquake in Haiti and the revolution in Libya. The conferees will further assess the performance of the CSO during fiscal year 2012.

The conferees request the Secretary of State to be prepared to report to the Committees on Appropriations in hearings on the fiscal year 2013 budget on the use of the Secretary's authority to determine whether an American citizen has voluntarily renounced United States citizenship as a result of engaging in activities with a Foreign Terrorist Organization.

The conferees recognize that B–1 and B–2 visitor visa applications in some countries, such as the People's Republic of China (PRC) and Brazil, are significantly and rapidly increasing. The number of visa applications increased 53 percent in Brazil and 64 percent in the PRC from fiscal year 2010 to fiscal year 2011, resulting in increased delays in interviewing applicants and longer approval times. The Department of State is taking steps to reduce the wait time but more needs to be done. Section 7076 of this Act directs the Secretary of State to take steps to reduce delays in processing tourist visas in the PRC, Brazil, and India, and to consider extending the expiration period for B–1 and B–2 visas for applicants before requiring a consular officer interview. The conferees recognize that wait times for interviews can fluctuate due to unforeseen circumstances, including assisting United States citizens abroad during an emergency, but expect the Department to continue to implement steps to minimize wait times. The conferees expect the Secretary of State to determine the appropriate extension beyond the current one-year limit in a manner consistent with security controls. The conference agreement also permits the Secretary to conduct a pilot program for processing tourist visas via secure remote videoconferencing technology if doing so would not pose a security risk.

The conferees direct the Secretary of State to report to the Committees on Appropriations, not later than 90 days after enactment of this Act, on steps taken to reduce visa processing wait times; the Department of State's 5-year forecast of non-immigrant visas for each country; the number of consular officers necessary to meet the Department's standards; a comparison of the Department's forecast with the Department of Commerce's 5-year visitor arrival projections; and the impact of the different projections on visa processing times and the required number of consular officers.

The conferees direct the Secretary of State to provide to the Committees on Appropriations, not later than 90 days after the end of any videoconference pilot program, an assessment of the efficacy, efficiency, and security of this technology for conducting visa interviews.

The conferees endorse Senate report language regarding the Coordinator for Cyber Issues, and recommend $1,000,000, in addition to funds otherwise made available for such purposes, for operations and programs under the Coordinator's authority. The conferees recommend that the fiscal year 2013 congressional budget justification materials include a request for program funds under the Coordinator's authority in the accounts included in title III of this Act.

The conferees urge the Department of State to examine alternative approaches to furnishing residences for Foreign Service Offi-

cers posted overseas, including consideration of options for substantially reducing costs and delivery times and increasing available choices.

The conferees are concerned with the unnecessary idling of parked motor vehicles that is wasteful and harms the environment. The conferees direct that, not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the head of each United States Government agency that uses funds appropriated by this Act to purchase or lease motor vehicles, shall establish a policy to eliminate the unnecessary idling of parked motor vehicles and provide a copy of such policy to the Committees on Appropriations. Such policy may include exceptions to accommodate important security, health, or safety concerns, and if necessary to perform an important job function, ensure safe operating conditions, or to operate a motor vehicle in accordance with manufacturer specifications.

The conferees support the Secretary of State's expanded engagement with governments to improve the inter-country adoption process, to finalize implementation agreements with such governments, where appropriate, and to resolve impediments to the completion of adoptions for waiting families and children.

The conferees encourage the Secretary of State to continue to support the United States-Colombia Action Plan on Racial and Ethnic Equality and the United States-Brazil Joint Action Plan on Racial and Ethnic Equality.

The conference agreement includes new language prohibiting the use of funds under this heading for the preservation of religious sites unless the Secretary of State determines and reports to the Committees on Appropriations that: (1) The site is historically, artistically, or culturally significant; (2) the purpose of the project is neither to advance nor to inhibit the free exercise of religion; and (3) the project is in the national interest of the United States.

The conferees direct that a portion of the funds that have been provided to the Bureau of International Organizations Affairs and Office of International Conferences should be used to support the Group of 8 (G–8) and NATO summits during 2012.

The conference agreement includes language requiring the continuation of the pilot Partner Vetting System (PVS), and requires that such pilot be implemented by September 30, 2012. The conferees direct that such PVS pilot continue to be applied equally to the programs and activities of the Department of State and USAID, as required by section 7034 of Public Law 111–117.

The conferees direct the Secretary of State to provide to the Committees on Appropriations, not later than 90 days after enactment of this Act, the following information on the Acquisitions Management program funded by the 1 percent procurement fee: (1) the Working Capital Fund (WCF) including carry-over balances, by line item, service center and program, currently available for the Acquisitions Management program; (2) the actual expenditures in fiscal year 2011 by line item, service center and program; (3) the number of staff, including employees and contractors funded by the 1 percent procurement fee; and (4) an evaluation of the efficiencies and improvements gained through this program. The Secretary is also directed to include: (1) the funds from the 1 percent procure-

ment fee in the WCF in the Department's operating plans and quarterly unobligated balances report; and (2) a WCF section in the Department's fiscal year 2013 congressional budget justification, providing information on total budgetary resources for the Bureau of Administration and any other office that receives WCF funds and a WCF table by line item, service center and program that shall serve as the control level for reprogramming and transfer purposes.

The conferees direct the Secretary of State to continue to assist American victims of terrorism abroad regarding frozen assets for compensation and other issues, including from the bombings of United States facilities in Kenya and Tanzania and terrorist acts sponsored by former Libyan leader Muammar Qaddafi.

The conferees endorse Senate report language regarding funding for the Bureau of Democracy, Human Rights and Labor to monitor United States assistance to foreign security forces pursuant to section 620M of the Foreign Assistance Act of 1961, as amended by this Act.

The conferees direct the Secretary of State to continue the reporting requirement detailed under this heading in the joint statement accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) concerning agreements for transfer and release of detainees at Naval Station, Guantanamo Bay, Cuba.

Section 7078 of this Act requires the Secretary of State to submit an operating plan for funds appropriated in title I. The conferees expect the operating plan to integrate the additional funds appropriated in title VIII for OCO/GWOT, where appropriate, and the OCO/GWOT amounts should be separately identified in the integrated plan.

CAPITAL INVESTMENT FUND

The conference agreement provides $59,380,000 for the Capital Investment Fund. In addition, the conference agreement permits the transfer of up to $6,000,000 from funds appropriated under the heading Diplomatic and Consular Programs to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $61,904,000 for the Office of Inspector General (OIG), and an additional $67,182,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees direct the Inspectors General of the Department of State and the United States Agency for International Development (USAID), the Special Inspector General for Afghanistan Reconstruction (SIGAR), and the Special Inspector General for Iraq Reconstruction (SIGIR) to coordinate audit plans and activities to minimize unnecessary duplication, ensure comprehensive oversight plans, and maximize the effective use of resources. The conferees direct the OIG to continue to plan for increased responsibilities when SIGIR draws down its oversight operations.

Section 7078 of the conference agreement requires the relevant department, agency, or organization to submit to the Committees

on Appropriations a spend plan for funds appropriated in titles I and II of this Act. The conferees expect each inspector general funded under this heading in titles I and VIII to submit such plans within 30 days of enactment of this Act.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement provides $583,200,000 for Educational and Cultural Exchange Programs, and an additional $15,600,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

No funds are provided for the one-time competitive grants program in fiscal year 2012.

Section 7078 of this Act includes a requirement that the Secretary of State submit to the Committees on Appropriations an operating plan for funds appropriated under this heading. The conferees expect such plan will include the distribution of unobligated balances and recoveries, as well as any transfers to this account from other accounts. The operating plan should integrate the funds appropriated under this heading in title VIII of this Act for OCO/GWOT, and the OCO/GWOT amounts should be separately identified in the integrated plan.

Funds in this account are allocated, unless otherwise noted, according to the following table, and are subject to the provisions of section 7019 of this Act:

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

[Budget authority in thousands of dollars]

Activity	Budget authority
Academic Exchanges	324,582
Special Academic Exchanges (non-add)	*[38,670]*
Professional and Cultural Exchanges	193,964
Special Professional and Cultural Exchanges (non-add)	*[7,881]*
Program Evaluation	5,054
Exchanges Support	59,600
Total, Educational and Cultural Exchange Programs [1]	583,200

[1] An additional $15,600,000 is included in title VIII under this heading designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

REPRESENTATION ALLOWANCES

The conference agreement provides $7,300,000 for Representation Allowances.

The conferees direct the Secretary of State to provide a semi-annual report to the Committees on Appropriations on the allotment and expenditure of representation allowances.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement provides $27,000,000 for Protection of Foreign Missions and Officials.

The conferees expect the Secretary of State to continue to submit to the Committees on Appropriations a semi-annual report on the number of claims for extraordinary protective services that have been submitted by eligible jurisdictions and certified as meet-

ing the program requirements, and the amount of unobligated funds available to pay such claims.

The conferees urge the Secretary of State to make appropriate reimbursements to jurisdictions providing security for visiting foreign officials and their delegations attending the G–8 and NATO summits in the United States during 2012.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The conference agreement provides $1,537,000,000 for Embassy Security, Construction, and Maintenance, of which $775,000,000 is for worldwide security upgrades and $762,000,000 is for other construction, operations, and maintenance. The conference agreement provides an additional $33,000,000 in title VIII under this heading designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conference agreement does not include funding for the nine new positions requested for fiscal year 2012. The conference agreement includes authorization for the Maintenance Cost Sharing initiative to utilize funding from the Capital Security Cost Sharing (CSCS) program for the maintenance, repair, and rehabilitation of new facilities with an inter-agency presence.

The conferees are concerned with the long-term sustainability of the operating, maintenance, and utility costs of new diplomatic and consular facilities and directs the Secretary of State to impose a moratorium on beginning any new Capital Security construction projects until the Secretary provides the following information to the Committees on Appropriations: (1) the additional annual costs for operations and maintenance, including utilities and salaries, and the number of additional facilities and engineering staff that have been hired to operate the diplomatic and consular facilities that have become operational since the CSCS program began; (2) the estimated additional costs for operations and maintenance, including utilities and salaries, and the number of additional facilities and engineering staff necessary to operate the diplomatic and consular facilities that have been funded and/or are being constructed; and (3) the plan for addressing the $111,000,000 in deferred maintenance at existing diplomatic and consular facilities reported in the Department's 2010 financial statements.

The conferees direct the Secretary of State to seek to ensure that, where practicable, construction projects funded by this Act are accessible to people with disabilities.

Section 7004(c) of this Act continues the requirement that all agencies and departments fully meet their capital cost share obligations under section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999, and directs that such agency assessments be proportional to the Department of State's capital security cost share contribution. The conferees direct that funds appropriated in prior acts not be used to augment the Department of State's capital security cost share contribution for purposes of determining the 2012 capital security cost share assessment of other agencies.

Section 7004(f) of this Act includes a limitation on the use of funds, other than funds from real property sales located in London, United Kingdom, for site acquisition and mitigation, planning, de-

sign or construction of the New London Embassy and requires regular reporting on the project's progress and cost.

Section 7078 of this Act requires the Secretary of State to submit to the Committees on Appropriations an operating plan for funds appropriated under this heading. Such plan should include all resources available to the Department of State in fiscal year 2012 for operations, maintenance, and construction, and an accounting of the actual and anticipated proceeds of sales for all projects in fiscal year 2011. The operating plan should integrate the funds appropriated under this heading in title VIII of this Act for OCO/GWOT, and the OCO/GWOT amounts should be separately identified in the integrated plan.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $9,300,000 for Emergencies in the Diplomatic and Consular Service.

REPATRIATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $1,447,000 for the Repatriation Loans Program Account, of which not more than $710,000 is for administrative expenses.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement provides $21,108,000 for the American Institute in Taiwan.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement provides $158,900,000 for the Foreign Service Retirement and Disability Fund.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement provides $1,449,700,000 for Contributions to International Organizations, and an additional $101,300,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees direct the Secretary of State to report to the Committees on Appropriations, not later than 90 days after enactment of this Act, on the current status of the United Nations Capital Master Plan, including its initial scope and costs, any modifications made or planned, and the total contributions made to date by each United Nations (UN) member state.

The conferees direct the Secretary of State to conduct a review of United States membership in each international organization supported by this account and prioritize the United States participation in, and funding for, each organization in accordance with United States policy goals. The review should also include any re-

cent reforms the organizations have taken to increase transparency and accountability. The conferees direct the Secretary to provide the results of the review not later than 120 days after enactment of this Act.

The conferees direct the United States Mission to the United Nations (USUN) and the Department of State to continue to advocate for an independent Office of Internal Oversight Services (OIOS) to improve internal controls, efficiency, and effectiveness of the UN. The conferees expect the Department and USUN to make the United Nations Transparency and Accountability Initiative a priority, and to provide updates in the congressional budget justification for fiscal year 2013 and on the Web site.

The conferees expect the Department of State to continue to submit a report to the Committees on Appropriations on voting practices in the UN.

Section 7078 of this Act requires the Secretary of State to submit an operating plan for the funds made available under this heading. The operating plan should include each international organization funded, a notation of any exchange rate fluctuations that occurred since such estimates were calculated for the congressional budget justification for fiscal year 2012, and a description of any Tax Equalization Fund credits applied. In addition, the operating plan should integrate the funds appropriated under this heading in title VIII of this Act for OCO/GWOT, and the OCO/GWOT amounts should be separately identified in the integrated plan.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement provides $1,828,182,000 for Contributions for International Peacekeeping Activities.

The conferees expect the Department of State and USUN to evaluate and prioritize peacekeeping missions, and consider phase-out and withdrawal when mission goals have been substantially achieved.

The conferees direct the Department of State to ensure that OIOS conducts oversight of UN peacekeeping missions.

The conference agreement includes language in section 7078 requiring an operating plan for this account not later than 30 days after enactment of this Act. The conferees expect the operating plan to include each peacekeeping mission funded and a description of any credits applied.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

SALARIES AND EXPENSES

The conference agreement provides $44,722,000 for salaries and expenses of the International Boundary and Water Commission, United States and Mexico (IBWC).

CONSTRUCTION

The conference agreement provides $31,453,000 for planning, preparation, and construction.

Funds in this account are allocated according to the following table and are subject to the provisions of section 7019 of this Act:

IBWC-CONSTRUCTION

[Budget authority in thousands of dollars]

Program/activity	Budget authority
Water Quantity Program	24,353
Rio Grande Flood Control System Rehabilitation (non-add)	*[9,700]*
Water Quality Program	1,400
Resource & Asset Management Program	5,700
Total, IBWC—Construction	31,453

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement provides $11,687,000 for American Sections, International Commissions.

INTERNATIONAL FISHERIES COMMISSIONS

The conference agreement provides $36,300,000 for International Fisheries Commissions.

The conference agreement includes funding for the operational costs of the International Pacific Halibut Commission, including current lease expenses, and the conferees direct the Commission to fund these costs prior to investing in new programs or expanding existing programs.

The conferees intend that funds made available under this heading be allocated as detailed in the Senate report.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement provides $740,100,000 for International Broadcasting Operations, and an additional $4,400,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees endorse Senate report language regarding the denial of funding for Broadcasting Board of Governors (BBG) program enhancements. The conferees do not support the proposed recommendation to restructure broadcasting to the PRC, and provide adequate funding to sustain fiscal year 2011 program levels for Voice of America (VOA) and Radio Free Asia broadcasts to the PRC, including engineering costs. The conferees also provide adequate funding to continue fiscal year 2011 program levels for Radio Free Europe/Radio Liberty's Radio Mashaal and VOA's Radio Deewa.

The conferees direct the BBG to notify the Committees on Appropriations of any significant increases or decreases to broadcast hours on each transmission platform (including shortwave, medium wave, Internet, satellite, and television) previously justified to Congress for all BBG language services. The conferees do not intend that the BBG should notify the Committees regarding minor or short-term broadcast schedule changes with minimal funding implications or that result from spring and fall time changes.

The conferees support continued funding for the BBG's Internet circumvention program and direct the BBG to submit a report to the Committees on Appropriations, prior to the initial obligation of funds, detailing planned expenditures of funds that are made available for activities to promote Internet freedom. The conferees also direct the BBG, in coordination with the Secretary of State, to submit to the Committees on Appropriations, not later than September 30, 2012, a report describing efforts supported by the BBG, Department of State and USAID to promote Internet freedom, including an assessment of the results of such efforts and safeguards against the use of circumvention technology for illicit or illegal purposes. The conferees recommend that the fiscal year 2013 congressional budget justification materials include a request for funds for this program under this heading.

Funds in this account are allocated according to the following table and are subject to the provisions of section 7019 of this Act:

INTERNATIONAL BROADCASTING OPERATIONS

[Budget authority in thousands of dollars]

Program	Budget authority
Federal	
BBG/IBB Operations	72,760
Voice of America	206,255
Broadcasting to Cuba	28,475
Engineering and Technical Services	189,300
Subtotal, Federal	496,790
Independent Grantee Organizations:	
Radio Free Europe/Radio Liberty (RFE/RL)	94,870
Radio Free Asia	38,315
Middle East Broadcasting Networks	110,125
Subtotal, Grantees	243,310
Total, International Broadcasting Operations [1]	740,100

[1] An additional $4,400,000 is included in title VIII under this heading designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

Section 7078 requires the BBG to submit an operating plan for funds appropriated under this heading not later than 30 days after enactment of this Act. The conferees request that such plan include the assessed amount for the BBG's capital security cost share. In addition, the operating plan should integrate the funds appropriated under this heading in title VIII of this Act for OCO/GWOT, and the OCO/GWOT amounts should be separately identified in the integrated plan.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement provides $7,030,000 for Broadcasting Capital Improvements.

RELATED PROGRAMS

THE ASIA FOUNDATION

The conference agreement provides $17,000,000 for The Asia Foundation (TAF).

The conferees urge TAF to continue to seek donations from private foundations and corporations, competitively bid awards from governmental and multilateral development agencies, and fee-based or reimbursable agreements as a means of sustaining its activities, programs and offices in an environment of fiscal constraint. The conferees request that TAF include a summary table detailing total revenue and support by category for fiscal year 2011 and projected for fiscal year 2012 in the fiscal year 2013 congressional budget justification.

UNITED STATES INSTITUTE OF PEACE

The conference agreement provides $30,589,000 for the United States Institute of Peace (USIP), and an additional $8,411,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees urge USIP to continue to seek competitively bid awards from other Federal agencies and to fully implement fee-based or reimbursable agreements, where appropriate, as a means of sustaining its activities and programs in an environment of fiscal constraint. The conferees request USIP include in the fiscal year 2013 congressional budget justification information on the amount of funds received in fiscal year 2011 from other Federal agencies, and the amount of revenue generated from fees and reimbursable agreements in fiscal year 2011, and projected for fiscal years 2012 and 2013.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

The conference agreement provides $840,000 from interest and earnings from the Center for Middle Eastern-Western Dialogue Trust Fund.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

The conference agreement provides $500,000 from interest and earnings from the Eisenhower Exchange Fellowship Program Trust Fund.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement provides $375,000 from interest and earnings from the Israeli Arab Scholarship Endowment Fund.

EAST-WEST CENTER

The conference agreement provides $16,700,000 for the East-West Center.

NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement provides $117,764,000 for the National Endowment for Democracy (NED).

The conference agreement directs that $100,000,000 shall be allocated in the traditional and customary manner, as in prior years, to include the core institutes.

The conference agreement requires the President of NED to submit a report on the proposed uses of these funds on a regional and country basis not later than 45 days after enactment of this Act. The report should include programmatic goals for each country and region, and how the planned use of funds will meet such goals. The conferees direct NED to consult with the Committees on Appropriations in advance of any significant deviation from the plans outlined in such report.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The conference agreement provides $634,000 for Commission for the Preservation of America's Heritage Abroad.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

The conference agreement provides $3,000,000 for the United States Commission on International Religious Freedom.

The conference agreement extends the Commission's authorization for one year and adds language making applicable to the Commission certain authorities and limitations regarding employee rights, travel, and the procurement of temporary services.

The conferees also direct the Commission to provide a report to the Committees on Appropriations on actual fiscal year 2012 obligations and expenditures by cost category not later than October 31, 2012.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The conference agreement provides $2,715,000 for the Commission on Security and Cooperation in Europe.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

The conference agreement provides $1,996,000 for Congressional-Executive Commission on the People's Republic of China.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $3,493,000 for the United States-China Economic and Security Review Commission.

Not later than 180 days after enactment of this Act, the conferees direct the Commission to report to the Committees on Appropriations on the use of non-military assistance by the PRC (including loans, grants, and other funds not recognized as assistance by the Organization for Economic Cooperation and Development) to expand its strategic influence and access to natural resources. The report should be prepared on a region-by-region basis, include an analysis of the use of state-owned enterprises by the Government of the PRC (including those of the People's Liberation Army) to further these objectives, and be publicly available on the Commission's Web site.

TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $1,092,300,000 for USAID Operating Expenses, and an additional $255,000,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conference agreement extends the period of availability of funds under this heading from one to two years, and no longer extends the authorities of section 7011 for funds made available under this heading.

The conference agreement does not provide funding for additional Development Leadership Initiative positions in fiscal year 2012.

The conferees recognize the importance of USAID's procurement reform efforts to enable USAID to become a more accessible, transparent, effective, and efficient agency, and the conference agreement includes several provisions intended to support these efforts as well as to build the capacity of local partners. The conference agreement includes section 7077 regarding authority for a local competition pilot project, provides $22,000,000 for the Acquisition Workforce Initiative and the Implementation and Procurement Reform Initiative, and $3,000,000 for upgrades to the procurement

IT system. The conferees intend that these funds will be used for USAID's procurement reform efforts in fiscal years 2012 and 2013. In addition, the conference agreement includes adequate funds for fiscal year 2012 staffing and operations costs for the Office of Acquisition and Assistance and for operations and maintenance of the procurement IT system. The conference agreement does not include a requested provision authorizing a new USAID Working Capital Fund. The conferees will revisit the justification for such a fund in fiscal year 2013. The conferees direct the USAID Administrator to provide to the Committees on Appropriations not later than May 1, 2012, an assessment of the efficiencies and improvements achieved as a result of USAID's procurement reform efforts.

The conferees direct the USAID Administrator to provide a report on staff hired by USAID, not later than 60 days after enactment of this Act, which details the number of people employed by: employment category (direct hire, personal service contractor, Participating Agency Service Agreement, and similar categories); veteran status of direct hires; headquarters office or overseas post; and the appropriation account used to fund employees. The report shall also include the specific legislative authorities used to hire the employees as applicable, and if hired by another Federal agency, the additional administrative expenses charged by that agency. The conferees direct that this employment report reflect data as of the end of fiscal year 2011.

As in past years, USAID is directed to notify the Committees on Appropriations 15 days prior to any procurement action that involves awarding a sole source contract in excess of $15,000,000; awarding a non-competitive grant or contract (other than sole source) in an amount greater than $75,000,000; raising the ceiling on an existing Indefinite Quantity Contract (IQC) by an amount greater than $35,000,000; issuing a new IQC in excess of $75,000,000; awarding an umbrella grant in excess of $25,000,000; or raising the ceiling on an existing umbrella grant in excess of $25,000,000. This requirement does not apply to assistance in critical priority countries and assistance for humanitarian response or post-conflict situations.

The conferees direct the USAID Administrator to include in the fiscal year 2013 congressional budget justification an estimate of savings resulting from closing missions by each mission for fiscal years 2012, 2013, and 2014. The conferees support USAID's plan to close three missions during fiscal year 2012.

The conference agreement includes changes in section 7015 on notification requirements for certain reorganization actions, and the conferees direct the USAID Administrator to consult with the Committees on Appropriations prior to initiating such actions. For the purposes of this requirement, such reorganizations are limited to those resulting in a significant shift in responsibility of the operating unit or in staffing and funds. The conferees do not expect to be consulted or notified for staffing reorganizations resulting in little or no change in responsibility of the operating unit, staffing or funds.

The conferees direct the USAID Administrator to submit a report to the Committees on Appropriations, not later than 180 days after enactment of this Act, on the implementation of its branding

policy. The report should include an analysis of the public diplomacy impact of the current branding policy on a regional basis and the justification for the use of waivers to the policy.

The conferees intend that funds appropriated under this heading be made available to develop and implement training for staff in overseas missions to promote the full inclusion and equal participation of people with disabilities. The conferees direct the USAID Administrator to seek to ensure that, where practicable, construction projects funded by this Act are accessible to people with disabilities and in compliance with USAID Policy on Standards for Accessibility for the Disabled, or other similar accessibility standards.

Funds in this account are allocated, unless otherwise noted, according to the following table, and are subject to the provisions of section 7019 of this Act:

USAID Operating Expenses

[Budget authority in thousands of dollars]

Program	Budget •authority
Agency Reform Efforts	344,762
Development Leadership Initiative (no new hires) (non-add)	*[319,762]*
Procurement Reform (non-add)	*[25,000]*
Non-Frontline States Operations (including headquarters)	632,100
Overseas Space Expansion	12,500
Central Support	191,064
Less other sources [1]	−88,126
TOTAL, USAID Operating Expenses [2]	1,092,300

[1] Other sources include trust funds and reimbursements.

[2] An additional $255,000,000 is included in title VIII under this heading designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITAL INVESTMENT FUND

The conference agreement provides $129,700,000 for the Capital Investment Fund.

The conferees direct the USAID Administrator to consult with the Committees on Appropriations, not later than 60 days after enactment of this Act and prior to the initial obligation of funds, on the proposed uses of these funds for the Capital Security Cost Sharing Program.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $46,500,000 for the Office of Inspector General, and an additional $4,500,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

Funds appropriated under this heading are subject to the terms of section 7078 of this Act.

TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $8,167,860,000 for Global Health Programs.

The conference agreement does not include language restricting the use of USAID's Global Health Programs funds for non-project assistance. However, the conferees understand that USAID does not intend to enter into additional funding arrangements of this type, and agree with that position.

The Secretary of State and USAID Administrator are directed to provide a government-wide funding summary of global health programs for fiscal year 2012 to the Committees on Appropriations, not later than 90 days after enactment of this Act. The conferees expect the report to include a description of the differentiation of goals, implementing partners, and auditing standards for each Federal agency.

The conferees expect USAID to prioritize awarding funds under this heading through a competitive bidding process.

The conferees direct the USAID Administrator and the United States Global AIDS Coordinator to provide to the Committees on Appropriations, not later than 60 days after enactment of this Act, a report detailing steps taken to prevent the misappropriation of drugs funded through bilateral and multilateral funds.

The conferees direct USAID to develop and submit a new multi-year strategy on health-related research and development to the Committees on Appropriations.

The conferees direct that no funds under this heading may be used for needle exchange programs in fiscal year 2012.

The conferees direct the United States Global AIDS Coordinator to consult with the Committees on Appropriations, not later than 45 days after enactment of this Act, on how the Office of the Global AIDS Coordinator (OGAC) is expanding efforts to support microbicide development and product access.

The conferees direct the United States Global AIDS Coordinator to consult with the Committees on Appropriations regarding opportunities to further reduce treatment costs to enable more individuals to have access to life-saving drugs.

The conferees direct the Secretary of State to provide a report to the Committees on Appropriations, not later than 120 days after enactment of this Act, that contains the most recent Global Fund audit information, commitment and disbursement data, and a summary of the recipient and sub-recipient expenditures as reported to the United States Government, and to notify the Committees when this information is posted on the Department's Web site.

The conferees urge OGAC to work with countries to increase HIV testing, including the use of rapid tests, where feasible.

The conferees recommend that USAID and OGAC continue to support HIV-related media prevention programming.

The conferees recommend that OGAC and the USAID Bureau for Global Health consider utilizing the Department of the Treasury's technical advisors when programming funds for procurement and oversight capacity building in recipient countries.

Funds in this account are allocated, unless otherwise noted, according to the following table, and are subject to the provisions of section 7019 of this Act:

GLOBAL HEALTH PROGRAMS

[Budget authority in thousands of dollars]

Program/activity	Budget authority
Maternal and Child Health	605,550
Polio (non-add)	*[35,000]*
The GAVI Alliance (non-add)	*[100,000]*
Micronutrients (non-add)	*[30,000]*
[of which, Vitamin A] (non-add)	*[20,000]*
[of which, Iodine Deficiency Disorder] (non-add)	*[2,000]*
Nutrition (USAID)	95,000
Vulnerable Children (USAID)	17,500
Blind Children (non-add)	*[2,500]*
HIV/AIDS (USAID)	350,000
Microbicides (non-add)	*[45,000]*
HIV/AIDS (Department of State)	5,542,860
Global Fund to Fight HIV/AIDS, Malaria and Tuberculosis (non-add)	*[1,050,000]*
UNAIDS (non-add)	*[45,000]*
Family Planning/Reproductive Health (USAID)	523,950
Other Infectious Diseases (USAID)	1,033,000
Pandemic Preparedness (non-add)	*[58,000]*
Malaria (non-add)	*[650,000]*
Tuberculosis (non-add)	*[236,000]*
[of which, Global TB Drug Facility] (non-add)	*[15,000]*
Neglected Tropical Diseases (non-add)	*[89,000]*
Total, Global Health Programs	8,167,860

DEVELOPMENT ASSISTANCE

The conference agreement provides $2,519,950,000 for Development Assistance (DA).

PROGRAMS

The conferees expect USAID to allocate funds provided for the American Schools and Hospitals Abroad program through an open and competitive process, in accordance with all applicable rules and regulations.

The conference agreement moves the position of Basic Education Coordinator from the Department of State to USAID. The conferees direct USAID to integrate schools and educational programs, as appropriate, within health and development programs to continue to implement the "Communities of Learning" model. The USAID Administrator is directed to consult with the Committees on Appropriations on a regular basis on these efforts.

The conferees authorize a contribution to be made to the Global Partnership for Education (the Partnership), formerly known as the Education for All Fast Track Initiative, with funds appropriated in this Act for basic education. The conferees expect USAID to maintain its leadership role on the Partnership's Executive

Board and provide assistance with monitoring and evaluation efforts.

The conferees endorse Senate report language regarding $15,000,000 for partnerships between United States and African institutions of higher education.

The conferees expect USAID to consider the prevalence of child marriage when developing country operational plans and increase programmatic focus on this issue where appropriate.

The conferees direct the USAID Administrator to submit a report to the Committees on Appropriations, not later than 120 days after the date of enactment of this Act, on implementation of the Development Innovation Ventures (DIV) program. The report should include an overview of projects funded by DIV and their outcomes as they relate to the goals and objectives of the program, including successes related to efficiencies and cost-effectiveness. The conferees support USAID's efforts to leverage other Federal agencies' investments in similar areas and avoid duplication.

Funds made available for food security and agriculture development are subject to the terms of section 7078 of this Act. The required spend plan should also specify the amount and purpose of any funds to be transferred to other agencies.

Funds provided for environment programs funded through USAID, the Department of State, and the Department of the Treasury should be made available to help developing countries reduce greenhouse gas emissions; develop renewable energy and increase end-use energy efficiency; adapt to rising temperatures, water and food scarcity, and rising sea levels; protect tropical forests, wildlife, and other biodiversity; and implement policies for the transparent and sustainable use of natural resources. The conferees endorse language in the Senate report directing that $200,000,000 be made available for biodiversity conservation programs, including $2,000,000 to implement and enforce the Lacey Act (section 8204 of Public Law 110–246), $10,000,000 for biodiversity programs in the Brazilian Amazon and $20,000,000 for such programs in the Andean Amazon. The conferees endorse language in the Senate report on funding for the Congo Basin Forest Partnership, and direct that not less than $9,000,000 of such funds be directly apportioned to the United States Fish and Wildlife Service (USFWS) for programs in Central Africa. The conferees endorse language in the Senate report directing that $1,000,000 be directly apportioned to the Department of the Interior for biodiversity and archaeological conservation activities in Guatemala's Mayan Biosphere Reserve, to include governance and law enforcement. The conferees recommend funding for other international conservation programs administered by the USFWS, United States Forest Service, the National Park Service, and the National Oceanic and Atmospheric Administration. The conferees continue to support funding to protect great apes in Indonesia and Africa and wildlife in South Sudan and Niger.

The conferees direct the Secretary of the Treasury to submit a report to the Committees on Appropriations describing, for each international financial institution, the amount and type of assistance provided, by country, for the extraction and export of natural resources in the preceding 12 months, and whether each institution

considered, in providing such assistance, the extent to which the country has functioning systems, laws, and regulations in place to prevent or limit the public disclosure of company payments as required by section 1504 of Public Law 111–203.

The conferees endorse funding and purposes included in the Senate report for the Leahy War Victims Fund.

The conferees direct the USAID Administrator to target 50 percent of funding for microenterprise and microfinance to the very poor, as required by section 252(c) of the Foreign Assistance Act of 1961. The conferees direct USAID to continue to increase these programs in sub-Saharan Africa.

The conferees note the importance of land tenure in economic development, and expect USAID to build upon the programmatic experience of the Millennium Challenge Corporation to improve the implementation of such activities.

The conferees expect USAID to seek to ensure that assistance does not compete with emerging small businesses, entrepreneurs, and local economies in recipient countries, and instead works to strengthen them.

The conferees direct the Secretary of State, in consultation with the Ambassador-at-Large of the Office for Global Women's Issues, other relevant United States Government agencies, and international and nongovernmental organizations, to identify and take emergency measures to respond to violence against women and girls in situations of armed conflict and direct the Secretary of State to consult with the Committees on Appropriations, as necessary.

The conferees endorse funding included in the Senate report for victims of torture.

COUNTRIES

Ecuador.—The conferees endorse language in the Senate report on health and environment programs in Ecuador.

Ethiopia.—The conferees remain concerned with the Government of Ethiopia's increasing restrictions on the media and expect the Department of State and USAID to support programs that promote freedom of expression and association in Ethiopia.

Guatemala.—The conferees support programs to address gender-based violence.

Indonesia.—The conferees recommend that $70,000,000 of funds provided under this heading be made available for assistance for Indonesia, of which not less than $400,000 should be made available for grants for capacity building of Indonesian human rights organizations, including in Papua.

Morocco.—The conferees note that funds provided in title III of this Act for Morocco may be used in regions and territories administered by Morocco. The conferees remain concerned with resolving the dispute over the Western Sahara and urge the Department of State to prioritize a negotiated settlement.

Nepal.—The conferees endorse the Senate report recommending that $7,000,000 under this heading be made available for assistance for Nepal.

People's Republic of China.—The conference agreement does not include funds for programs in the PRC under this heading.

Philippines.—The conferees recommend that $35,000,000 be made available for assistance for the Philippines under this heading.

Senegal.—The conferees recommend that not less than $50,000,000 should be made available for assistance for Senegal under this heading. However, the conferees are concerned that Hissène Habre has not been extradited for prosecution for crimes against humanity, and direct the Secretary of State to submit a report to the Committees on Appropriations, not later than 45 days after enactment of this Act, on steps taken by the Government of Senegal to assist in bringing Habre to justice.

Vietnam.—The conferees recommend not less than $5,000,000 under this heading be made available for health/disability activities in areas in Vietnam that were targeted with Agent Orange or remain contaminated with dioxin. The conferees endorse Senate report language on consultation and the development of a multi-year plan.

INTERNATIONAL DISASTER ASSISTANCE

The conference agreement provides $825,000,000 for International Disaster Assistance, and an additional $150,000,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees direct the USAID Administrator to consult with the Committees on Appropriations on efforts to facilitate communication and collaboration with the private sector, non-profit organizations, and other entities seeking to assist during an international disaster.

The USAID Administrator is also directed to consult with the Committees on Appropriations, not later than 90 days after enactment of this Act, on the format and content of international disaster assistance reports that are made available to Congress and the public.

TRANSITION INITIATIVES

The conference agreement provides $50,141,000 for Transition Initiatives, and an additional $6,554,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees direct USAID's Office of Transition Initiatives (OTI) to submit a report to the Committees on Appropriations at the end of the fiscal year summarizing new, ongoing, and completed country programs implemented by OTI in fiscal year 2012. Prior to submission, OTI should consult with the Committees on Appropriations regarding the format and content of the report.

COMPLEX CRISES FUND

The conference agreement provides $10,000,000 for Complex Crises Fund, and an additional $30,000,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides a ceiling of $40,000,000 for funds that may be transferred from other programs in this title to the Development Credit Program and provides $8,300,000 for administrative expenses.

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $3,001,745,000 for Economic Support Fund (ESF), and an additional $2,761,462,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

Section 7078 of this Act requires submission of a spend plan for certain countries and programs not later than 30 days after enactment of this Act. The conferees request that these spend plans integrate the funds appropriated under this heading and in title VIII of this Act for OCO/GWOT where appropriate, and the OCO/GWOT amounts should be separately identified in the integrated plan.

Afghanistan.—The conferees remain concerned with the capacity of the Government of Afghanistan to effectively oversee increased levels of direct government-to-government assistance.

The conferees direct the USAID Administrator to regularly update the Committees on Appropriations on the Accountable Assistance for Afghanistan Initiative.

The conferees expect the Department of State to resolve disagreements regarding the tax-exempt status for United States-based contractors and subcontractors that implement United States Government assistance programs in Afghanistan and direct the Secretary of State to report to the Committees on Appropriations on steps being taken to address tax-exempt status in new and existing contracts and agreements.

The conference agreement provides $10,000,000 for the Afghan Civilian Assistance Program if problems identified by the USAID Inspector General are addressed and not less than $5,000,000 for the Office of Global Women's Issues small grant program as described in the Senate report.

Africa.—The conferees support the budget request for Liberia and South Sudan.

Burma.—The conferees endorse Senate report language on the United States Special Envoy and Policy Coordinator for Burma and request that the Special Envoy consult regularly with the Committees on Appropriations on developments in, and assistance for, Burma.

Central American Regional Security Initiative (CARSI)/Caribbean Basin Security Initiative (CBSI).—The conferees support the budget request for CARSI and CBSI.

Colombia.—The conference agreement provides not less than $179,000,000 under this heading to be apportioned directly to USAID for continued support of new and ongoing alternative devel-

opment/institution building in Colombia, of which not less than $7,000,000 shall be transferred to the Migration and Refugee Assistance account to address the needs of Colombian refugees in neighboring countries, and not less than $15,000,000 is provided for assistance for Afro-Colombian and indigenous groups including for renewable energy activities in isolated communities. The conferees support assistance for flood relief and recovery including for small farmers, and recommend that not less than $3,000,000 be made available for continued support for biodiversity conservation programs and $500,000 for community-based programs to address the needs of children disabled by landmines and other causes related to the armed conflict.

Cuba.—The conferees support the budget request for Cuba.

Cyprus.—The conferees recommend $3,500,000 for Cyprus and endorse the purposes and intent of the funding included in the Senate report.

Egypt.—The conference agreement includes conditions on assistance and authority regarding assistance for Egypt in section 7041 of this Act, which are further discussed under title VII of this joint explanatory statement.

The conferees direct the Secretary of State to submit a report to the Committees on Appropriations, not later than 60 days after enactment of this Act, outlining steps that the Government of Egypt is taking to protect religious minorities, including Coptic Christians, prevent sectarian and gender-based violence, and hold accountable those who commit such acts.

Funds made available for Egypt are subject to the terms of section 7078 of this Act. The required spend plan shall also include the proposed uses of unobligated/available funds appropriated in prior years.

El Salvador.—The conferees are aware of the devastating flooding in El Salvador during 2011 that caused extensive damage and recognize that El Salvador is extremely vulnerable to recurrent natural disasters. The conferees expect that additional assistance be provided under this heading and under the International Disaster Assistance heading for flood relief, reconstruction, and relocation of at-risk populations, including support for small farmers, and to enhance El Salvador's capabilities to prevent and respond to future disasters.

Haiti.—The conferees support the budget request for Haiti and direct that assistance for Haiti provided under this heading in this Act and prior appropriations acts be made available, to the maximum extent practicable, in a manner that emphasizes the participation of Haitian civil society organizations and directly improves the security, economic and social well-being, and political status of Haitian women and girls.

Iraq.—The conference agreement includes conditions on assistance for Iraq in section 7041(d) of this Act, which are similar to prior years. As the Government of Iraq's oil revenues continue to increase, the conferees expect Iraq to assume the full cost for development and security programs in Iraq currently funded by the Department of State and USAID.

The conferees recommend $10,000,000 for stabilization programs in Iraq, for which the policy justification and decisions shall

be the responsibility of the Chief of Mission. Such funds shall not be used for cultural programs or for costs usually associated with Department of State operations.

Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing: (1) The specific manner in which the Government of Iraq has committed to contributing to, and sustaining, security-related programs funded by this Act; (2) the estimated timeframe under which Iraq will assume full responsibility for funding such security-related programs; (3) the operation and maintenance costs of aircraft utilized in Iraq in support of security-related programs; and (4) estimates for the overhead costs associated with security sector programs in fiscal year 2012 and subsequent fiscal years. The report may be submitted in classified form, if necessary.

The conferees expect the Department of State and USAID to continue efforts to encourage the incorporation of women in stabilizing and developing Iraq, including within government institutions.

The conferees endorse language in the Senate report on ethnoreligious minorities in Iraq.

Jordan.—The conferees intend that assistance for Jordan provided under this heading will be used for programs to reduce poverty and create jobs, strengthen democracy, and protect human rights, in addition to activities described in the justification materials submitted to Congress.

Lebanon.—The conferees recommend $500,000 for continued support for the United States Forest Service's forest and biodiversity conservation programs in Lebanon.

Mexico.—The conferees support the budget request under this heading and under the Development Assistance heading for USAID programs in Mexico and direct the USAID Administrator to submit a report, not later than 90 days after enactment of this Act, on how these programs address the root causes of violence and instability.

Middle East Partnership Initiative (MEPI).—The conferees provide $70,000,000 for MEPI and recommend that not less than $10,000,000 of such funds be made available to continue scholarships for students in countries with significant Muslim populations at not-for-profit education institutions, in a manner consistent with prior fiscal years, including the awarding of funds through an open and competitive process. The conferees endorse the reporting requirement under this subheading in the Senate report.

The conferees support efforts to promote peace and stability in the Middle East, including through activities that seek to mitigate extremist incitement and propaganda efforts, in order to further United States counterterrorism efforts.

The conferees also encourage the use of Internet-based activities to further peace and reconciliation online.

Middle East Regional Cooperation Program (MERC).—The conferees recommend $5,000,000 for MERC.

Middle East/North Africa Response Fund (Response Fund).—The conference agreement includes $50,000,000 for the Response Fund to provide the Department of State and USAID with the necessary flexibility to respond quickly to political crises in the Middle East and North Africa. The Secretary of State and USAID Admin-

istrator are directed to consult with the Committees on Appropriations on the uses of such funds and submit a spending plan for all funds provided in this Act and prior appropriations acts for these purposes.

Near East Regional Democracy (NERD).—The conferees support the budget request for NERD.

Pakistan.—Funds provided under Chief of Mission authority in Pakistan shall not be used for cultural programs or for costs usually associated with Department of State operations.

People's Republic of China.—The conferees recommend $12,000,000 under this heading for United States institutions of higher education and nongovernmental organizations for democracy, governance, rule of law, and environment programs in the PRC. These programs should support training for citizens, lawyers, and businesses on key issues including criminal justice, occupational safety, and environmental protection. No funds are for the Government of China and programs should be awarded on a competitive basis.

The conferees endorse the requirement in the Senate report for an assessment of the PRC's long term strategic intentions in the region.

Reconciliation Programs.—The conferees recommend $10,000,000 for "New Generation in the Middle East" initiative to build understanding, tolerance, and mutual respect among young Israelis and Palestinians of diverse economic and social backgrounds who have leadership potential. The conferees intend such programs and activities to be conducted in the region, and direct the Secretary of State and the USAID Administrator to consult with the Committees on Appropriations on the development and implementation of this initiative.

Syria.—The conference agreement includes a provision relating to democracy and human rights programs in Syria. The conferees direct that a portion of the funds be programmed in consultation with other governments in the region, specifically Turkey and other key allies in the Middle East, as appropriate.

Tibet.—The conferees endorse the funding and purposes included in the Senate report for Tibet.

Timor-Leste.—The conferees recommend not less than $1,000,000 for higher education scholarships in Timor-Leste.

Tunisia.—The conferees recommend $5,000,000 for democracy and governance programs and for programs to protect human rights in Tunisia. The conference agreement also authorizes funding for the cost of loan guarantees.

Uganda.—The conference agreement includes section 7043(h) regarding areas affected by the Lord's Resistance Army (LRA). The conferees support the goals of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act (Public Law 111–172) to help end the atrocities committed by the LRA, protect innocent civilians, and stabilize the affected region. The conferees direct that up to $10,000,000 be made available for peace and security in the affected region to address these issues, including programs to improve physical access, telecommunications infrastructure and early-warning mechanisms and to support the disarmament, demobiliza-

tion, and reintegration of former LRA combatants, especially child soldiers.

Vietnam.—The conferees recommend not less than $15,000,000 for environmental remediation of dioxin contamination at the Da Nang and Bien Hoa airports and other severely contaminated sites.

West Bank and Gaza.—The conference agreement continues restrictions in current law on assistance for the West Bank and Gaza, and includes new limitations.

The conferees endorse Senate report language regarding a Government Accountability Office assessment of the United Nations Relief and Works Agency in the West Bank.

GLOBAL PROGRAMS

The conferees recognize the utility of humanitarian cash disbursements to individuals in certain limited dire circumstances, but expect that any such assistance provided through the government of the recipient country will comply with the determination, consultation, and notification requirements in section 7031 of this Act relating to direct government-to-government assistance.

The conferees endorse language in the Senate report on classification societies, except that the foreign governments noted shall include those of the Islamic Republic of Iran, the Democratic People's Republic of North Korea, the Republic of the Sudan, and Syria.

The conferees recommend $3,000,000 to implement the Kimberly Process Certification Scheme, but are concerned with reports that the Kimberley Process is failing to prevent conflict diamonds from entering the legitimate global diamond trade. The conferees direct the Department of State to assess whether the Kimberley Process can achieve its goals, and whether alternative mechanisms are needed to prevent conflict diamonds from entering legitimate supply chains.

The conferees recommend $5,000,000 under this heading for activities to counter violent extremism included in the budget request under Nonproliferation, Anti-terrorism, Demining, and Related Programs.

The conference agreement provides the budget request for counterterrorism programs in Africa. The conferees direct that an additional $10,000,000 be made available for counterterrorism programs in East Africa to be managed by USAID.

The conferees endorse language in the Senate report recommending $5,000,000 for disability programs.

The conferees support continued funding for the Department of State's Internet freedom program and direct the Secretary of State to submit to the Committees on Appropriations prior to the initial obligation of funds, a report detailing planned expenditures of the funds made available to promote Internet freedom. The conferees also direct the Secretary, in coordination with the USAID Administrator, to submit to the Committees, not later than September 30, 2012, a report listing programs supported by the Department of State and USAID to promote Internet freedom, including an assessment of the results of these programs and safeguards against the use of circumvention technology for illicit or illegal purposes, and detailing how such programs support and are coordinated with

cyber diplomacy and the United States International Strategy for Cyberspace. The conferees recommend that the fiscal year 2013 congressional budget justification materials include a request for funds for this program under this heading.

The conferees recommend $5,000,000 for the Extractive Industries Transparency Initiative.

The conferees endorse language in the Senate report on forensic anthropology in countries of Central and South America.

The conferees recommend $1,900,000 for the House Democracy Partnership.

The conferees recommend $4,500,000 under this heading for polio eradication activities in Afghanistan and Pakistan.

The conferees recommend that not less than $36,000,000 under the Economic Support Fund, International Narcotics Control and Law Enforcement, Assistance for Europe, Eurasia and Central Asia, and Development Assistance headings should be used for activities to combat trafficking in persons internationally, including to protect and rehabilitate victims, prosecute perpetrators, and support research initiatives. Additional funds are provided under Diplomatic and Consular Programs.

The conferees endorse language included in the Senate report on assistance for wheelchair programs.

DEMOCRACY FUND

The conference agreement provides $114,770,000 for Democracy Fund.

The conferees recognize that dissidents and defectors often possess unique information about the political and economic situation inside a country, particularly in closed societies. The conferees therefore direct the Secretary of State, in consultation with the heads of other relevant United States agencies, to consider ways to better disseminate this information, including to human rights groups and civil society.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

The conference agreement provides $626,718,000 for Assistance for Europe, Eurasia and Central Asia.

The conferees support the budget request for fiscal year 2012 for countries funded under this heading and note that any deviation from these amounts is subject to the regular notification procedures of the Committees on Appropriations.

The conferees endorse language in the Senate report concerning assistance for the North Caucasus in the amount and for purposes similar to prior fiscal years.

The conferees recommend assistance for victims of the Nagorno-Karabakh conflict at levels consistent with prior years, and for ongoing needs related to the conflict. The conferees urge a peaceful resolution of the conflict.

The conferees direct the Secretary of the Treasury to keep the Committees on Appropriations informed on its efforts to address: export quotas, allocation of grain licenses, and VAT tax refunds with the Government of Ukraine, and repression of fundamental rights in Ukraine, including due process of law and freedoms of expression and association.

The conferees endorse language and funding amounts in the Senate report for wildlife conservation programs in Russia and forest management programs in Ukraine.

The conferees support programs to address the fight against tuberculosis and HIV/AIDS in Ukraine and Georgia.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement provides $1,639,100,000 for Migration and Refugee Assistance, and an additional $229,000,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees remain concerned with the plight of refugees from Burma residing in Thailand and India, and recommend sufficient funding to address their needs. The conferees direct the Secretary of State to continue to make the welfare of such refugees a priority, including in bilateral and multilateral discussions with other donors and governments.

The conferees endorse directives in the Senate report concerning Iraqi and Pakistani refugees and internally displaced persons (IDPs), and the use of assistance for Pakistani IDPs identified in the Internally Displaced Persons Vulnerability Assessment and Profiling mechanism.

The conferees encourage the Secretary of State to sustain and enhance efforts for increasing resettlement opportunities for Eritrean refugees, and continue to coordinate with the international community to develop and implement a strategy to protect and assist displaced Somalis. Additionally, the conferees encourage the Secretary to build on the Department of State's report on repatriation and reintegration of unaccompanied children by exploring initiatives and partnerships with United States nongovernmental organizations for the safe return and reintegration of such children.

The conferees endorse the funding recommendation in the Senate report regarding Tibetan refugees in India and Nepal and urge the Secretary of State to work with the Government of Nepal to ensure the safe transit of Tibetan refugees and provide legal protections to Tibetans residing in Nepal.

The conferees note that United Nations Relief and Works Agency (UNRWA) schools serve as an alternative to Hamas-run schools in Gaza, and that UNRWA has included supplemental human rights and non-violent conflict resolution training in their curriculum. The conferees urge the Secretary of State to work with UNRWA to explore steps to further the elimination of inflammatory and inaccurate information in host country textbooks used in UNRWA schools. Additionally, section 7049(d) continues the accountability report included in prior appropriations acts for the Department of State, foreign operations and related programs.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The conference agreement provides $27,200,000 for the United States Emergency Refugee and Migration Assistance Fund.

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $375,000,000 for the Peace Corps.

The conferees note the recent enactment of the Kate Puzey Peace Corps Volunteer Protection Act of 2011 (Public Law 112–57) containing various reporting requirements addressing the safety and security of volunteers, including the prevention of, and response to, sexual assault.

The conferees direct that opinions and recommendations from Peace Corps volunteers should be solicited through regular surveys on a confidential basis, and that information that would otherwise be obtainable under the Freedom of Information Act that is of general interest to the public concerning the Peace Corps is made publicly available in a timely manner on the Peace Corps Web site.

Funds appropriated under this heading are subject to the terms of section 7078 of this Act.

MILLENNIUM CHALLENGE CORPORATION

The conference agreement provides $898,200,000 for Millennium Challenge Corporation (MCC).

The conferees direct the Chief Executive Officer (CEO) of the MCC to submit a report to the Committees of Appropriations, not later than 90 days after enactment of this Act, that includes an assessment of the current practices, procedures, and recommendations for improvements in the MCC's ability to identify and track patterns of corruption; the MCC's process for determining the actions necessary to inhibit corruption; and the process to determine if the level of corruption warrants termination or suspension of the MCC compact.

The conferees reaffirm the MCC's mandate to increase economic growth and reduce poverty, and direct the CEO of the MCC to consult with the Committees on Appropriations, prior to submission of congressional notifications, for new compacts regarding the corresponding economic rate of return estimated for each compact component funded.

The conferees recognize that the MCC amended its procurement guidelines on September 28, 2010, to bar government-owned enterprises from competing for MCC procurement contracts. The conferees direct the CEO of the MCC to consult with the Committees on Appropriations on a case-by-case basis if this policy is waived.

The conferees direct the MCC CEO to submit an annual report to the Committees on Appropriations, not later than 120 days after enactment of this Act, on all MCC-funded investment funds, that includes the following information for each investment fund in operation: the identity, selection process, and professional background of current and past managers; the fees and compensation currently provided to senior management; the level of MCC financing provided at the end of the previous fiscal year; a comprehensive and detailed description of the fund's operations, activities, financial

condition, and accomplishments for the preceding fiscal year; and the audit plan for each fund.

Funds in this account are subject to the requirements of section 7078 of this Act.

INTER-AMERICAN FOUNDATION

The conference agreement provides $22,500,000 for Inter-American Foundation.

AFRICAN DEVELOPMENT FOUNDATION

The conference agreement provides $30,000,000 for African Development Foundation.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement provides $25,448,000 for International Affairs Technical Assistance, and an additional $1,552,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

DEBT RESTRUCTURING

The conference agreement provides $12,000,000 for Debt Restructuring to support implementation of the Tropical Forest Conservation Act.

TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement provides $1,061,100,000 for International Narcotics Control and Law Enforcement, and an additional $983,605,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees direct the Secretary of State to notify the Committees on Appropriations in writing, within 5 days of exercising authority allowing funds made available under this heading to be spent "notwithstanding any other provision of law", and such notification shall include a justification of such activities.

The conferees did not include the requested authority to disregard the geographic or purpose limitations on assistance provided in prior acts related to the Andean Counterdrug Initiative or Andean Counterdrug Programs. The conferees direct the Department of State and USAID to program remaining funds without delay and use the funds within the region.

The conferees support the budget request for CARSI and CBSI and expect the spend plans submitted pursuant to section 7078 of this Act for CARSI and CBSI to include activities that were conducted with prior year appropriations, achievements associated

with the expenditure of such funds, and activities that will be funded in fiscal year 2012, including goals to be met.

The conferees recommend $160,600,000 for activities in Colombia of which not less than $30,000,000 is for rule of law programs, including $7,000,000 for USAID human rights activities, and $15,000,000 for the Office of the Colombian Attorney General including $7,000,000 for the human rights unit. The conferees direct the Department of State to report to the Committees on Appropriations, not later than 45 days after enactment of this Act, on the proposed uses of funds for Colombia's judicial agencies, including activities to be supported, information on how assistance will help to reduce impunity, and benchmarks to be used for measuring progress in meeting specific goals.

The conferees recommend $5,000,000 for the International Commission Against Impunity in Guatemala (CICIG).

The conferees continue to be concerned with the lack of a professional, accountable police force in Guatemala and expect priority be given to funding the implementation of a police reform strategy that has the support of the Guatemalan government and human rights organizations.

The conferees direct the Secretary of State to report to the Committees on Appropriations, not later than 120 days after enactment of this Act, on the role of United States assistance in addressing the needs of Guatemalan women and girls who have been victims of violence. The report shall include a description of how assistance supports victims of trafficking, rape and other sexual violence, combats human trafficking, and improves the capacity of government institutions, including the judiciary, law enforcement, and civil society organizations.

The conferees direct that no funds made available under this heading may be used to transfer excess weapons, ammunition or other lethal property of an agency of the United States Government to any individual or unit of the Haitian National Police if the Secretary of State has credible information that such individual or unit has committed a gross violation of human rights or other serious crimes.

The conferees support the budget request for the International Law Enforcement Academies.

The conferees recommend up to $248,500,000 for assistance for Mexico and note efforts by the Government of Mexico to implement constitutional reforms. The conferees are concerned, however, with the steadily increasing drug-related violence in Mexico, and credible reports of a pattern of abuses by Mexican police. The conferees are also concerned with ongoing gender-based crimes in Mexico, and encourage the Department of State to provide forensic equipment and training to Mexican states and localities that have the highest rate of homicide and other violent crime to ensure local law enforcement agencies have tools to solve and prosecute these cases. Additionally, the conferees direct the Secretary of State to provide a report, not later than 90 days after enactment of this Act, on how programs funded under this heading are achieving judicial and law enforcement reforms in Mexico. The report should include objectives to be met, benchmarks for measuring progress, intended re-

sults, and the extent to which such programs are coordinated with the federal and state governments in Mexico.

The conferees support continued assistance to strengthen civilian law enforcement and judicial institutions to reduce violent crime and narcotics trafficking in Mexico and Honduras. The conference agreement includes sections 7045(d) and 7045(e) that require the withholding of a portion of the assistance for military and police forces in these countries until the Secretary of State makes certain findings and submits them in a report to the Committees on Appropriations.

The conferees direct the Department of State to ensure the prompt delivery of equipment and training provided under this heading for Mexico. Additionally, the conferees continue to support cooperation between the United States and Mexico to combat organized crime and drug trafficking along the border. The conferees direct the Secretary of State to develop and implement a coordinated border security strategy.

The conferees continue to support demand reduction programs and direct the Secretary of State to provide assistance at levels consistent with prior fiscal years.

The conferees request that the country-by-country report required under this heading integrate the additional funds appropriated under this heading in title VIII for OCO/GWOT where appropriate, and the OCO/GWOT amounts should be separately identified in the integrated report.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The conference agreement provides $590,113,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs (NADR), and an additional $120,657,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

Section 7078 of this Act requires submission of a spend plan for certain countries and programs not later than 30 days after enactment of the Act. The conferees request that these spend plans integrate the funds appropriated under this heading and in title VIII of this Act for OCO/GWOT where appropriate, and the OCO/GWOT amounts should be separately identified in the integrated plan.

The conferees direct the Secretary of State to notify the Committees on Appropriations in writing, within 5 days of exercising authority allowing funds made available under this heading to be spent "notwithstanding any other provision of law", and such notification shall include a justification of such activities.

The conference agreement does not include assistance for the Countering Violent Extremism program as included in the budget request, but includes funding for these programs within the ESF account.

The conferees recognize the importance of mine removal, mine victim assistance, and the proper storage and disposition of small arms/light weapons, and support the Department of State's efforts to expand this work.

The conference agreement prioritizes the clearance of unexploded ordnance (UXO) in areas where such ordnance was caused by the United States. The conferees endorse Senate report language directing that $9,000,000 be made available for UXO clearance in Laos, and intend that funds also be prioritized for UXO clearance in locations in the Oceania region that have high concentrations of United States UXO dating to World War II.

Section 7078 of this Act requires a spend plan for this account not later than 30 days after enactment of this Act. The conferees request that the spend plan integrate the funds appropriated under this heading in title VIII of this Act for OCO/GWOT, and the OCO/GWOT amounts should be separately identified in the integrated plan.

Funds in this account are allocated according to the following table, and are subject to the provisions of section 7019 of this Act:

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

[Budget authority in thousands of dollars]

Programs	Budget •authority
Nonproliferation Programs:	
Nonproliferation and Disarmament Fund	30,000
Export Control and Related Border Security Assistance	60,909
Global Threat Reduction	68,978
IAEA Voluntary Contribution	85,900
CTBT International Monitoring System	33,000
Weapons of Mass Destruction Terrorism	6,042
UN Security Council Resolution 1540 Trust Fund	1,500
CTBTO Preparatory Commission-Special Contributions	7,500
Subtotal—Nonproliferation Programs	293,829
Anti-terrorism Programs [1]	
Anti-terrorism Assistance	79,284
Terrorist Interdiction Program	42,000
CT Engagement With Allies	8,000
Counterterrorism Financing	17,000
Countering Violent Extremism	0
Subtotal—Anti-terrorism Programs	146,284
Regional Stability & Humanitarian Assistance	
Conventional Weapons Destruction	150,000
Humanitarian Demining Program (non-add)	*[95,000]*
Small Arms/Light Weapons Destruction (non-add)	*[55,000]*
Subtotal—Regional Stability & Humanitarian Assistance	150,000
Total, Nonproliferation, Anti-terrorism, Demining, and Related Programs	590,113

[1] An additional $120,657,000 is included in title VIII under this heading designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

PEACEKEEPING OPERATIONS

The conference agreement provides $302,818,000 for Peacekeeping Operations, and an additional $81,000,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

Section 7078 of this Act requires submission of a spend plan for certain countries and programs not later than 30 days after enactment of the Act. The conferees request that these spend plans integrate the funds appropriated under this heading and in title

VIII of this Act for OCO/GWOT where appropriate, and the OCO/GWOT amounts should be separately identified in the integrated plan.

The conferees direct the Secretary of State to submit a report to the Committees on Appropriations, prior to the obligation of funds provided under this heading, for the Africa Maritime Security Initiative (AMSI), including a description of how the AMSI will address piracy, terrorist activity, and trafficking in drugs, arms, and persons along the African coast, as well as a description of coordination efforts with the Department of Defense.

The conference agreement provides $28,000,000 for the Multinational Force and Observers (MFO) including $2,000,000 to address force protection enhancements. The conferees expect the MFO to account for and apply funds in a manner such that the principle of equality of contributions to the basic operating budget between the United States, Egypt, and Israel shall be maintained.

Section 7078 of this Act requires a spend plan for this account not later than 30 days after enactment of this Act. The conferees request that the spend plan integrate the funds appropriated under this heading in title VIII of this Act for OCO/GWOT, and the OCO/GWOT amounts should be separately identified in the integrated plan.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

The conference agreement provides $105,788,000 for International Military Education and Training (IMET).

The conferees recommend parity in the allocation of funds for Armenia and Azerbaijan.

The conferees support the budget request for Indonesia and the Philippines.

The conferees direct the Secretary of State to consult with the Committees on Appropriations prior to the obligation of funds provided under this heading for assistance for Libya.

FOREIGN MILITARY FINANCING PROGRAM

The conference agreement provides $5,210,000,000 for Foreign Military Financing Program (FMF), and an additional $1,102,000,000 in title VIII under this heading is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

Section 7078 of this Act requires submission of a spend plan for certain countries and programs not later than 30 days after enactment of the Act. The conferees request that these spend plans integrate the funds appropriated under this heading and in title VIII of this Act for OCO/GWOT where appropriate, and the OCO/GWOT amounts should be separately identified in the integrated plan.

The conference agreement provides the budget request for Israel, Egypt, Jordan, and Tunisia.

The conferees note the recent progress of PRC military modernization, and the increasing frequency of aggressive assertions in territorial disputes, including on the seas and in cyberspace. In re-

sponse, regional neighbors, including India, Japan, and Singapore, are reviewing defense postures and updating their military hardware. The conferees encourage the Administration to continue to engage the People's Liberation Army in these matters, as well as allies in the region on the political, economic, and military implications of the strategic rise of the PRC, including through military assistance and sales programs.

The conferees recommend parity in the allocation of funds for Armenia and Azerbaijan.

The conferees note the existence of multiple laws that prohibit assistance to Foreign Terrorist Organizations (FTOs). Because of particular concerns with United States military assistance in Lebanon and Yemen, the conferees include language in section 7041 reaffirming that such assistance may not be provided to the armed forces of either country if such force is controlled by an FTO.

The conferees support programs for the Guatemalan Coast Guard, Navy, and Army Corps of Engineers that enhance regional naval cooperation and maritime security and that increase disaster response and peacekeeping capabilities.

The conference agreement continues restrictions in current law on assistance for the Guatemalan Army. The conferees will consider a request for funding for such activities in fiscal year 2013 if the army has a narrowly defined mission focused on border security and external threats, is implementing a reform strategy that has broad support within Guatemalan society, is respecting human rights, is cooperating with civilian investigations and prosecutions of cases involving current and retired officers and with the CICIG, and is publicly disclosing all military archives pertaining to the internal armed conflict.

The conferees support the budget request for Mexico.

The conferees direct the Secretary of State to submit a report to the Committees on Appropriations, not later than 90 days after enactment of this Act, in classified form if necessary, on the use of assistance provided by the United States for the Lebanese Armed Forces, including the training, curriculum, and equipment provided, and an assessment of the performance of such forces and of factors that limit the operational capabilities of such forces. The conferees note that section 7041 limits the purposes for which funds may be made available, and the conferees further direct that United States security assistance not affect Israel's qualitative military edge in the region.

TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The conference agreement provides $348,705,000 for International Organizations and Programs.

The conferees direct the Secretary of State to submit a report to the Committees on Appropriations, not later than 45 days after enactment of this Act, describing the amount of funds since 2008

that the United Nations Environment Program has allocated for anti-malaria research and the programs funded.

Funds in this account are allocated, unless otherwise noted, according to the following table, and are subject to the provisions of section 7019 of this Act:

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

[Budget authority in thousands of dollars]

Programs	Budget authority
Center for Human Settlements	1,900
International Civil Aviation Organization	950
International Conservation Programs	7,900
International Contributions for Scientific, Educational, and Cultural Activities	0
International Development Law Organization	600
IMO Maritime Security Programs	400
Intergovernmental Panel on Climate Change/U.N. Framework on Climate Change	10,000
Montreal Protocol Multilateral Fund	27,000
OAS Development Assistance Programs	3,500
OAS Fund for Strengthening Democracy	4,500
Inter-American Commission on Human Rights (non-add)	[2,000]
U.N. Capital Development Fund	955
U.N. Children's Fund	131,755
U.N. Democracy Fund	4,755
U.N. Development Program	82,000
U.N. Environment Program	7,700
U.N. High Commissioner for Human Rights	5,000
Multilateral Action Initiatives	0
U.N. Office for the Coordination of Humanitarian Affairs	3,000
U.N. Population Fund	35,000
U.N. Voluntary Fund for Technical Cooperation in the Field of Human Rights	1,400
U.N. Voluntary Fund for Victims of Torture	6,000
U.N. Women	7,500
World Meteorological Organization	2,090
World Trade Organization Technical Assistance	1,150
International Chemicals and Toxics Programs	3,650
Total, International Organizations and Programs	348,705

INTERNATIONAL FINANCIAL INSTITUTIONS

The conferees direct the Secretary of the Treasury to report to the Committees on Appropriations, not later than 45 days after enactment of this Act, on the status of the implementation of the International Monetary Fund's (IMF) New Income Model; the degree to which staff reductions have occurred as planned; a comparison of the number of staff over the previous three years; the average and median salary for senior officers of the IMF; and an overview of IMF internal resources over the previous three years. Additionally, the report shall include a cost estimate of the planned renovation of Headquarters Building 1 and the source of funds to pay for this renovation.

The conference agreement includes a provision, section 7082, directing the Secretary of the Treasury to report to the Committees on Appropriations, prior to disbursing any funds for United States contributions to the general capital increases, that the multilateral banks are making substantial progress toward implementing reforms, including those agreed to as part of the general capital increase agreements.

The conferees direct the Secretary of the Treasury to submit to the Committees on Appropriations, not later than 90 days after enactment of this Act, a report that estimates the impact on poverty alleviation and economic growth in communities along the border between the United States and Mexico if the North American Development Bank's mandate were expanded to include financing of infrastructure projects in the border region that promote growth in trade between the United States and Mexico, sustainable economic and social development, and job creation in the region between the United States and Mexico, sustainable economic and social development, and job creation in the region.

GLOBAL ENVIRONMENT FACILITY

The conference agreement provides $89,820,000 for the Global Environment Facility (GEF).

The conferees direct the Secretary of the Treasury to submit a report to the Committees on Appropriations, not later than 45 days after enactment of this Act, describing the amount of funds since 2008 that the GEF has allocated for anti-malaria research and the programs funded.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The conference agreement provides $1,325,000,000 for Contribution to the International Development Association.

The conference agreement provides $167,000,000 for the United States' share of the Multilateral Debt Relief Initiative commitment, including $91,000,000 for the remainder of the IDA–15 share and $76,000,000 for the IDA–16 share.

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The conference agreement provides $117,364,344 for Contribution to the International Bank for Reconstruction and Development.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The conference agreement provides $2,928,990,899 for Limitation on Callable Capital Subscriptions.

CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

The conference agreement provides $184,630,000 for Contribution to the Clean Technology Fund.

CONTRIBUTION TO THE STRATEGIC CLIMATE FUND

The conference agreement provides $49,900,000 for Contribution to the Strategic Climate Fund.

GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

The conference agreement provides $135,000,000 for Global Agriculture and Food Security Program.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

The conference agreement provides $75,000,000 for Contribution to the Inter-American Development Bank.

The conference agreement provides $4,670,000 for payment to the Inter-American Investment Corporation.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The conference agreement provides $4,098,794,833 for Limitation on Callable Capital Subscriptions.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

The conference agreement provides $25,000,000 for Contribution to the Enterprise for the Americas Multilateral Investment Fund.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

The conference agreement provides $106,586,000 for Contribution to the Asian Development Bank.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The conference agreement provides $2,558,048,769 for Limitation on Callable Capital Subscriptions.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

The conference agreement provides $100,000,000 for Contribution to the Asian Development Fund.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

The conference agreement provides $32,417,720 for Contribution to the African Development Bank.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The conference agreement provides $507,860,808 for Limitation on Callable Capital Subscriptions.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

The conference agreement provides $172,500,000 for Contribution to the African Development Fund.

The conference agreement provides $7,500,000 for the Multilateral Debt Relief Initiative.

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The conference agreement provides $1,252,331,952 for Limitation on Callable Capital Subscriptions.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

The conference agreement provides $30,000,000 for Contribution to the International Fund for Agricultural Development.

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

The conference agreement provides $4,000,000 for the Inspector General for the Export-Import Bank (the Bank).

The conferees are concerned with the absence of regular inspections of Overseas Private Investment Corporation (OPIC) operations and the oversight of an Inspector General, and direct the President of OPIC to consult with the Committees on Appropriations and other appropriate congressional committees on the options for increasing oversight of OPIC programs, including under the authorities of the Export-Import Bank Inspector General.

SUBSIDY APPROPRIATION

The conference agreement provides $58,000,000 for Subsidy Appropriation for the Export-Import Bank.

ADMINISTRATIVE EXPENSES

The conference agreement provides $89,900,000 for Administrative Expenses for the Export-Import Bank.

The conference agreement includes $6,000,000 to support the Bank's efforts to establish regional offices focusing on small businesses and to significantly increase the number of small business transactions.

The conferees direct that the use of the aggregate loan, guarantee, and insurance authorities available to the Bank in fiscal year 2012 should not result in greenhouse gas emissions from the extraction or production of fossil fuels or the use of fossil fuels in electricity generation that exceed the average of the total emissions in the preceding three fiscal years resulting from the use of these authorities unless, not less than 15 days prior to each such use of such authorities in fiscal year 2012, the Bank provides a written report to the Committees on Appropriations that such use would result in emissions exceeding this amount and indicating the amount of the increase, and posts such report on the Bank's Web site.

The conference agreement directs that not less than 10 percent of the Bank's authority for aggregate loan, guarantee, and insurance should be used for renewable energy and end-use energy efficiency technologies. The conferees direct the Bank to provide a report to the Committees on Appropriations, not later than 90 days after enactment of this Act, that includes: all financing for renewable energy and end-use energy efficiency technologies, or other environmentally beneficial exports carried out in fiscal year 2011; efforts made by the Bank to promote and support such exports; information on which regions and sectors exhibit the greatest potential for such exports; how the Bank defines and tracks such activities; data on the Bank's progress toward meeting the 10 percent directive and the Bank's planned efforts to overcome any shortfall; the Bank's data, current policies, and efforts to mitigate greenhouse

gas emissions resulting from projects it finances; and, as applicable, the implementation status of recommendations made by the GAO concerning the promotion of renewable energy and end-use energy efficiency technologies, as well as other environmentally beneficial exports.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The conference agreement provides $54,990,000 for Noncredit Account of OPIC.

PROGRAM ACCOUNT

The conference agreement provides $25,000,000 for Program Account of OPIC.

The conferees endorse prior year reporting requirements relating to a semi-annual report on OPIC investment funds, and prior consultation on local currency guarantees and financing for nongovernmental organizations and private and voluntary organizations, as stated in House Report 111–187 accompanying H.R. 3081.

The conferees direct the President of OPIC to include in its fiscal year 2013 congressional budget justification a confidential annex that describes new loans, guarantees, and insurance approved in fiscal year 2011 by category, recipient, country, level of OPIC resources provided, and source year of financing used. The conferees also direct OPIC to provide additional detail, including an annual summary of positive and negative subsidy by product line.

The conferees are concerned with the absence of regular inspections of OPIC operations and the oversight of an Inspector General, and direct the President of OPIC to consult with the Committees on Appropriations and other appropriate congressional committees on the options for increasing oversight of OPIC programs, including under the authorities of the Export-Import Bank Inspector General.

TRADE AND DEVELOPMENT AGENCY

The conference agreement provides $50,000,000 for Trade and Development Agency.

TITLE VII

GENERAL PROVISIONS

The following general provisions are continued in this Act substantively unchanged from the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117):

Sec. 7001. Allowances and Differentials
Sec. 7003. Consulting Services
Sec. 7005. Personnel Actions
Sec. 7007. Prohibition Against Direct Funding for Certain Countries
Sec. 7010. Reporting Requirement
Sec. 7012. Limitation on Assistance to Countries in Default
Sec. 7014. Reservations of Funds
Sec. 7016. Notification of Excess Defense Equipment

Sec. 7017. Limitation on Availability of Funds for International Organizations and Programs
Sec. 7018. Prohibition on Funding for Abortions and Involuntary Sterilization
Sec. 7020. Prohibition of Payment of Certain Expenses
Sec. 7022. Authorization Requirements
Sec. 7023. Definition of Program, Project, and Activity
Sec. 7026. Separate Accounts
Sec. 7027. Eligibility for Assistance
Sec. 7028. Impact on Jobs in the United States
Sec. 7030. Debt-for-Development
Sec. 7032. Authority to Engage in Debt Buybacks or Sales
Sec. 7035. Arab League Boycott of Israel
Sec. 7036. Palestinian Statehood
Sec. 7037. Restrictions Concerning the Palestinian Authority
Sec. 7038. Prohibition on Assistance to the Palestinian Broadcasting Corporation
Sec. 7039. Assistance for the West Bank and Gaza
Sec. 7047. Prohibition of Payments to United Nations Members
Sec. 7048. War Crimes Tribunals Drawdown
Sec. 7050. Community-Based Police Assistance
Sec. 7053. Parking Fines and Real Property Taxes Owed by Foreign Governments (incorporates prior year conditions by reference)
Sec. 7054. Landmines and Cluster Munitions
Sec. 7055. Prohibition on Publicity or Propaganda
Sec. 7056. Limitation on Residence Expenses
Sec. 7059. Prohibition on Promotion of Tobacco
Sec. 7064. Requests for Documents
Sec. 7068. Extradition
Sec. 7069. Commercial Leasing of Defense Articles
Sec. 7072. Repression in the Russian Federation
Sec. 7073. Prohibition on First-Class Travel

The following general provisions are either new, or are substantively modified, from those included in division F of Public Law 111–117:

Sec. 7002. Unobligated Balances Report (Modified)

Section 7002 of the conference agreement requires any department or agency funded by this Act to provide a quarterly report on unobligated and unexpended balances to the Committees on Appropriations. The conferees expect the report to specify, where feasible, funds obligated pursuant to bilateral agreements which have not been further sub-obligated. The conferees note that current reports from USAID designate expired and unexpired funds by account and fiscal year, and expect the Department of State to continue to work on modifying their financial systems to enable them to submit a report in a similar format. The conferees also direct the Department of State and USAID to provide periodic briefings on the information in this report, including on the status of sub-obligations related to bilateral agreements.

Sec. 7004. Embassy Construction (Modified)

The conference agreement includes authorization within section 7004 for the Maintenance Cost Sharing initiative to utilize funding from the Capital Security Cost Sharing (CSCS) program for the maintenance, repair, and rehabilitation of new facilities with an inter-agency presence.

Sec. 7006. Local Guard Contracts (Modified)

Sec. 7008. Coups d'État (Modified)

The conferees intend that the modifications to this provision shall apply to prospective coups d'état and shall not apply to retrospective assessments.

Sec. 7009. Transfer Authority (Modified)

Sec. 7011. Availability of Funds (Modified)

Sec. 7013. Prohibition on Taxation of United States Assistance (Modified)

Sec. 7015. Notification Requirements (Modified)

Sec. 7019. Allocations (Modified)

Sec. 7021. Prohibition on Assistance to Governments Supporting International Terrorism (Modified)

Section 7021 of the conference agreement combines sections 7021 and 7022 in division F of Public Law 111–117 relating to prohibitions on the export of lethal military equipment and on providing bilateral assistance to countries supporting international terrorism. Additionally, section 7021 prohibits bilateral assistance to any foreign government controlled by a designated terrorist organization.

Sec. 7024. Authorities for the Peace Corps, Inter-American Foundation and African Development Foundation (Modified)

Sec. 7025. Commerce, Trade and Surplus Commodities

The conference agreement includes language expanding exceptions to the application of subsection (b). When relying on this expanded exception, the USAID Administrator should, in order to maximize program effectiveness, consult with relevant agriculture industry representatives regarding the same, similar, or substitute commodities and products.

Sec. 7029. International Financial Institutions (Modified)

Sec. 7031. Financial Management and Budget Transparency (Modified)

For the purposes of this section the term "direct government-to-government assistance" shall include cash transfers, nonproject sector assistance, and other forms of assistance where funds appropriated by this Act are provided directly to the recipient government.

Section 7031(c) includes language related to anti-kleptocracy. The conferees note that this provision revises current law (section 7084 of division F of Public Law 111–117) and includes a national interest waiver. The conferees note that ineligibility for entry into the United States under this provision is not dependent on a decision or other action by any Federal agency other than the Department of State.

Sec. 7033. Multi-Year Commitments (New)

The conferees understand that the Secretary of the Treasury does not intend to increase the quota resources of the IMF in fiscal year 2012. If the Secretary does intend to commit the United States to additional contributions to the IMF, the conference agreement includes a provision that would, at a minimum, require consultation with the Committees on Appropriations not less than 7 days before such pledge is made.

Sec. 7034. Special Provisions (Modified)

Section 7034(h)(5) states that funds appropriated by this Act that are made available to promote democracy and human rights shall also be made available to support freedom of religion, especially in the Middle East and North Africa.

Section 7034(k) redesignates section 620J of the Foreign Assistance Act of 1961 to section 620M, and modifies it by substituting "credible information" for "credible evidence" in order to clarify that the information need not be admissible in a court of law to be credible and to conform to similar wording in a comparable provision in the Defense Appropriations Act, and by adding guidelines for: tracking United States assistance to foreign security forces; the collection, receipt, evaluation, and preservation of information about gross violations of human rights; vetting both individuals and units; and, to the maximum extent practicable, publicly identifying units for which no assistance shall be furnished pursuant to section 620M.

Sec. 7040. Limitation on Assistance for the Palestinian Authority (Modified subsection (f))

Sec. 7041. Near East (Modified)

Section 7041(a)(1) of this Act provides limitations on assistance for Egypt, and includes authorities for an Egypt debt initiative.

Section 7041(a)(3) provides authority and conditions for an Egypt initiative. The conferees make available up to $500,000,000 of the funds appropriated under the Economic Support Fund heading in this Act and prior acts for such purposes. However, the conferees note that all funds are subject to the regular notification procedures of the Committees on Appropriations and expect that funds will be provided in tranches, at the minimum rate necessary, and in a manner consistent with the advancement of United States-Egyptian strategic interests. The conferees note that this initiative demonstrates United States support for Egypt's democratic transition and economic development, and should serve as an incentive to the Government of Egypt (GOE) to pursue policies of mutual interest. The conferees intend that prior to the use of the authority under this initiative the transition to a civilian government will have substantially progressed, and the GOE will implement economic development policies consistent with the objectives of such initiative.

The conferees direct that the notification submitted to the Committees on Appropriations include a detailed description and estimate of the economic benefits of projects anticipated to be undertaken, the role of the GOE in implementing projects, an expla-

nation of how such projects contribute to economic and democratic reforms in Egypt, and the means by which the uses of funds and results achieved will be monitored and measured. The conferees intend that the notification may be submitted to other congressional committees, as appropriate.

The conferees direct the Secretary of State to use prior appropriated funds to the maximum extent practicable with respect to supporting projects and initiatives in Egypt, and to structure the timing and amounts of disbursements of funds for activities regarding the Egypt debt initiative. The Secretary of State shall consult with the Committees on Appropriations and other congressional committees, as appropriate, on the planned uses of the funds prior to obligating funds under such structured disbursement. The conferees expect the Secretary of State to spend down prior appropriated funds in an efficient manner, and to keep the Committees on Appropriations informed on a regular basis on the balances of such funds.

Section 7041(b) of this Act includes language authorizing the establishment of enterprise funds in Egypt, Tunisia, and Jordan. The conferees intend that at the termination of the respective funds, 50 percent of the proceeds realized by each fund from the liquidation of its assets should be returned to the United States Treasury. The conferees request that the Comptroller General of the United States conduct a review, one year after the establishment of any enterprise fund, to examine the management and oversight of the funds and to determine if appropriate and sufficient safeguards exist against financial misconduct.

The conference agreement includes language regarding democracy promotion in Libya and Syria, and restricts infrastructure assistance for Libya.

Sec. 7042. Serbia (Modified)

Sec. 7043. Africa (Modified)

The conferees direct the Secretary of State to provide to the Committees on Appropriations the report detailed in section 7061(b)(3) of S. 1601 (112th Congress).

The conferees direct the Secretary of State to ensure that no United States training, equipment, or other assistance is provided to any Kenyan military personnel or units who have been credibly alleged to have violated human rights at Mount Elgon in March 2008, and to report to the Committees on Appropriations within 90 days of enactment of this Act on steps taken by the Government of Kenya to conduct a thorough, credible investigation of such violations.

The conferees endorse language in the Senate report regarding the disappearance of journalist Ebrimah Manneh in The Gambia.

Sec. 7044. Asia (Modified)

Sec. 7045. Western Hemisphere (Modified)

The conferees direct that of the funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, 25 percent may be obligated only after the Secretary of State

consults with, and subsequently certifies and submits a written report to, the Committees on Appropriations that—

(1) The Colombian Armed Forces are suspending those members, of whatever rank, who have been credibly alleged to have violated human rights, or to have aided, abetted or benefitted from paramilitary organizations or other illegal armed groups; all such cases are promptly referred to civilian jurisdiction for investigation and prosecution, and the Colombian Armed Forces are not opposing civilian jurisdiction in such cases; and the Colombian Armed Forces are cooperating fully with civilian prosecutors and judicial authorities.

(2) The Government of Colombia has taken all necessary steps to sever links with paramilitary organizations or other illegal armed groups.

(3) The Government of Colombia is dismantling paramilitary networks, including by arresting and prosecuting under civilian criminal law individuals who have provided financial, planning, or logistical support, or have otherwise aided, abetted or benefitted from paramilitary organizations or other illegal armed groups, and by returning land and other assets illegally acquired by such organizations or their associates to their rightful occupants or owners.

(4) The Government of Colombia is respecting the rights of human rights defenders, journalists, trade unionists, and other social activists, and the rights and territory of indigenous and Afro-Colombian communities; and the Colombian Armed Forces are implementing procedures to distinguish between civilians, including displaced persons, and combatants, in their operations.

The conferees also direct that not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing any United States funding, assistance or other support for the Departamento Administrativo de Seguridad, its officials, employees, affiliates and contractors during the period 2002 through 2010, including but not limited to training, equipment, information sharing, technical assistance, and facilities construction. To the maximum extent possible the report shall be provided in unclassified form, but may also include a classified annex.

Sec. 7046. South Asia (Modified)

The conferees direct the Secretary of State to submit a report to the Committees on Appropriations not later than 45 days after enactment of this Act, detailing what steps have been taken by the Government of Sri Lanka and international bodies to thoroughly and credibly investigate war crimes and violations of international humanitarian law during the internal armed conflict, and evaluating the adequacy of steps taken by the Government of Sri Lanka to hold perpetrators accountable. The report should also indicate whether suspected combatants detained during the conflict remain in custody and whether humanitarian organizations have access to such detainees.

The conferees direct that funds available for Afghanistan under the ESF and INCLE headings for training of foreign police, judicial, and military personnel should address gender-based violence, where appropriate.

The conferees direct that, not later than 180 days after enactment of this Act, the Secretary of State, in consultation with the USAID Administrator, submit a report to the Committees on Appropriations detailing actions taken by the Government of Afghanistan to expand rail transport in Afghanistan since 2009; providing an assessment of any national rail transport strategy, including the costs associated with implementation of such strategy; providing an analysis of the economic benefits of expanding and improving rail connections with neighboring countries, including in areas with significant resources; and making recommendations for the standardization of rail gauge in Afghanistan that is compatible with Central Asian countries, including Uzbekistan.

Sec. 7049. United Nations (New)

Section 7049(a) requires that 15 percent of United States contributions to United Nations agencies and the Organization of American States shall be withheld from obligation if the Secretary of State determines and reports that such agency or organization is not taking steps to meet certain conditions. The Secretary may waive this requirement if to do so is in the national interest. The conferees intend this restriction to apply only to such entities that receive annual United States contributions exceeding $20,000,000. The conferees further intend that for the purposes of this section, "necessary access" means access necessary for United States Government officials to obtain the results of financial and performance audits in a timely manner.

Sec. 7051. Attendance at International Conferences (Modified)

Sec. 7052. Aircraft Transfer and Coordination (Modified)

Sec. 7057. United States Agency for International Development Management (Modified)

The conferees intend that funds appropriated under the heading Operating Expenses in title II of this Act are made available to develop and implement training for staff in overseas USAID missions to promote the full inclusion and equal participation of people with disabilities.

Sec. 7058. Global Health Activities (Modified)

Sec. 7060. Programs to Promote Gender Equality (Modified)

Sec. 7061. Gender-Based Violence

For the purposes of this Act, the conferees direct that gender-based violence should include any form of violence or abuse that targets women or men on the basis of their gender and results in physical, sexual or psychological harm.

The conferees direct the Secretary of State and the USAID Administrator to submit to the Committees on Appropriations, not later than 180 days after the enactment of this Act, a multi-year strategy to prevent and respond to violence against women and girls in countries where it is common. The strategy should include achievable and sustainable goals, benchmarks for measuring

progress, and expected results. The formulation of the strategy should include regular engagement with men and boys as community leaders and advocates in ending such violence.

Sec. 7062. Sector Allocations (New)

This section consolidates directives, related reporting requirements and limitations for program funding in sectors including education, environment, and food security and agriculture development. The conferees expect these funds to be awarded competitively and in accordance with all applicable rules and regulations. With respect to funding requirements in this section and other minimum funding requirements contained in the conference agreement, the conferees note that funds appropriated in title VIII of this Act under the same headings may be used to meet such requirements.

Sec. 7063. Central Asia (Modified)

Sec. 7065. Overseas Private Investment Corporation (Modified)

Sec. 7066. International Prison Conditions (Modified)

Sec. 7067. Prohibition on Use of Torture (Modified)

Sec. 7070. Independent States of the Former Soviet Union (Modified)

Sec. 7071. International Monetary Fund (Modified)

Sec. 7074. Disability Programs (Modified)

Sec. 7075. Enterprise Funds (Modified)

Sec. 7076. Consular Affairs (New)

Sec. 7077. Procurement Reform (New)

Section 7077 provides authority to the USAID Administrator to award contracts and other acquisition instruments to local entities if the procurement meets the criteria described in this provision.

Sec. 7078. Operating and Spend Plans (New)

Sec. 7079. Rescissions (New)

Sec. 7080. Special Defense Acquisition Fund (New)

Sec. 7081. Authority for Capital Increases (New)

Sec. 7082. Reforms Related to General Capital Increases (New)

Sec. 7083. Authority for Replenishments (New)

Sec. 7084. Authority for the Fund for Special Operations (New)

Sec. 7085. United Nations Population Fund (Modified)

The conference agreement continues prior year conditions on funding for the United Nations Population Fund and modifies the funding level.

Sec. 7086. Limitations (New)

Sec. 7087. Use of Funds in Contravention of this Act (Modified)

The conferees continue the requirement that the Executive Branch notify the Committees on Appropriations 5 days in advance of any action or other decision that would otherwise have been prohibited or required by this Act but for a determination that a provision in this Act is unconstitutional.

The following general provisions included in division F of Public Law 111–117 have been modified and merged with other provisions in this Act: Sections 7022, 7043, 7046, 7050, 7052, 7054, 7064, 7065, 7076, 7081, 7084, 7086, and 7089.

The conference agreement does not include section 7066 included in division F of Public Law 111–117 regarding a comprehensive expenditures report. Instead, the conferees direct the Secretary of State, in consultation with relevant agency heads, to report to the Committees on Appropriations, not later than 180 days after enactment of this Act, on options for standardizing assistance information, by program, country, and fiscal year. The conferees intend to direct the submission of this report in future fiscal years, and to require its posting on the Foreign Assistance Dashboard.

The conference agreement does not continue the following general provisions included in division F of Public Law 111–117: Sections 7033, 7041, 7068, 7088, and 7091.

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM

Funds appropriated as OCO/GWOT under this title address the "extraordinary and temporary" costs of contingency operations in Afghanistan, Pakistan and Iraq, as well as other counterterrorism and counterinsurgency programs and response to conflict-related and other crises. As noted in the congressional budget justification for fiscal year 2012, OCO funds are expected to be phased out over time.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement provides $4,389,064,000 for Diplomatic and Consular Programs, of which $236,201,000 is for Worldwide Security Protection. The amount provided is for the extraordinary costs of operations in Afghanistan, Pakistan, and Iraq and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees intend that funds made available for operations in Afghanistan will be used to train and deploy additional direct-hire personnel to improve monitoring and control of United States assistance.

The conferees direct the Secretary of State to cooperate with the Office of Inspector General for the Department of State and

SIGIR, including requests from the SIGIR for information and documentation involving operations in support of foreign assistance programs.

The conferees direct that the spend plan required by section 7078 of this Act include a detailed description of the designated amounts by category, break-out costs of operations by location and provide staffing levels for each location and provincial area, where applicable. In addition, with respect to funds transferred to other agencies in support of Afghanistan operations, the spend plan should include projected transfer amounts and number of staff supported by each agency.

CONFLICT STABILIZATION OPERATIONS

The conference agreement provides $8,500,000 for CSO for deployment costs, including to Afghanistan, Pakistan, and Iraq. The amount provided is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985. In addition, the agreement includes authority for the Secretary of State to transfer up to $35,000,000 of the funds appropriated under the heading Diplomatic and Consular Programs in title I for the support of CSO operations and activities.

The conferees direct that the Secretary of State notify the Committees on Appropriations within fifteen days of a new deployment of the Civilian Response Corps (CRC), to include the destination, size, composition, and expected duration and cost of the deployment.

The conferees expect the spend plan required by section 7078 of this Act to include details on projected staffing of the CRC, a list of deployments and planned deployments for the fiscal year, and a summary of any strategic review of CSO operations, including a timeline for implementation of organizational, personnel, and program changes.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $67,182,000 for the Office of Inspector General at the Department of State, of which $3,250,000 is for support of the Middle East Regional Office, $44,387,000 is for SIGAR, and $19,545,000 is to sustain the current level of operations for SIGIR. The amount provided is for the extraordinary costs of program oversight in Afghanistan, Pakistan, and Iraq and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees do not support the proposed drawdown of SIGIR in fiscal year 2012 as proposed in the request. SIGIR should continue to exercise oversight over the assistance programs in Iraq, including the support costs associated with programs funded under the International Narcotics Control and Law Enforcement heading.

Section 7078 of this Act requires the relevant department, agency, or organization to submit to the Committees on Appropriations a spend plan for funds appropriated in titles I and II of this Act. The conferees expect both SIGAR and SIGIR to submit such plans not later than 30 days after enactment of this Act.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement provides $15,600,000 for Educational and Cultural Exchange Programs. The amount provided is for the extraordinary costs of exchange and public diplomacy programs in Afghanistan and Pakistan, and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The conference agreement provides $33,000,000 for Embassy Security, Construction, and Maintenance. The amount provided is for the extraordinary costs of leased facilities in Iraq and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement provides $101,300,000 for Contributions to International Organizations. The amount provided is for the extraordinary costs of United Nations missions in Afghanistan and Iraq and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement provides $4,400,000 for International Broadcasting Operations for the extraordinary costs of United States international broadcasting to Iraq, Afghanistan, Pakistan, and the Middle East and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED PROGRAMS

UNITED STATES INSTITUTE OF PEACE

The conference agreement provides $8,411,000 for USIP. The amount provided is for the extraordinary costs of USIP programs in Afghanistan, Pakistan, and Iraq and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

The conference agreement provides $255,000,000 for Operating Expenses. The amount provided is for the extraordinary costs of op-

erations in Afghanistan, Pakistan, and Iraq and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $4,500,000 for the Office of Inspector General. The amount provided is for the extraordinary costs of oversight activities of programs and operations in Afghanistan, Pakistan, and Iraq and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

The conference agreement provides $150,000,000 for International Disaster Assistance. The amount provided is for the extraordinary costs of the United States response to crises resulting from conflict, including in Afghanistan, Pakistan, Iraq, Yemen, and the Horn of Africa, and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSITION INITIATIVES

The conference agreement provides $6,554,000 for Transition Initiatives. The amount provided is for the extraordinary costs of contingency operations in conflict countries, such as Afghanistan, Pakistan, Libya, and Yemen and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

COMPLEX CRISES FUND

The conference agreement provides $30,000,000 for the Complex Crises Fund. The amount provided is for the extraordinary costs of addressing security and stabilization requirements in conflict countries, such as Pakistan, Somalia, and Yemen, and countries emerging from conflict and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC SUPPORT FUND

The conference agreement provides $2,761,462,000 for the Economic Support Fund for the extraordinary costs of contingency operations, including in Afghanistan, Pakistan, Iraq, Yemen, Somalia, North Africa, and for African counterterrorism partnerships. The full amount provided is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement provides $229,000,000 for Migration and Refugee Assistance. The amount provided is for the extraordinary costs of United States response to crises resulting from conflict, including in Afghanistan, Pakistan, Iraq, Yemen, and the Horn of Africa, and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement provides $1,552,000 for International Affairs Technical Assistance. The amount provided is for the extraordinary costs of contingency operations, including in Afghanistan, Pakistan, and Iraq, and is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement provides $983,605,000 for International Narcotics Control and Law Enforcement for the extraordinary costs of contingency operations, including in Afghanistan, Pakistan, Iraq, Yemen, Somalia, and for African counterterrorism partnerships. The amount provided is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The conference agreement provides $120,657,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs for the extraordinary costs of anti-terrorism assistance, including in Afghanistan, Pakistan, Iraq, Yemen, Kenya, and for support of the Office of the Coordinator for Counterterrorism, to include the Regional Strategic Initiative. The amount provided is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

PEACEKEEPING OPERATIONS

The conference agreement provides $81,000,000 for Peacekeeping Operations for the extraordinary costs of contingency operations in Somalia and counterterrorism activities in Africa. The amount provided is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The conference agreement provides $1,102,000,000 for the Foreign Military Financing Program for the extraordinary costs of contingency operations, including in Iraq, Pakistan, the Philippines, and Yemen. The amount provided is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The conferees expect that the spend plan required by section 7078 of this Act will include a detailed description, by program objective, of all activities supported with funds made available under this heading.

PAKISTAN COUNTERINSURGENCY CAPABILITY FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $850,000,000 for the Pakistan Counterinsurgency Capability Fund. The amount provided is designated for OCO/GWOT pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

Sec. 8001

This provision clarifies that the amounts appropriated by this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2012.

Sec. 8002

This provision makes applicable to funds appropriated in this title the authorities and conditions applicable to such accounts elsewhere in the Act.

Sec. 8003

This provision confers authority to the Secretary of State to transfer funds appropriated in this title for assistance between accounts, subject to the regular notification procedures of the Committees on Appropriations.

Sec. 8004

This provision provides for transfer of up to $50,000,000 to the Global Security Contingency Fund pending authorization of the account.

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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF STATE AND RELATED AGENCY				
DEPARTMENT OF STATE				
Administration of Foreign Affairs				
Diplomatic and consular programs	7,275,420	6,116,472	5,195,947	-2,079,473
Agency acquisition workforces (Sec. 7059)	---	(3,000)	---	---
Worldwide security protection	1,497,000	1,453,730	1,355,000	-142,000
Total, Diplomatic and consular programs	8,772,420	7,570,202	6,550,947	-2,221,473
Conflict stabilization operations	34,930	92,200	---	-34,930
Capital investment fund	59,380	125,000	59,380	---
Office of Inspector General	99,800	65,154	61,904	-37,896
Educational and cultural exchange programs	598,800	637,100	583,200	-15,600
Representation allowances	7,484	8,175	7,300	-184
Protection of foreign missions and officials	27,944	27,744	27,000	-944
Embassy security, construction, and maintenance	823,350	863,317	762,000	-61,350
Worldwide security upgrades	793,410	938,200	775,000	-18,410
Total, Embassy security	1,616,760	1,801,517	1,537,000	-79,760
Emergencies in the diplomatic and consular service	9,480	10,000	9,300	-180
Repatriation Loans Program Account:				
Direct loans subsidy	737	1,089	737	---

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Administrative expenses	710	711	710	---
Total, Repatriation loans program account	1,447	1,800	1,447	---
Payment to the American Institute in Taiwan	21,108	23,320	21,108	---
Payment to the Foreign Service Retirement and Disability Fund	158,900	158,900	158,900	---
Total, Administration of Foreign Affairs	11,408,453	10,521,112	9,017,486	-2,390,967
International Organizations				
Contributions to international organizations, current year assessment	1,578,651	1,619,400	1,449,700	-128,951
Contributions for international peacekeeping activities, current year assessment	1,883,931	1,920,000	1,828,182	-55,749
Total, International Organizations	3,462,582	3,539,400	3,277,882	-184,700
International Commissions				
International Boundary and Water Commission, United States and Mexico:				
Salaries and expenses	43,213	45,591	44,722	+1,509
Construction	26,447	31,900	31,453	+5,006
Total, Boundary and Water Commission	69,660	77,491	76,175	+6,515

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American sections, international commissions.....	12,583	11,996	11,687	-896
International fisheries commissions.....	50,399	31,291	36,300	-14,099
Total, International commissions.....	132,642	120,778	124,162	-8,480
RELATED AGENCY				
Broadcasting Board of Governors				
International Broadcasting Operations.....	730,037	754,261	740,100	+10,063
Broadcasting capital improvements.....	6,861	12,769	7,030	+169
Total, Broadcasting Board of Governors.....	736,898	767,030	747,130	+10,232
Related Programs				
The Asia Foundation.....	17,864	14,906	17,000	-864
United States Institute of Peace operating expenses...	39,420	42,740	30,589	-8,831
Center for Middle Eastern-Western dialogue.....	838	840	840	+2
Eisenhower Exchange Fellowship program.....	499	500	500	+1
Israeli Arab scholarship program.....	374	375	375	+1
East-West Center.....	20,958	10,830	16,700	-4,258
National Endowment for Democracy.....	117,764	104,000	117,764	---
Total, Related programs.....	197,717	174,191	183,768	-13,949

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OTHER COMMISSIONS				
Commission for the Preservation of America's Heritage Abroad				
Salaries and expenses	634	656	634	---
Commission on International Religious Freedom				
Salaries and expenses	4,291	4,400	3,000	-1,291
Commission on Security and Cooperation in Europe				
Salaries and expenses	2,605	2,715	2,715	+110
Congressional-Executive Commission on the People's Republic of China				
Salaries and expenses	1,996	2,000	1,996	---
United States - China Economic and Security Review Commission				
Salaries and expenses	3,493	3,500	3,493	---
Total, title I, Department of State and Related Agency	15,951,311	15,135,782	13,362,266	-2,589,045

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TITLE II - ADMINISTRATION OF FOREIGN ASSISTANCE				
Funds Appropriated to the President				
United States Agency for International Development				
Operating expenses of the U.S. Agency for International Development (USAID)	1,347,300	1,503,420	1,092,300	-255,000
Agency acquisition workforces (Sec. 7058)	---	(3,530)	---	---
Conflict stabilization operations	4,990	---	---	-4,990
Capital Investment Fund	129,740	189,200	129,700	-40
Operating expenses of the U.S. Agency for International Development Office of Inspector General	44,910	51,500	46,500	+1,590
Total, title II, Administration of Foreign Assistance	1,526,940	1,744,120	1,268,500	-258,440
TITLE III - BILATERAL ECONOMIC ASSISTANCE				
Funds Appropriated to the President				
Global Health Initiative:				
Global Health Initiative	---	---	---	---
U.S. Agency for International Development	2,495,000	3,073,600	2,625,000	+130,000

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Department of State	5,334,310	5,641,900	5,542,860	+208,550
(Global fund contribution)	(748,500)	(1,000,000)	(1,050,000)	(+301,500)
Total, Global Health and Child Survival	7,829,310	8,715,500	8,167,860	+338,550
Development assistance	2,519,950	2,918,002	2,519,950	---
(Transfer out)	(-30,000)	(-50,000)	---	(+30,000)
International disaster assistance	863,270	860,700	825,000	-38,270
Transition initiatives	54,890	56,000	50,141	-4,749
Complex Crisis fund	39,920	75,000	10,000	-29,920
Development Credit Authority:				
(By transfer)	(30,000)	(50,000)	(40,000)	(+10,000)
Administrative expenses	8,283	8,300	8,300	+17
Economic Support Fund:				
Egypt	249,500	250,000	250,000	+500
Other	5,696,685	5,718,663	2,751,745	-2,944,940
Total, Economic support fund	5,946,185	5,968,663	3,001,745	-2,944,440
Democracy Fund	114,770	---	114,770	---
Assistance for Europe, Eurasia, and Central Asia	695,740	626,718	626,718	-69,022
Department of State				
Migration and refugee assistance	1,686,620	1,613,100	1,639,100	-47,520
United States Emergency Refugee and Migration				

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Assistance Fund	49,900	32,000	27,200	-22,700
Total, Department of State	1,736,520	1,645,100	1,666,300	-70,220
Independent Agencies				
Peace Corps	374,250	439,600	375,000	+750
Millenium Challenge Corporation	898,200	1,125,100	898,200	---
Inter-American Foundation	22,454	19,100	22,500	+46
African Development Foundation	29,441	24,000	30,000	+559
Total, Independent Agencies	1,324,345	1,607,800	1,325,700	+1,355
Department of the Treasury				
International Affairs Technical Assistance	25,448	30,120	25,448	---
Debt restructuring	49,900	15,000	12,000	-37,900
Total, Department of the Treasury	75,348	45,120	37,448	-37,900
Total, title III, Bilateral economic assistance	21,208,531	22,526,903	18,353,932	-2,854,599
Appropriations	(21,208,531)	(22,526,903)	(18,353,932)	(-2,854,599)
(By transfer)	(30,000)	(50,000)	(40,000)	(+10,000)
(Transfer out)	(-30,000)	(-50,000)	---	(+30,000)

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TITLE IV - INTERNATIONAL SECURITY ASSISTANCE				
Department of State				
International narcotics control and law enforcement...	1,593,806	1,511,838	1,061,100	-532,706
Total, International narcotics control.....	1,593,806	1,511,838	1,061,100	-532,706
Nonproliferation, anti-terrorism, demining and related programs.....	738,520	708,540	590,113	-148,407
Peacekeeping operations.....	304,390	292,000	302,818	-1,572
Funds Appropriated to the President				
International Military Education and Training.....	105,788	109,954	105,788	---
Foreign Military Financing Program:				
Grants:				
Israel.....	2,994,000	3,075,000	3,075,000	+81,000
Egypt.....	1,297,400	1,300,000	1,300,000	+2,600
Other.....	1,082,830	1,175,463	835,000	-247,830
Total, Foreign Military Financing Program.	5,374,230	5,550,463	5,210,000	-164,230
Global security contingency fund.....	---	50,000	---	---
Total, title IV, Security assistance.....	8,116,734	8,222,795	7,269,819	-846,915
Appropriations.....	(8,116,734)	(8,222,795)	(7,269,819)	(-846,915)

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TITLE V - MULTILATERAL ASSISTANCE				
Funds Appropriated to the President				
International Organizations and Programs	354,290	348,705	348,705	-5,585
International Financial Institutions				
World Bank Group				
Clean Technology Fund	184,630	400,000	184,630	---
Strategic Climate Fund	49,900	190,000	49,900	---
The International Bank for Reconstruction and Development (IBRD):				
Contribution to the IBRD paid in capital	---	117,364	117,364	+117,364
(Limitation on callable capital)	---	(2,928,991)	(2,928,991)	(+2,928,991)
Global Environment Facility	89,820	143,750	89,820	---
Subtotal, IBRD	89,820	261,114	207,184	+117,364
Contribution to the International Development Association	1,232,530	1,358,500	1,325,000	+92,470
Multilateral debt relief initiative	---	167,000	167,000	+167,000
Total, World Bank Group	1,556,880	2,376,614	1,933,714	+376,834
Contribution to the Enterprise for the Americas Multilateral Investment Fund	24,950	25,000	25,000	+50

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Contribution to the Inter-American Development Bank paid in capital	---	102,018	75,000	+75,000
(Limitation on callable capital)	---	(4,098,795)	(4,098,795)	(+4,098,795)
Inter-American Development Bank, Inter-American Investment Corporation	20,958	20,429	4,670	-16,288
Total, Inter-American Development Bank	20,958	122,447	79,670	+58,712
Contribution to the Asian Development Fund	---	115,250	100,000	+100,000
Asian development bank paid in capital	106,373	106,586	106,586	+213
(Limitation on callable capital)	(2,558,049)	(2,558,049)	(2,558,049)	---
Contribution to the African Development Bank:				
Paid in capital	---	32,418	32,418	+32,418
(Limitation on callable capital)	---	(507,861)	(507,861)	(+507,861)
Contribution to the African Development Fund	109,780	195,000	172,500	+62,720
Total, African Development Bank	109,780	227,418	204,918	+95,138
Multilateral debt relief initiative	---	7,500	7,500	+7,500
European Bank for Reconstruction and Development (limitation on callable capital)	---	---	(1,252,332)	(+1,252,332)
Contribution to the International Fund for Agricultural Development	29,440	30,000	30,000	+560

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Global agriculture and food security program.....	99,800	308,000	135,000	+35,200
Total, International Financial Institutions...	1,948,181	3,318,815	2,622,388	+674,207
Total, title V, Multilateral assistance.....	2,302,471	3,667,520	2,971,093	+668,622
(Limitation on callable capital).....	(2,558,049)	(10,093,696)	(11,346,028)	(+8,787,979)
TITLE VI - EXPORT AND INVESTMENT ASSISTANCE				
Export-Import Bank of the United States				
Subsidy appropriation.....	58,000	76,400	58,000	---
Administrative expenses.....	83,880	124,600	89,900	+6,020
Inspector General.....	2,495	4,000	4,000	+1,505
Offsetting collections.....	-141,800	-417,900	-417,900	-276,100
Total, Export-Import Bank of the United States..	2,575	-212,900	-266,000	-268,575
Overseas Private Investment Corporation				
Noncredit account:				
Administrative expenses.....	52,310	57,890	54,990	+2,680
Insurance fees and other offsetting collections...	-272,300	-277,000	-277,000	-4,700
Subtotal.....	-219,990	-219,110	-222,010	-2,020

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Program account	18,115	31,000	25,000	+6,885
Total, Overseas Private Investment Corporation	-201,875	-188,110	-197,010	+4,865
Funds Appropriated to the President				
Trade and Development Agency	49,900	56,270	50,000	+100
Total, title VI, Export and investment assistance	-149,400	-344,740	-413,010	-263,610
TITLE VII - GENERAL PROVISIONS				
Intl Broadcasting Operations (BBG) (Sec. 2121 (g)(2))	9,980	---	---	-9,980
Diplomatic and Consular (Sec. 2118 (f)) (Rescission)	-55,000	---	---	+55,000
Dev Assistance Prior Yr (Sec. 2118 (c)) (Rescission)	-1,000	---	---	+1,000
Economic Support Funds (Sec. 2118 (g)) (Rescission)	-120,000	---	---	+120,000
Visa Fraud Prevention (Sec. 2118 (h)) (Rescission)	-140,000	---	---	+140,000
Buying Power Maint Acct (BPMA) (Sec. 2118 (b)) (Resc)	-17,000	---	---	+17,000
Export Import Bank - Balances (Rescission) (Sec. 2118 (a))	-275,000	---	-400,000	-125,000
Assistance for the newly independent states of the former Soviet Union - FY2007 (Resc) (Sec. 2118 (d))	-11,700	---	---	+11,700
Assistance for Europe, Eurasia, Central Asia (AEECA) (Sec. 2118 (i)) (Rescission)	-19,000	---	---	+19,000
Intl Narcotics Control and Law Enforcement - FY2002 (Sec. 2118 (e)) (Rescission)	-7,183	---	---	+7,183

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ESF - MRA (By transfer)	(7,000)	---	---	(-7,000)
Fraud Prevention & Detection Fees	---	---	---	---
Sec. 7041 debt relief, enterprise funds, Tunisia	---	---	---	---
Diplomatic and consular programs (Rescission)	---	---	-13,700	-13,700
Economic Support Funds (Rescission)	---	---	-100,000	-100,000
SDAF Transfer (Sec. 7083(a))	---	-100,000	-100,000	-100,000
SDAF Obligation Limitation (Sec. 7083(b))	---	100,000	100,000	+100,000
Total, title VII, General Provisions	-635,903	---	-513,700	+122,203
Appropriations	(9,980)	---	---	(-9,980)
Rescissions	(-645,883)	---	(-513,700)	(+132,183)
(By transfer)	(7,000)	---	---	(-7,000)
TITLE VIII - OVERSEAS CONTINGENCY OPERATIONS / GLOBAL WAR ON TERRORISM				
Diplomatic and consular programs (OCO/GWOT)	---	4,323,255	4,389,064	+4,389,064
(Worldwide security protection)	---	(246,854)	(236,201)	(+236,201)
(Transfer to other agencies)	---	(-230,000)	(-230,000)	(-230,000)
Conflict stabilization operations	---	---	8,500	+8,500
Office of Inspector General (OCO/GWOT)	---	62,932	67,182	+67,182
Education and cultural exchange programs (OCO/GWOT)	---	---	15,600	+15,600
Embassy security, construction, and maintenance	---	---	33,000	+33,000
Contributions to int'l organizations (OCO/GWOT)	---	---	101,300	+101,300
Broadcasters board of governors (OCO/GWOT)	---	---	4,400	+4,400
United States Institute of Peace (USIP) (OCO/GWOT)	---	---	8,411	+8,411

DIVISION I: DEPARTMENT OF STATE - FOREIGN OPERATIONS - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
HR 2055
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Contributions for international peacekeeping activities, current year assessment	---	---	---	---
United States Institute of Peace - Operating expenses	---	---	---	---
Operating expenses of USAID (OCO/GWOT)	---	---	255,000	+255,000
Operating expenses of USAID International Development: OIG (OCO/GWOT)	---	---	4,500	+4,500
International Disaster Assistance (OCO/GWOT)	---	---	150,000	+150,000
Transition Initiatives (OCO/GWOT)	---	---	6,554	+6,554
Complex Crises fund	---	---	30,000	+30,000
Economic Support Fund (OCO/GWOT)	---	1,216,600	2,761,462	+2,761,462
Migration and Refugee assistance (MRA) (OCO/GWOT)	---	---	229,000	+229,000
International Affairs Technical Assistance	---	---	1,552	+1,552
International narcotics control and law enforcement (OCO/GWOT)	---	1,000,000	983,605	+983,605
Nonproliferation, Anti-terrorism, Demining and Related programs (NADR) (OCO/GWOT)	---	---	120,657	+120,657
Peacekeeping Operations (PKO) (OCO/GWOT)	---	---	81,000	+81,000
Foreign Military Financing program (OCO/GWOT)	---	1,000,000	1,102,000	+1,102,000
Pakistan Counterinsurgency Capability Fund (OCO/GWOT)	---	1,100,000	850,000	+850,000
Global Stability contingency fund (OCO/GWOT)	---	---	---	---
Total, Title VIII - OCO / GWOT	---	8,702,787	11,202,787	+11,202,787

DIVISION I: DEPARTMENT OF STATE - FOREIGN OPERATIONS - AND RELATED AGENCIES APPROPRIATIONS ACT 2012
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(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Grand total	48,320,684	59,655,167	53,501,687	+5,181,003
Appropriations	(48,966,567)	(50,952,380)	(42,812,600)	(-6,153,967)
Overseas contingency operations	---	(8,702,787)	(11,202,787)	(+11,202,787)
Rescissions	(-645,883)	---	(-513,700)	(+132,183)
(By transfer)	(37,000)	(50,000)	(40,000)	(+3,000)
(Transfer out)	(-30,000)	(-50,000)	---	(+30,000)
(Limitation on callable capital)	(2,558,049)	(10,093,696)	(11,346,028)	(+8,787,979)

HAROLD ROGERS,
C.W. BILL YOUNG,
JERRY LEWIS,
RODNEY P. FRELINGHUYSEN,
ROBERT B. ADERHOLT,
JO ANN EMERSON,
KAY GRANGER,
MICHAEL K. SIMPSON,
JOHN ABNEY CULBERSON,
ANDER CRENSHAW,
DENNY REHBERG,
JOHN R. CARTER,
NORMAN D. DICKS,
PETER J. VISCLOSKY,
NITA M. LOWEY,
JOSÉ E. SERRANO,
ROSA L. DELAURO,
JAMES P. MORAN,
DAVID E. PRICE,
SANFORD D. BISHOP, JR.
Managers on the part of the House.

TIM JOHNSON,
DANIEL K. INOUYE,
MARY L. LANDRIEU,
PATTY MURRAY,
JACK REED,
BEN NELSON,
MARK L. PRYOR,
PATRICK J. LEAHY,
KAY BAILEY HUTCHISON,
LISA MURKOWSKI,
ROY BLUNT,
JOHN HOEVEN,
THAD COCHRAN.
Managers on the part of the Senate.

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