United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, MONDAY, MARCH 11, 2013 No. 34

Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal, invisible God Only Wise, all Your promises prove true. You gladden us with the glory of Your handiwork, for Your splendor surrounds us.

Empower our Senators to give their best to You and country, rising above obstacles with faith in the power of Your providence. May they serve this land as Your obedient servants, refusing to become discouraged because of the daunting challenges they face. Lord, use them to make America a refuge for the oppressed and a bright beacon of hope for those who dwell in darkness.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following leader remarks, the Senate will be in morning business until 5 p.m. today. Following that morning business, the Senate will proceed to executive session to consider the nomination of Gary Taranto to be a U.S. circuit judge for the Federal Circuit and the nomination of Andrew Gordon to be a U.S. district judge for the District of Nevada. At 5:30 there will be at least one rollcall vote—on the Taranto nomination. We hope the Gordon nomination will be confirmed by voice.

We hope to begin consideration of the continuing appropriations bill which we received from the House. It is going to be filed immediately. We need to complete action on this bill by the end of the week.

MEASURE PLACED ON THE CALENDAR

Mr. REID. I am told S. 505 is ready for its second reading; is that correct?

The President pro tempore. The majority leader is correct. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 505) to prohibit the use of drones to kill citizens of the United States within the United States.

Mr. REID. I object to any further proceedings with respect to this bill.

The PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

NOMINATIONS

Mr. REID. Mr. President, this evening the Senate will vote on two judicial nominations: Richard Gary Taranto, of Maryland, to be U.S. circuit judge for the Federal Circuit and Andrew Patrick Gordon, of Nevada, to be U.S. district judge for the District of Nevada.

Andrew Gordon, of Las Vegas, graduated from Harvard Law School in 1987 after receiving his bachelor's degree from Claremont McKenna College in southern California—the so-called Harvard of the West. He is a partner with the law firm of McDonald Carano Wilson, where he began practicing many years ago and is now a partner in that law firm. As a member of that firm, he handles complex commercial disputes. He focused on alternative conflict resolution and regularly serves as an arbitrator and mediator. He also performs a variety of pro bono work, including handling adoption proceedings. For example, he represented an inmate on death row in a habeas corpus proceeding.

He has consistently been named as one of the best lawyers in America. I had the good fortune to practice law at the same time his father Hank practiced law in Las Vegas. Hank was a well-known lawyer in Las Vegas.

There is no doubt in my mind that Andy Gordon will serve the court well and be one of Nevada's great judges. I am looking forward to his confirmation.

CONTINUING APPROPRIATIONS

Mr. REID. Mr. President, we are going to take up legislation this week to fund the government through the end of the fiscal year. I applaud the committee work done by Chairman MIKULSKI and Ranking Member SHELBY. These two individuals are seasoned veterans. They have worked hard to get this legislation done, as only they could do. They are two of our most senior Members and two of the most respected Members.

The measure we are going to work on starting today was passed by the House of Representatives last week. It is not perfect, and we hope to improve upon that. There will be amendments offered. I am working on a process to consider those amendments. This week will offer another opportunity for the Senate to return to regular order, an opportunity for this body to legislate through cooperation, through compromise, as we used to do. This legislation will be a test of the Senate's good will. America's economy is poised to grow and expand. The last thing it needs is another manufactured crisis, such as a government shutdown, to derail its progress.

For some public servants the political fires are lit by their first trip to

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

Washington or by being moved by a memorable party convention speech. For others the history of military service leads to a career in public service. For still others a single issue, such as a proposed freeway through a vibrant community, propels them into politics. But for Senator CARL LEVIN, serving Michigan families is something of a family business. Senator LEVIN's father served as a Michigan corrections commissioner. His uncle Theodore was chief judge for the district court in the Eastern District of Michigan for many years.

I was elected to Congress in 1982—the same year Senator LEVIN's brother Sander was elected to the House of Representatives. He has been ranking member of the House Ways and Means Committee. He is a distinguished Member of the House of Representatives, having served that body for going on 31 years.

The first time I met CARL LEVIN was over here. I was in the House, going to run for the Senate. We met in his office. The first thing I said was, I came to Washington a few years ago with your brother, elected in the same class.

He said: Yes, he is my brother but also my best friend.

How about that? That is something I have never ever forgotten. These two brothers, natives of Detroit, have done much for the State of Michigan.

CARL LEVIN is truly an outstanding Senator and an even better man. He is the longest serving Senator in his State's history. He dedicated his life to Michigan families long before he was elected to the Senate. He served as general counsel to the Michigan Civil Rights Commission and as assistant attorney general for the State of Michigan. He served two terms on the Detroit City Council, one of them as president of the city council. As a Senator Senator LEVIN has consistently advocated for Michigan families, whether that meant supporting the auto industry, protecting Lake Michigan, holding credit card companies accountable or securing funding for sons and daughters serving in the U.S. military.

As chairman of the Armed Services Committee, CARL LEVIN is the Nation's most respected voice on national security and the most powerful advocate for the men and women of the U.S. Armed Forces. As chairman of the Senate Permanent Committee on Investigations, he has sought truth on behalf of American families time and time again. He led investigations of the 2008 financial crisis, abusive credit practices and abusive credit card practices, and a long, extensive, extremely enlightening bit of work on the Enron collapse.

His dedication to the Senate is matched only by his dedication to his own family. He and his loving wife Barbara have been married for more than 50 years. They have three daughters and six grandchildren.

I am confident Carl is looking forward to spending more time with his grandchildren, taking long walks through his and Sandy's tree farm. It is a wonderful place they go. They don't harvest anything; it is just a bunch of trees, and they love that tree farm.

I so admire Senator LEVIN. Clearly, when he retires in 2 years, the Senate will lose its powerful voice for military families and issues that need to be investigated by this body. Michigan is a much better place because of CARL LEVIN. Our country, the United States, is a much better place because of CARL LEVIN's service.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business for the day?

The PRESIDING OFFICER (Mr. MURPHY). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX REFORM

Mr. HATCH. Mr. President, it is no secret that our Tax Code is in dire need of reform. Although there are differences of opinion about how best to fix our Tax Code, I do not think there is anyone in the Chamber who would argue in favor of keeping our current code as it is.

As I have said before, I believe there is, for the first time in many years, real momentum to get something done on tax reform this year. The leaders of the tax-writing committees on both sides of the aisle have expressed a desire to move forward on tax reform, and there is real bipartisan support in both the House and the Senate.

This is going to be difficult, there is no question about it. It is going to be very hard to form and maintain a coalition in favor of a set of reforms that will simplify the current Tax Code and promote economic growth. It is going to take a lot of hard work and it is going to take people from both parties to get it done. But I think we can succeed.

However, last week it was disheartening to hear the chairperson of the Senate Budget Committee talk about the possibility of including instructions for tax reform in a budget reconciliation package. This news was discouraging for a number of reasons. First and foremost, reconciliation, by its very nature, is a partisan process. In the few instances in recent history when reconciliation resulted in legislation, there was bipartisan support at the outset. That simply is not the case with this proposal. If the Budget Committee goes this route, it will needlessly inject partisanship into a process that, if it is going to have any chance of success, must be bipartisan.

There is simply no way to pass a purely partisan tax reform package with the current makeup of Congress. Make no mistake, if the Senate majority pursues this course of action, it will poison the well for tax reform. It will make it all but impossible.

I would urge my colleagues on the Budget Committee to resist this temptation. If they really want to see tax reform succeed, they should let the tax-writing committees in both the House and Senate do their jobs.

Another concern I have is that the statements by the Budget Committee chairwoman make it unclear whether she is arguing in favor of tax reform or simply in favor of raising taxes. My suspicion is she is talking about the latter. It has become more and more common for my friends on the other side of the aisle to argue in favor of simply eliminating so-called tax loopholes in order to raise revenue and then calling the process ''tax reform.''

Indeed, the President used this very same tactic in the State of the Union. He stated his support for ''comprehensive tax reform,'' but he spoke almost exclusively about using the process to raise more revenue. Some of my colleagues have made similar arguments in the Senate.

That is not tax reform at all. Tax reform, as it has been traditionally proposed and understood, is a process of eliminating certain preferences in order to broaden the tax base and lower the rates. This is how you simplify the Tax Code. This is how you make it more efficient and fair. Most importantly, it is how you make the Tax Code more conducive to economic growth.

If you are eliminating select deductions and preferences only to pocket the revenue for future spending, you are not reforming the Tax Code, you are simply raising taxes. If the Budget Committee is about to report a budget which includes restrictions for tax reform, I can't help but assume the process will be more about raising revenues than it will be about actually fixing our broken tax system.

Once again, if this is the case, the Budget Committee would be injecting partisanship into what has up to now been mostly a bipartisan effort. At the same time, they would be perpetuating the myth that our Tax Code is full of so-called loopholes which benefit only the rich. I have spoken about this at length on the Senate floor, but the message bears repeating.

The term we hear most often to describe deductions and preferences in

the Tax Code is ''tax expenditure,'' which implies that by allowing people to keep more of their money, the government is somehow engaging in spending. Indeed, the President has even gone so far as to refer to deductions and preferences, which reduce an individual's or business's tax burden, as ''spending in the tax code.''

As I said before, when many of my Democratic friends talk about tax reform, they are usually talking about eliminating these provisions in order to raise revenue so they can spend it. Far too often they refer to these provisions as loopholes. For example, the Budget Committee chairwoman was quoted last week as saying her committee is looking at closing loopholes as a means of reducing the deficit.

Let me make one thing clear: Describing tax expenditures as loopholes is simply and deliberately inaccurate. A loophole is something Congress did not intend; and, in general, we would eliminate loopholes once we learned they were being improperly exploited.

Tax expenditures, by contrast, are placed by Congress into the Tax Code deliberately. For example, the largest tax expenditure is the exclusion for employer-provided health insurance and benefits. Do we want to do away with that?

Another one of the largest tax expenditures is the home mortgage interest deduction. Some would like to do away with that and millions would not—especially all the home builders around the country. Whether these expenditures benefit someone in the middle class or one of the so-called rich, they are not loopholes. These are not tax schemes some lawyer or accountant concocted to help his clients game that system. These are broad-based tax incentives used by many Americans.

Favorable tax treatment of tuition expenses could be labeled spending through the Tax Code or a ''loophole,'' but you don't hear many people using those terms to explain them. Rather, my friends on the other side of the aisle use the term ''loophole'' to describe things they do not like and ''investment'' to describe things they do like. This is about picking winners and losers and not about tax reform.

Even if you disagree with a particular tax expenditure, it is simply dishonest to refer to it as a loophole. An honest debate requires recognition that all of these tax expenditures were designed by Congress with economic or social goals in mind and are not tax escapes created by accident or sneaky abuses of the Tax Code.

Furthermore, if we are talking about eliminating tax expenditures, we need to be clear about who benefits from them. If you look at the largest list of tax expenditures, you will find the ones most often cited by my colleagues on the other side, such as bonus depreciation on corporate jets or tax breaks for oil companies, are not among them.

What you will find is a list of deductions which disproportionately benefit the middle class. This being the case, if my colleagues are serious about significantly reducing the deficit by eliminating deductions and so-called loopholes, they will necessarily be talking about raising taxes on the middle class. Indeed, if they only focus on those provisions which benefit the so-called rich, they will not be able to raise enough revenue to make a serious dent in the deficit.

For example, let's take a look at the mortgage interest deduction. According to the Joint Committee on Taxation, only 35 percent of the benefit of the mortgage interest deduction goes to taxpayers with incomes over $200,000 per year. The remaining 65 percent goes to taxpayers who make less than $200,000. By a ratio of almost 2 to 1, the mortgage interest deduction benefits the middle class, not the so-called rich.

We may also look at the earned income tax credit, another large tax expenditure. This is another fully refundable tax credit, meaning taxpayers can receive it whether they pay income taxes or not. High-income earners receive no benefits from the earned income tax credit.

The story is the same with the child tax credit, which is limited to lower and middle-income earners. None of it goes to taxpayers with higher incomes. Likewise, all education credits go to taxpayers making less than $200,000 a year.

The list goes on and on. Deductions for real property taxes, medical expenses, childcare, and student loan interest, all of them predominantly, if not exclusively, benefit people making less than $200,000 a year.

Benefits from some other large tax expenditures are distributed almost proportionately between higher and middle-income earners. One such provision is the State and local income and sales tax deduction.

According to the Joint Committee on Taxation data, 55 percent of the benefit of this deduction goes to taxpayers making more than $200,000 a year, and 45 percent of the benefit goes to people making less than $200,000 a year. This expenditure accounts for about one-half of the revenue loss attributable to itemized deductions. Since the benefits are slightly more in favor of those with higher incomes, it would likely be a target for a ''tax reform'' exercise designed to raise revenue. However, much of the burden of limiting or eliminating this deduction would still fall on the middle class.

It is also interesting to note that this past December the New York Times editorial page, which is usually very much in sync with the philosophy of the Democratic Party, recommended caution when considering limits to this particular deduction. Yet it is one of the largest tax expenditures in the country.

I ask unanimous consent to have printed in the RECORD the New York Times editorial from December 6, 2012, entitled ''Keep the State Tax Deduction.''

[From the New York Times, Dec. 6, 2012]

KEEP THE STATE TAX DEDUCTION

As they continue to wrangle over the year-end fiscal deadline, both Democrats and Republicans are considering caps on federal income-tax deductions.

That could be very bad news for residents of New York, New Jersey and other states and cities that rely heavily on their own income taxes. Such a cap would reduce the value of the deduction for state and local income taxes, which has been part of the federal tax code for a century (though the deduction has been diluted by the alternative minimum tax). That could substantially reduce middle-class disposable incomes in high-tax states, which, in turn, would put pressure on those states to cut taxes and the services they have long chosen to provide. (A cap would also affect property and sales taxes, though those are spread around more evenly among all the states.)

The theory behind the deduction was that the amount paid to states in taxes is not really part of an individual's disposable income, because it is obligatory and, therefore, should not be taxed twice. Over time, the deduction has become the equivalent of a subsidy from the federal government to states that believe in a strong and active government. That may infuriate conservatives in low-tax states like Texas, who hate subsidizing states with different views of government's role, but it's actually a good thing for the country.

The deduction is Washington's way of supporting states that support their most vulnerable citizens and neediest cities. The seven states that account for 90 percent of state and local tax deductions (including sales and property taxes)—New York, New Jersey, California, Pennsylvania, Maryland, Illinois and Massachusetts—generally do a better job of providing for the health and welfare of their citizens, and are more willing to pay for institutions that are good for society as a whole.

Rapid-transit systems in states like New York and Massachusetts, subsidized with tax dollars, save energy and improve the environment. Few cities can afford to operate their own universities, but the City University of New York, also subsidized with tax dollars, is an enormously valuable institution with national benefits. Public hospital systems and generous Medicaid programs have improved and extended the lives of tens of millions of low-income people.

Texas is proud not to have an income tax, but it also has by far the highest percentage of uninsured people in the country. It ranks last in prenatal care as well and in overall federal assessment of health quality.

In their fiscal-cliff offer, Republicans have proposed raising $800 billion by capping deductions for the wealthy, though their proposal would inevitably affect the middle class in expensive states like New York and California. President Obama would prefer to raise tax rates, but he has also proposed deduction limits that would affect states that have chosen to impose higher income taxes. Governors, mayors and representatives of those states need to make their voices heard in support of that choice.

Once again, when my friends on the other side of the aisle talk about eliminating so-called loopholes for the sole purpose of raising revenue, they are either talking about raising taxes on the middle class or they are proposing changes which will have no meaningful impact on the deficit at all. If the goal is to construct political talking points and raise relatively significant

amounts of revenue by going after politically convenient targets—jet owners, oil companies, private equity firms, and the like—you may do this by eliminating a handful of so-called loopholes.

This isn't the stated goal of the President, nor is it what my colleagues on the Budget Committee talk about when they say they want to pursue ''tax reform'' through reconciliation. No, instead they talk about reducing deficits, debt, and attaining fiscal sustainability. They cannot do this by focusing efforts on tax provisions which only benefit the wealthy. The money simply isn't there. If we are not going to cut spending, and if our deficit reduction efforts are focused only on eliminating so-called tax loopholes, then the middle class happens to be the target.

We need a different approach. We need tax reform which focuses on eliminating preferences in the Tax Code—not for the purpose of raising taxes but for lowering the rates and encouraging economic growth. Unlike the idea of tax reform advanced by some of my friends on the other side, this will benefit the middle class.

This is what tax reform is all about. Anyone talking about raising taxes or closing loopholes for the sole purpose of generating revenue is not talking about tax reform. For these reasons, I hope the Budget Committee will go a different route. I hope they will let the bipartisan tax reform efforts underway in both the House and Senate run their course.

If they don't, if they hijack the process in order to once again raise taxes on the American people and to vilify Republicans as being the ''party of the rich,'' we will not see tax reform happen this year or, quite likely, any year in the near future.

Our Nation is facing a number of challenges. In addition to mounting debts and deficits, our economic recovery remains on a slow and tenuous path. We need people who are willing to make difficult choices in order to solve these problems. This will mean structural reforms to our entitlement programs, which are the main drivers of our debts. Once again, that will mean real, meaningful changes to our Tax Code, which continues to be an obstacle to sustainable economic growth.

As I stated, I do believe there are people on both sides of the aisle who recognize these needs, particularly when it comes to tax reform. Sadly, there are also those who would rather campaign on these problems, attacking anyone who proposes real solutions while offering only political talking points in return. That is not what the American people deserve.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

OBAMACARE

Mr. MCCONNELL. Mr. President, next week marks the third anniversary of ObamaCare, and I will remind you that leading up to its passage in March 2010, Republicans warned endlessly that the bill would cost too much and wouldn't work the way the President and other Washington Democrats said it would. Then-Speaker PELOSI famously said we needed to pass the bill to learn what was in it. Well, nearly 3 years and thousands of pages of regulations later, we have learned a lot about ObamaCare. It looks like our worst fears are coming true.

Right down the hall, President Obama promised if Congress would only pass the kind of health care takeover he was after, it would slow the growth of health care costs for our families, our businesses, and for our government. Today, the facts tell a very different story.

According to Congress's own nonpartisan budget experts, ObamaCare will increase Federal health spending and subsidies by nearly $600 billion. That is only projected to get worse over time.

Just a few weeks ago, these same nonpartisan experts told us spending is set to ''grow rapidly when provisions of the Affordable Care Act are fully implemented by mid decade.'' Their words, not mine.

So when the President tries to convince Americans that Washington doesn't have a spending problem but a health spending problem, what he is not saying is his own health care law is actually making things worse, not better, and that is to say nothing of the devastating effects of this law for American families.

Then-Senator Obama promised to lower premiums by as much as $2,500 per family when he ran for President. Here are the facts: Three years after ObamaCare's passage, premiums for families have actually risen by nearly that same amount. And that is before the most expensive new rules, taxes, and mandates kick in. After that, the experts tell us premiums could increase by $2,100 per family.

Tragically, ObamaCare will place the greatest burden on young Americans—those just starting to build lives of their own. This is a time in their lives when every dollar counts. Yet 3 years after ObamaCare's passage, experts say premiums for healthy young people could rise by 169 percent.

Part of the reason costs are set to increase so dramatically is because ObamaCare levies so many new taxes and fees. But that is really only half the story. It is also because the law imposes so many onerous regulations. Just look at this stack right here. This is 1 day's worth of ObamaCare regulations—828 pages in 1 day. Overall, there are nearly 20,000 pages, with many more to come. But this is 1 day's worth—828 pages.

This law is a disaster waiting to happen. Imagine the burden we are placing on a single mom who wants to open her own store or the young entrepreneur who wants to sell some new idea or the business owners we all know from back home—the folks who employ so many of our constituents. Instead of encouraging them to create jobs and grow the economy, we are hitting them with a brick of regulations.

Last week the Federal Reserve said what many of us have been predicting all along: ObamaCare is also costing jobs. Recent polling bears this out too. One survey said that more than half of American small business owners are worried that health care costs and taxes will hurt their operating environment ''a lot.'' Another small business survey recently identified these issues as the top two concerns among eight tested.

There are countless real-world examples of how this is hurting the folks we represent. Let me give you just one example. One of my constituents is Junior Bridgeman. He was once known for his skills on the basketball court. Today, Louisvillians know him as the owner of a successful restaurant franchise that employs a lot of Kentuckians. He wrote to me recently to say that ObamaCare is a serious impediment not only to hiring but to hiring low-income employees in particular. Here is what he had to say:

> [It] does not consider our ability to afford the mandate. Under our current labor model . . . [it] will increase labor costs whether we offer health care or pay the tax penalties. . . . .This creates, in essence, a disincentive to hire low income employees.

The President's allies are worried too. We have seen the stories about Democrats who voted for the bill now having second thoughts about specific funding mechanisms for it, but now union leaders are even expressing fears about the law driving up costs for their own health care plans, making unionized workers actually less competitive.

This is the worst time to be imposing tens of thousands of pages of new regulations and onerous taxes on the very families and businesses that can least afford them. We owe our constituents better, particularly those who are struggling the most.

Look, ObamaCare is just too expensive, and it is not working the way Washington Democrats promised. That is why ObamaCare needs to be repealed. That is why I will continue to push for its repeal.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

ILLEGAL IMMIGRATION

Mr. COATS. Mr. President, a few weeks ago, U.S. Immigration and Customs Enforcement, otherwise known as ICE, initiated an unexplainable order to take action to reduce the population of detained illegal aliens, and they said it was for budgetary reasons. I quote a spokesman for ICE, who said the decision was made because ''fiscal uncertainty remains over the continuing resolution and possible sequestration . . . ''

Well, we have had fiscal uncertainty for 4 years now, and the decision to release these detainees was made before the sequestration even took place. The procedures put in place under the continuing resolution and the resources for covering the costs of detaining these illegal immigrants until they could be brought to trial and sent back home were put in place by the funding we provided for the agency in September, running through the end of this month, or until March 27. So a lot of questions need to be answered about ICE's decision because there was a furor over why we are releasing illegal immigrants back on the streets of America. Why are we putting these people back out on the streets when the law didn't require it? The resources were there to keep there, and yet many were released before the sequestration even took place—before the across-the-board cuts even took place—and I want to get some answers. So I wrote Secretary Napolitano a letter asking her to provide answers to a series of questions, which I will state in a moment, and have the answer to me in my office by Friday, March 8.

Well, I returned today to find the answer was not there. I could give the Secretary the benefit of the doubt and say it is in the mail. We know it doesn't always guarantee next-day delivery. Nevertheless, I think the American people need to know. Particularly those impacted, those communities impacted by these illegal immigrants—not knowing who they are, not knowing why they were released, not knowing whether we can bring them back to stand before a judge and plead their case or be processed for return.

The law enforcement officials in these communities are up in arms because they don't know who these people are. They don't know whether they are criminals; they don't know whether they are ever going to be able to bring them back into the ICE system and be detained and readied for processing. So that is why I asked the Secretary to respond to my letter.

Subsequent to that, officials at ICE have denied recent press reports regarding plans to release even more detained illegal immigrants. Last Tuesday, an internal ICE document obtained by the House Judiciary Committee revealed a plan of ICE to continue reducing detention center populations each week while the sequestration is in place. That document shows one scenario where the number of illegal immigrants in custody could be reduced by more than 1,000 a week between February 15 and March 31. The initial report said it was a couple hundred—I think 300 was the number given—only to find out it is more than 1,000, and now we find out it may be more than 1,000 each week for about a 6- or 7-week period of time.

What we are trying to do is get the facts and get an explanation of what has happened, why it took place in the manner it did, and what is the administration's plan for going forward with this. I am doing this because as ranking member of the Appropriations Subcommittee on Homeland Security, I am getting all kinds of questions from people—not just my colleagues but others across the country—basically asking what is going on here. I wish to be able to respond to those questions with answers, or have the Department respond.

As the head of the Department, Secretary Napolitano needs to provide information on who made this decision, why this decision was made, why was it made before sequestration even took effect, why was the number of released individuals said to be around 300 when it was well over 1,000? Releasing the detained individuals has the potential to put these communities at risk and sends a message to those who come here and break the law as illegal immigrants that our government is not serious. I am sure word is spreading through Mexico and other ports of entry to illegal immigrants: Don't worry, you may get picked up; you may get put in a detention center; they will provide a bed, food, and so on, but they are releasing 1,000 a week. I can just see the traffickers now pitching this to tens of hundreds or thousands of people, taking their money, getting them across the border, reaching the fence, or tunneling under the fence or climbing over the fence, or any of a number of other ways they are bringing illegals into this country.

I spent 3 days down on the border. While we are making some strides, we have a long way to go to stop this illegal immigration. So we need clarification and we need an explanation of what has happened.

Let me state some of the questions I have raised to the Secretary:

Why did the Federal Government release detained illegal immigrants 1 week before the sequester took effect and blame it on budget cuts when those cuts had not even yet been put into place?

Why didn't ICE take the proper steps necessary to manage its resources efficiently across the various programs? As I said earlier, the Congress itself provided them with adequate resources to maintain a level of 34,000 illegal detainees per year and not go below that. They do not need to go below that number because they had the resources to pay for it. They are required by Congress to do that.

What triggered ICE to instruct field offices to reduce the detainee population a week before the sequestration hit?

How many illegal immigrants were released during that time?

Exactly how many of these individuals were released solely due to budget reasons?

How many of the released individuals, if any, were designated as criminal? The law enforcement people obviously need to know that.

Have instructions been given to field offices to reduce the intake and arrests of illegal aliens into detention?

These are just some of the many questions I asked Secretary Napolitano because I think Congress and the American people deserve answers.

As the head of the Department, Secretary Napolitano has the ultimate responsibility to oversee the decisions in the management of agency resources. She said this decision was made at a level below her. We hear a lot of that from administration officials: It is not my fault, it is somebody else's fault. That is why they rise to the position of Secretary, because they are the ones who ultimately oversee the program and need to take responsibility, or at least need to answer a question posed by a Member of the Senate as to why they did what they did and how we are going to fix this.

Failing to respond to the Congress and to our requests and the failure to provide the American people with more information behind this decision is simply not something we should accept. I will keep pressing for these answers.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY MEDAL PRECEDENCE

Mr. MANCHIN. Mr. President, I rise today to bring attention to a recent decision by the Department of Defense to authorize a new military decoration—the Distinguished Warfare Medal—as a way to recognize the contributions of silent warriors, such as drone pilots and cyber warriors.

I have absolutely no objection to the creation of the Distinguished Warfare Medal. Every day our silent warriors use modern warfare technology in ways that have had an extraordinary impact on today's battlefield—saving the lives of countless American service men and women and enhancing the national security of our country.

However, I adamantly oppose the decision by the Defense Department to

elevate the Distinguished Warfare Medal above the Bronze Star and the Purple Heart, which are awarded for acts of valor and heroism on the battlefield, and above the Soldier's Medal, which is given for acts of gallantry beyond the battlefield.

I believe medals earned in combat or in other life-threatening conditions should maintain their precedence above noncombat awards. Placing the Distinguished Warfare Medal above the Bronze Star and the Purple Heart diminishes the significance of such awards earned by risking one's life in direct combat or through acts of heroism.

I am not alone in my opposition to the precedence the Defense Department plans to give the Distinguished Warfare Medal. A bipartisan group of 21 other Senators, our colleagues, has joined me in a letter to Defense Secretary Hagel urging him to reconsider the Department's decision.

The Veterans of Foreign Wars in my State and in the Presiding Officer's State have also asked Secretary Hagel to reconsider. And while the Secretary has told the VFW that he is satisfied with the criteria and placement of the Distinguished Warfare Medal, I believe we can still make the case that combat awards and medals for gallantry should remain the military's highest honors.

In his response to the VFW defending the new medal, Secretary Hagel asserts:

> There are numerous existing medals that may be awarded for non-valorous achievements which are higher in precedence than the Bronze Star.

That is true. There are medals, such as the Legion of Merit, not directly linked to a single act of valor. But these medals recognize distinguished service often spanning several generations of service. These awards are given for vastly different periods and different types of service.

Comparing awards for lifetime achievement to the Distinguished Warfare Medal, which even Secretary Hagel's letter states is awarded for ''a single''—I repeat, ''a single''—''extraordinary act,'' is not an appropriate justification for its precedence above the Bronze Star and Purple Heart.

Veterans groups are understandably upset. The new Distinguished Warfare Medal appears to be a wartime medal based on a single event that trumps acts of valor on the field of battle.

In this dispute I think it is instructive to consider why the Bronze Star and the Purple Heart were created.

The Bronze Star was conceived by COL Russell ''Red'' Reeder in 1943. At the time he and other military officers believed there was a need for a ground combat medal equivalent to the Air Medal, which was awarded for meritorious achievement to our pilots and flight crews. In fact, originally the award that became the Bronze Star was proposed as the ''Ground Medal.''

The award was created to boost the morale of American ground forces during World War II. As GEN George C. Marshall explained to President Roosevelt in a letter:

> The fact that the ground troops, infantry in particular, lead miserable lives of extreme discomfort and are the ones . . . (most) close in personal combat with the enemy, makes the maintenance of their morale of great importance. The award of the Air Medal has had an adverse reaction on the ground troops, particularly the Infantry Riflemen who are suffering the heaviest losses, air or ground, in the Army, and enduring [some of our] greatest hardships.

The Purple Heart, of course, is one of our country's oldest military decorations, originally instituted by George Washington, then the commander in chief of the Continental Army, in 1782, to reward troops for what he called ''unusual gallantry'' and ''extraordinary fidelity and essential service.''

The Purple Heart was revived as a military decoration in 1932 on the 200th anniversary of George Washington's birthday. In 1985, by an act of Congress, it was given its current precedence just below the Bronze Star and directly above the Meritorious Service Medal—a clear recognition of the special valor of those who receive it. I recognize that military awards should be updated as the tactics of warfare change. Drones and cyber warfare play a role in the defense of this great country, and there is no question that each member of our military plays a crucial role in protecting our Nation and every American. But I have listened to West Virginia veterans and agree with them: Our brave servicemembers who face life-and-death situations deserve the most distinguished medals the U.S. military awards.

Again, I support the Distinguished Warfare Medal. I want to make no mistake about that. But I do not believe it should be given higher precedence than awards for those who have faced the enemy on the battlefield. Awards earned for heroism, patriotism, and a willingness to make the ultimate sacrifice for the freedoms we all enjoy every day should not be ranked below a medal earned in relative safety.

I agree wholeheartedly with veterans who have expressed their concerns about the precedence the Defense Department intends to give the Distinguished Warfare Medal. I share their belief that combat awards are sacred, reflecting the special bravery of Americans who are willing to sacrifice all for their country as well as their brothers and sisters in arms. And I join them in urging the Defense Department to preserve the legacy of these sacred awards by leaving their precedence undisturbed.

I thank Secretary Hagel for his courageous military service to our country. Through his combat experience in Vietnam, he knows all too well the clash and the heat of battle. He shares a special bond with generations of Americans from Concord to Kabul who have risked their lives in the defense of this great country, many of whom have paid the ultimate sacrifice for our freedom. I hope, for that reason, he reconsiders the precedence of the Distinguished Warfare Medal and agrees that combat awards should remain our military's highest honors.

Mr. President, thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF RICHARD GARY TARANTO TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT

NOMINATION OF ANDREW PATRICK GORDON TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit, and Andrew Patrick Gordon, of Nevada, to be United States District Judge for the District of Nevada.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes for debate equally divided and controlled in the usual form.

Mr. LEAHY. Mr. President, I ask unanimous consent that the time be divided in such a way that the vote occur at 5:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Last week, Senate Republicans were given an opportunity to end their partisan and wrongheaded filibuster of Caitlin Halligan to the D.C. Circuit. Instead, they voted against the Federal judiciary, the administration of justice, and the needs of the American people. The Republican filibuster has lasted for over 2 years, in which Senate Republicans have refused to vote up or down on this highly qualified woman to fill a needed judgeship on the D.C. Circuit. No one can honestly question whether she has the legal ability, judgment, character, ethics, and temperament to serve on the court. The smearing of her distinguished record of service is deeply disappointing.

Narrow, special interest groups have misrepresented her as a partisan or ideological crusader. She is not. Senate Republicans attacked Caitlin Halligan's advocacy on behalf of her client, the State of New York, with which they disagree. It is wrong and dangerous to attribute the legal positions a lawyer takes when advocating for a client with what that person would do as an impartial judge. That is wrong and not the American tradition. That is not what Republicans insisted was the standard for nominees of Republican Presidents.

In a March 10 article entitled ''As Obama, Senate Collide, Courts Caught Short,'' The Boston Globe reported over the weekend about the stranglehold Senate Republicans have placed on nominations to fill vacancies on the D.C. Circuit. The Court is now more than one third vacant with 4 vacancies among its 11 authorized judgeships, in what the Globe noted is ''the worst vacancy rate in its history and higher than any other federal circuit court nationwide.'' The article further notes that the Republican filibuster of Caitlin Halligan is representative of what the Republicans have done to obstruct President Obama's nominees the last 4 years. It says:

> In what is a growing problem infecting the nation's federal courts—both small and large, from San Francisco to Allentown, Pa.—judges are taking far longer to gain approval from the Senate. It's the result of a decline in decorum among senators, the willingness of the Republican minority to use tactics that were previously off-limits, and an overall rise in partisanship. The result is that Washington gridlock is resulting in docket gridlock across the country, with courts not getting the judges they need as a result of dysfunction in the Senate.

I agree and I hope that Senate Republicans will stop their obstruction of the President's judicial nominees.

Similarly, in a March 8 article in the New York Times, author Carl Hulse noted that the changes made to filibusters earlier this year:

> . . . have done little so far this session to curb filibusters, as evidenced by the vote on Ms. Halligan and the politically charged obstacles raised to confirmation votes on Mr. Brennan and Chuck Hagel, a former Republican senator who found himself on the receiving end of a Republican filibuster before winning confirmation as secretary of defense.

Senate Republicans continue to abuse the nominations process by refusing to give up-or-down votes to nominees. I ask unanimous consent to have this article printed in the RECORD at the conclusion of my statement.

Also disconcerting were the comments and tweets by Republicans after their filibuster in which they gloated about payback. That, too, is wrong. It does our Nation and our Federal Judiciary no good when they place their desire to engage in tit-for-tat over the needs of the American people. I rejected that approach while moving to confirm 100 of President Bush's judicial nominees in just 17 months in 2001 and 2002. Indeed, the filibuster of the nomination of Miguel Estrada was different. It was to obtain access to information about his work and whether he acted ideologically as his supervisor at the Office of Solicitor General had alleged. Had we gotten access to those materials, there would have been a vote on the Estrada nomination. Republican Senators now demand access to all sorts of materials while filibustering for the first time in our history the Secretary of Defense and the Deputy Attorney General of the United States, as well as the nominee to head the CIA and judicial nominees. They cannot do that and still complain about the Estrada nomination. Nor was there any information missing in connection with the Halligan nomination. As the debate showed, the opposition was fictitious.

Today the Senate will finally consider another circuit court nomination that has been needlessly stalled for 1 year. During the year that Richard Taranto's nomination has been pending, two more vacancies have opened up on the Federal Circuit. This judicial vacancy, now one of multiple vacancies on that court, has been left open for almost 3 years, for no good reason.

There is simply no reason for the year-long delay of Richard Taranto. During the year since he was reported without controversy by the Judiciary Committee, I do not know of a single Senator who has come to the floor to express any reservations about this nomination on the merits. After nearly 4 years when judicial vacancies have remained near or above 80, hard-working Americans seeking justice deserve better.

Today, the Senate will vote on the nomination of Richard Taranto to the Court of Appeals for the Federal Circuit. He is currently a name partner at the Washington D.C. law firm Farr & Taranto, where he has spent the majority of his professional career. He previously served as Assistant to the Solicitor General and as a law clerk for Justice Sandra Day O'Connor for the U.S. Supreme Court, Judge Robert Bork for the U.S. Court of Appeals for the D.C. Circuit, and Judge Abraham Sofaer on the U.S. District Court for the Southern District of New York. He is a distinguished litigator, who has filed nearly 230 Supreme Court briefs in his career, and who has argued before that court 19 times. He has also argued 20 cases before the Federal Circuit, the court to which he has been nominated. He was unanimously rated ''well qualified'' by the ABA Standing Committee on the Federal Judiciary, its highest rating. Richard Taranto was reported by the Judiciary Committee without controversy in March 2012 and, again, last month.

The Senate will also be voting this evening on the nomination of Andrew Gordon to the U.S. District Court for the District of Nevada. He is currently a partner at the law firm McDonald Carano Wilson LLP in Las Vegas, Nevada where he has practiced since 1994. Andrew Gordon has the bipartisan support of his home State Senators and he was reported by the Judiciary Committee 1 month ago. There are two additional nominees currently being stalled in Committee that would fill vacancies on the Federal court in Nevada but Senator HELLER is objecting to their nominations. After his obstruction of one of the nominees for more than a year, that nominee finally asked that her nomination be withdrawn. She was a very good nominee and the people of Nevada will be worse off for not having her serve on that court.

These are only 2 of the 20 judicial nominations currently ready for Senate consideration and confirmation. Both of these nominees should have been considered and confirmed last year. All of the 20 nominees now ready for final action had to be renominated this year after being returned at the end of the last Congress. The Senate should act swiftly to let these nominees get to work on behalf of the American people.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Caucus, The Politics and Government Blog, the New York Times, Mar. 8, 2013]

DEMOCRATS CRY FOUL OVER WEDNESDAY'S OTHER FILIBUSTER

(By Carl Hulse)

Senator Rand Paul may have staged a Senate-shaking filibuster Wednesday, but his was actually only the second most significant Republican filibuster of the day.

In a vote just before Mr. Paul, the junior senator from Kentucky, tried to blockade the nomination of John Brennan as director of central intelligence over drone policy, the Senate failed to end debate on the nomination of Caitlin J. Halligan of New York to a seat on the federal appeals court for the District of Columbia.

The filibuster of Ms. Halligan didn't blow up on Twitter the way Mr. Paul's impressive 12-hour stand did. But of the two, it was the one that could renew a feud over rules governing filibusters and how the Senate handles high-level judicial nominations—an issue that has torn the chamber for years.

Democrats are already in discussions on how to respond to the Halligan filibuster. They believe Republicans are dead set against confirming qualified Obama administration nominees to the United States Court of Appeals for the District of Columbia Circuit. They accuse Republicans of exaggerating their objections to Ms. Halligan to justify a filibuster under a 2005 agreement that short-circuited the last partisan showdown over filling judicial vacancies.

That deal, crafted by the famous Gang of 14, put its signatories on record as saying they would not block confirmation votes on appeals court judges without ''extraordinary circumstances'' as determined by each individual. While only members of the gang signed it, it became informal Senate policy and defused a crisis that had Republicans threatening to execute the ''nuclear option'' and bar filibusters against judicial nominees by a simple majority vote instead of with the 67 votes historically needed to change Senate rules.

It also led to President George W. Bush winning three appointments to the appeals court often considered a feeder to the Supreme Court, giving conservatives an advantage on the influential panel, which hears

many federal-powers cases. In its current makeup, the court consists of four judges appointed by Republican presidents and three appointed by President Bill Clinton, with four vacancies—the most ever on that court.

In filibustering Ms. Halligan, several Republicans cited extraordinary circumstances arising from her earlier work as the solicitor general for the State of New York, particularly on a case against gun manufacturers.

''Ms. Halligan advanced the novel legal theory that gun manufacturers, wholesalers and retailers contributed to a 'public nuisance' of illegal handguns in the state,'' said Senator Charles E. Grassley of Iowa, the top Republican on the Judiciary Committee, accusing her of judicial activism. ''Therefore, she argued, gun manufacturers should be liable for the criminal conduct of third parties.''

Democrats cried foul. The real reason she was blocked, they say, is that Republicans do not want to see the balance of power on the D.C. appeals court shifted. They say that Ms. Halligan was acting in her official capacity representing the State of New York, not as a jurist, and that Republicans have abandoned the extraordinary circumstances test engineered by the Gang of 14.

''If you go back to that history of what occurred back then, there is a real question of whether they have broken the deal now,'' said Senator Tom Udall, Democrat of New Mexico. ''This is a key circuit for the country. What they are doing is not allowing these consensus candidate judges to get votes.''

Mr. Udall has been among a group of relatively newer members of the Senate clamoring for significant changes in the rules governing filibusters. One demand is that senators act more like Mr. Paul, and take the floor to make their case when they are trying to block a vote. In January, working to avoid a divisive fight, Senator Harry Reid, the Nevada Democrat and majority leader, and Senator Mitch McConnell of Kentucky, the Republican leader, struck a deal making some modest changes in filibuster rules.

But those changes have done little so far this session to curb filibusters, as evidenced by the vote on Ms. Halligan and the politically charged obstacles raised to confirmation votes on Mr. Brennan and Chuck Hagel, a former Republican senator who found himself on the receiving end of a Republican filibuster before winning confirmation as secretary of defense. The filibuster is alive and well in the Senate and, as Mr. Paul showed, may even be enjoying resurgence as grand theater.

Democrats say that despite what they see as clear provocation, they are in no hurry to change the new rules after just two months in place. They say they are more inclined to explore new ways to confront Republicans over the vacancies.

Mr. Udall says one option might be for the president to make multiple nominations, in effect daring Republicans to find ways to cite extraordinary circumstances in multiple instances.

''Rather than putting just one up, we should put before the Senate all four and expose what is happening here,'' said Mr. Udall, who acknowledged that Senate Democrats would need White House cooperation.

''We need to design a strategy to counter the Republicans, and we are going to need the president,'' he said.

The fight will take time to unfold. Democrats say they will wait to see how Republicans respond to future appeals court nominees. But a series of filibusters against what they view as acceptable nominees could quickly bring to a head the push for a change in Senate rules.

Mr. GRASSLEY. Mr. President, I rise today in support of Richard Gary Taranto, nominated to be U.S. circuit judge for the Federal Circuit. Mr. Taranto's nomination was pending before the Senate last year. In accordance with Senate custom and practice, the nomination was placed on hold, along with other circuit Judge nominations, pending the outcome of the 2012 Presidential election.

I also support the nomination of Andrew Patrick Gordon to be U.S. district judge for the District of Nevada. Mr. Gordon was nominated late last year, with his hearing held in December.

Despite our continued cooperation with the President and Senate Democrats, we continue to hear unfounded criticism.

For example, recently the White House posted on its Web site a statement ''The rising number of judicial vacancies is a direct result of unprecedented delays in the Senate confirmation process.'' The graphic went on to suggest that the President's nominees have to wait longer for confirmation than nominees of previous Presidents. It cites statistics that the President's nominees have to wait longer than nominees in prior administrations for floor consideration after being reported out of committee. There is no mention that in previous administrations there was a much longer wait for committee consideration. The end result, from nomination to confirmation, is about the same for Obama nominees as it was for nominees submitted by George W. Bush. There is no credible basis for alleging ''unprecedented delays.''

President Obama is quoted as saying: ''A minority of Senators has systematically and irresponsibly used procedural maneuvers to block or delay confirmation votes on judicial nominees.'' Of course, President Obama, as Senator, supported the filibuster of the nomination of Samuel Alito, nominated to be an Associate Justice of the Supreme Court of the United States.

A few Senate Democrats have joined this chorus, claiming that the recent vote on the Halligan nomination was a violation of a Senate understanding or ''deal'' negotiated in 2005 by the so-called Gang of 14.

Unfortunately, some of those Senators have no understanding of what happened with Bush nominees, leading to that limited agreement. I am not going to recite that history here, but the record is there for those who are interested in the truth.

It is a stretch to say that the Gang of 14 is any kind of Senate policy, informal or otherwise. It was an agreement among a few Members of that Congress. Most Senators who were part of that agreement no longer serve in the Senate. Senators who did sign the agreement, on both sides, subsequently voted against cloture on nominees—indicating that the agreement was never regarded as limiting the Senate on cloture votes. It is clear that agreement was limited to a small group, for a particular point in time.

The allegation of a systematic and irresponsible use of procedural maneuvers to block or delay nominations is unfounded. Senate Republicans have sparingly used Senate rules. Only two nominees have been defeated by a filibuster. Compare that to the multiple filibusters on nominees of President Bush. Ten nominees were blocked by filibusters, with five ultimately being defeated.

The fact is, in his first term, President Obama had the highest percentage of circuit confirmations over the past four Presidential terms. With regard to district confirmations, President Obama had more during the 112th Congress that in any of the previous eight Congresses, going back to 1994. So those who say that this President is being treated differently either fail to recognize history or want to ignore the facts or both.

A second prong of this debate concerns the vacancy rate in the Federal judiciary. Blaming judicial vacancies on the Senate confirmation process is unfounded and a distortion of the process. The growth in vacancies is the result of a failure in the White House to send nominations to the Senate. Presently, 55 of the 87 vacancies—63 percent—have no nominee. For the 30 vacancies categorized as ''judicial emergencies,'' only 9 have a nominee. This has been a pattern through most of the Obama Presidency.

Senators who suggest that Republican Senators are blocking all four vacancies on the DC Circuit should understand that two of those vacancies have no nominee. A Senator who suggests as a strategy to ''put before the Senate all four and expose what is happening'' must first talk to the White House about the lack of nominees.

With regard to today's nominations, I would like to say a few words about the nominees. I expect they will be approved, and congratulate each on his confirmation.

Richard Gary Taranto is nominated to be U.S. circuit judge for the Federal Circuit. After graduating from Yale Law School in 1981, Mr. Taranto held several judicial clerkships. First, he served as a law clerk for Judge Abraham Sofaer on the U.S. District Court for the Southern District of New York. From 1982 to 1983, he clerked for Judge Robert Bork on the DC Circuit. Finally, he clerked for Justice Sandra Day O'Connor from 1983 to 1984.

After completing his clerkship with Justice O'Connor, Mr. Taranto worked as an associate with Onek, Klein & Farr. He also served for a few months in the spring of 1986 as a legal consultant to the Secretary of State's Advisory Committee on South Africa.

Beginning in the summer of 1986, he joined the U.S. Department of Justice Solicitor General's Office serving as an assistant to the Solicitor General. In 1989, he returned to the private sector as a partner in his old firm of Onek, Klein, & Farr, which soon after became Farr & Taranto. From 1989 to the late 1990s, his practice was heavily focused on the Supreme Court. He wrote briefs

and argued cases on a wide variety of topics, including constitutional law, bankruptcy, patent, trademark, Federal procedure, antitrust, and copyright issues.

In 1997, the focus of his practice shifted to handling patent appeals before the Federal Circuit. Before the Federal Circuit, he has represented patent holders and patent defendants across a variety of technology areas. He has experience with cases concerning international trade, government contracts, and money claims against the United States, all within the jurisdiction of the Federal Circuit.

Mr. Taranto has argued 19 cases in the Supreme Court; 8 while in the Solicitor General's Office and 11 cases in private practice. He has also presented approximately 20 arguments in the Federal Circuit and appeared on briefs in a few others. He has also argued cases before the First, Third, Fourth, Fifth, Eighth, Ninth, and DC Circuits. The American Bar Association's Standing Committee on the Federal Judiciary gave him a unanimous well qualified rating.

Andrew Patrick Gordon is nominated to be U.S. district judge for the District of Nevada. Mr. Gordon received a B.A. from Claremont McKenna College in 1984, graduating cum laude. In 1987, Gordon graduated from Harvard Law School. Upon graduation, he joined Streich, Lang, Weeks, and Cardon in Phoenix, AZ. In 1992, he moved to Las Vegas, NV, where he assisted Streich Lang to expand into the Las Vegas market through an affiliate of the firm, Dawson and Associates. In 1994, he lateraled to McDonald Carano Wilson LLP, working as an associate until 1997, when he became a partner. He remains with McDonald Carano Wilson to this day.

Mr. Gordon's law experience is mostly in civil litigation in the areas of business, real property, construction, and employment. From 1997 to 2004, his practice centered on litigation arising from commercial construction projects. Over the last 10 years, he has become more active in arbitration and mediation. Additionally, Mr. Gordon has sat on numerous committees of the Nevada State Bar, the U.S. District Court of Nevada, and the U.S. Court of Appeals for the Ninth Circuit. He has tried at least nine cases to final judgment. The American Bar Association's Standing Committee on the Federal Judiciary gave him a rating of substantial majority well qualified—minority qualified.

Mr. LEAHY. I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit?

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Rhode Island (Mr. REED), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. REED) would vote ''yea.''

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 33 Ex.]

YEAS—91

Alexander	Feinstein	Mikulski
Ayotte	Fischer	Moran
Baldwin	Franken	Murkowski
Barrasso	Gillibrand	Murphy
Baucus	Graham	Murray
Begich	Grassley	Nelson
Bennet	Hagan	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Boozman	Heitkamp	Reid
Boxer	Heller	Risch
Brown	Hirono	Roberts
Burr	Hoeven	Rockefeller
Cantwell	Inhofe	Rubio
Cardin	Isakson	Sanders
Carper	Johanns	Schatz
Casey	Johnson (SD)	Schumer
Chambliss	Johnson (WI)	Scott
Coats	Kaine	Sessions
Coburn	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Leahy	Tester
Corker	Lee	Thune
Cornyn	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Crapo	McCain	Warner
Cruz	McCaskill	Warren
Donnelly	McConnell	Wyden
Durbin	Menendez	
Enzi	Merkley	

NOT VOTING—9

Flake	Lautenberg	Vitter
Harkin	Reed	Whitehouse
Landrieu	Toomey	Wicker

The nomination was confirmed.

VOTE ON NOMINATION OF ANDREW PATRICK GORDON

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Andrew Patrick Gordon, of Nevada, to be United States District Judge for the District of Nevada?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from California.

MORNING BUSINESS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, and I ask unanimous consent that I have up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mrs. BOXER. Mr. President, I am very pleased to see that we have confirmed a couple of judges. We have judges all over this country, nominees waiting to be confirmed and judicial emergencies all over the country, so I hope this is a start of a new day. We will see what happens.

Mr. President, I stand here as chairman of the Environment and Public Works Committee to talk about one of the greatest threats facing our Nation; that is, climate change, dangerous climate change, or you could call it climate disruption. It seems as though the only people who do not get it are Members of Congress. They do not get it.

Last week I talked about a front page story in USA TODAY that highlighted the impacts of climate change unfolding around us. The story I talked about is the first of a yearlong series called ''Why you should sweat climate change.'' Everyone else is sweating about it but not here, not in this Senate, not in this Congress.

Since last week, additional information concerning climate change has been released that I want to talk about today. I want to build a record in this Senate on an issue that threatens the very lives of our grandchildren. It is hard to imagine that this country is facing a question of our own survival and so few people seem to care about it.

I am going to talk about another report. A study published last week in Science reports that average global temperatures were higher in the past decade than over most of the previous 11,300 years. Let me repeat that. Let me repeat that for any colleagues who might be listening. Average global temperatures were higher in the past decade than over most of the previous 11,300 years. Yet the Senate does very little.

Senator SANDERS and I have a bill—a very important bill—to put a price on the pollution that is causing the climate to be disrupted and to change. Let me say that we do not have a slew of sponsors.

The lead author of the study in this Science report said average global temperatures were higher in the past decade than most of the previous 11,300 years. He is a paleoclimatologist at Oregon State University. Here is what he said:

> What's different is the rate of change. . . . What we've seen over the past 150 years is much greater than anything we saw in the past 11,000.

That is Shaun Marcott, Ph.D., the lead author of the study.

Some people may ask, why is this study important? What does it mean for our kids? What does it mean to our grandkids? Let's go to the quote.

> If the scientists' forecasts are correct, the planet will be warmer in 2100 than it has been for 11,300 years.

The scientific evidence continues to mount. Study after study has concluded that the planet is warming and the impacts have already started. Yet the only place that doesn't seem to get this message is right here in Washington, DC—not at the White House; they get it. President Obama understands it. That is why he worked with us to increase fuel economy, to keep that carbon pollution from automobiles out of the air, and we are moving to a 55-miles-per-gallon standard.

That is going to help, but that is not enough. We need to put a price on pollution so polluters turn away from dirty energy and turn toward clean energy. That will save us from most of the ravages of the changing climate. But the window is closing on the timeframe because impacts have already started. Another study released last week by the National Oceanic and Atmospheric Administration, NOAA, found there was a dramatic jump in the amount of carbon dioxide in the air in 2012. It was the second highest increase since 1959, when record-keeping began.

The increase in carbon in the air is yet another signal that scientists' predictions about climate change and climate disruption—those predictions are coming true. We have already seen the devastating and far-reaching consequences of unchecked climate disruption in the extreme weather events.

The Government Accountability Office—the GAO; they are not partisan, and they are not ideological—recently released a report entitled ''2013 High Risk List'' that discusses how climate disruption and extreme weather events threaten our Nation. This is the Government Accountability Office. We, the taxpayers, support the Government Accountability Office. They are nonpartisan, and they are straight-from-the-shoulder analysts. They say:

> Climate change could threaten coastal areas with rising sea levels, alter agricultural productivity, and increase the intensity and frequency of severe weather events such as floods, drought, and hurricanes.''

I guess they look out their window in addition to looking at the numbers. Anyone who looked out their window who lives in the area of Superstorm Sandy understands this.

Climate change could threaten our coastal areas—it is already doing it. I don't know if anybody saw those homes being removed from a beach in Massachusetts—gorgeous homes. They were there for a while—gone, because the ocean was going to envelope them.

According to the GAO, extreme weather events have cost the Nation tens of billions of dollars already, just over the past decade. As these extreme weather events increase, so will the cost to American taxpayers. This is more from the Government Accountability Office. This is not from the EPA. This is not from NOAA. This is not from BARBARA BOXER. This is not from BERNIE SANDERS. This is not from SHELDON WHITEHOUSE. This is not from the Environment Committee. This is from the GAO.

> [T]he impacts and costliness of weather disasters—resulting from floods, drought, and other events such as tropical cyclones—will increase in significance as what are considered ''rare'' events become more common and intense due to climate change.

When I started in this work a very long time ago, we talked about the 100-year flood, and we could protect ourselves against the 100-year flood. Now—as Governor Cuomo has stated so eloquently—we are seeing the 100-year flood every couple of years. Now taxpayers are on the hook due to extreme weather events such as Superstorm Sandy and because the Federal Government owns buildings across the Nation and insures property and crops and provides disaster assistance.

Let's see what else the GAO says:

> Climate change . . . impacts pose significant financial risks for the federal government—

Which, by the way, means us, the taxpayers—

> which owns extensive infrastructure, insures property through federal flood and crop insurance programs, provides technical assistance to state and local governments, and provides emergency aid in response to natural disasters.

So our Federal finances are significantly at risk.

> [T]here is a growing recognition that the cost of inaction could be greater and—given the government's precarious fiscal position—increasingly difficult to manage given expected budget pressures.

We are going to see a couple of different budgets emerge—one from the Democrats in the Senate and one from the Republicans in the House—and they will have different visions for America. One budget, the Democratic budget, is going to get to a deficit reduction, but it will invest in our people. It will say to the very wealthiest: You have to do your share so our kids can go to Head Start, get their education, job training, and clean up the environment.

The other budget is going to be hurtful. It is going to be painful because the other budget—the Republican budget—is going to protect and defend one group of people in this country, which is the wealthy few. Therefore, we will not have the resources to do what we have to do, and we are going to see cutbacks in the areas that we need in order to make sure we plan for this extreme weather and make sure we can avert this climate disruption by investing in clean energy.

The GAO report is clear: Unchecked climate change comes at a very high price, but that is what is happening in this Congress. The President is doing his best. Some of us over here are pushing hard. In the House they passed a bill. We fell short because of a filibuster. We had 54 votes, and we needed 60 votes. As a result, a price on carbon never happened, and now we are seeing hotter days, a hotter climate, and more severe, extreme weather. We need to take these steps. We need to make these investments. As these budgets come down, let's take a look.

I can assure everyone that when we have a travesty and tragedy such as Superstorm Sandy, we are never going to turn away from our people whether it happens to your State, Mr. President, due to a severe drought or certain types of pests that arise because of a change in the weather. We know such events happen. It is happening all over the country, and it can happen anywhere.

There is extreme weather where we have fires and droughts. We have snow when we never expect it, torrents of rain that we cannot even believe is happening, not to mention these high temperatures. We owe it to our children and our grandchildren not to turn away.

Now, let's see what else the GAO tells us. This is a call from them to us. Is anybody listening? Is anybody who gets to vote in this Senate listening?

The GAO calls for ''a government-wide strategic approach with strong leadership and the authority to manage climate change risks that encompasses the entire range of related federal activities and addresses all key elements of strategic planning.''

That is a lot of words for something so simple. What the GAO is saying to us is, you guys better act because this thing is getting out of control. Every time I get a chance on a Monday evening, I intend to come down to the Senate floor and take a few minutes to build a case—and I hope an indisputable one—that we put a price on carbon pollution just like we made sure other pollution had a price on it. It didn't matter if it was a regulatory price or if they had to go buy scrubbers to keep dangerous pollutants out of the air. Carbon pollution is dangerous. It is putting our people at risk, but no one would know it from what is happening around here.

I want to close by thanking my colleague BERNIE SANDERS, with whom I am so proud to serve. I am the chairman of the Environment Committee,

and he is a great member. Together we have come up with an excellent bill. The bill takes the proceeds of that carbon tax and invests it in our people, invests in clean energy, makes sure our middle class and working poor have the funds they need to pay the higher prices of electricity in the early years, and it will create jobs.

There is no question as far as what is happening to our coastal States. There is no question as far as what is happening to our farms. There is no question as to what is happening to our natural resources. There is no question what is happening to our species. Scientists predict that 50 percent of God's species will be gone if we do nothing.

When people stand here and laugh off this notion that we are facing severe climate change, I tell them: Look at some of the church groups who are supporting us. They have come together. They are with us. They understand that God's creation is at stake. There is no doubt about it.

We are the stewards of this environment. We are the ones who are supposed to protect it. Yet in this Senate, it is shrugged off as if it is a nothing burger. There are young people who are here whose future is at stake. They want to enjoy the same opportunities my generation enjoyed. We owe it to them to do better.

This nonpartisan GAO report tells us clearly that we better have a ''government-wide strategic approach with strong leadership.'' I have to say I hope we have more people on this floor who will show that kind of leadership because the clock is ticking.

I say to every Member here—we have old ones, young ones, and middle ones: You are here at the moment that we can do something. You are here at the moment we can still do something. The Bush administration wasted 8 years by going to the courts and arguing that the Clean Air Act did not cover carbon pollution. They did nothing for 8 years. Finally, the Supreme Court ruled 5 to 4 and said: Yes, of course, it covers carbon pollution. God bless the Obama administration for moving forward in every way they can—unfortunately, without us at this point.

We will be judged harshly if we turn away. We are here now. We didn't choose this time to be born. We didn't choose the fact that this is an issue that is upon us. I don't know what is going to wake up this place, but I am going to do my best to ring the bell as often as I can.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Alaska.

SECOND ANNIVERSARY OF JAPAN'S TSUNAMI

Ms. MURKOWSKI. Madam President, today is the second anniversary of a very tragic event in Japan. An earthquake—a tsunami—claimed nearly 16,000 lives and destroyed community infrastructure, homes, and livelihoods. Years after the fact, our prayers remain with the people of Japan for the lives which were lost and for the devastation that occurred within that country.

I had an opportunity to be in Japan in January. I had a chance to see for myself some of the devastation that Japan still faces 2 years after the 3/11 tsunami and earthquake. The pictures that so many of us recall of the Fukushima Daiichi nuclear reactor. We all watched with great concern as the accident in front of us unfolded. It was truly a sense of helplessness that was brought about by an act of nature. A massive earthquake which delivered a massive wave which truly brought about massive destruction.

I also had an opportunity—after viewing the Fukushima Daiichi reactor—to travel north to a small fishing village by the name of Rikuzentakata. It was a community of about 23,000 people. That community alone lost over 1,900 residents who were swept out to sea—including an Alaskan teacher, Mr. Monty Dickson, whose life was lost. To be in this fishing village 2 years after the fact and see how this community is trying to regain its footing—not only economically but emotionally—was quite compelling. Again, Japan is dealing with the aftermath of this destruction in ways those of us here probably cannot appreciate.

From an energy perspective, the country of Japan—literally overnight—went from a nation where close to 30 percent of their energy was generated by nuclear to a point where the nuclear power that was generated was truly just shut down as everything was on pause for that nation. How a nation rearranges its energy portfolio is a situation that country is dealing with as we speak.

There were connections between Japan and the tsunami that I think are still being felt today. When that tsunami hit, the people of Alaska were on alert on our coastlines. They were waiting and wondering whether we would be impacted by the giant wave that had taken the lives of so many thousands of Japanese. Well, we didn't see the big wave, but what we did see—and what we are continuing to see—is a level of marine debris that has been carried across the currents from Japan and the Pacific Ocean to Hawaii, California, Oregon, Washington State, British Columbia, and then circling all along the coastline of my State of Alaska.

It is estimated that there is about 1.5 million tons of debris that is floating in the ocean. It was estimated by the Japanese Ministry of the Environment that there were 5 million tons of debris that washed into the ocean. They further estimated that 70 percent of that debris sank near the coast of Japan soon after the event. This is something the Japanese fishermen were greatly concerned and worried about.

What we are seeing now—as the floating debris moves its way across the currents—is debris on the shoreline of Alaska in surprising quantities. The picture behind me is some of the debris. There is roof of a house, the bottom of a boat, and buoys. It is just a floating mass of debris in the middle of the Pacific. This is just an example of some of what we have seen over the course of 2 years now.

Sometimes the sightings are pretty phenomenal, such as this picture which was off the Oregon coast. This is actually a concrete dock that floated all the way across the ocean from Japan and landed on the coast of Oregon.

I have sons who are commercial fishermen. They spend their summers out on the water. We worry about obstacles in the water that our fishing vessels could encounter. Running into a concrete dock is not something any mariner would want to do. So we think that 2 years after the fact we should have seen most of the debris we would anticipate. In fact, the vast majority is still coming our way.

These are buoys along the Alaskan shore. This was taken on Montague Island which is just off Kodiak Island. Not all these buoys are necessarily from Japan. Some are just the general marine debris that we see. But what we have been able to determine is that the Japanese buoys are coming across. Those things that are sitting higher up on the water are moving more quickly, but things that are just below the water surface are still on their way.

How do we deal with all this? How do we reach the beaches, whether it is the beaches in Oregon, California, Hawaii or Alaska? In Alaska, we have 44,000 miles of coastline. That is a lot of territory for debris to come up on, and in so much of this area in my State, these beaches are not accessible by vehicle. They are not accessible by road. It is extraordinarily difficult to deal with the cleanup.

This is a picture of marine debris cleanup in a community by the name of Yakutat, a small fishing village along the coast. What they are finding is that as the community volunteers go out and clean what beaches they can, they have no space in their small landfills there to accommodate the debris. So it would be one thing if we knew this was all we were going to be dealing with. Our reality is we know more is coming.

How we respond is going to be key. It is going to be critical to the communities that are impacted. But for so many of these areas where there are no individuals to see this, there are none to appreciate what has happened, but still we are faced with Styrofoam, plastics, nets—incredible amounts of nets—things that will not only foul the beaches but foul the animals that may be in the area. We have a responsibility to act. So how do we do it? How do we do it at a time of difficult budgets? We all appreciate that. It requires a level of creativity, if you will—partnerships with local and government officials. It requires us to be proactive in terms of what is coming to our shores.

We have asked the White House to assist with a debris cleanup task force to get all the agencies that are involved—State, tribal, Federal—to be participants in how we address these issues.

The Government of Japan last year stepped forward and provided $5 million to the affected States, plus an additional $1 million to Canada—they were not obligated to provide the money for an effort to help us address the cleanups. What we need to do in this country—again, we have asked the White House to establish this interagency task force to deal with the debris that continues to come to our shore is to determine how we engage, how we are working together to help make a difference. That is going to be critical. We also don't want to forget the private interests that are potentially engaged in the cleanup. We have so many different interests, so many different industries, and private citizens who are so dependent on our navigable waterways, our healthy ecosystems. What we need is good communication and good leadership. We need a plan to guide the interagency and the public-private partnership approach to solving the challenge. I commend the NOAA Marine Debris Program for their coordination and their response to the work. The fact is they are small. They are overtasked. They need the help of their Federal partners to address this as a national priority.

So as we continue to see increased levels of debris coming over after the tsunami, it is imperative we act to address it.

It has been interesting in the Alaska press because there have been ongoing stories about the connections. We think Japan is thousands of miles away and we don't have that connection. Beachcombers found a soccer ball with the name of a Japanese boy—a 16-year-old boy and his phone number—and were able to make that call back to the village of Rikuzentakata and tell that young man, whose family lost everything in the tsunami, that we have your soccer ball here. It made it to the shore of Middleton Island in Alaska. But for that young man to have been delivered that soccer ball, after everything else he and his family owned had been wiped out, was a reminder that we are all connected and how we can be working together to help one another.

I ask unanimous consent to have this news story from the Anchorage Daily News printed in the RECORD at the conclusion of my remarks.

In Alaska, we have a lot of experience with helping our neighbors out. We will continue to work to address the issues, work to address the debris that is reaching our shore, but we do need a little bit of help from our government. We need a little bit of help when it comes to advancing this interagency task force so we can address what we are seeing in Alaska, what we are seeing on our coastline in the Pacific Northwest and in Hawaii as well.

With that, I thank the Chair and I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Anchorage Daily News, Mar. 9, 2013]

2 YEARS AFTER JAPAN TSUNAMI, DEBRIS SPREADS IN US

(By Becky Bohrer—Associated Press)

JUNEAU, AK.—Two years ago, the yellow buoy was hanging as part of a restaurant sign in the coastal community of Minamisanriku in northern Japan when an earthquake triggered a tsunami and washed it—and so much more—out to sea.

About a year later, the buoy was found more than 3,000 miles away on a remote Alaska island, discovered by an avid beachcomber who, through sheer coincidence, was later able to find the owner, who had lost her home and business. Hundreds of similar buoys have been found on beaches along the West Coast, a combination of the everyday trash that has plagued coastal areas for years and debris washed away by the March 11, 2011 disaster.

Distinguishing between the two is difficult. Just 21 items from among the more than 1,500 reports of possible tsunami debris have been firmly traced back to the tsunami, according to the National Oceanic and Atmospheric Administration.

The confirmed items include several derelict vessels, including a small boat found in Hawaii waters, large docks that have washed ashore in Washington state and Oregon and a motorcycle that washed ashore off the coast of British Columbia.

These are items that tend to have unique markings—names of people and places, registration numbers or other identifying information. The agency lists scores of other items along the West Coast and across the Pacific Ocean as potentially linked to the catastrophe.

The Japanese government estimated 1.5 million tons of debris was floating in the ocean in the immediate aftermath of the disaster, which devastated a long stretch of Japan's northeastern coast and killed thousands of people. But it's not clear how much is still out there or what might reach U.S. shores. NOAA has said the debris is spread over an area roughly three times the size of the contiguous United States, and that beachgoers may notice an increase in debris ''over many years,'' in addition to what normally washes up.

Beachcombing on Middleton Island, in the northern Gulf of Alaska, has long been a favorite pastime for radar technician David Baxter and some of his colleagues. In early 2012, there had been talk about finding tsunami debris—''a wall with a safe in it or a briefcase of money, we'd always joke about that''—but Baxter said he didn't think it was realistic he'd find anything related to the tsunami, given models he'd seen at the time that suggested the debris would move much further south.

Then, in February 2012, a co-worker found a soccer ball. Baxter subsequently found another soccer ball—a discovery that made international headlines as one of the first identifiable pieces of debris to wash up—a volleyball and the buoy.

The buoy stood out to Baxter as a bit different from other buoys that have washed up. For example, it was hard, not inflatable, and had writing on it. By chance, when a Japanese film crew was visiting him and his wife after the discovery of the soccer ball, they panned on other items he'd found, including the buoy, he said. A friend of the restaurant's owner, Sakiko Miura, happened to recognize it, and the owner later confirmed it was hers through a photo sent by Baxter.

FedEx, which flies regularly between Anchorage and Tokyo, volunteered to return items including the balls found by Baxter and the buoy last June. The team traveled by plane to Tokyo and then by train to outlying communities, hand-delivering the items, spokeswoman Sharon Young said.

''It was a wonderful experience, to reunite people with things that meant a lot to them and that survived this incredibly devastating situation.'' she said Friday.

Baxter and his wife were recently able to talk to Miura, who said she plans to rebuild. He said he found the owner of the soccer ball his colleague found, an 8-year-old, and plans to return it this summer.

Baxter said he can't help but be affected by what he's found. He wife is Japanese and he said he has visited the nation several times. But it's more than that.

''I wonder all the time, when you see (things) if the person was in the house, if they survived,'' he said, adding later: ''Of course, when I see the housing insulation and household items, shampoo bottles, shaving cream bottles with Japanese writing on them, yeah, it hurts a little.''

STRAW PURCHASING OF FIREARMS

Mr. LEAHY. Madam President, last week I introduced bipartisan legislation with Senator COLLINS to combat the straw purchasing and trafficking of firearms. We were joined by other Senators from both sides of the aisle. We have made good progress since then. Last Thursday, the Senate Judiciary Committee voted for our bill as an amendment to the Stop Illegal Trafficking in Firearms Act, S. 54. This is the first legislative vote on measures related to gun violence in either the Senate or the House since the Newtown tragedy. Every Democratic Senator on the Committee voted in favor of our bill and we were joined in that support by the Committee's ranking Republican, Senator GRASSLEY. I appreciate Senator GRASSLEY's cooperation in getting our bill reported after weeks of consultation and I look forward to working closely with him as we move forward.

The White House called the Judiciary Committee action ''an important bipartisan step'' that takes on ''the very serious problem of gun trafficking.'' At the signing of the Violence Against Women Reauthorization Act and Trafficking Victims Protection Reauthorization Act last Thursday, the President called the Judiciary Committee's action on our bill a ''big step'' and ''real progress.'' He noted that our bill ''would crack down on folks who buy guns only to turn around and funnel them to dangerous criminals.''

I want to continue to make progress on this legislation and other bills that can be effective in reducing illegal gun violence in our country. We have the strong support of several leading law enforcement organizations including the Fraternal Order of Police, the FBI Agents Association, the Major Cities Chiefs Association, the Federal Law Enforcement Officers Association, and

the National Organization of Black Law Enforcement Executives. Last week I received a letter from the NAACP lending their strong support to our efforts. I thank all of these organizations for their assistance and support.

Tomorrow, the Judiciary Committee will continue its work on three remaining gun violence measures that have been on our agenda for the past weeks: Senator SCHUMER's proposal to expand requirements for background checks, Senator BOXER's proposal to enhance the safety of our schools, and Senator FEINSTEIN's bill to reinstitute an assault weapons ban. I aim by the end of the week to have completed Judiciary Committee action on these legislative proposals.

At the bill signing last Thursday, the President observed that we were able finally to pass the Violence Against Women and Trafficking Victims Protection legislation on a bipartisan basis because the American people spoke up. That is what happened on VAWA when a group of House Republicans switched their position to support passing the VAWA bill that they had not supported last year.

That is what is also needed in the context of gun violence legislation. Seven of the eight Republican Senators on the Judiciary Committee voted against closing the loophole in the law to combat straw purchasing and gun trafficking. If we are going to be able to close loopholes in our background check system, improve school safety with more resources for resource officers that include counselors and officers, and if we are going to outlaw straw purchasing and gun trafficking, the American people need to speak up and be heard. If Congress is going to place limits on high capacity clips, it will be because the American people demand such action.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 517 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT

Ms. MIKULSKI. Madam President, I submit to my colleagues the following explanatory statement with regard to H.R. 933:

The divisions contained in the Act are as follows:

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

DIVISION F—FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

DIVISION G—OTHER MATTERS

Section 3 of the Act states that, unless expressly provided otherwise, any reference to ''this Act'' contained in any division shall be treated as referring only to the provisions of that division.

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

Section 5 of the Act states that each amount designated by Congress as being for Overseas Contingency Operations/Global War on Terror is contingent on the President so designating all such amounts and transmitting such designations to Congress. The provision is consistent with the requirements in the Budget Control Act of 2011 for Overseas Contingency Operations/Global War on Terror designations by the President.

References in this explanatory statement in division C, Department of Defense Appropriations Act, 2013, to ''conferees'' are deemed to be references to the Committees on Appropriations of the House of Representatives and the Senate, and references to the ''conference agreement'' are deemed to be references to the recommendation in division C of this Act.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013 CONGRESSIONAL DIRECTIVES

Provisions that were in both the House Report (H.Rpt. 112–542) and Senate Report (S.Rpt. 112–163) remain unchanged except as noted herein.

Executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions, which are the official reports of the Congress. Funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: ''Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.''

The House and Senate report language that is not changed herein is approved. While repeating some report language for emphasis, these recommendations do not intend to negate the language referred to above unless expressly provided herein.

In cases in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations no later than sixty days after enactment, unless otherwise directed.

Hereafter, in Division A, the term 'the Committees' refers to the Committees on Appropriations of the House of Representatives and the Senate.

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $46,388,000 for the Office of the Secretary. The following offices are included within the Office of the Secretary: the immediate Office of the Secretary; Office of Tribal Relations; Office of Homeland Security and Emergency Coordination; Office of Advocacy and Outreach; Office of Assistant Secretary for Administration; Departmental Administration; Office of Assistant Secretary for Congressional Relations; and Office of Communications. The National Appeals Division, the Office of the General Counsel, and the Office of Ethics are funded in separate accounts.

The recommendation includes a general provision that requires the Secretary to submit spending plans to the Committees within 30 days of enactment.

Office of the Secretary

[DOLLARS IN THOUSANDS]

Office of the Secretary (immediate)	$5,051
Office of Tribal Relations	498
Office of Homeland Security and Emergency Coordination	1,496
Office of Advocacy and Outreach	1,422
Office of Assistant Secretary for Administration	804
Departmental Administration	24,242
Office of Assistant Secretary for Congressional Relations	3,869
Office of Communications	9,006
Total, Office of the Secretary	$46,388

Reports requested by the House and Senate Appropriations Committees are an important part of the Committees' oversight responsibilities. There is concern about the Department's delinquency in completing these reports. There is also concern that the delay is due to excessively long reviews, especially in the Office of the Secretary. The reports are due on the dates specified in the House or Senate reports or herein. Each agency of the Department is directed to comply with the deadlines and to cooperate fully with the Office of Budget and Program Analysis in providing these reports. It is noted that the Committees reserve the right to call before them any agency that does not submit its reports by the specified due date.

Any reallocation of resources related to the collocation of State offices scheduled for 2013 and subsequent years is subject to the reprogramming procedures in section 726 of this Act.

The Secretary of Agriculture is directed to advise the Committees, through the Office of Budget and Program Analysis, of the status of all reports requested of the Department at the time of submission of the fiscal year 2014 budget and monthly thereafter. All correspondence related to the directives must be addressed to the Committees.

The United States Department of Agriculture (USDA) has been without a permanent Chief Financial Officer since November 2009. With its substantial loan portfolios, potential for improper payments in mandatory programs, and history of uneven financial audits, the necessity for a full complement of senior USDA financial leaders is evident. The Secretary is directed to submit a report to the Committees detailing how the Department plans to expeditiously recruit and fill this vacancy with a permanent Chief Financial Officer. The Secretary is reminded of the statutory requirements of 31 U.S.C. 901 and 902.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

The recommendation includes $16,008,000 for the Office of the Chief Economist.

NATIONAL APPEALS DIVISION

The recommendation includes $14,225,000 for the National Appeals Division.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The recommendation includes $9,049,000 for the Office of Budget and Program Analysis.

OFFICE OF THE CHIEF INFORMATION OFFICER

The recommendation includes $44,031,000 for the Office of the Chief Information Officer.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The recommendation includes $6,247,000 for the Office of the Chief Financial Officer.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

The recommendation includes $893,000 for the Office of the Assistant Secretary for Civil Rights.

OFFICE OF CIVIL RIGHTS

The recommendation includes $22,692,000 for the Office of Civil Rights.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $271,336,000 for Agriculture Buildings and Facilities and Rental Payments. The recommendation includes $175,694,000 for rental payments; $13,473,000 for Department of Homeland Security building security; and $82,169,000 for building operations and maintenance.

The recommendation includes a one-time increase above the budget request of $30,000,000 for building operations and maintenance. This increase is provided for high priority projects in the Whitten and South Buildings, addressing first those projects addressing life and safety issues.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $3,992,000 for Hazardous Materials Management.

OFFICE OF INSPECTOR GENERAL

The recommendation includes $89,016,000 for the Office of Inspector General.

OFFICE OF THE GENERAL COUNSEL

The recommendation includes $45,074,000 for the Office of the General Counsel.

OFFICE OF ETHICS

The recommendation includes $3,405,000 for the Office of Ethics.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The recommendation includes $893,000 for the Office of the Under Secretary for Research, Education, and Economics.

The Under Secretary is encouraged to evaluate and adjust efforts to identify methods of preventing and controlling tomato diseases affecting tomato growers nationwide.

ECONOMIC RESEARCH SERVICE

The recommendation includes $77,397,000 for the Economic Research Service.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The recommendation includes $179,477,000 for the National Agricultural Statistics Service. This includes $62,500,000 for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The recommendation includes $1,101,853,000 for the Agricultural Research Service, Salaries and Expenses. The recommendation does not concur with the President's budget request regarding the termination of extramural research projects or the closure of six research laboratories. It is expected that the Agricultural Research Service will allocate the resources provided to the highest priority research and utilize existing processes consistent with the reprogramming requirements of this Act to notify the Committees of any changes from the previous fiscal year. The recommendation also includes funding requested for repair and maintenance and for the National Agricultural Library.

There remains concern about the high rates of obesity in this country. Research into human nutrition is important to help prevent childhood obesity and the medical issues obesity brings. In addition, there is strong evidence that nutrition plays a vital role in how a person ages, but more research in this area is needed. Therefore, the Agricultural Research Service is encouraged to continue research relating to childhood and adult obesity as well as the impact of nutrition on aging.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

The recommendation includes $738,638,000 for the National Institute of Food and Agriculture's research and education activities.

The Department is directed to include in the fiscal year 2014 budget request funding levels proposed to be allocated to and the expected publication date, scope, and allocation level for each request for awards to be published under (1) each priority area specified in section 2(b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(2)); (2) each research and extension project carried out under section 1621(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811(a)); (3) each grant awarded under section 1672B(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b(a)); (4) each research, education, and extension project carried out under section 406 of the Research Reform Act of 1998 (7 U.S.C. 7626); and (5) each research and extension project carried out under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632). The term 'request for awards' means a funding announcement published by NIFA that provides detailed information on funding opportunities at the Institute, including the purpose, eligibility, restrictions, focus areas, evaluation criteria, regulatory information, and instructions on how to apply for such opportunities.

There is recognition of the broad responsibilities in agricultural research, education, extension, and economics that Congress has given to NIFA, and NIFA is directed to prioritize funding for the highest quality, peer-reviewed and relevant research.

The following table reflects the recommended amounts:

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE RESEARCH AND EDUCATION ACTIVITIES

[Dollars in thousands]

Hatch Act	7 U.S.C. 361a-i	$236,334
McIntire-Stennis Cooperative Forestry Act	16 U.S.C. 582a through a-7	32,934
Research at 1890 Institutions (Evans-Allen Program)	7 U.S.C. 3222	50,898
Payments to the 1994 Institutions	534(a)(1) of P.L. 103–382	3,335
Education Grants for 1890 Institutions	7 U.S.C. 3152(b)	19,336
Education Grants for Hispanic-Serving Institutions	7 U.S.C. 3241	9,219
Education Grants for Alaska Native and Native Hawaiian-Serving Institutions	7 U.S.C. 3156	3,194
Research Grants for 1994 Institutions	7 U.S.C. 301 note	1,801
Capacity Building for Non Land-Grant Colleges of Agriculture	7 U.S.C. 3319i	4,500
Resident Instruction and Distance Education Grants for Insular Areas	7 U.S.C. 3363 and 3362	1,650
Agriculture and Food Research Initiative	7 U.S.C. 450i(b)	297,956
Veterinary Medicine Loan Repayment	7 U.S.C. 3151a	4,790
Continuing Animal Health and Disease Research Program	7 U.S.C. 3195	4,000
Supplemental and Alternative Crops	7 U.S.C. 3319d	825
Critical Agricultural Materials Act.	7 U.S.C. 178 et seq.	1,081
Multicultural Scholars, Graduate Fellowship and Institution Challenge Grants	7 U.S.C. 3152(b)	9,000
Secondary and 2-year Post-Secondary Education	7 U.S.C. 3152(j)	900
Aquaculture Centers	7 U.S.C. 3322	4,000
Sustainable Agriculture Research and Education	7 U.S.C. 5811	14,471
Farm Business Management	7 U.S.C. 5925f	1,450
Sun Grant Program	7 U.S.C. 8114	2,500
Improved Pest Control:		
Expert IPM Decision Support System	7 U.S.C. 450i(c)	153
Integrated Pest Management	7 U.S.C. 450i(c)	2,362
Minor Crop Pest Management (IR–4)	7 U.S.C. 450i(c)	11,913
Pest Management Alternatives	7 U.S.C. 450i(c)	1,402
Total, Improved Pest Control		15,830
Special Research Grants:	7 U.S.C. 450i(c).	
Global Change/UV Monitoring		1,405
Potato Research		1,350
Forest Products Research		1,650
Total, Special Research Grants		4,405
Necessary Expenses of Research and Education Activities:		
Grants Management System		7,830
Federal Administration—Other Necessary Expenses for Research and Education Activities		6,399
Total, Necessary Expenses		14,229

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE RESEARCH AND EDUCATION ACTIVITIES—Continued

[Dollars in thousands]

Total, Research and Education Activities		$738,638

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

The recommendation includes $11,880,000 for the Native American Institutions Endowment Fund.

EXTENSION ACTIVITIES

The recommendation includes $475,854,000 for the National Institute of Food and Agriculture's extension activities.

The following table reflects the recommended amounts:

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE EXTENSION ACTIVITIES

[Dollars in thousands]

Smith-Lever, Section 3(b) and (c) programs and Cooperative Extension	7 U.S.C. 343(b) and (c) and 208(c) of P.L. 93–471	$294,000
Extension Services at 1890 Institutions	7 U.S.C. 3221	42,592
Extension Services at 1994 Institutions	7 U.S.C. 343(b)(3)	4,312
Facility Improvements at 1890 Institutions	7 U.S.C. 3222b	19,730
Renewable Resources Extension Act	16 U.S.C. 1671 et seq.	3,700
Rural Health and Safety Education Programs	7 U.S.C. 2662(i)	1,500
Food Animal Residue Avoidance Database Program	7 U.S.C. 7642	1,000
Women and Minorities in STEM Fields	7 U.S.C. 5925	400
Grants to Youth Organizations	7 U.S.C. 7630	729
Smith-Lever, Section 3(d):	7 U.S.C. 343(d).	
Food and Nutrition Education		67,934
Pest Management		9,918
Farm Safety and Youth Farm Safety Education Programs		4,610
New Technologies for Agricultural Extension		1,550
Children, Youth, and Families at Risk		7,600
Federally Recognized Tribes Extension Program		3,039
Sustainable Agriculture Programs		4,696
Total, Section 3(d)		99,347
Necessary Expenses of Extension Activities:		
Agriculture in the K–12 Classroom		552
Federal Administration—Other Necessary Expenses for Extension Activities		7,992
Total, Necessary Expenses		8,544
Total, Extension Activities		$475,854

INTEGRATED ACTIVITIES

The recommendation includes $21,482,000 for the National Institute of Food and Agriculture's integrated activities.

The following table reflects the recommended amounts:

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE INTEGRATED ACTIVITIES

[Dollars in thousands]

Water Quality Program	7 U.S.C. 7626	$4,500
Regional Pest Management Centers	7 U.S.C. 7626	4,000
Methyl Bromide Transition Program	7 U.S.C. 7626	1,996
Organic Transition Program	7 U.S.C. 7626	4,000
Regional Rural Development Centers	7 U.S.C. 450i(c)	998
Food and Agriculture Defense Initiative	7 U.S.C. 3351	5,988
Total, Integrated Activities		$21,482

HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES ENDOWMENT FUND

The recommendation does not include an appropriation for the Hispanic-Serving Agricultural Colleges and Universities Endowment Fund.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The recommendation includes $893,000 for the Office of the Under Secretary for Marketing and Regulatory Programs.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $821,851,000 for the Animal and Plant Health Inspection Service (APHIS).

The President's fiscal year 2013 budget proposal for APHIS to add an additional line item or account in order to fund the two separate accounts for Equine and Cervid Health and Sheep and Goat Health is not supported. The increase above the President's budget request supports equine veterinary medicine and related expenses.

The recommendation includes increased funding for the animal disease traceability system within the Animal Health Technical Services line item. The Agency is encouraged to produce the most cost-effective, least burdensome regulatory system in the final rule. APHIS is directed to continue to submit quarterly reports (by March 31, 2013; June 30, 2013; and September 30, 2013) to the Committees with specific cost information, assessments of progress, and any deviations from the scheduled completion dates.

There is concern about APHIS's increased responsibility of managing and enforcing the importation of illegally harvested plants, especially when such activities fall outside of the Agency's primary mission to protect and promote the health and welfare of U.S. plants and animals. The Secretary is directed to provide the Committees with a report detailing the current responsibilities, activities, expenditures, and future plans of all agencies involved with the 2008 Farm Bill provisions that amended the Lacey Act. Until such report is received, APHIS may not spend more on the Lacey Act amendments than was spent in fiscal year 2012.

The National Clean Plant Network is instrumental in ensuring that nurseries can provide safe, virus-free plant materials to orchards, vineyards, and other growers. There is recognition of the value of continued research to improve detection and eradication of viruses, and the Department is encouraged to continue its work on this important program.

The following table reflects the recommended amounts:

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

[Dollars in thousands]

Program	Amount
Animal Health Technical Services	$36,858
Aquatic Animal Health	2,261
Avian Health	52,000
Cattle Health	97,884
Equine, Cervid & Small Ruminant Health	19,169
National Veterinary Stockpile	2,750
Swine Health	23,000
Veterinary Biologics	16,457
Veterinary Diagnostics	31,611

ANIMAL AND PLANT HEALTH INSPECTION SERVICE—Continued

[Dollars in thousands]

Program	Amount
Zoonotic Disease Management	10,374
Subtotal, Animal Health	292,364
Agricultural Quarantine Inspection (Appropriated)	28,500
Cotton Pests	15,970
Field Crop & Rangeland Ecosystems Pests	9,068
Pest Detection	27,500
Plant Protection Methods Development	21,600
Specialty Crop Pests	153,950
Tree & Wood Pests	56,638
Subtotal, Plant Health	313,226
Wildlife Damage Management	73,500
Wildlife Services Methods Development	19,000
Subtotal, Wildlife Services	92,500
Animal & Plant Health Regulatory Enforcement	16,275
Biotechnology Regulatory Services	18,135
Subtotal, Regulatory Services	34,410
Contingency Fund	1,500
Emergency Preparedness & Response	17,000
Subtotal, Emergency Management	18,500
Agriculture Import/Export	13,354
Overseas Technical & Trade Operations	20,014
Subtotal, Safe Trade	33,368
Animal Welfare	27,087
Horse Protection	696
Subtotal, Animal Welfare	27,783
APHIS Information Technology Infrastructure	4,335
Physical/Operational Security	5,365
Subtotal, Agency Management	9,700
Total, Direct Appropriation	$821,851

BUILDINGS AND FACILITIES

The recommendation includes $3,175,000 for Animal and Plant Health Inspection Service Buildings and Facilities.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The recommendation includes $78,863,000 for the Agricultural Marketing Service.

The recommendation includes $1,831,000 for the Pesticide Recordkeeping Program, and an increase of $1,000,000 for Transportation and Marketing Programs.

LIMITATION ON ADMINISTRATIVE EXPENSES

The recommendation includes a limitation on administrative expenses of $62,592,000.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $20,056,000 for Funds for Strengthening Markets, Income, and Supply.

The following table reflects the status of this fund for fiscal year 2013:

ESTIMATED TOTAL FUNDS AVAILABLE AND BALANCE CARRIED FORWARD

[Dollars in Thousands]

	Amount
Appropriation (30% of Customs Receipts)	$8,990,117
Less Transfers:	
Food & Nutrition Service	(7,618,053)
Commerce Department	(124,064)
Total, Transfers	(7,742,117)
Prior Year Appropriation Available, Start of Year	206,694
Unavailable for Obligations (recoveries & offsetting collections)	(73,694)
Transfer of Prior Year Funds to FNS (F&V)	(133,000)
Budget Authority	*1,248,000*
Rescission of Current Year Funds	(150,000)
Unavailable for Obligations (F&V Transfer—FNS)	(117,000)
Available for Obligation	*981,000*
Less Obligations:	
Child Nutrition Programs (Entitlement Commodities)	465,000
12 Percent Commodity Floor	—
State Option Contract	5,000
Removal of Defective Commodities	2,500
Emergency Surplus Removal	—
Disaster Relief	5,000
Additional Fruits, Vegetables, and Nuts Purchases	206,000
Fresh Fruit and Vegetable Program	39,076
Estimated Future Needs	210,637
Total, Commodity Procurement	*933,213*

ESTIMATED TOTAL FUNDS AVAILABLE AND BALANCE CARRIED FORWARD—Continued

[Dollars in Thousands]

	Amount
Administrative Funds:	
Commodity Purchase Support	27,731
Marketing Agreements and Orders	20,056
Total, Administrative Funds	*47,787*
Total Obligations	*981,000*
Unavailable for Obligations (F&V transfer to FNS)	117,000
Balances, Collections, and Recoveries Not Available	73,694
Total, End of Year Balances	*190,694*

PAYMENTS TO STATES AND POSSESSIONS

The recommendation includes $1,331,000 for Payments to States and Possessions.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

The recommendation includes $40,261,000 for the Grain Inspection, Packers and Stockyards Administration.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

The recommendation includes a limitation on inspection and weighing services expenses of $50,000,000.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The recommendation includes $811,000 for the Office of the Under Secretary for Food Safety.

FOOD SAFETY AND INSPECTION SERVICE

The recommendation includes $1,001,427,000 for the Food Safety and Inspection Service, including the requested funding for time clocks.

The Under Secretary is directed to submit an updated report on the status of the poultry modernization rule upon enactment.

The following table reflects the recommended amounts:

Food Safety and Inspection Service

[DOLLARS IN THOUSANDS]

Federal	$884,520
State	62,734
International	15,841
Codex Alimentarius	3,752
Public Health Data Communications Infrastructure System	34,580
Total, Food Safety and Inspection Service	$1,001,427

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

The recommendation includes $893,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $1,516,427,000 for the Farm Service Agency.

The following table reflects the recommended amounts:

[DOLLARS IN THOUSANDS]

Salaries and expenses	$1,208,290
Transfer from P.L. 480	2,806
Transfer from Export Loans	354
Transfer from ACIF	304,977
Total, FSA Salaries and expenses	$1,516,427

STATE MEDIATION GRANTS

The recommendation includes $4,369,000 for State Mediation Grants.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

The recommendation includes $5,500,000 for the Grassroots Source Water Protection Program. It is directed that this program be carried out nationwide. It is further directed that not less than $100,000 shall be provided for each state program unless the Department provides justification to the Committees that supports a lesser amount.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

The recommendation includes $100,000 for the Dairy Indemnity Program.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The following table reflects the recommended amounts:

[DOLLARS IN THOUSANDS]

Farm Ownership Loans:	
Direct	($475,000)
Subsidy	$20,140
Guaranteed	($1,500,000)
Subsidy	– – –
Farm Operating Loans:	
Direct	($1,050,090)
Subsidy	$58,490
Unsubsidized Guaranteed	($1,500,000)
Subsidy	$17,850
Emergency Loans	($34,658)
Subsidy	$1,317
Indian Tribe Land Acquisition Loans:	($2,000)
Subsidy	– – –
Conservation Loans—Guaranteed	($150,000)
Subsidy	– – –
Indian Highly Fractionated Land	($10,000)
Subsidy	$173
Boll Weevil Eradication	($100,000)
Subsidy	– – –
ACIF Expenses:	
Salaries and Expenses	$304,977
Administrative Expenses	$7,920

RISK MANAGEMENT AGENCY

The recommendation includes $74,900,000 for the Risk Management Agency.

FEDERAL CROP INSURANCE CORPORATION FUND

The recommendation includes an appropriation of such sums as may be necessary for the Federal Crop Insurance Corporation Fund.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes an appropriation of such sums as may be necessary for Reimbursement for Net Realized Losses of the Commodity Credit Corporation.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

The recommendation includes a limitation of $5,000,000 for Hazardous Waste Management.

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The recommendation includes $893,000 for the Office of the Under Secretary for Natural Resources and Environment.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The recommendation includes $830,998,000 for Conservation Operations.

The recommendation includes $9,300,000 for the Snow Survey and Water Forecasting Program; $9,400,000 for the Plant Materials Centers; $80,000,000 for the Soil Surveys Program; and $732,298,000 for conservation technical assistance, including funding for ongoing watershed projects.

WATERSHED REHABILITATION PROGRAM

The recommendation includes $14,700,000 for the Watershed Rehabilitation Program.

TITLE III—RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The recommendation includes $893,000 for the Office of the Under Secretary for Rural Development.

The Under Secretary is directed to notify the Committees when awards are made under the authority provided by section 310B(j) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(j)) and loans are made under the authority provided by section 1006a of title 16 of the United States Code.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $206,857,000 for Rural Development Salaries and Expenses.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes a total subsidy of $495,704,000 for activities under the Rural Housing Insurance Fund Program Account. This includes a transfer of $410,627,000 to the Rural Development Salaries and Expenses account.

The following table indicates loan, subsidy, and grant levels included in the recommendation:

[DOLLARS IN THOUSANDS]

Loan authorizations:	
Single family direct (sec. 502)	($900,000)
Single family unsubsidized guaranteed	(24,000,000)
Housing repair (sec. 504)	(27,952)
Rental housing (sec. 515)	(31,277)
Multi-family guaranteed (sec. 538)	(150,000)
Credit sales of acquired property	(10,000)
Self-help housing land development	(5,000)
Farm labor housing	(22,969)
Total, Loan authorizations	($25,147,198)
Loan subsidies:	
Single family direct (sec. 502)	$53,730
Housing repair (sec. 504)	3,821
Rental housing (sec. 515)	11,000
Farm labor housing	7,658
Subtotal, Loan subsidies	76,209
Farm labor housing grants	8,868
Total, loan subsidies and grants	$85,077
Administrative expenses (transfer to RD)	$410,627
Total, Loan subsidies, grants, and administrative expenses	$495,704

RENTAL ASSISTANCE PROGRAM

The recommendation includes $907,128,000 for the Rental Assistance Program.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

The recommendation includes $27,782,000 for the Multi-Family Housing Revitalization Program Account.

This includes $10,000,000 for vouchers and $17,782,000 for a housing preservation demonstration program.

There is concern about the dramatic shifts in the proposed program funding levels over the past two fiscal years for the multi-family housing revitalization program. The Committees believe that the Department's vision for affordable rural rental housing is out of focus. A change in focus in the management of the multi-family housing portfolio is necessary, and the Department is directed to develop and present to the Committees a definitive plan to address rural rental housing needs.

MUTUAL AND SELF-HELP HOUSING GRANTS

The recommendation includes $30,000,000 for Mutual and Self-Help Housing Grants.

RURAL HOUSING ASSISTANCE GRANTS

The recommendation includes $33,136,000 for Rural Housing Assistance Grants.

The following table reflects the grant levels included in the recommendation:

[DOLLARS IN THOUSANDS]

Very-low income housing repair grants	$29,500
Housing preservation grants	3,636
Total, grants	$33,136

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $32,308,000 for the Rural Community Facilities Program Account.

The following table reflects the loan, subsidy, and grant amounts included in the recommendation:

[DOLLARS IN THOUSANDS]

Loan Authorizations:	
CF direct loans	($2,200,000)
CF guaranteed loans	(57,481)
Loan Subsidies and Grants:	
CF guaranteed loans	3,880
CF grants	13,000
Rural Community Development Initiative	6,121
Economic Impact Initiative	5,938
Tribal College Grants	3,369
Total, subsidies and grants	$32,308

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $85,904,000 for the Rural Business Program Account.

The following table reflects the loan, subsidy, and grant levels included in the recommendation:

[DOLLARS IN THOUSANDS]

Business and Industry loan program:	
Guaranteed loan authorization	($821,224)
Guaranteed loan subsidy	56,336
Rural business enterprise grants	24,318
Rural business opportunity grants	2,250
Delta Regional Authority	3,000
Total, subsidy and grants	$85,904

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The recommendation includes $10,490,000 for the Rural Development Loan Fund Program Account.

The recommendation provides for a transfer of $4,438,000 to the Rural Development Salaries and Expenses account.

The following table reflects the loan and subsidy levels included in the recommendation:

[DOLLARS IN THOUSANDS]

Loan authorization	($18,889)
Loan subsidy	6,052
Administrative expenses (Transfer to RD)	4,438
Total, subsidy and administrative expenses	$10,490

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

The recommendation includes $33,077,000 for the Rural Economic Development Loans Program Account.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The recommendation includes $27,706,000 for Rural Cooperative Development Grants.

The recommendation includes $7,000,000 for cooperative development grants; $2,250,000 for a cooperative agreement for the Appropriate Technology Transfer for Rural Areas program; $3,456,000 for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, socially disadvantaged producers; and $15,000,000 for value-added agricultural product market development grants.

RURAL ENERGY FOR AMERICA PROGRAM

The recommendation includes $3,400,000 for the Rural Energy for America Program.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $524,466,000 for the Rural Water and Waste Disposal Program Account.

The following table reflects the loan, subsidy, and grant levels included in the recommendation:

[DOLLARS IN THOUSANDS]

Loan authorizations:	
Water and waste direct loans	($1,000,000)
Water and waste guaranteed loans	(61,321)
Direct loans authorized by P.L 83–566	(40,000)
Subsidies and grants:	
Direct loan subsidy	80,700
Guaranteed loan subsidy	650
Water and waste revolving fund	1,000
Water well system grants	993
Grants for Colonias, Native Americans, Alaskan Native Villages, and the Department of Hawaiian Home Lands	66,500
Water and waste technical assistance grants	19,000
Circuit Rider program	15,000
Solid waste management grants	3,400
High energy cost grants	10,000
Water and waste disposal grants	327,223
Total, subsidies and grants	$524,466

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The recommendation includes a total subsidy of $34,467,000 for activities under the Rural Electrification and Telecommunications Loans Program Account. The recommendation provides for an estimated loan level of $7,790,000,000.

The recommendation provides for a transfer of $34,467,000 to the Rural Development Salaries and Expenses account.

The following table indicates loan levels included in the recommendation:

[DOLLARS IN THOUSANDS]

Loan authorizations:	
Electric:	
Direct, 5 percent	($100,000)
Direct, FFB	(6,500,000)
Guaranteed underwriting	(500,000)
Subtotal	(7,100,000)
Telecommunications:	
Direct, Treasury rate	(690,000)

Subtotal	(690,000)
Total, loan authorizations	($7,790,000)
Administrative expenses (transfer to RD)	34,467
Total, Loan subsidies and administrative expenses	$34,467

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

The recommendation includes $39,322,000 for the Distance Learning, Telemedicine, and Broadband Program.

The recommendation includes $24,950,000 for grants for telemedicine and distance learning services in rural areas. The recommendation includes $3,000,000 for telemedicine and distance learning grants for health needs in the Mississippi River Delta area and $3,000,000 for grants to noncommercial educational television broadcast stations that serve rural areas.

The recommendation includes $10,372,000 for grants to finance broadband transmission and Internet services in unserved rural areas.

The recommendation includes an estimated loan level of $42,239,000 and $4,000,000 in subsidy for broadband telecommunications.

The Rural Utilities Service is directed to focus expenditures on projects that bring broadband service to currently unserved households.

TITLE IV—DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

The recommendation includes $811,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services.

USDA is directed to issue guidelines to the appropriate State agencies within 60 days of enactment on a requirement to include the USDA Inspector General (IG) Fraud Hotline and the IG website address on all SNAP and WIC Electronic Benefit Transfer cards and WIC coupons/vouchers or on any other information that accompanies the WIC instruments, for the purpose of reporting potential fraud, waste, and abuse by vendors and/or participants. The guidance should allow the States the flexibility to utilize all inventories as of the date of enactment before this requirement goes into effect.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $19,916,436,000 for Child Nutrition Programs. Included in the total is an appropriated amount of $12,298,383,000 and a transfer from Section 32 of $7,618,053,000.

The recommendation includes $35,000,000 for school food authorities to purchase new or replace existing food service related equipment to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program. Priority should be given to schools in which not less than 50 percent of the students are eligible for free or reduced price meals.

The recommendation includes the following for Child Nutrition Programs:

Total Obligational Authority

[DOLLARS IN THOUSANDS]

Child Nutrition Programs:	
School lunch program	$11,278,621
School breakfast program	3,659,347
Child and adult care food program	2,949,544

Total Obligational Authority—Continued

[DOLLARS IN THOUSANDS]

Summer food service program	434,724
Special milk program	12,523
State administrative expenses	289,684
Commodity procurement	1,181,651
Food Safety Education	2,575
Coordinated Review	10,000
Computer Support and Processing	10,746
CACFP training and technical assistance	7,675
Child Nutrition Program Studies and Evaluations	19,323
Child Nutrition payment accuracy	6,436
Farm to school tactical team	2,083
Team Nutrition	15,004
Healthier US Schools Challenge	1,500
School Breakfast Expansion Grants	35,000
Total	$19,916,436

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The recommendation includes $7,046,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

In the WIC program income eligibility is set by statute at 185 percent of the Federal Poverty Level for households ''of related or non-related individuals who are living together as one economic unit''. The way in which income is defined and verified at the local agency can vary and potentially give rise to a situation where WIC participants have income exceeding the eligibility standards. USDA's April 2012 report entitled ''National Survey of WIC Participants II—Volume 2'' addressed this issue, but noted that additional follow-up information is needed. The Food and Nutrition Service (FNS) is directed to provide a report to the Committees within 60 days of enactment of this Act detailing what variables each State uses in determining income and ways in which USDA could work to ensure income eligibility uniformity. The report should specify what changes, if any, could be accomplished administratively and which would require changes to existing law to ensure income eligibility uniformity.

In fulfilling the report on WIC food cost management as requested in the House Committee report, USDA is directed to include the following analyses of: (1) States whose costs for WIC foods are significantly higher when purchased by WIC than those same foods when purchased outside of the WIC program; (2) vendor-group average costs to understand whether the types of abuses and vendor management issues cited in the House report are a systemic issue and ways to manage these specific issues; and (3) any management recommendations or actions USDA will take to ensure program integrity going forward.

The Secretary is encouraged to amend 7 CFR 246.10 in order for State agencies to include all varieties of fresh, whole or cut vegetables, except for vegetables with added sugars, fats, or oils; provided that inclusion of such vegetables contribute towards meeting the special nutritional needs of program participants and increases the availability of low-cost, high-nutrient alternatives for participants throughout the year.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

The recommendation includes $77,290,160,000 for the Supplemental Nutrition Assistance Program. The recommendation includes $3,000,000,000 to be made available for a contingency reserve.

USDA is urged to require States to share SNAP recipient case data, including the appropriate use of the ALERT database, so USDA may determine whether individuals or households are receiving duplicative benefits in more than one State. To prevent the potential for fraud, the Secretary also is urged to continue to explore information from information broker services that might help to inform the authorization of SNAP retailers and use its suspension and debarment authority to prevent repeat offenders from reentering and defrauding SNAP or any other Federal program. USDA is directed to submit a report to the Committees within 60 days of enactment, detailing plans to prevent future fraud and improper payments, including efforts to debar or exclude both vendors and participants from the receipt of benefits if found guilty of fraud or abuse.

The recommendation includes the following for the Supplemental Nutrition Assistance Program:

Total Obligational Authority

[DOLLARS IN THOUSANDS]

Supplemental Nutrition Assistance Program:	
Benefits	$67,191,095
Contingency Reserve	3,000,000
State Administrative Costs	3,866,512
Nutrition Education and Obesity Prevention Grant Program	396,000
Employment and Training	426,946
Mandatory Other Program Costs	140,123
Discretionary Other Program Costs	998
Nutrition Assistance for Puerto Rico	1,872,910
Nutrition Assistance for American Samoa	7,522
Food Distribution Program for Indian Reservations	100,156
TEFAP Commodities	265,750
Commonwealth of the Northern Mariana Islands	12,148
Community Food Project	5,000
Program Access	5,000
Total	$77,290,160

COMMODITY ASSISTANCE PROGRAM

The recommendation includes $253,952,000 for the Commodity Assistance Program. This total includes $186,935,000 for the Commodity Supplemental Food Program; $49,401,000 for transportation and storage activities in the Emergency Food Assistance Program (TEFAP); $16,548,000 for the Farmers' Market Nutrition Program; and $1,068,000 for Pacific Island Assistance.

The recommendation includes $265,750,000 for TEFAP commodities to be purchased with Supplemental Nutrition Assistance Program funds.

NUTRITION PROGRAMS ADMINISTRATION

The recommendation includes $143,505,000 for Nutrition Programs Administration. This funding level includes increases of $3,514,000 for review, monitoring, and investigation activities in the management of SNAP retailers and management evaluation work in FNS regional offices; $441,000 for administrative costs; and $1,050,000 for information technology systems managed by the Center for Nutrition Policy and Promotion Program.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $176,789,000 for the Foreign Agricultural Service, Salaries and Expenses.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $2,806,000 for administrative expenses for the Food for Peace Title I Direct Credit and Food for Progress Program Account to be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

FOOD FOR PEACE TITLE II GRANTS

The recommendation includes $1,435,000,000 for Food For Peace Title II Grants.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

The recommendation includes $184,000,000 for the McGovern-Dole International Food for Education and Child Nutrition Program.

COMMODITY CREDIT CORPORATION EXPORT (LOANS)

CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes $6,806,000 for the Commodity Credit Corporation Export Loans Credit Guarantee Program Account.

TITLE VI—RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The recommendation includes total appropriations, including Prescription Drug User Fee Act, Medical Device and Modernization User Fee Act, Animal Drug User Fee Act, Animal Generic Drug User Fee Act, Tobacco Product User Fee Act, Food Reinspection User Fee Act, Food and Feed Recall User Fee Act, Human Generic Drug User Fee Act, and Biosimilars User Fee Act collections, of $4,223,295,000 for the salaries and expenses of the Food and Drug Administration (FDA) and provides specific amounts by FDA activity as reflected in the following table:

FOOD AND DRUG ADMINISTRATION SALARIES & EXPENSES

[Dollars in Thousands]

Budget Authority:	
Foods	$ 869,720
Center for Food Safety and Applied Nutrition	272,967
Field Activities	596,753
Human Drugs	474,167
Center for Drug Evaluation and Research	345,446
Field Activities	128,721
Biologics	210,484
Center for Biologics Evaluation and Research	170,369
Field Activities	40,115
Animal Drugs and Feeds	137,392
Center for Veterinary Medicine	84,588
Field Activities	52,804
Devices and Radiological Products	320,300
Center for Devices and Radiological Health	239,901
Field Activities	80,399
National Center for Toxicological Research	59,429
Other Activities/Office of the Commissioner	163,544
White Oak Consolidation	58,044
GSA Rent	162,150
Other Rent and Rent Related	69,261
Subtotal, Budget Authority	2,524,491
User Fees:	
Prescription Drug User Fee Act	718,669
Medical Device User Fee and Modernization Act	97,722
Animal Drug User Fee Act	23,848
Animal Generic Drug User Fee Act	6,031
Tobacco Product User Fees	505,000

FOOD AND DRUG ADMINISTRATION SALARIES & EXPENSES—Continued

[Dollars in Thousands]

Food Reinspection Fees	15,367
Food and Feed Recall Fees	12,925
Human Generic Drug User Fee Act	299,000
Biosimilar User Fee Act	20,242
Subtotal, User Fees	1,698,804
Total, FDA Program Level	$4,223,295

The recommendation includes the following increases in budget authority: $12,500,000 for food safety; $10,000,000 for food and drug safety inspections in China; $3,510,000 for advancing medical countermeasures; $21,166,000 for necessary expenses, rental payments, and facilities. FDA's proposed reduction of $19,706,000 due to information technology savings is also accepted.

There is concern that over a year has passed since USDA published its dietary guidelines and more than ten months have passed since the publication of the fiscal year 2012 Committee reports directing FDA to commence reconsideration of its 2004 seafood advisory, and yet FDA has not published its draft revision of the advisory. Given data demonstrating that women of childbearing years, pregnant women, and mothers with young children are eating too little seafood for their health and the health of their babies, and the role the language of FDA's 2004 advisory may play in discouraging healthy consumption of seafood, a more urgent response by FDA was expected. Therefore, FDA is directed to issue a final seafood advisory consistent with USDA's dietary guidelines.

The increasing role of nutritional rating and front of package labeling claims in the marketplace is recognized. To promote public health and facilitate consumer understanding, such information should be based on criteria that are public and readily available to consumers. The FDA is directed to evaluate such systems and symbols to ensure compliance with relevant FDA food labeling requirements.

While the considerable time and effort put into producing the FDA budget justification is appreciated, due to the changes within the FDA's budget over the last several years, including the proposal and authorization of various new user fees, the justification has become difficult to analyze. The FDA is reminded that the budget justification is specifically for the use of the Committees. A more streamlined approach to the justification would serve both the Agency and the Committees. Therefore, prior to submission of the FY 2014 budget, FDA is directed to work with the Committees to determine the most helpful format in which to submit the justification.

BUILDINGS AND FACILITIES

The recommendation includes $5,320,000 for the Food and Drug Administration Buildings and Facilities.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The recommendation includes a limitation of $63,300,000 on administrative expenses of the Farm Credit Administration.

TITLE VII—GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

Section 701.—The recommendation includes language making funds available for the purchase, replacement and hire of passenger motor vehicles.

Section 702.—The recommendation includes language regarding transfers of funds to the Working Capital Fund of the Department of Agriculture.

Section 703.—The recommendation includes language limiting funding provided in the bill to one year unless otherwise specified.

Section 704.—The recommendation includes language regarding indirect cost rates on cooperative agreements between the Department of Agriculture and nonprofit institutions.

Section 705.—The recommendation includes language making appropriations to the Department of Agriculture for the cost of direct and guaranteed loans available until expended to disburse certain obligations for certain Rural Development programs.

Section 706.—The recommendation includes language regarding emergency food aid.

Section 707.—The recommendation includes language regarding the transfer of funds to the Office of the Chief Information Officer and the acquisition of information technology systems.

Section 708.—The recommendation includes language making funds available until expended to the Department of Agriculture to disburse certain obligations for certain conservation programs.

Section 709.—The recommendation includes language regarding Rural Utility Service program eligibility.

Section 710.—The recommendation includes language regarding in-kind support and Department of Agriculture research grants.

Section 711.—The recommendation includes language regarding Farm Service Agency and Rural Development funds for information technology expenses.

Section 712.—The recommendation includes language regarding the availability of funds for liquid infant formula.

Section 713.—The recommendation includes language prohibiting first-class airline travel.

Section 714.—The recommendation includes language regarding the availability of certain funds of the Commodity Credit Corporation.

Section 715.—The recommendation includes language regarding non-emergency humanitarian food assistance.

Section 716.—The recommendation includes language regarding the Bill Emerson Humanitarian Trust Act.

Section 717.—The recommendation includes language regarding funding for advisory committees.

Section 718.—The recommendation includes language regarding the limitation on indirect costs for grants awarded by the National Institute of Food and Agriculture.

Section 719.—The recommendation includes language regarding funding for the Food and Drug Administration.

Section 720.—The recommendation includes language regarding section 1621 of Public Law 110–246.

Section 721.—The recommendation includes language regarding the availability of funds for certain Department of Agriculture programs.

Section 722.—The recommendation includes language regarding funds from Section 32.

Section 723.—The recommendation includes language regarding strategic rural development planning.

Section 724.—The recommendation includes language regarding a pilot program for certain forest lands.

Section 725.—The recommendation includes language regarding user fee proposals without offsets.

Section 726.—The recommendation includes language regarding the reprogramming of funds.

Section 727.—The recommendation includes language regarding fees for the guaranteed business and industry loan program.

Section 728.—The recommendation includes language regarding the appropriations hearing process.

Section 729.—The recommendation includes language regarding government-sponsored news stories.

Section 730.—The recommendation includes language regarding details and assignments of Department of Agriculture employees.

Section 731.—The recommendation includes language regarding rural housing programs.

Section 732.—The recommendation includes language prohibiting grants and loans to a corporation convicted of a felony under Federal law.

Section 733.—The recommendation includes language prohibiting grants and loans to corporations that have an unpaid Federal tax liability.

Section 734.—The recommendation includes language regarding the Department of Agriculture's mohair program.

Section 735.—The recommendation includes language regarding regulation of certain agricultural products.

Section 736.—The recommendation includes language on dam mitigation.

Section 737.—The recommendation includes language regarding the rescission of certain unobligated balances.

Section 738.—The recommendation includes language regarding the rescission of certain unobligated balances.

Section 739.—The recommendation includes language regarding servicing of Rural Housing Service loans.

Section 740.—The recommendation includes language requiring spend plans.

Section 741.—The recommendation includes language regarding emergency disaster funding.

Section 742.—The recommendation includes language regarding regulations under the Grain Inspection, Packers and Stockyards Administration.

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
TITLE I—AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary					
Office of the Secretary	4,550	5,051	5,051	+501	
Office of Tribal Relations	448	498	498	+50	
Office of Homeland Security and Emergency Coordination	1,321	1,496	1,496	+175	
Office of Advocacy and Outreach	1,209	1,422	1,422	+213	
Office of the Assistant Secretary for Administration	764	804	804	+40	
Departmental Administration	20,760	26,227	24,242	+3,482	−1,985
Office of the Assistant Secretary for Congressional Relations	3,576	3,869	3,869	+293	
Office of Communications	8,065	9,006	9,006	+941	
Total, Office of the Secretary	40,693	48,373	46,388	+5,695	−1,985
Executive Operations:					
Office of the Chief Economist	11,177	12,008	16,008	+4,831	+4,000
National Appeals Division	12,841	14,225	14,225	+1,384	
Office of Budget and Program Analysis	8,946	9,049	9,049	+103	
Subtotal, Executive Operations	32,964	35,282	39,282	+6,318	+4,000
Office of the Chief Information Officer	44,031	44,031	44,031		
Office of the Chief Financial Officer	5,650	6,247	6,247	+597	
Office of the Assistant Secretary for Civil Rights	848	893	893	+45	
Office of Civil Rights	21,000	22,692	22,692	+1,692	
Agriculture buildings and facilities and rental payments	(230,416)	(244,057)	(271,336)	(+40,920)	(+27,279)
Payments to GSA	164,470	175,694	175,694	+11,224	
Department of Homeland Security	13,800	13,473	13,473	−327	
Building operations and maintenance	52,146	54,890	82,169	+30,023	+27,279
Hazardous materials management	3,592	3,992	3,992	+400	
Office of Inspector General	85,621	89,016	89,016	+3,395	
Office of the General Counsel	39,345	45,074	45,074	+5,729	
Office of Ethics	3,405	3,420	3,405		−15
Total, Departmental Administration	507,565	543,077	572,356	+64,791	+29,279
Office of the Under Secretary for Research, Education, and Economics	848	893	893	+45	
Economic Research Service	77,723	77,397	77,397	−326	
National Agricultural Statistics Service	158,616	179,477	179,477	+20,861	
Census of Agriculture	(41,639)	(62,500)	(62,500)	(+20,861)	
Agricultural Research Service:					
Salaries and expenses	1,094,647	1,102,565	1,101,853	+7,206	−712
National Institute of Food and Agriculture:					
Research and education activities	705,599	732,730	738,638	+33,039	+5,908
Native American Institutions Endowment Fund	(11,880)	(11,880)	(11,880)		
Extension activities	475,183	462,473	475,854	+671	+13,381
Integrated activities	21,482	43,542	21,482		−22,060
Hispanic-Serving Agricultural Colleges and Universities Endowment Fund		(10,000)			(−10,000)
Total, National Institute of Food and Agriculture	1,202,264	1,238,745	1,235,974	+33,710	−2,771
Office of the Under Secretary for Marketing and Regulatory Programs	848	893	893	+45	
Animal and Plant Health Inspection Service:					
Salaries and expenses	816,534	762,418	821,851	+5,317	+59,433
Buildings and facilities	3,200	3,175	3,175	−25	
Total, Animal and Plant Health Inspection Service	819,734	765,593	825,026	+5,292	+59,433
Agricultural Marketing Service:					
Marketing Services	82,211	77,032	78,863	−3,348	+1,831
Standardization activities (user fees) NA	(66,000)	(66,000)	(66,000)		
(Limitation on administrative expenses, from fees collected)	(62,101)	(62,592)	(62,592)	(+491)	
Funds for strengthening markets, income, and supply (Section 32):					
Permanent, Section 32	1,080,000	1,092,000	1,092,000	+12,000	
Marketing agreements and orders (transfer from section 32)	(20,056)	(20,056)	(20,056)		
Payments to States and Possessions	1,198	1,331	1,331	+133	
Total, Agricultural Marketing Service program	1,225,510	1,232,955	1,234,786	+9,276	+1,831
Grain Inspection, Packers and Stockyards Administration:					
Salaries and expenses	37,750	40,261	40,261	+2,511	
Limitation on inspection and weighing services	(49,000)	(50,000)	(50,000)	(+1,000)	
Office of the Under Secretary for Food Safety	770	811	811	+41	
Food Safety and Inspection Service	1,004,427	995,503	1,001,427	−3,000	+5,924
Lab accreditation fees	(1,000)	(1,000)	(1,000)		
Total, Production, Processing, and Marketing	6,068,601	6,115,578	6,208,562	+139,961	+92,984
Farm Assistance Programs					
Office of the Under Secretary for Farm and Foreign Agricultural Services	848	893	893	+45	
Farm Service Agency:					
Salaries and expenses	1,198,966	1,208,290	1,208,290	+9,324	
(Transfer from Food for Peace (Public Law 480))	(2,500)	(2,806)	(2,806)	(+306)	
(Transfer from export loans)	(355)	(354)	(354)	(−1)	
(Transfer from ACIF)	(289,728)	(304,977)	(304,977)	(+15,249)	
Subtotal, transfers from program accounts	(292,583)	(308,137)	(308,137)	(+15,554)	
Total, Salaries and expenses	(1,491,549)	(1,516,427)	(1,516,427)	(+24,878)	
State mediation grants	3,759	4,369	4,369	+610	
Grassroot source water protection program	3,817		5,500	+1,683	+5,500
Dairy indemnity program	100	100	100		
Subtotal, Farm Service Agency	1,206,642	1,212,759	1,218,259	+11,617	+5,500
Agricultural Credit Insurance Fund [ACIF] Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct	(475,000)	(475,000)	(475,000)		
Guaranteed	(1,500,000)	(1,500,000)	(1,500,000)		
Subtotal	(1,975,000)	(1,975,000)	(1,975,000)		
Farm operating loans:					
Direct	(1,050,090)	(1,050,089)	(1,050,090)		(+1)

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Unsubsidized guaranteed	(1,500,000)	(1,500,000)	(1,500,000)		
Subtotal	(2,550,090)	(2,550,089)	(2,550,090)		(+1)
Emergency loans		(34,658)	(34,658)	(+34,658)	
Indian tribe land acquisition loans	(2,000)	(2,000)	(2,000)		
Conservation loans:					
Guaranteed	(150,000)	(150,000)	(150,000)		
Indian Highly Fractionated Land Loans	(10,000)	(10,000)	(10,000)		
Boll weevil eradication loans	(100,000)	(60,000)	(100,000)		(+40,000)
Total, Loan authorizations	(4,787,090)	(4,781,747)	(4,821,748)	(+34,658)	(+40,001)
Loan subsidies:					
Farm ownership loans:					
Direct	22,800	20,140	20,140	−2,660	
Farm operating loans:					
Direct	59,120	58,490	58,490	−630	
Unsubsidized guaranteed	26,100	17,850	17,850	−8,250	
Subtotal	85,220	76,340	76,340	−8,880	
Emergency Loans		1,317	1,317	+1,317	
Indian Highly Fractionated Land Loans	193	173	173	−20	
Individual Development Account grants		2,500			−2,500
Total, Loan subsidies	108,213	100,470	97,970	−10,243	−2,500
ACIF administrative expenses:					
Salaries and expense (transfer to FSA)	289,728	304,977	304,977	+15,249	
Administrative expenses	7,904	7,920	7,920	+16	
Total, ACIF expenses	297,632	312,897	312,897	+15,265	
Total, Agricultural Credit Insurance Fund	405,845	413,367	410,867	+5,022	−2,500
(Loan authorization)	(4,787,090)	(4,781,747)	(4,821,748)	(+34,658)	(+40,001)
Total, Farm Service Agency	1,612,487	1,626,126	1,629,126	+16,639	+3,000
Risk Management Agency, Administrative and operating expenses	74,900	74,900	74,900		
Total, Farm Assistance Programs	1,688,235	1,701,919	1,704,919	+16,684	+3,000
Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund	3,142,375	9,517,433	9,517,433	+6,375,058	
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses	14,071,000	11,018,509	11,018,509	−3,052,491	
Hazardous waste management (limitation on expenses)	(5,000)	(5,000)	(5,000)		
Total, Corporations	17,213,375	20,535,942	20,535,942	+3,322,567	
Total, Title I, Agricultural Programs	24,970,211	28,353,439	28,449,423	+3,479,212	+95,984
(By transfer)	(312,639)	(328,193)	(328,193)	(+15,554)	
(Loan authorization)	(4,787,090)	(4,781,747)	(4,821,748)	(+34,658)	(+40,001)
(Limitation on administrative expenses)	(116,101)	(117,592)	(117,592)	(+1,491)	
TITLE II—CONSERVATION PROGRAMS					
Office of the Under Secretary for Natural Resources and Environment	848	893	893	+45	
Natural Resources Conservation Service:					
Conservation operations	828,159	827,500	830,998	+2,839	+3,498
Watershed rehabilitation program	15,000		14,700	−300	+14,700
Total, Natural Resources Conservation Service	843,159	827,500	845,698	+2,539	+18,198
Total, Title II, Conservation Programs	844,007	828,393	846,591	+2,584	+18,198
TITLE III—RURAL DEVELOPMENT					
Office of the Under Secretary for Rural Development	848	893	893	+45	
Rural Development:					
Rural development expenses:					
Salaries and expenses	182,023	206,857	206,857	+24,834	
(Transfer from RHIF)	(430,800)	(408,127)	(410,627)	(−20,173)	(+2,500)
(Transfer from RDLFP)	(4,684)	(4,438)	(4,438)	(−246)	
(Transfer from RETLP)	(36,382)	(34,467)	(34,467)	(−1,915)	
Subtotal, Transfers from program accounts	(471,866)	(447,032)	(449,532)	(−22,334)	(+2,500)
Total, Rural development expenses	(653,889)	(653,889)	(656,389)	(+2,500)	(+2,500)
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family direct (Sec. 502)	(900,000)	(652,764)	(900,000)		(+247,236)
Unsubsidized guaranteed	(24,000,000)	(24,000,000)	(24,000,000)		
Subtotal, Single family	(24,900,000)	(24,652,764)	(24,900,000)		(+247,236)
Housing repair (Sec. 504)	(10,000)	(27,952)	(27,952)	(+17,952)	
Rental housing (Sec. 515)	(64,478)		(31,277)	(−33,201)	(+31,277)
Multi-family housing guarantees (Sec. 538)	(130,000)	(150,000)	(150,000)	(+20,000)	
Single family housing credit sales	(10,000)		(10,000)		(+10,000)
Self-help housing land develop. (Sec. 523)	(5,000)		(5,000)		(+5,000)
Farm Labor Housing (Sec.514)	(20,791)	(25,969)	(22,969)	(+2,178)	(−3,000)
Total, Loan authorizations	(25,140,269)	(24,856,685)	(25,147,198)	(+6,929)	(+290,513)
Loan subsidies:					
Single family direct (Sec. 502)	42,570	38,970	53,730	+11,160	+14,760
Housing repair (Sec. 504)	1,421	3,821	3,821	+2,400	
Rental housing (Sec. 515)	22,000		11,000	−11,000	+11,000
Farm labor housing (Sec.514)	7,100	8,658	7,658	+558	−1,000
Total, Loan subsidies	73,091	51,449	76,209	+3,118	+24,760
Farm labor housing grants	7,100	8,868	8,868	+1,768	
RHIF administrative expenses (transfer to RD)	430,800	408,127	410,627	−20,173	+2,500

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Total, Rural Housing Insurance Fund program	510,991	468,444	495,704	−15,287	+27,260
(Loan authorization)	(25,140,269)	(24,856,685)	(25,147,198)	(+6,929)	(+290,513)
Rental assistance program:					
Rental assistance (Sec. 521)	900,653	904,128	904,128	+3,475	
New construction (Sec. 515)	1,500			−1,500	
New construction (Farm Labor Housing)	2,500	3,000	3,000	+500	
Total, Rental assistance program	904,653	907,128	907,128	+2,475	
Multi-Family Housing Revitalization Program Account:					
Rural housing voucher program	11,000	12,575	10,000	−1,000	−2,575
Multi-family housing revitalization program	2,000	34,367	17,782	+15,782	−16,585
Total, Multi-family housing revitalization	13,000	46,942	27,782	+14,782	−19,160
Mutual and self-help housing grants	30,000	10,000	30,000		+20,000
Rural housing assistance grants	33,136	28,216	33,136		+4,920
Rural community facilities program account:					
Loan authorizations:					
Community facility:					
Direct	(1,300,000)	(2,000,000)	(2,200,000)	(+900,000)	(+200,000)
Guaranteed	(105,708)		(57,481)	(−48,227)	(+57,481)
Total, Loan authorizations	(1,405,708)	(2,000,000)	(2,257,481)	(+851,773)	(+257,481)
Loan subsidies and grants:					
Community facility:					
Guaranteed	5,000		3,880	−1,120	+3,880
Grants	11,363	13,000	13,000	+1,637	
Rural community development initiative	3,621	8,000	6,121	+2,500	−1,879
Economic impact initiative grants	5,938		5,938		+5,938
Tribal college grants	3,369	4,000	3,369		−631
Total, RCFP Loan subsidies and grants	29,291	25,000	32,308	+3,017	+7,308
Subtotal, grants and payments	92,427	63,216	95,444	+3,017	+32,228
Total, Rural Housing Service	1,521,071	1,485,730	1,526,058	+4,987	+40,328
(Loan authorization)	(26,545,977)	(26,856,685)	(27,404,679)	(+858,702)	(+547,994)
Rural Business-Cooperative Service:					
Rural Business Program Account:					
(Guaranteed business and industry loans)	(822,886)	(821,224)	(821,224)	(−1,662)	
Loan subsidies and grants:					
Guaranteed business and industry subsidy	45,341	56,336	56,336	+10,995	
Grants:					
Rural business enterprise	24,318	29,823	24,318		−5,505
Rural business opportunity	2,250		2,250		+2,250
Delta regional authority	2,900		3,000	+100	+3,000
Total, RBP loan subsidies and grants	74,809	86,159	85,904	+11,095	−255
Rural Development Loan Fund Program Account:					
(Loan authorization)	(17,710)	(18,889)	(18,889)	(+1,179)	
Loan subsidy	6,000	6,052	6,052	+52	
Administrative expenses (transfer to RD)	4,684	4,438	4,438	−246	
Total, Rural Development Loan Fund	10,684	10,490	10,490	−194	
Rural Economic Development Loans Program Account:					
(Loan authorization)	(33,077)	(33,077)	(33,077)		
Limit cushion of credit interest spending	(155,000)	(165,000)	(180,000)	(+25,000)	(+15,000)
(Rescission)	−155,000	−165,000	−180,000	−25,000	−15,000
Rural cooperative development grants:					
Cooperative development	5,800	7,000	7,000	+1,200	
Appropriate technology transfer for rural areas	2,250	2,250	2,250		
Grants to assist minority producers	3,000	3,456	3,456	+456	
Value-added agricultural product market development	14,000	15,000	15,000	+1,000	
Total, Rural Cooperative development grants	25,050	27,706	27,706	+2,656	
Rural Microenterprise Investment Program Account:					
(Loan authorization)		(22,448)			(−22,448)
Loan subsidy		3,356			−3,356
Total, Rural Microenterprise Investment		3,356			−3,356
Rural Energy for America Program:					
(Loan authorization)	(6,491)	(19,055)	(14,161)	(+7,670)	(−4,894)
Loan subsidy	1,700	4,575	3,400	+1,700	−1,175
Grants	1,700			−1,700	
Total, Rural Energy for America Program	3,400	4,575	3,400		−1,175
Total, Rural Business-Cooperative Service	−41,057	−32,714	−52,500	−11,443	−19,786
(Loan authorization)	(880,164)	(914,693)	(887,351)	(+7,187)	(−27,342)
Rural Utilities Service:					
Rural water and waste disposal program account:					
Loan authorizations:					
Direct	(730,689)	(1,000,000)	(1,000,000)	(+269,311)	
Guaranteed	(62,893)		(61,321)	(−1,572)	(+61,321)
Direct loans authorized by Public Law 83–566			(40,000)	(+40,000)	(+40,000)
Total, Loan authorization	793,582	1,000,000	1,101,321	+307,739	+101,321
Loan subsidies and grants:					
Direct subsidy	70,000	80,700	80,700	+10,700	
Guaranteed subsidy	1,000		650	−350	+650
Water and waste revolving fund	497		1,000	+503	+1,000
Water well system grants	993		993		+993
Colonias and AK/HI grants	66,500	59,484	66,500		+7,016
Water and waste technical assistance	19,000	14,871	19,000		+4,129
Circuit rider program	15,000	12,393	15,000		+2,607
Solid waste management grants	3,400	4,000	3,400		−600
High energy cost grants	9,500		10,000	+500	+10,000
Water and waste disposal grants	327,110	324,252	327,223	+113	+2,971
Total, Loan subsidies and grants	513,000	495,700	524,466	+11,466	+28,766

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, 5 percent	(100,000)		(100,000)		(+100,000)
Direct, FFB	(6,500,000)	(6,100,000)	(6,500,000)		(+400,000)
Guaranteed underwriting	(424,286)		(500,000)	(+75,714)	(+500,000)
Subtotal, Electric	(7,024,286)	(6,100,000)	(7,100,000)	(+75,714)	(+1,000,000)
Telecommunications:					
Direct, 5 percent	(145,000)			(−145,000)	
Direct, Treasury rate	(250,000)	(690,000)	(690,000)	(+440,000)	
Direct, FFB	(295,000)			(−295,000)	
Subtotal, Telecommunications	(690,000)	(690,000)	(690,000)		
Total, Loan authorizations	(7,714,286)	(6,790,000)	(7,790,000)	(+75,714)	(+1,000,000)
Loan subsidies:					
Electric:					
Guaranteed underwriting	594			−594	
RETLP administrative expenses (transfer to RD)	36,382	34,467	34,467	−1,915	
Total, Rural Electrification and Telecommunications Loans Program Account	36,976	34,467	34,467	−2,509	
(Loan authorization)	(7,714,286)	(6,790,000)	(7,790,000)	(+75,714)	(+1,000,000)
Distance learning, telemedicine, and broadband program:					
Loan authorizations:					
Broadband telecommunications	(212,014)	(94,139)	(42,239)	(−169,775)	(−51,900)
Total, Loan authorizations	(212,014)	(94,139)	(42,239)	(−169,775)	(−51,900)
Loan subsidies and grants:					
Distance learning and telemedicine:					
Grants	21,000	24,950	24,950	+3,950	
Broadband telecommunications:					
Direct	6,000	8,915	4,000	−2,000	−4,915
Grants	10,372	13,379	10,372		−3,007
Total, Loan subsidies and grants	37,372	47,244	39,322	+1,950	−7,922
Total, Rural Utilities Service	587,348	577,411	598,255	+10,907	+20,844
(Loan authorization)	(8,719,882)	(7,884,139)	(8,933,560)	(+213,678)	(+1,049,421)
Total, Title III, Rural Development Programs	2,250,233	2,238,177	2,279,563	+29,330	+41,386
(By transfer)	(471,866)	(447,032)	(449,532)	(−22,334)	(+2,500)
(Loan authorization)	(36,146,023)	(35,655,517)	(37,225,590)	(+1,079,567)	(+1,570,073)
TITLE IV—DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services	770	811	811	+41	
Food and Nutrition Service:					
Child nutrition programs	18,150,176	19,656,500	19,881,436	+1,731,260	+224,936
School breakfast program grants	1,000			−1,000	
School breakfast program equipment grants		35,000	35,000	+35,000	
Hunger-free communities grants		2,500			−2,500
Total, Child nutrition programs	18,151,176	19,694,000	19,916,436	+1,765,260	+222,436
Special supplemental nutrition program for women, infants, and children (WIC)	6,618,497	7,041,000	7,046,000	+427,503	+5,000
Supplemental nutrition assistance program:					
(Food stamp program)	77,400,722	76,992,797	74,289,162	−3,111,560	−2,703,635
Reserve	3,000,000	5,000,000	3,000,000		−2,000,000
FDPIR nutrition education	1,000	998	998	−2	
Center for Nutrition Policy and Promotion		1,498			−1,498
Total, Food stamp program	80,401,722	81,995,293	77,290,160	−3,111,562	−4,705,133
Commodity assistance program:					
Commodity supplemental food program	176,788	186,935	186,935	+10,147	
Farmers market nutrition program	16,548	16,548	16,548		
Emergency food assistance program	48,000	49,401	49,401	+1,401	
Pacific island and disaster assistance	1,000	1,068	1,068	+68	
Total, Commodity assistance program	242,336	253,952	253,952	+11,616	
Nutrition programs administration	138,500	143,505	143,505	+5,005	
Total, Food and Nutrition Service	105,552,231	109,127,750	104,650,053	−902,178	−4,477,697
Total, Title IV, Domestic Food Programs	105,553,001	109,128,561	104,650,864	−902,137	−4,477,697
TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service					
Salaries and expenses	176,347	176,789	176,789	+442	
(Transfer from export loans)	(6,465)	(6,452)	(6,452)	(−13)	
Total, Salaries and expenses	182,812	183,241	183,241	+429	
Food for Peace Title I Direct Credit and Food for Progress Program Account, Administrative Expenses:					
Farm Service Agency, Salaries and expenses (transfer to FSA)	2,500	2,806	2,806	+306	
Food for Peace Title II Grants:					
Expenses	1,466,000	1,400,000	1,435,000	−31,000	+35,000
Commodity Credit Corporation Export Loans Program Account (administrative expenses):					
Salaries and expenses (Export Loans):					
General Sales Manager (transfer to FAS)	6,465	6,452	6,452	−13	
Farm Service Agency S&E (transfer to FSA)	355	354	354	−1	
Total, CCC Export Loans Program Account	6,820	6,806	6,806	−14	
McGovern-Dole international food for education and child nutrition program grants	184,000	184,000	184,000		
Total, Title V, Foreign Assistance and Related Programs	1,835,667	1,770,401	1,805,401	−30,266	+35,000
(By transfer)	(6,465)	(6,452)	(6,452)	(−13)	

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation	2,497,021	2,511,991	2,524,491	+27,470	+12,500
Prescription drug user fees	(702,172)		(718,669)	(+16,497)	(+718,669)
Medical device user fees	(57,605)		(97,722)	(+40,117)	(+97,722)
Animal drug user fees	(21,768)	(30,530)	(23,848)	(+2,080)	(−6,682)
Animal generic drug user fees	(5,706)	(7,595)	(6,031)	(+325)	(−1,564)
Tobacco product user fees	(477,000)	(505,000)	(505,000)	(+28,000)	
Food and Feed Export Certification user fees	(12,364)	(12,925)	(12,925)	(+561)	
Food Reinspection fees	(14,700)	(15,367)	(15,367)	(+667)	
Human generic drug user fees		(299,000)	(299,000)	(+299,000)	
Biosimilar biological products user fees		(20,242)	(20,242)	(+20,242)	
Subtotal (including user fees)	(3,788,336)	(3,402,650)	(4,223,295)	(+434,959)	(+820,645)
Mammography user fees	(19,318)	(19,318)	(19,318)		
Export certification user fees	(11,667)	(12,447)	(12,447)	(+780)	
Voluntary qualified importer program fees	(71,066)			(−71,066)	
Subtotal, FDA (with user fees)	(3,890,387)	(3,434,415)	(4,255,060)	(+364,673)	(+820,645)
FDA New User Fees (Leg. proposals):					
Food inspections/food facility user fees		(220,200)			(−220,200)
Food contact notification user fees		(4,901)			(−4,901)
Reinspection fees		(15,367)			(−15,367)
Cosmetic activities fees		(18,698)			(−18,698)
International express courier import fees		(5,580)			(−5,580)
Prescription drug user fees		(712,808)			(−712,808)
Medical device user fees		(69,700)			(−69,700)
Subtotal, FDA new user fees (Leg Proposals)		(1,047,254)			(−1,047,254)
Buildings and facilities	8,788	5,320	5,320	−3,468	
Total, FDA (w/user fees, including proposals)	(3,899,175)	(4,486,989)	(4,260,380)	(+361,205)	(−226,609)
Total, FDA (w/enacted user fees only)	(3,899,175)	(3,439,735)	(4,260,380)	(+361,205)	(+820,645)
Total, FDA (excluding user fees)	2,505,809	2,517,311	2,529,811	+24,002	+12,500
INDEPENDENT AGENCIES					
Farm Credit Administration (limitation on administrative expenses)	(61,000)	(63,300)	(63,300)	(+2,300)	
Total, Title VI, Related Agencies and Food and Drug Administration	2,505,809	2,517,311	2,529,811	+24,002	+12,500
TITLE VII—GENERAL PROVISIONS					
Forestry Incentives program (rescission)	−6,017			+6,017	
Great Plains Conservation (rescission)	−547			+547	
Supplemental Nutrition Assistance Program Employment and Training (rescission)	−11,000			+11,000	
FDA, Salaries and expenses (Sec. 719)			50,000	+50,000	+50,000
Geographic Disadvantaged farmers (Sec. 720)	1,996		1,996		+1,996
Limit Conservation stewardship	−76,516	−2,000		+76,516	+2,000
Limit Dam Rehab (Sec. 721(1))	−165,000	−165,000	−165,000		
Limit Environmental Quality Incentives program (Sec. 721(2))	−350,000	−347,000	−279,000	+71,000	+68,000
Limit Farmland Protection program	−50,000			+50,000	
Limit Grasslands reserve	−30,000			+30,000	
Limit Wetlands reserve	−200,000			+200,000	
Limit Wildlife habitat incentives (Sec. 721(3))	−35,000	−12,000	−9,000	+26,000	+3,000
Limit Voluntary Public Access program	−17,000			+17,000	
Limit Biomass Crop Assistance program	−28,000			+28,000	
Limit Bioenergy Program for Advanced Biofuels	−40,000			+40,000	
Limit Rural Energy for America	−48,000			+48,000	
Limit Microenterprise investment program	−3,000			+3,000	
Limit Crop Insurance Good Performance	−25,000			+25,000	
Limit Agriculture management assistance (section 1524) (Sec. 721(4))	−5,000	−5,000	−5,000		
Limit fruit and vegetable program (Sec. 722)	−133,000	−117,000	−117,000	+16,000	
Section 32 (rescission) (Sec. 722)	−150,000		−110,000	+40,000	−110,000
Hardwood Trees (Reforestation Pilot Program) (Sec. 724)	600		600		+600
NIFA, Buildings and Facilities (rescission)	−2,490			+2,490	
Trade Adjustment Assistance for Farmers (rescission)	−90,000			+90,000	
OAO (rescission)	−4,000			+4,000	
Ocean freight (rescission)	−3,235			+3,235	
Public Law 480 Title I (rescission)	−2,336			+2,336	
Foreign Currency Program (rescission)	−273			+273	
Export credit (rescission)	−20,237			+20,237	
Water Bank	7,500			−7,500	
Voluntary Public Access and Habitat Incentive Program		5,000			−5,000
Equal Credit Opportunity Act extension		40,000			−40,000
Broadband Loans (rescission) (Sec. 737)			−25,320	−25,320	−25,320
Repowering Assistance (rescission) (Sec. 738)			−28,045	−28,045	−28,045
USDA (rescission)					
FDA (rescission)					
Emergency Conservation Program (Sec. 741)			11,100	+11,100	+11,100
(Disaster Relief) [1]	122,700			−122,700	
Emergency Forest Restoration (Sec. 741)			14,200	+14,200	+14,200
(Disaster Relief) [1]	28,400			−28,400	
Emergency Watershed Protection (Sec. 741)			65,454	+65,454	+65,454
(Disaster Relief) [1]	215,900			−215,900	
Total, Title VII, General provisions	−1,118,555	−603,000	−595,015	+523,540	+7,985
DIVISION G					
Section 3001:					
(Rescission) (Security)			−1,000	−1,000	−1,000
(Rescission) (Non-Security)			−505,000	−505,000	−505,000
Total, Division G			−506,000	−506,000	−506,000
Grand total	136,840,373	144,233,282	139,460,638	+2,620,265	−4,772,644
Appropriations	(136,918,508)	(144,398,282)	(140,310,003)	(+3,391,495)	(−4,088,279)
Emergency Appropriations					
Rescissions	(−445,135)	(−165,000)	(−849,365)	(−404,230)	(−684,365)
Disaster relief [1]	(367,000)			(−367,000)	
(By transfer)	(790,970)	(781,677)	(784,177)	(−6,793)	(+2,500)
(Loan authorization)	(40,933,113)	(40,437,264)	(42,047,338)	(+1,114,225)	(+1,610,074)
(Limitation on administrative expenses)	(177,101)	(180,892)	(180,892)	(+3,791)	

[1] Budget Control Act 2011 (Sec. 251(b)(2)(D)/Public Law 112–25).

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Report language included in House Report 112–463 (''the House report'') or Senate Report 112–158 (''the Senate report'') that is not changed by this explanatory statement or this Act is approved. The explanatory statement, while repeating some language for emphasis, is not intended to negate the language referred to above unless expressly provided herein. In cases where both the House report and the Senate report address a particular issue not specifically addressed in the explanatory statement, the House report and the Senate report should be read as consistent and are to be interpreted accordingly. In cases where the House report or the Senate report directs the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

It is expected that each department and agency funded in this Act shall follow the directions set forth in this Act and the accompanying statement, and shall not reallocate resources or reorganize activities except as provided herein. Reprogramming procedures shall apply to: funds provided in this Act; unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2013; and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2013. These procedures are specified in section 505 of this Act.

Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. Any program, project or activity cited in this statement, or in the House report or the Senate report and not changed by this Act or statement, shall be construed as the position of the Congress and shall not be subject to reductions or reprogramming without prior approval of the Committees. Further, it is expected that any department or agency funded in this Act which plans a reduction-in-force to notify by letter the Appropriations Committees of the House and Senate 30 days in advance of the date of any such planned personnel action.

It is noted that when a department or agency submits a reprogramming or transfer request to the Appropriations Committees of the House and Senate and does not receive identical responses by the House and Senate, it shall be the responsibility of the department or agency seeking the reprogramming to reconcile the differences between the two bodies before proceeding. If reconciliation is not possible, the items in disagreement in the reprogramming or transfer request shall be considered unapproved.

In compliance with section 537 of this Act, the Departments of Commerce and Justice, the National Aeronautics and Space Administration and the National Science Foundation are directed to submit spending plans, signed by the respective department or agency head, for the Committees' review within 45 days of enactment of this Act.

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

This Act includes $482,538,000 in total resources for the programs of the International Trade Administration (ITA). This amount is offset by $11,360,000 in estimated fee collections, resulting in a direct appropriation of $471,178,000. The amount provided is an increase of $17,538,000 above fiscal year 2012. This Act assumes the $26,000,000 in reductions proposed in the President's budget and allocates funding to the existing five business units.

SelectUSA.—Funding for SelectUSA is not included.

Interagency Trade Enforcement Center (ITEC).—Included is up to $15,075,000 for ITEC. ITA shall submit a detailed spending plan for ITEC along with the spending plans required under section 537 of this Act.

Included are the following amounts; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

Manufacturing and Services	$46,700,000
Market Access and Compliance	48,000,000
Import Administration	80,300,000
Trade Promotion and the U.S. and Foreign Commercial Service	309,038,000
Executive Direction	24,500,000
Optimization/Consolidation	−26,000,000
Total	$482,538,000

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

This Act includes $101,796,000 for the Bureau of Industry and Security.

ECONOMIC DEVELOPMENT ADMINISTRATION

This Act includes $224,800,000 for the programs and administrative expenses of the Economic Development Administration (EDA).

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

This Act includes $187,300,000 for Economic Development Assistance Programs. Of the amounts provided, funds are to be distributed as follows; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

Public Works	$79,000,000
Planning	29,000,000
Technical Assistance	12,000,000
Research and Evaluation	1,500,000
Trade Adjustment Assistance	15,800,000
Economic Adjustment Assistance	50,000,000
Total	$187,300,000

Economic Adjustment Assistance (EAA).—Activities supported include the creation of science parks, regional clusters, and other innovation strategies, and EDA is encouraged to use funds provided for the EAA program for these activities. EDA is advised to ensure that these activities do not interfere with EDA's mission to provide needed basic infrastructure to economically distressed communities through its traditional programs. In addition, Senate language is modified to include up to $2,000,000 to support innovative, energy-efficient programs for small businesses.

Persistent poverty.—Senate report language regarding persistent poverty counties is not adopted, but instead EDA is encouraged to strengthen its efforts to improve economic conditions in poor communities, including counties affected by persistent poverty.

SALARIES AND EXPENSES

This Act includes $37,500,000 for EDA salaries and expenses. Language from the House report regarding a Government Accountability Office (GAO) study on economic development grants is modified, and it is requested that this report be provided to the Committees on Appropriations no later than 180 days following enactment of this Act. Senate report language regarding vacancies is modified to note that EDA is expected to fill mission critical vacancies in both headquarters and the field as quickly as possible.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

This Act includes $28,689,000 for the Minority Business Development Agency (MBDA). MBDA is directed to implement the recommendations from the recent Inspector General inquiry into travel reimbursements for MBDA field personnel and brief the Committees on Appropriations no later than 60 days after enactment of this Act regarding implementation of accountability procedures outlined in that inquiry.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

This Act includes $100,228,000 for Economic and Statistical Analysis.

BUREAU OF THE CENSUS

This Act includes a total program level of $924,208,000 for the Bureau of the Census. This amount includes $906,208,000 in direct appropriations and $18,000,000 derived from available unobligated balances in the non-reimbursable portion of the Census Working Capital Fund.

SALARIES AND EXPENSES

This Act includes $256,255,000 for the salaries and expenses of the Bureau of the Census.

PERIODIC CENSUSES AND PROGRAMS

This Act includes a total of $667,953,000 for periodic censuses and programs, including $649,953,000 in direct appropriations and $18,000,000 from non-reimbursable Census Working Capital Fund balances.

Economic Census.—The Economic Census is strongly supported and $138,292,000 is included for these activities, an increase of $26,000,000 above fiscal year 2012.

American Community Survey (ACS).—Language under title V of H.R. 5326 of the 112th Congress prohibiting funding for the ACS or prohibiting penalties for non-compliance with the ACS is not adopted. However, concerns have been raised with respect to the ACS, in particular the questions on the survey and the manner in which this and other surveys are conducted by the Census Bureau. In response to these concerns, the Census Bureau has established an ombudsman position to address the concerns raised, and the Office of Management and Budget (OMB) is in the process of coordinating an evaluation of the questions included in the ACS. The Census Bureau is directed to provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act on these efforts and the steps being taken to ensure that the ACS is conducted as efficiently and unobtrusively as possible. In addition, the Department of Commerce is directed to acquire an independent analysis of the costs and benefits of making compliance with the ACS voluntary. The results of this analysis shall be provided by the Secretary of Commerce to the Committees on Appropriations no later than 180 days after enactment of this Act.

Working Capital Fund.—Senate language regarding reprogramming guidelines with respect to the Census Working Capital Fund is not adopted. The Census Bureau is directed to provide a report to the Committees on Appropriations within 30 days after enactment of this Act regarding balances in the Working Capital Fund, the intended uses of those funds and an obligation plan.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

This Act includes $45,994,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA). An increase in funding is not

provided for Internet innovation programs as these activities should be included within NTIA's existing portfolio. House language regarding a National Academy of Sciences report on NTIA's Institute for Telecommunications Sciences is amended to direct that this report be provided within one year of enactment of this Act.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

This Act includes language making available to the United States Patent and Trademark Office (USPTO) $2,933,241,000, the full amount of offsetting fee collections estimated for fiscal year 2013.

Patent infringement.—The USPTO is directed to expand its Intellectual Property Awareness Campaign to include a special emphasis on small business concerns and independent inventors and how to increase their understanding of the steps they need to take to protect their intellectual property from patent infringement. The USPTO shall provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act regarding these efforts.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

This Act includes $824,173,000 for the National Institute of Standards and Technology (NIST).

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

This Act includes $621,173,000 for NIST's scientific and technical core programs. Senate language regarding the National Initiative for Cybersecurity Education is modified to direct NIST to use such sums as necessary to fund these activities. Senate language regarding NIST greenhouse gas research and atmospheric weather monitoring systems is adopted, but NIST is expected to award competitively any funding for these activities. Language modified from S. 2323 of the 112th Congress allowing NIST to locally transport its Summer Undergraduate Research Fellowship (SURF) program participants is included. This provision shall only apply to NIST's SURF program.

Centers of Excellence.—The creation of centers of excellence is supported, and $20,000,000 is included, as requested, to establish these centers on a competitive basis.

National Strategy for Trusted Identities in Cyberspace (NSTIC).—Up to $16,500,000 is included for NSTIC. NIST is directed to submit a spending plan for NSTIC as part of the overall spending plan required by section 537 of this Act.

INDUSTRIAL TECHNOLOGY SERVICES

This Act includes $143,000,000 for industrial technology services, including $128,500,000 for the Hollings Manufacturing Extension Partnership (MEP) Program and $14,500,000 for the Advanced Manufacturing Technology Consortia (AMTech) program. House language regarding a report on AMTech is amended by directing that this report be provided to the Committees on Appropriations no later than 90 days after enactment of this Act. Also, House report language regarding a GAO report is amended by directing that this study be submitted to the Committees on Appropriations no later than 180 days after enactment of this Act. Finally, it is noted with concern that the Department remains delinquent in submitting the MEP Program report requested in Public Law 112–55, and the Secretary is directed to submit this report to the Committees on Appropriations no later than 60 days after enactment of this Act.

CONSTRUCTION OF RESEARCH FACILITIES

This Act includes $60,000,000 for NIST construction.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

This Act includes a total of $5,100,000,000 in discretionary funds for the National Oceanic and Atmospheric Administration (NOAA).

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

This Act includes a total program level of $3,246,678,000 under this account for the coastal, fisheries, marine, weather, satellite and other programs of NOAA. This total funding level includes $3,112,614,000 in direct appropriations; a transfer of $119,064,000 from balances in the ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'' account; and $15,000,000 derived from recoveries of prior year obligations.

National Ocean Policy (NOP).—Section 553 of H.R. 5326 of the 112th Congress regarding the NOP is not included. However, it is noted that no funding was requested to implement the NOP. It is expected that NOAA programs will be carried out pursuant to their authorized purposes.

The following narrative descriptions and tables identify the specific activities and funding levels included in this Act.

National Ocean Service.—$474,742,000 is for National Ocean Service operations, research, and facilities.

NATIONAL OCEAN SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Navigation Services:	
Mapping and Charting:	
Mapping and Charting Base	50,584
Hydrographic Research and Technology Development	7,000
Electronic Navigational Charts	5,780
Shoreline Mapping	2,300
Address Survey Backlog/Contracts	27,000
Subtotal, Mapping and Charting	92,664
Geodesy:	
Geodesy Base	26,822
National Height Modernization	2,406
Subtotal, Geodesy	29,228
Tide and Current Data:	
Tide and Current Data	29,055
Total, Navigation Services	150,947
Ocean Resources Conservation and Assessment:	
Ocean Assessment Program:	
Integrated Ocean Observing System (IOOS)	28,500
NOAA IOOS	6,432
Coastal Storms	2,495
Coastal Services Center	31,330
Regional Geospatial Modeling Grants	4,000
Coral Reef Program	26,775
Subtotal, Ocean Assessment Program	99,532
Response and Restoration:	
Response and Restoration Base	25,633
Marine Debris	5,000
Subtotal, Response and Restoration	30,633
National Centers for Coastal Ocean Science:	
National Centers for Coastal Ocean Science	36,400
Competitive Research	9,000
Subtotal, National Centers for Coastal Ocean Science	45,400
Total, Ocean Resources Conservation and Assessment	175,565
Ocean and Coastal Management:	
Coastal Management:	
Coastal Zone Management Grants	66,146
Coastal Zone Management Act and Stewardship	7,084
Regional Ocean Partnership Grants	4,000
National Estuarine Research Reserve System	22,000
Subtotal, Coastal Management	99,230
Ocean Management:	
Marine Sanctuary Program	49,000
Total, Coastal and Ocean Management	148,230
Total, National Ocean Service, Operations, Research, and Facilities	474,742

National Marine Fisheries Service (NMFS).—$826,129,000 is for NMFS operations, research, and facilities.

Regional fisheries offices.—Senate language regarding the relocation of the NMFS Northeast Regional Office is not adopted. However, NOAA's lack of responsiveness toward communities in the Mid-Atlantic area remains deeply troubling. Therefore, NOAA shall report to the Committees on Appropriations no later than 30 days after enactment of this Act regarding its plans to enhance and repair core NMFS functions in the Mid-Atlantic region in the areas of fisheries management, endangered species, habitat protection and restoration. The report shall include specific ways NMFS will: (1) streamline procedures to allow Mid-Atlantic fisheries decisions to be made locally rather than remotely, as appropriate and consistent with procedures and practices in other NMFS regions; (2) increase the Mid-Atlantic Fishery Management Council's accessibility to NOAA, consistent with the accessibility afforded to other fishery management councils; (3) reduce bureaucracy to allow difficult Mid-Atlantic issues to be brought to the attention of the NMFS Northeast Regional Office and NOAA Fisheries leadership in NOAA headquarters on an expedited basis; and (4) improve on-the-ground coordination with Mid-Atlantic fisheries partners.

For clarity, it is noted that this Act and the accompanying statement approve the proposed consolidation of NOAA's West Coast Regional Offices, not the West Coast Fisheries Science Centers.

Catch shares.—Section 543 of H.R. 5326 of the 112th Congress regarding catch shares is not included. However, NOAA is directed to provide a report to the Committees on Appropriations no later than 90 days after enactment of this Act that describes the current process in the South Atlantic, the Mid-Atlantic, New England, and the Gulf of Mexico fisheries whereby commercial and recreational fishermen participate in the process to determine how a given fishery will be managed. This report shall also include recommendations as appropriate to ensure that entities impacted by the implementation of catch shares in the South Atlantic, the Mid-Atlantic, New England, and the Gulf of Mexico have the ability to address any concerns through the Regional Fishery Management Council process.

Turtle excluder devices.—Section 562 of H.R. 5326 of the 112th Congress regarding turtle excluder devices is not included. However, NOAA is expected to review observer reports, sea turtle stranding and necropsy data, and other information, as well as public comments, to determine whether a rule is warranted for turtle excluder devices for certain vessels operating in southeastern U.S. shrimp fisheries. NOAA is directed to provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act regarding these findings.

NATIONAL MARINE FISHERIES SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Protected Species Research and Management:	
Protected Species Research and Management Programs Base	38,972
Species Recovery Grants	4,317
Marine Mammals	49,653
Marine Turtles	12,887
Other Protected Species (marine fish, plants, and invertebrates)	7,038
Atlantic Salmon	5,000
Pacific Salmon	58,400
Total, Protected Species Research and Management	176,267
Fisheries Research and Management:	
Fisheries Research and Management Programs Base	177,260
National Catch Share Program	25,200

NATIONAL MARINE FISHERIES SERVICE OPERATIONS, RESEARCH, AND FACILITIES—Continued

[In thousands of dollars]

Program	Amount
Expand Annual Stock Assessments—Improve Data Collection	68,645
Economics and Social Sciences Research	7,300
Salmon Management Activities	39,000
Regional Councils and Fisheries Commissions	31,555
Fisheries Statistics	23,200
Fish Information Networks	22,100
Survey and Monitoring Projects	24,336
Fisheries Oceanography	2,200
American Fisheries Act	3,800
Interjurisdictional Fisheries Grants	2,000
National Standard 8	1,017
Reducing Bycatch	3,440
Product Quality and Safety	6,589
Total, Fisheries Research and Management	437,642
Enforcement and Observers/Training:	
Enforcement	67,123
Observers/Training	43,166
Total, Enforcement and Observers/Training	110,289
Habitat Conservation and Restoration:	
Sustainable Habitat Management	21,000
Fisheries Habitat Restoration	20,700
Total, Habitat Conservation and Restoration	41,700
Other Activities Supporting Fisheries:	
Antarctic Research	2,800
Aquaculture	5,682
Climate Regimes and Ecosystem Productivity	1,807
Computer Hardware and Software	1,842
Cooperative Research	12,000
Information Analyses and Dissemination	15,300
Marine Resources Monitoring, Assessment and Prediction Program	800
National Environmental Policy Act	6,500
NMFS Facilities Maintenance	3,300
Regional Studies	10,200
Total, Other Activities Supporting Fisheries	60,231
Total, National Marine Fisheries Service, Operations, Research, and Facilities	826,129

Oceanic and Atmospheric Research.—$390,638,000 is for Oceanic and Atmospheric Research operations, research, and facilities.

Ocean Exploration.—Senate report language regarding ocean exploration partnerships related to the National Undersea Research Program (NURP) is not adopted. The proposed elimination of NURP is supported, but there is concern about terminating advanced technology and at-sea capabilities provided by existing NURP partners without proper contingency plans. NOAA is directed to determine which regional partnerships are producing the most valuable scientific information critical to supporting NOAA's exploration mission. NOAA is encouraged to prioritize in this analysis those programs with ocean-going assets, and NOAA is directed further to competitively award the funding provided above the request to preserve the work for the top centers it determines most valuable and consolidate this effort within the Ocean Exploration program, as appropriate. Senate language directing NOAA to submit an inventory of all NOAA-owned assets within the former NURP program and a plan for disposal or maintenance of these assets is retained.

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Climate Research:	
Laboratories and Cooperative Institutes	53,350
Climate Data and Information	13,003
Climate Competitive Research, Sustained Observations and Regional Information	124,000
Total, Climate Research	190,353
Weather and Air Chemistry Research:	
Laboratories and Cooperative Institutes	56,311
U.S. Weather Research Program	4,223
Tornado Severe Storm Research/Phased Array Radar	10,008

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH OPERATIONS, RESEARCH, AND FACILITIES—Continued

[In thousands of dollars]

Program	Amount
Total, Weather and Air Chemistry Research	70,542
Ocean, Coastal, and Great Lakes Research:	
Laboratories and Cooperative Institutes	25,500
National Sea Grant College Program	61,800
Ocean Exploration and Research	23,665
Integrated Ocean Acidification	6,400
Total, Ocean, Coastal, and Great Lakes Research	117,365
High Performance Computing Initiatives	12,378
Total, Office of Oceanic and Atmospheric Research, Operations, Research, and Facilities	390,638

National Weather Service (NWS).—$926,116,000 is for NWS operations, research, and facilities. This amount is $34,762,000 above revised estimates and restores reductions proposed in the budget to the tsunami program, hurricane research, forecast capabilities, and information technology staffing levels.

Local Warnings and Forecasts.—The funding recommendation includes an additional $17,100,000 for the NWS to address current operational shortfalls identified by an investigation of financial mismanagement within the NWS and consistent with the proposed realignment of the NWS budget in the wake of the investigation. Concern remains that the inappropriate movement of funds within the NWS could have jeopardized the NWS' ability to accurately forecast the weather and that these actions may negatively impact the NWS' ability to make forecast improvements in the future. Therefore, in addition to the increases provided in this account, additional funds are provided to NWS in the Procurement, Acquisition and Construction (PAC) account to restore reductions to systems improvement activities. The NWS is directed to continue implementing corrective actions identified by the Inspector General, the Department and NOAA to ensure that the critical mission of the NWS is not compromised by financial mismanagement. In addition, dissatisfaction remains with NOAA's failure to determine the true costs necessary to support NWS operational needs. Therefore, NOAA is directed to provide a report to the Committees on Appropriations within 30 days after enactment of this Act regarding: progress made in implementing corrective actions; assessments of impacts to NWS forecast capabilities; and a timeline for providing the Committees on Appropriations with a budget that represents the true operational costs of the NWS.

National Mesonet Program.—The continuation of the mesonet program through a competitive process is supported. Senate language is clarified that NOAA is not required to integrate mesonet observations into NWS severe weather alerts, conduct pilots, or use funds to study how mesonet data can be integrated into the Advanced Weather Interactive Processing System. However, NWS is not prevented from undertaking any of these activities. The Senate's reference to NOAA Link is not adopted, but NOAA shall continue to use the most appropriate contract vehicles for information technology contracts across the agency. NOAA is directed to provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act that includes a discussion of the recommendations from the 2009 National Academy of Sciences report, *Observing Weather and Climate from the Ground Up: A Nationwide Network of Networks* and an analysis from NOAA regarding any future plans to assimilate mesonets into its enterprise.

NATIONAL WEATHER SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Local Warnings and Forecasts:	
Local Warnings and Forecasts Base	655,000
Air Quality Forecasting	3,987
Alaska Data Buoys	1,683
Sustain Cooperative Observer Network	1,865
NOAA Profiler Network	4,228
Strengthen U.S. Tsunami Warning Network	23,541
Pacific Island Compact	3,775
National Mesonet Network	12,000
Subtotal, Local Warnings and Forecasts	706,079
Operations and Research:	
Advanced Hydrological Prediction Services	8,200
Aviation Weather	21,452
WFO Maintenance	6,588
Weather Radio Transmitters	2,297
Subtotal, Operations and Research	38,537
Central Forecast Guidance	79,624
Total, Local Warnings and Forecasts, Operations and Research, Central Forecast Guidance	824,240
Systems Operation and Maintenance:	
NEXRAD	46,247
ASOS	10,852
AWIPS	39,495
NWSTG Backup—CIP	5,282
Total, Systems Operation and Maintenance	101,876
Total, National Weather Service, Operations, Research, and Facilities	926,116

National Environmental Satellite, Data and Information Service.—$192,933,000 is for National Environmental Satellite, Data and Information Service (NESDIS) operations, research, and facilities.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Environmental Satellite Observing Systems:	
Office of Satellite and Product Operations:	
Satellite Command and Control	40,238
NSOF Operations	8,009
Product, Processing and Distribution	45,682
Subtotal, Office of Satellite and Product Operations	93,929
Product Development, Readiness and Application:	
Product Development, Readiness and Application	19,545
Product Development, Readiness and Applications (Ocean Remote Sensing)	4,058
Joint Center for Satellite Data Assimilation	3,384
Subtotal, Product Development, Readiness and Application	26,987
Commercial Remote Sensing Regulatory Affairs	1,119
Office of Space Commercialization	659
Group on Earth Observations	505
Total, Environmental Satellite Observing Systems	123,199
Data Centers and Information Services:	
Archive, Access and Assessment	48,434
Coastal Data Development	4,500
Regional Climate Services	7,800
Environmental Data Systems Modernization	9,000
Total, Data Centers and Information Services	69,734
Total, NESDIS, Operations, Research, and Facilities	192,933

Program Support.—$436,120,000 is for Program Support.

Aircraft services.—Language from the House report regarding a GAO study on NOAA's aircraft is amended by directing that this report be provided to the Committees on Appropriations no later than 180 days after enactment of this Act.

PROGRAM SUPPORT OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Program Support:	
Corporate Services:	
Under Secretary and Associate Offices	27,000
NOAA-Wide Corporate Services and Agency Management	108,000
DOC Accounting System	9,733
Payment to the DOC Working Capital Fund	35,000
Office of the Chief Information Officer:	
IT Security	8,431
NOAA Facilities Management, Maintenance, Construction and Safety	24,500
Subtotal, Corporate Services, Chief Information Officer, and Facilities	212,664
NOAA Education Program:	
BWET Regional Programs	7,200
Education Partnership Program/Minority Serving Institutions	14,000
NOAA Education Program Base	6,000
Subtotal, NOAA Education Program	27,200
Total, Program Support	239,864
Office of Marine and Aviation Operations:	
Marine Operations and Maintenance	166,015
Aircraft Services	30,241
Total, Office of Marine and Aviation Operations	196,256
Total, Program Support and OMAO, Operations, Research, and Facilities	436,120

PROCUREMENT, ACQUISITION AND CONSTRUCTION

This Act includes a total program level of $1,941,036,000 in direct obligations under this heading, of which $1,926,036,000 is appropriated from the general fund and $15,000,000 is derived from recoveries of prior year obligations. The following narrative description and table identifies the specific activities and funding levels included in this Act:

Office of Oceanic and Atmospheric Research.—$10,379,000 is for research supercomputing activities.

National Weather Service.—The Act restores $12,400,000 in reductions proposed by the Commerce Department in its realignment of the fiscal year 2013 budget request required as a result of financial mismanagement issues within the NWS. Direction is included to the Department and NOAA in the Operations, Research, and Facilities (ORF) account regarding funding for NWS programs in this account.

NOAA weather satellites.—The value of NOAA's weather satellite programs cannot be overstated in terms of the data collected that is used to develop daily weather forecasts and provide citizens with ample warning about severe weather. Unfortunately, certain NOAA satellite acquisition programs, particularly the Joint Polar Satellite System (JPSS), remain mired in cost overruns, missed deadlines, dysfunctional oversight, and lack of transparency in budgeting and planning. Recent reports from an Independent Review Team (IRT) and the Department of Commerce Inspector General validate these concerns. To address these problems, the Senate recommended transferring responsibility and funding for satellite acquisition from NOAA to the National Aeronautics and Space Administration (NASA). However, concerns have been raised that transferring lead construction and acquisition responsibility from NOAA to NASA in the middle of a fiscal year could potentially result in further launch delays. Additional information to fully evaluate the implications of transferring acquisition of operational satellites to NASA is needed. Therefore, to avoid both known and unknown risks at this time, the Senate proposal to transfer NOAA satellite programs to NASA is not adopted, but instead $1,814,309,000, an increase of $117,664,000 above fiscal year 2012, is provided for NESDIS satellite procurement programs within NOAA. This amount includes an overall reduction of $36,000,000 for administrative efficiencies and other savings that NOAA is expected to achieve within its satellite portfolio. NOAA is directed to prioritize the weather missions of the Geostationary Operational Environmental Satellite (GOES) and JPSS programs within the funds provided and submit a spending plan to the Committees on Appropriations no later than 30 days after enactment of this Act with funding levels for each program, project, or activity within NESDIS PAC.

While NOAA is instituting structural changes to the management structure of JPSS as recommended by the IRT, it is equally important for NOAA to aggressively move to define JPSS requirements that prioritize the weather mission and establish a refined baseline that validates and finalizes the program scope and costs. To assist NOAA in achieving these goals, NOAA is directed to submit a report to the Committees on Appropriations no later than 90 days after enactment of this Act that includes the following information: (1) documentation that reflects total lifecycle costs for JPSS at $11,900,000,000 and for GOES–R at $10,860,000,000; (2) documentation that satellite requirements have been finalized and that the weather missions have been prioritized within the NOAA satellite portfolio; (3) a plan that maintains or advances, as appropriate, the launch schedules for JPSS and GOES; and (4) a plan to eliminate duplicative management costs and indirect overhead within the NESDIS satellite portfolio.As part of this report, NOAA is directed to consider transferring the Jason satellite system construction to NASA as recommended by the July 2012 IRT report. Further, NOAA is directed to include in this report an update on the study underway to review options for mitigating the gap between the Suomi National Polar-orbiting Partnership (Suomi NPP) and JPSS–1 and for mitigating the loss of data in the event of a failure of either the Suomi NPP or JPSS. Within 120 days after enactment of this Act, NOAA shall submit a report to the Committees on Appropriations that includes detailed spending plans for each of the programs within the NESDIS satellite portfolio, to include amounts for administration and reserves.

This Act and the accompanying statement only reflect near-term funding needs for the remainder of fiscal year 2013. With the timely submission of these reports, NOAA will provide assurances to the Committees on Appropriations that it has prioritized the weather mission within its satellite portfolio and has stabilized the overall management of these programs to ensure that these costs do not erode other important NOAA missions. The fiscal year 2014 budget request and documents requested herein will be evaluated to determine whether NOAA has made concrete and positive changes to address the problems and directions outlined above.

NOAA Ship Ka'imimoana (KA).—An increase of $2,600,000 above the request is included to begin repairs to the KA.NOAA is reminded to review priorities across the agency in the future to ensure that critical missions like those performed by the KA are maintained.

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

[In thousands of dollars]

Program	Amount
Office of Oceanic and Atmospheric Research:	
Research Supercomputing/CCRI	10,379
National Weather Service:	
Systems Acquisition:	
ASOS	1,635
AWIPS	20,592
NWSTG Legacy Replacement	8,185
Radiosonde Network Replacement	4,014
Weather and Climate Supercomputing	38,169
Cooperative Observer Network Modernization (NERON)	3,700
Complete and Sustain NOAA Weather Radio	5,594
NOAA Profiler Conversion	1,700
Ground Readiness Project	12,400
Subtotal, NWS Systems Acquisition	95,989
WFO Construction	3,150
Total, National Weather Service—PAC	99,139
National Environmental Satellite, Data and Information Service:	
Systems Acquisition:	
NOAA satellites	1,833,388
EOS and Advanced Polar Data Processing, Distribution and Archiving Systems	990
Critical Infrastructure Protection	2,772
Comprehensive Large Array Data Stewardship System (CLASS)	6,476
NPOESS Preparatory Data Exploitation	4,455
Satellite CDA Facility	2,228
Efficiencies	− 36,000
Total, NESDIS—PAC	1,814,309
Office of Marine and Aviation Operations:	
Fleet Replacement:	
Fleet Capital Improvements and Tech Infusion (Vessel Equip and Tech Refresh)	14,312
New Vessel Construction	2,897
Total, Office of Marine and Aviation Operations, PAC	17,209
Total, Procurement, Acquisition, and Construction	1,941,036

PACIFIC COASTAL SALMON RECOVERY

This Act includes $65,000,000 for Pacific Coastal Salmon Recovery.

FISHERMEN'S CONTINGENCY FUND

This Act includes $350,000 for the Fishermen's Contingency Fund.

FISHERIES FINANCE PROGRAM ACCOUNT

This Act includes language under this heading limiting obligations of direct loans to $24,000,000 for Individual Fishing Quota loans and $59,000,000 for traditional direct loans.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

This Act includes $56,000,000 for Departmental Management salaries and expenses. House report language regarding domestic production capabilities is modified by directing the Secretary of Commerce to submit a report to the Committees on Appropriations no later than 120 days after enactment of this Act that reviews total existing capacity for steel slab production in the U.S. and the ability of U.S. producers to meet the demand for markets that require that steel slab be produced in the U.S. Senate report language regarding the Business USA initiative is not included.

RENOVATION AND MODERNIZATION

This Act includes $2,040,000 for continuing renovation activities only at the Herbert C. Hoover Building.

OFFICE OF INSPECTOR GENERAL

This Act includes a total of $32,753,000 for the Office of Inspector General. This amount includes $28,753,000 in direct appropriations, a $2,000,000 transfer from USPTO and a transfer of $1,000,000 each from Bureau of the Census, Periodic Censuses and Programs and NOAA PAC for audits and reviews of those programs.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The following general provisions for the Department of Commerce are adopted:

Section 101 makes funds available for advanced payments only upon certification of officials, designated by the Secretary, that such payments are considered to be in the public interest.

Section 102 makes appropriations for Department salaries and expenses available for hire of passenger motor vehicles, for services, and for uniforms and allowances as authorized by law.

Section 103 provides the authority to transfer funds between Department of Commerce appropriation accounts and requires 15 days advance notification to the Committees on Appropriations for certain actions.

Section 104 provides that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall be subject to the reprogramming limitations set forth in this Act.

Section 105 updates congressional notification requirements for NOAA satellite programs.

Section 106 provides for reimbursement for services within Department of Commerce buildings.

Section 107 clarifies that grant recipients under the Department of Commerce may continue to deter child pornography, copyright infringement, or any other unlawful activity over their networks.

Section 108 provides the Administrator with the authority to avail NOAA of needed resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

Section 109 provides a requirement directing the Department of Commerce to provide a monthly report on any official travel to China by any Commerce employee.

Section 110 includes a provision amending section 113(b)(3) of division B of Public Law 112–55 regarding the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean by striking ''2012'' and inserting ''2013''.

TITLE II
DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

This Act includes $110,822,000 for General Administration, Salaries and Expenses.

Eliminating duplication and improving efficiencies in DOJ grants.—As the United States experiences budgetary constraints, there is an ever-increasing need to ensure that governmental resources, including those awarded through grants and subgrants, are appropriately targeted and that unnecessary duplication is mitigated. Therefore, as directed in the Senate report, the Attorney General shall follow the recommendations of the Government Accountability Office (GAO) and report to the Committees on Appropriations within 120 days of the enactment of this Act on the efforts of the Department of Justice (DOJ) to:

(1) conduct an assessment to better understand the extent to which DOJ grant programs overlap with one another and determine if grant programs may be consolidated to mitigate the risk of unnecessary duplication; and

(2) direct granting agencies to coordinate with one another on a consistent basis to review potential or recent grant awards, including subgrant awards reported by DOJ prime grant awardees, to the extent possible, before awarding new grants, and take steps to establish written policies and procedures to govern this coordination and help ensure that it occurs.

Operation Fast and Furious.—In September 2012, the Office of Inspector General (OIG) submitted its comprehensive report on Operation Fast and Furious. The review revealed a series of misguided strategies, tactics, errors in judgment, and management failures that led to ATF's knowing failure to interdict firearms destined for Mexico, and criticized Department components for pursuing this strategy without adequately taking into account the danger to public safety that it created. The OIG also found that the Department failed to respond accurately to a congressional inquiry about these matters because it had relied on the very components that were the subject of serious allegations for information, which in turn was provided to Congress. The Department later withdrew its inaccurate response.

The Department is directed to implement fully and promptly the six recommendations made in the OIG report to increase the Department's involvement in and oversight of ATF operations, improve coordination among the Department's law enforcement components, and enhance the Department's wiretap application review and authorization process. The Department shall report to the Committees on Appropriations within 60 days of enactment of this Act on the Department's progress in implementing these recommendations. All of the departments and agencies funded in this Act are expected to confirm information to be provided to Congress so that they can respond accurately to all congressional inquiries.

Prescription drug abuse.—The Attorney General is urged to collaborate with State and local organizations, including experienced nonprofits, as a means of sharing best practices for reducing prescription drug diversion and abuse, including the establishment of prescription drug monitoring programs, proper drug disposal, and increased enforcement on pill mills and doctor shopping.

Obscenity enforcement.—The Department shall submit a report no later than 90 days after the enactment of this Act on its adult obscenity investigation and prosecution workload statistics and accomplishments during the 12 months prior to the enactment of this Act.

Product procurements.—This Act continues language from the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012, directing that, to the extent practicable, promotional items purchased with funds provided by this Act shall be produced in the United States. The Department is expected to work with Federal Prison Industries, Inc. (FPI) to maintain its survey information on promotional products in a database in order to help inform the FPI board of directors of new opportunities to repatriate manufacturing, and expect that any manufacturing activities initiated as a result are intended to create new American jobs, not compete with existing United States businesses.

Prison Rape Elimination Act (PREA).—The Department is expected to continue efforts to provide assistance in the form of training, technical assistance, and implementation grants to assist State, local, and tribal jurisdictions in achieving compliance with the PREA national standards.

Drug-related violence.—Efforts by Federal law enforcement to reduce drug trafficking and associated violence in the Southwest border region have affected trafficking routes and crime rates in the Caribbean. The Attorney General is expected to address these trends by allocating necessary resources to areas substantially affected by drug-related violence, and reporting such actions to the Committees on Appropriations.

JUSTICE INFORMATION SHARING TECHNOLOGY

This Act includes $33,426,000 for Justice Information Sharing Technology.

ADMINISTRATIVE REVIEW AND APPEALS
(INCLUDING TRANSFER OF FUNDS)

This Act includes $313,438,000 for the Executive Office for Immigration Review (EOIR) and the Office of the Pardon Attorney, of which $4,000,000 is derived by transfer from fee collections.

OFFICE OF INSPECTOR GENERAL

This Act includes $85,985,000 for the OIG.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

This Act includes $12,772,000 for the salaries and expenses of the United States Parole Commission.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

This Act includes $881,000,000 for General Legal Activities.

VACCINE INJURY COMPENSATION TRUST FUND

This Act includes a reimbursement of $7,833,000 for DOJ expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660).

SALARIES AND EXPENSES, ANTITRUST DIVISION

This Act includes $162,170,000 for the Antitrust Division. This appropriation is offset by $115,000,000 in pre-merger filing fee collections, resulting in a direct appropriation of $47,170,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

This Act includes $1,969,687,000 for the Executive Office for United States Attorneys (EOUSA) and the 94 United States Attorneys' offices.

Adam Walsh Act implementation.—The EOUSA is expected to continue to focus on investigations and prosecutions related to the sexual exploitation of children, as authorized by the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) and as part of Project Safe Childhood. Not less than $43,184,000 shall be available for this purpose in fiscal year 2013.

Human trafficking.—In fiscal year 2012, Congress directed each U.S. Attorney to establish or participate in a regional human trafficking task force. The accompanying statement of the managers also directed, ''Task force meetings should focus specifically on combating human trafficking, with an emphasis on undertaking proactive investigations.'' U.S. Attorneys are expected to maintain their task force participation and leadership roles in fiscal year 2013 and to undertake proactive investigations, including investigations of persons or entities facilitating trafficking in persons through the use of classified advertising on the Internet. The Department shall submit comprehensive semi-annual reports regarding the work of each of these task forces. These reports shall also identify any U.S. Attorney's office that is not in compliance with this directive. The Department shall submit its first report not later than 60 days after the enactment of this Act.

Internet sex trafficking.—There are grave concerns that certain websites that advertise ''adult services'' continue to be used to facilitate sex trafficking of children. The Department is directed to assess the effectiveness of current legal and investigatory tools in addressing the use of such websites for sex trafficking and the extent to which the Department is making full and aggressive use of such tools, and reportto the Committees on Appropriations on the results of that assessment not later than 30 days after the enactment of this Act. If the Attorney General determines that there is insufficient Federal authority under which to combat this activity, the report shall include an analysis and recommendations to Congress of any legislative or administrative initiatives that may be needed to fully equip law enforcement to tackle this problem.

Pill mills.—Because of the widespread nature of prescription drug abuse, within the funds provided, U.S. Attorneys are expected to prioritize the investigation and prosecution of pain clinics serving as fronts for the illegal distribution of addictive pain killers.

UNITED STATES TRUSTEE SYSTEM FUND

This Act includes $223,258,000 for the United States Trustee Program. The appropriation is fully offset by fee collections.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

This Act includes $2,000,000 for the Foreign Claims Settlement Commission.

FEES AND EXPENSES OF WITNESSES

This Act includes $270,000,000 for Fees and Expenses of Witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

This Act includes $12,036,000 for the Community Relations Service.

ASSETS FORFEITURE FUND

This Act includes $20,948,000 for the Assets Forfeiture Fund. The Department is directed, in exceptional circumstances, to allow the use of equitable sharing monies for the cost of support personnel.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

This Act includes $1,196,000,000 for the salaries and expenses of the United States Marshals Service (USMS).

CONSTRUCTION

This Act includes $10,000,000 for construction and related expenses in space controlled, occupied or utilized by the USMS for prisoner holding and related support.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

This Act includes $1,647,383,000 for Federal prisoner detention.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

This Act includes $90,039,000 for the salaries and expenses of the National Security Division.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

This Act includes $521,793,000 for the Organized Crime and Drug Enforcement Task Forces (OCDETF), including $370,602,000 for investigations and $151,191,000 for prosecutions.

Transnational organized crime.—This Act does not include the requested increase in appropriations under this account for the International Organized Crime Intelligence Operations Center (IOC–2); instead, the Department is expected to fund all IOC–2 activities from within the overall amount provided under this heading for investigations, not to exceed $1,000,000. The Department shall submit a report to the Committees, no later than 60 days after the enactment of this Act, detailing the staff and funding resources planned for IOC–2 in fiscal year 2013.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

This Act includes $8,185,007,000 for the salaries and expenses of the Federal Bureau of Investigation (FBI), including $1,689,113,000 for intelligence, $3,330,036,000 for Counterterrorism/Counterintelligence, $2,663,835,000 for Criminal Enterprises and Federal Crimes, and $502,023,000 for Criminal Justice Services.

Computer intrusions.—A program increase is included of $23,132,000 and 112 positions for computer intrusions as described in the House report, including the submission of an annual national cyber threat assessment, and Senate report language on training for cyber agents.

Surveillance.—A program increase of $10,244,000 is included for additional physical surveillance specialists as described in the House report, including the reporting requirement described in the House report.

Gangs.—An increase of $9,000,000 above the request is included to combat violent gang crime. The proposal by the Administration to eliminate the National Gang Intelligence Center (NGIC) is rejected. Funds are included to continue the operation of NGIC, and to provide additional resources to existing Safe Streets Task Forces. Within the overall funds provided for Criminal Enterprises and Federal Crimes, the FBI is expected to launch a nationwide anti-gang initiative, allocating agents and other personnel to task forces experiencing the most severe violent gang crime, and where gangs have established links to violent international drug distribution cartels. The FBI shall report to the Committees on Appropriations on the planned initiative, and the corresponding allocations of funding and staff resources, no later than 90 days after the enactment of this Act. The report shall be put together in coordination with the Bureau of Alcohol, Tobacco, Firearms and Explosives, the United States Marshals Service and the Drug Enforcement Administration, and shall address how the FBI is working with these and other partner law enforcement agencies in these efforts.

Financial crime.—Within the total for Criminal Enterprises and Federal Crimes is included the requested amount for activities related to combating corporate fraud, securities and commodities fraud, mortgage fraud, and other financial crime.

Human trafficking.—Within the amount provided, the FBI is expected to increase activities related to the investigation of severe forms of trafficking in persons. The FBI shall submit a report to the Committees no later than 120 days after the enactment of this Act on agent utilization and overall staff resources dedicated to trafficking in fiscal years 2010 through 2013. The report shall also include details on the participation of FBI personnel in human trafficking task forces.

Implementation of 9/11 Commission recommendations.—This Act includes $500,000 for a comprehensive external review of the implementation of the recommendations related to the FBI that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States (commonly known as the ''9/11 Commission''). The scope of this review shall include: (1) an assessment of progress made, and challenges in implementing the recommendations of the 9/11 Commission that are related to the FBI; (2) an analysis of the FBI's response to trends of domestic terror attacks since September 11, 2001, including the influence of domestic radicalization; (3) an assessment of any evidence now known to the FBI that was not considered by the 9/11 Commission related to any factors that contributed in any manner to the terrorist attacks of September 11, 2001; and (4) any additional recommendations with regard to FBI intelligence sharing and counterterrorism policy. The FBI shall submit a report to the Committees, no later than one year after enactment of this Act, on the findings and recommendations resulting from this review. The FBI is encouraged, in carrying out this review, to draw upon the experience of 9/11 Commissioners and staff.

CONSTRUCTION

This Act includes $80,982,000 for FBI Construction.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

This Act includes a direct appropriation of $2,050,904,000 for the salaries and expenses of the Drug Enforcement Administration (DEA). In addition, the DEA expects to derive $352,600,000 from fees deposited in the Diversion Control Fund to carry out the Diversion Control Program.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

This Act includes $1,153,345,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

Gangs.—Within the amount provided, ATF is expected to prioritize funding for its Violent Crime Impact Teams (VCIT), which bring focused law enforcement attention to communities plagued by gang violence. The ATF is directed to identify its allocation for VCIT in its spending plan for fiscal year 2013.

United States—Mexico firearms trafficking.—Support for ATF's efforts to combat weapon trafficking on the border is continued. As begun in fiscal year 2012, the ATF shall continue to provide the Committees on Appropriations with annual data on the total number of firearms recovered by the Government of Mexico, and of those, the number for which an ATF trace is attempted, the number successfully traced, the number determined to be manufactured in the United States, and the number determined to be imported into the United States prior to being recovered in Mexico.

Reprogramming requests.—It is noted that ATF has fallen into a trend of submitting annual reprogramming requests to the Committees on Appropriations seeking to transfer funds from its Arson and Explosives Decision Unit to its Firearms Decision Unit. ATF is directed to budget appropriately among its decision units in order to eliminate the need for these reprogramming requests.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

This Act includes $6,820,217,000 for the salaries and expenses of the Federal Prison System.

Reentry research and reforms.—The Bureau of Prisons (BOP) is directed to undertake a comprehensive analysis of its policies and determine the reforms and best practices that will help reduce costs and recidivism. The Director is encouraged to share additional corrections data with outside experts in order to build upon prior efforts.

BOP contract confinement.—The safe, secure and humane incarceration of Federal inmates is considered to be a critical priority.Because contract prison beds will be a necessary tool for managing a rapidly expanding Federal inmate population for the foreseeable future, there is a commitment to ensuring that inmates at such facilities are housed appropriately. Therefore, the OIG is directed to conduct a review of prison facilities operating under a contract with BOP to ensure that such facilities meet all appropriate standards. This review should also include a description of BOP's efforts to monitor the performance of contract prison facilities and recommendations for how BOP could improve such efforts.

Inmate literacy.—It is recommended that, given the priority of increasing successful prisoner reentry programs and the critical role community-based and volunteer literacy programs can play in the transition from prison back into society, BOP work with national organizations to identify and describe these models, and develop appropriate replication strategies.

BUILDINGS AND FACILITIES

This Act includes $90,000,000 for the construction, acquisition, modernization, maintenance and repair of prison and detention facilities housing Federal inmates.

Construction funding requests.—Due to inmate population growth and overcrowding estimates, BOP is encouraged to include funding for new prison construction in future requests.

Status of construction.—Previous conference agreements have directed BOP to submit monthly status of construction reports that include notifications of any deviations from the construction and activation schedule identified in those reports, including detailed explanations of the causes of delays and actions proposed to address them. BOP's failure to submit these reports in a timely manner has hindered the Committees on Appropriations' ability to monitor and assess BOP's needs. BOP is directed to collaborate and coordinate with the Justice Management Division on methods that will efficiently deliver these critical reports to the Committees in a timely manner.

Modernization and repair project backlog.—This Act provides $66,965,000 to address critical modernization and repair (M&R) projects in order to maintain and safely operate Federal prison institutions. BOP has a current backlog of at least 154 major M&R projects at an approximate cost of $348,000,000, an estimation that does not include the universe of unfunded minor repair and improvement projects that are managed and prioritized at the regional level. BOP is directed to include a project specific M&R spending plan, along with a comprehensive report of the current M&R backlog, in the Department's spending plan required by this Act.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

This Act includes a limitation on administrative expenses of $2,700,000 for Federal Prison Industries, Incorporated.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, this Act includes $2,264,218,000 for State and local law enforcement and crime prevention programs.

Spending plan.—The Department shall submit a spending plan and related materials for the all of the programs funded under this heading to the Committees on Appropriations not later than 45 days after the enactment of this Act, along with the overall spending plan required by this Act.

Management and administration expenses.—Language included in both the House report and the Senate report is incorporated directing the Department, in preparation of its fiscal year 2013 spending plan, to assess management and administration (M&A) expenses against program funding. The Department is directed to ensure that its assessment methodology is equitable and, for programs funded through the Crime Victims Fund, that the assessment reflects a fair representation of the share of each program devoted to common M&A costs. Grant offices are also directed to minimize administrative spending in order to maximize the amount of funding that can be used for grants or training and technical assistance. In addition, the Department is directed to detail, as part of its budget submission for fiscal year 2014 and future years, the actual costs for each grant office with respect to training, technical assistance, research and statistics, and peer review for the prior fiscal year, along with estimates of planned expenditures by each grant office in each of these categories for the current year and the budget year.

GAO findings on subgrantee efficiencies.—The Office on Violence Against Women (OVW), the Office of Justice Programs (OJP), and the Office of Community Oriented Policing Services (COPS) are directed to publicly disclose on each office's website the names of any subgrantees associated with each grant award, and to detail the purpose of each award in order to mitigate duplication and to ensure transparency. DOJ is also directed to heed the findings of GAO's 2012 Annual Report: *Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue* and to respond proactively in a timely manner.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

This Act includes $416,500,000 for OVW. These funds are distributed as follows:

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

[In thousands of dollars]

Program	Amount
STOP Grants	189,000
Transitional Housing Assistance	25,000
Research and Evaluation on Violence Against Women	3,500
Consolidated Youth-oriented Program	10,000
Grants to Encourage Arrest Policies	50,000
Homicide Reduction Initiative	(4,000)
Sexual Assault Victims Services	25,000
Rural Domestic Violence and Child Abuse Enforcement	36,500
Violence on College Campuses	9,000
Civil Legal Assistance	41,000
Elder Abuse Grant Program	4,250
Family Civil Justice	15,500
Education and Training for Disabled Female Victims	5,750
National Resource Center on Workplace Responses	500
Research on Violence Against Indian Women	1,000
Indian Country—Sexual Assault Clearinghouse	500
TOTAL, Violence Against Women Prevention and Prosecution Programs	416,500

Research on violence against women.—''Honor violence'' is a form of violence against women committed with the motive of protecting or regaining the honor of the perpetrator, family or community. There is currently a lack of statistical information on the occurrence of honor violence in the United States. Within the funds provided, OVW and the National Institute of Justice (NIJ) are expected to study this matter and recommend ways to determine the prevalence of honor violence and recommend best practices for law enforcement and service providers for prevention and response.

OFFICE OF JUSTICE PROGRAMS

The Department shall work closely with Congress to consider seriously the modification of existing programs and omission of outdated programs before new proposals and initiatives are unveiled. The Department is urged to devise a proposal to consolidate and eliminate ineffective grant programs by outreach to Congress and emphasis on what works and what is cost effective for the taxpayers' dollars.

RESEARCH, EVALUATION AND STATISTICS

This Act includes $127,000,000 for the Research, Evaluation and Statistics account. These funds are distributed as follows:

RESEARCH, EVALUATION AND STATISTICS

[In thousands of dollars]

Program	Amount
Bureau of Justice Statistics	48,000
National Crime Victimization Survey (NCVS)	(36,000)
National Institute of Justice	43,000
Transfer to NIST/OLES for DNA/Forensics	(5,000)
Evaluation Clearinghouse (What Works Repository)	1,000
Regional information sharing activities	35,000
TOTAL, Research, Evaluation and Statistics	127,000

Spending plans.—The Department shall submit as part of its spending plan for State and Local Law Enforcement Activities a plan for the use of all funding administered by NIJ and the Bureau of Justice Statistics (BJS), respectively.

#DNA and forensics research and evaluation.—The fiscal year 2013 budget request eliminates resources to assist with critical forensics and DNA research and evaluation. Those areas are vital components to maintaining and advancing quality and proficiency within Federal, State, and local crime laboratory facilities. Therefore, from within the amounts provided for NIJ, OJP shall directly transfer $5,000,000 to the National Institute of Standards and Technology (NIST) Office of Law Enforcement Standards (OLES) to support the continuation of the development of standards and standard reference materials.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

This Act includes $1,140,418,000 for State and Local Law Enforcement Assistance programs. These funds are distributed as follows:

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[In thousands of dollars]

Program	Amount
Byrne Memorial Justice Assistance Grants	392,418
State and Local Anti-terrorism Training	(2,000)
State and Local Assistance Help Desk and Diagnostic Center	(4,000)
VALOR Initiative	(5,000)
Criminal Justice Reform and Recidivism Reduction	(6,000)
Domestic Radicalization Research	(4,000)
State Criminal Alien Assistance Program	255,000
Border Prosecutor Initiative	5,000
Byrne Competitive Grants	19,000
Victims of Trafficking Grants	13,500
Drug Courts	41,000
Mentally Ill Offender Act	9,000
Residential Substance Abuse Treatment	12,500
Capital Litigation and Wrongful Conviction Review	3,000
Economic, High-tech and Cybercrime Prevention	9,000
John R. Justice Grant Program	4,000
Adam Walsh Act Implementation	20,000
Children Exposed to Violence Initiative	13,000
Byrne Criminal Justice Innovation Program	18,000
Bulletproof Vests	21,500
Transfer to NIST/OLES	(1,500)
National Sex Offender Public Website	1,000
Violent Gang and Gun Crime Reduction	5,000
National Instant Criminal Background Check System	12,000
Criminal Records Upgrade	6,000
Paul Coverdell Forensic Science	12,000
DNA Initiative	125,000
Debbie Smith DNA Backlog Grants	(117,000)
Post-Conviction DNA Testing Grants	(4,000)
Sexual Assault Forensic Exam Program Grants	(4,000)
CASA—Special Advocates	6,000
Tribal Assistance	38,000
Second Chance Act/Offender Reentry	68,750
Smart Probation	(5,000)
Veterans Treatment Courts	4,000
Missing Alzheimer's Patients Grants	1,000
Prescription Drug Monitoring	7,000
Prison Rape Prevention and Prosecution	12,500
Emergency Law Enforcement Assistance	3,500
Campus Public Safety	2,750
TOTAL, State and Local Law Enforcement Assistance	1,140,418

Veterans treatment courts.—This Act includes $4,000,000 to establish a funding source specifically to support veterans treatment courts. The Department is expected to work in conjunction with the Department of Veterans Affairs, as appropriate, to provide grant support for collaborative, rehabilitative approaches for continuing judicial supervision of offenders who are veterans.

Economic, high-technology, and cyber crimes prevention.—This Act provides $9,000,000 to assist State and local law enforcement agencies in the prevention, investigation, and prosecution of economic, high-tech, and Internet crimes. Given the importance of protecting our Nation's new technologies, ideas, and products, OJP is directed to increase its investment in competitive grants that help State and local law enforcement tackle intellectual property (IP) thefts, such as counterfeiting and piracy, to $3,700,000.

Prescription drug monitoring.—This Act includes $7,000,000 for the Prescription Drug Monitoring Program (PDMP). The Bureau of Justice Assistance is urged to prioritize

grant funding for states which have demonstrated a commitment to interstate data sharing and which are moving towards compliance with the recently adopted Prescription Monitoring Information Exchange (PMIX) Architecture so that the goal of 50 interconnected States can be achieved through hub-to-hub communication.

Reentry.—It is expected that Second Chance Act funding will support grants that foster the implementation of strategies that have been proven to reduce recidivism and ensure safe and successful reentry back to their communities of adults released from prisons and jails, as well as grants for demonstration projects designed to test the impact of new strategies and frameworks. The Department is directed to submit as part of its spending plan for State and Local Law Enforcement Assistance a plan for the use of all funds appropriated for Second Chance Act programs. It is expected that such plan will designate funds for proven, evidence-based programs that will further the goal of maximizing public safety, as well as for promising new approaches and projects.

Human trafficking.—This Act includes $13,500,000 for task force activities and services for U.S. citizens, permanent residents, and foreign nationals who are victims of trafficking. It is expected that the human trafficking task forces funded by the Department will continue to bring together Federal, State and local law enforcement and work closely with victim services organizations to investigate all forms of human trafficking and assist the victims. OJP shall consult with stakeholder groups in determining the overall allocation of victims of trafficking funding, including with respect to amounts allocated to assist foreign national victims, and provide to the Committees on Appropriations a plan for the use of these funds as part of the Department's fiscal year 2013 spending plan.

Adam Walsh Act implementation.—This Act includes $20,000,000 to help States, the District of Columbia, Indian tribes, and territories come into compliance with the Sex Offender Registration and Notification Act (SORNA), as well as provide for the management of child sexual predators and exploiters.

Campus public safety.—This Act includes funding for a National Center for Campus Public Safety. Also, OJP may award grants to institutions of higher education and other nonprofit organizations to assist in carrying out the functions of the Center. Such functions shall include: (1) providing quality education and training for campus public safety agencies of institutions of higher education and the agencies' collaborative partners, including campus mental health agencies; (2) fostering quality research to strengthen the safety and security of institutions of higher education; (3) serving as a clearinghouse for the identification and dissemination of information, policies, procedures, and best practices relevant to campus public safety, including off-campus housing safety, the prevention of violence against persons and property, and emergency response and evacuation procedures; (4) developing protocols, in conjunction with the Attorney General and other stakeholders, to prevent, protect against, respond to, and recover from, natural and man-made emergencies or dangerous situations involving an immediate threat to the health or safety of the campus community; (5) promoting the development and dissemination of effective behavioral threat assessment and management models to prevent campus violence; (6) coordinating campus safety information (including ways to increase off-campus housing safety) and resources available from the Department and other sources; (7) increasing cooperation, collaboration, and consistency in prevention, response, and problem-solving methods among law enforcement, mental health, and other agencies and jurisdictions serving institutions of higher education; (8) developing standardized formats and models for mutual aid agreements and memoranda of understanding between campus security agencies and other public safety organizations and mental health agencies; and (9) reporting annually to Congress and the Attorney General on activities performed by the Center during the previous 12 months.

JUVENILE JUSTICE PROGRAMS

This Act includes $279,500,000 for Juvenile Justice programs. These funds are distributed as follows:

JUVENILE JUSTICE PROGRAMS

[In thousands of dollars]

Program	Amount
Part B—State Formula Grants	44,000
Emergency Planning—Juvenile Detention Facilities	(500)
Youth Mentoring Grants	90,000
Title V—Delinquency Prevention Incentive Grants	20,000
Tribal Youth	(10,000)
Gang and Youth Violence Education and Prevention	(5,000)
Alcohol Prevention	(5,000)
Victims of Child Abuse Programs	19,000
Juvenile Accountability Block Grants	25,000
Community-Based Violence Prevention Initiatives	11,000
Missing and exploited children programs	67,000
Training for Judicial Personnel	1,500
National Forum on Youth Violence Prevention	2,000
TOTAL, Juvenile Justice	279,500

Missing and exploited children.—This Act provides $67,000,000 for missing and exploited children programs, of which not less than $29,000,000 shall be provided for task force grants, training and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children (ICAC) program.

Youth mentoring.—This Act provides $90,000,000 for youth mentoring grants to help support the work of organizations across the country in implementing programs that identify and address the factors that can lead to delinquency or other problem behaviors in at-risk or disadvantaged youth. Mentoring for children in certain at-risk and disadvantaged subgroups, including children who are in foster care, are disabled, or are the children of incarcerated parents, is particularly important.

PUBLIC SAFETY OFFICER BENEFITS

This Act includes $78,300,000 for the Public Safety Officer Benefits program for fiscal year 2013. Within the funds provided, $62,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office that is considered mandatory for scorekeeping purposes. In addition, $16,300,000 is provided for disability benefits for public safety officers permanently and totally disabled as a result of a catastrophic injury and for education benefits for the spouses and children of officers killed in the line of duty or permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

This Act includes $222,500,000 for COPS programs, as follows:

COMMUNITY ORIENTED POLICING SERVICES

[In thousands of dollars]

Program	Amount
Transfer to DEA for Methamphetamine Lab Cleanups	12,500
Tribal Resources Grant Program	20,000
COPS Hiring Grants	190,000
Transfer to Tribal Resources Grant Program	(15,000)
Community Policing Development/Training and Technical Assistance	(10,000)

COMMUNITY ORIENTED POLICING SERVICES—Continued

[In thousands of dollars]

Program	Amount
TOTAL, Community Oriented Policing Services	222,500

COPS Hiring.—In the course of awarding grants for the COPS Hiring program in fiscal year 2012, the Department reserved 10 percent of COPS Hiring funding for grants based on the Department's ''high priorities.'' These set-aside grants were awarded among a subgroup of applicants whose community policing plans focused on high priority crime problems identified by the Department only after all of the applications had been reviewed. Applicant agencies isolated into the 10 percent set-aside group had a significantly higher chance of receiving a grant than the remainder of the eligible applicants. According to the Department's own statistics, applicants in the 90 percent pool had between an eight and 14 percent chance of receiving an award, while applicants selected for the 10 percent pool had a greater than 70 percent chance of receiving an award. This unnecessarily subjective grant award process is not supported. In fiscal year 2013 and thereafter, the Department will resume awarding grants to eligible agencies with the highest total ranked scores, taking into account its statutory mandates, and not attempt to run a parallel grant program, the design of which creates the appearance of favoritism.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

This Act includes the following general provisions for the Department of Justice:

Section 201 makes available additional reception and representation funding for the Attorney General from the amounts provided in this title.

Section 202 prohibits the use of funds to pay for an abortion, except in the case of rape or to preserve the life of the mother.

Section 203 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 204 establishes the obligation of the Director of the Bureau of Prisons to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 205 establishes requirements and procedures for transfer proposals.

Section 206 authorizes the Attorney General to extend an ongoing Personnel Management Demonstration Project.

Section 207 permanently extends specified authorities to the ATF for undercover operations.

Section 208 prohibits the use of funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the BOP as appropriately secure.

Section 209 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual or electronic media or equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious or educational purposes.

Section 210 requires review by the Deputy Attorney General and the Department Investment Review Board prior to the obligation or expenditure of funds for major information technology projects.

Section 211 requires the Department to follow reprogramming procedures prior to any deviation from the program amounts specified in this title or the reuse of specified deobligated funds provided in previous years.

SECTION 212 PROHIBITS THE USE OF FUNDS FOR A -76 COMPETITIONS FOR WORK PERFORMED BY EMPLOYEES OF THE BOP OR FPI, INC.

Section 213 prohibits U.S. Attorneys from holding additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 214 permits up to 3 percent of grant and reimbursement program funds made available to OJP to be used for training and technical assistance; permits up to 2 percent of grant funds made available to that office to be used for criminal justice research, evaluation and statistics by NIJ and BJS; and directs that of such amounts transferred to NIJ and BJS, $1,300,000 shall be transferred to the BOP. In light of the resurgence of methamphetamine production and trafficking, language included in the House report is reaffirmed encouraging OJP and COPS to support methamphetamine training and technical assistance initiatives that advance problem-solving strategies to combat methamphetamine, and which demonstrate the capacity to have a national impact through direct training and the distribution of information and resources.

Section 215 gives the Attorney General the authority to waive matching requirements for Second Chance Act adult and juvenile reentry demonstration projects; State, tribal and local reentry courts; drug treatment programs; and prison rape elimination programs.

Section 216 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 217 prohibits funds, other than funds for the national instant criminal background check system established under the Brady Handgun Violence Prevention Act, from being used to facilitate the transfer of an operable firearm to a known or suspected agent of a drug cartel where law enforcement personnel do not continuously monitor or control such firearm.

Section 218 places limitations on the obligation of funds from certain Department of Justice accounts and funding sources.

This Act does not include section 218 of H.R. 5326 of the 112th Congress. It is important to eliminate barriers to the use of pools in compliance with the Americans with Disabilities Act (ADA) while also appropriately minimizing the regulatory burden on pool owners and operators. The Department is directed to continue its current policy of not enforcing the fixed elements requirement of the 2010 ADA Standards for Accessible Design against owners or operators who purchased portable lifts for existing pools prior to March 15, 2012, as long as the portable lift is kept in position for use at the pool, is operational at all times that the pool is open, and otherwise complies with the requirements of the 2010 Standards. The Department also is expected to consider ways to further minimize the burden on pool owners and operators, including in the way it makes determinations about readily achievable compliance actions, while still adhering to the requirements of the ADA.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

This Act includes $5,850,000 for the Office of Science and Technology Policy (OSTP).

Science, Technology, Engineering and Math (STEM) education.—Interest remains in OSTP's efforts to provide better oversight of and guidance to the Federal government's STEM education apparatus through a government-wide STEM education strategic plan. This forthcoming plan is expected to address longstanding areas of congressional interest, including reducing programmatic duplication, measuring programmatic effectiveness, improving the dissemination of STEM education findings, integrating STEM education activities at mission-oriented agencies and supporting the STEM-related workforce. OSTP shall provide the completed STEM education strategic plan to the Committees on Appropriations within 45 days of the enactment of this Act.

Interagency Working Group on Neuroscience (IWGN).—Language in the House report regarding the IWGN, which was chartered during fiscal year 2012 under the auspices of the National Science and Technology Council, is affirmed, and its goals and activities are strongly supported. In addition, OSTP is encouraged to work with all relevant stakeholders to consider how incentives could hasten the development of new prevention and treatment options for neurological diseases and disorders, and to recommend options for such incentives.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

This Act includes $17,862,000,000 for the National Aeronautics and Space Administration (NASA). A table of specific funding allocations for NASA is delineated below, and additional detail may be found under the relevant account headings.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[In thousands of dollars]

Program	Amount
Science:	
Earth Science	1,785,000
Planetary Science	1,415,000
Astrophysics	669,000
James Webb Space Telescope	628,000
Heliophysics	647,000
Total, Science	5,144,000
Aeronautics	570,000
Space Technology	642,000
Exploration:	
Human Exploration Capabilities	3,054,000
Orion Multi-Purpose Crew Vehicle	(1,197,000)
Space Launch System	(1,857,000)
SLS Vehicle Development	(1,454,200)
Exploration Ground Systems	(402,800)
Commercial Spaceflight	525,000
Exploration Research and Development	308,000
Total, Exploration	3,887,000
Space Operations:	
Space Shuttle	70,000
International Space Station	2,958,000
Space and Flight Support	925,000
Total, Space Operations	3,953,000
Education:	
Aerospace Research and Career Development	58,000
NASA Space Grant	(40,000)
EPSCoR	(18,000)
STEM Education and Accountability	67,000
Total, Education	125,000
Cross Agency Support	2,823,000
Construction and Environmental Compliance and Restoration	680,000
Inspector General	38,000
Total, NASA	17,862,000

SCIENCE

This Act includes $5,144,000,000 for Science.

Earth Science.—$1,785,000,000 is for Earth Science, and language from the Senate report on carbon monitoring is adopted by reference.

Planetary Science.—$1,415,000,000 is for Planetary Science, including $192,000,000 for Planetary Science Research, $243,980,000 for Discovery, $175,000,000 for New Frontiers, $450,800,000 for Mars Exploration and $159,000,000 for Outer Planets.

Within the amount provided for Mars Exploration, $146,400,000 is for the continued development of the MAVEN mission, $65,000,000 is for operation of the Mars Science Laboratory and $239,400,000 is for other Mars activities, including the formulation of a future Mars mission that is responsive to the scientific goals of the most recent planetary science decadal survey and the potential completion of instrumentation or other contributions to international Mars exploration efforts. Direction provided in H.R. 5326 of the 112th Congress and the House report on submitting future Mars mission concepts to the National Research Council for review does not apply to the Mars funding provided herein.

Within the amount provided for Outer Planets, $75,000,000 shall be for pre-formulation and/or formulation activities in support of a mission that achieves the scientific goals laid out in the Jupiter Europa section of the most recent planetary science decadal survey. These activities include, but are not limited to, concept studies and concept development, technology development and requirements definition.

James Webb Space Telescope (JWST).—$628,000,000 is for JWST and all JWST language from the House report and the Senate report is adopted by reference. There is commitment to this important program and to providing strong, continuing oversight to ensure that it remains on track.

Astrophysics.—$669,000,000 is for Astrophysics, including $10,000,000 for pre-formulation and/or formulation activities for a mission that meets the science goals of the Wide Field InfraRed Survey Telescope as described in the most recent astronomy and astrophysics decadal survey. Language from the Senate report regarding the Hubble Space Telescope and the Explorer Program is adopted by reference, and language from the House report regarding NASA's planned contributions to the European Space Agency's Euclid program is not adopted.

Heliophysics.—$647,000,000 is for Heliophysics and language from the Senate report regarding the Explorer Program, Magnetospheric MultiScale mission and Solar Probe Plus is adopted by reference.

AERONAUTICS

This Act includes $570,000,000 for Aeronautics. Language from the House report on entry, descent and landing technology development and hypersonic research is adopted by reference.

SPACE TECHNOLOGY

This Act includes $642,000,000 for Space Technology. All funds under this heading should be prioritized toward the continuation of ongoing programs and activities that were funded in fiscal year 2012.

Satellite servicing.—Language from the Senate report on satellite servicing is adopted by reference.

EXPLORATION

This Act includes $3,887,000,000 for Exploration.

Space Launch System (SLS) funding.—A total of $2,119,400,000 is for SLS; $1,857,000,000 of this funding is provided under the ''Exploration'' heading, including $1,454,200,000 for SLS vehicle development and $402,800,000 for Exploration Ground Systems (EGS). This funding level is sufficient for NASA to meet all upcoming SLS and EGS program milestones.

In accordance with an agreement previously reached between NASA and the Committees, the display of SLS funds and their distribution among budget accounts has changed from fiscal year 2012. For purposes of enabling multi-year comparisons, the table below shows the fiscal year 2012 and 2013 SLS vehicle development and EGS budgets in both the fiscal year 2012 appropriations structure and the fiscal year 2013 appropriations structure.

CROSSWALK OF SPACE LAUNCH SYSTEM APPROPRIATIONS

[In thousands of dollars]

Activity, Budget Account	In Fiscal Year 2012 Account Structure		In Fiscal Year 2013 Account Structure	
	Fiscal Year 2012	Fiscal Year 2013	Fiscal Year 2012	Fiscal Year 2013
SLS Vehicle Development	1,543,500	1,665,500	1,543,500	1,665,500
Exploration	(1,543,500)	(1,665,500)	(1,503,000)	(1,454,200)
Construction and Environmental Compliance and Restoration	.....	.....	(40,500)	(211,300)
Exploration Ground Systems	399,700	453,900	399,700	453,900
Exploration	(316,500)	(357,200)	(387,700)	(402,800)
Space Operations	(83,200)	(96,700)	.....	.....
Construction and Environmental Compliance and Restoration	.....	.....	(12,000)	(51,100)
Total, Space Launch System	1,943,200	2,119,400	1,943,200	2,119,400

SLS vehicle development.—Support for NASA's evolvable SLS development approach, which will provide a 70 ton SLS configuration by 2017 and build to a 130 ton configuration as work is completed on an upper stage and advanced booster system, is reiterated. However, NASA is urged to identify and implement ways to accelerate the schedule for the attainment of the 130 ton configuration. To enable better congressional oversight of NASA's progress, language from the House report regarding requirements for quarterly SLS funding reports is adopted by reference.

EGS.—It is noted that EGS funds are intended for SLS-related ground operations. Additional funding for non-SLS ground operations activities is provided under the ''Space Operations'' heading.

Orion Multi-Purpose Crew Vehicle (MPCV) funding.—A total of $1,200,310,000 is for the Orion MPCV, which is to be launched on the SLS in furtherance of NASA's beyond Earth orbit exploration goals and to provide an alternate means of emergency access to the International Space Station (ISS). Within the amounts provided for the Orion MPCV, $1,197,000,000 is provided under the ''Exploration'' heading. This funding level is sufficient for NASA to meet all upcoming Orion MPCV milestones, including a planned flight test in 2014.

Similar to the SLS, the distribution of Orion MPCV funds across budget accounts has changed from fiscal year 2012. The chart below displays all Orion MPCV funding in both the fiscal year 2012 appropriations structure and the fiscal year 2013 appropriations structure.

CROSSWALK OF ORION MULTI-PURPOSE CREW VEHICLE APPROPRIATIONS

[In thousands of dollars]

Activity, Budget Account	In Fiscal Year 2012 Account Structure		In Fiscal Year 2013 Account Structure	
	Fiscal Year 2012	Fiscal Year 2013	Fiscal Year 2012	Fiscal Year 2013
Orion Multi-Purpose Crew Vehicle	1,200,000	1,200,310	1,200,000	1,200,310
Exploration	(1,200,000)	(1,200,310)	(1,200,000)	(1,197,000)
Construction and Environmental Compliance and Restoration	.....	.....	.....	(3,310)
Total, Orion Multi-Purpose Crew Vehicle	1,200,000	1,200,310	1,200,000	1,200,310

Cost caps.—The human exploration program should be managed under cost caps based on NASA's analysis and the completed Independent Cost Assessment (ICA). Within 60 days of the enactment of this Act, NASA shall report to the Committees on Appropriations on planned milestones; expected performance and configurations; planned ground and flight testing programs; and deliverables for SLS, EGS and the Orion MPCV. As part of this report, NASA shall validate the funding levels established by the ICA for SLS, EGS and the Orion MPCV as potential cost caps through fiscal year 2017 or recommend and justify alternate cost caps for each program element.

Exploration destinations and goals.—Language from the House report regarding mission goals for the test flights of SLS and the Orion MPCV currently scheduled for 2017 and 2021 is adopted by reference.

Commercial crew.—$525,000,000 is for the Commercial Crew Program (CCP). This funding, which will support the continuation of the Commercial Crew Integrated Capability (CCiCap) phase and the awarding of Certification Products Contracts, is intended to promote the safest, fastest and most cost-effective reestablishment of a domestic means of access to the ISS.

It is expected that CCP activity beyond the CCiCap base period will be funded via Federal Acquisition Regulation—based contracts and that NASA will take all necessary steps to ensure that these contracts can be smoothly awarded with minimal disruption to programmatic progress. NASA is also expected to maintain rigorous oversight of the program and its private sector partners to ensure that all necessary safety standards are being met and all appropriate safeguards for taxpayer interests are being implemented.

SPACE OPERATIONS

This Act includes $3,953,000,000 for Space Operations.

ISS.—$2,958,000,000 is for ISS operations, research and cargo supply and adopts, by reference, language from the Senate report regarding satellite servicing activities.

Language in the House report requiring NASA to provide a report on options for short-term emergency access to the ISS is adopted by reference. This report shall be provided no later than 120 days after the enactment of this Act.

Launch services.—Concern remains about potential shortages in both the small- and medium-class launch vehicle markets. Such shortages would threaten both the schedules and budgets for NASA science missions. NASA is directed to continue monitoring its options in both markets and to ensure that management plans for projects in these classes appropriately reflect the risks resulting from uncertainty in launch vehicle availability and pricing.

Space and Flight Support.—$925,000,000 is for Space and Flight Support, including the full requested level for Tracking and Data Relay Satellite System replacement and the 21st Century Space Launch Complex (21CSLC) program. The 21CSLC funds are available for the modification and modernization of launch infrastructure not exclusively used for SLS, including NASA-owned facilities for launch vehicles serving NASA missions and facilities scheduled to launch cargo to the ISS.

Language from the House report regarding strategic planning for upgrades and modernization of the Wallops Flight Facility is adopted by reference.

EDUCATION

This Act includes $125,000,000 for Education.

Aerospace Research and Career Development.—$40,000,000 is for the National Space Grant College program, and $18,000,000 is for the Experimental Program to Stimulate Competitive Research (EPSCoR). Language from the Senate report regarding the distribution of Space Grant funding to states and jurisdictions is not adopted.

Informal education.—$10,000,000 is for a competitive grant program to fund informal education programs that develop STEM education activities, including exhibits, at qualifying institutions as described in section 616 of the NASA Authorization Act of 2005 (Public Law 109–155), and/or at NASA Visitors Centers.

K–12 STEM education and youth service organizations.—It is noted that NASA's Office of Education, mission directorates and centers are involved in multiple efforts to engage K–12 students in STEM-related activities and competitions, in order to help encourage students to pursue future STEM-related studies and careers. Much of NASA's work in this area has been accomplished through partnerships with youth service organizations, including those with a nationwide footprint. These efforts both augment and leverage the resources and reach of these organizations, helping to bring practical STEM applications to a wider group of young participants. NASA is commended for these efforts, which are an effective way to help build a strong and vibrant future STEM workforce, which in turn helps ensure a strong, globally competitive U.S. economy. NASA is directed, within funds provided both in this account and throughout the NASA budget, to expand the agency's K–12 STEM education efforts with youth service organizations and to report to the Committees on Appropriations within 180 days of enactment on these efforts.

CROSS AGENCY SUPPORT

This Act includes $2,823,000,000 for Cross Agency Support.

Cybersecurity.—Language from the Senate report regarding cybersecurity is adopted by reference.

Comprehensive independent assessment.—Language from the House report regarding NASA's response to a comprehensive independent assessment of the agency conducted by the National Research Council is adopted by reference.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

This Act includes $680,000,000 for Construction and Environmental Compliance and Restoration. Within the amounts provided, $60,000,000 is for Environmental Compliance and Restoration, $329,200,000 is for Institutional Construction of Facilities (CoF) and $265,710,000 is for Exploration CoF, including $3,310,000 for the Orion MPCV and $142,000,000 for SLS-related test facilities.

OFFICE OF INSPECTOR GENERAL

This Act includes $38,000,000 for the Office of Inspector General.

ADMINISTRATIVE PROVISIONS

This Act includes the following administrative provisions for NASA:

- a provision that makes funds for announced prizes available without fiscal year limitation until the prize is claimed or the offer is withdrawn;
- a provision that establishes terms and conditions for the transfer of funds;
- a provision that subjects the NASA spending plan and specified changes to that spending plan to reprogramming procedures under section 505 of this Act; and
- a provision that allows NASA to retain within its Working Capital Fund refunds or rebates received through NASA's credit card programs.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

This Act includes $5,983,280,000 for Research and Related Activities (R&RA).

Program priorities.—NSF's proposed R&RA termination and reduction proposals are incorporated as described in the House report.

Advanced manufacturing.—Language in the House report regarding advanced manufacturing is adopted by reference.

Cybersecurity research.—Language from the Senate report regarding cybersecurity research is adopted by reference.

Innovation Corps (I–Corps).—Language from the House report regarding the I-Corps program is adopted by reference. If NSF determines that the directive contained in that language cannot be practically enforced for any specific I-Corps grant, NSF is directed to immediately report that determination, along with an explanation, to the Committees on Appropriations. NSF is expected to make all necessary efforts to ensure that exceptions to the directive are avoided to the maximum extent possible.

Cross-Foundation initiatives.—Limits on the implementation of OneNSF initiatives as proposed in the Senate report are not included because there is value in the further development of interdisciplinary research activities. However, future growth in interdisciplinary research should not come at the expense of adequate support for infrastructure and core research programs in each of NSF's individual scientific disciplines. NSF is urged to assess and refine the balance among these activities in its budget request for fiscal year 2014 and future years.

Astronomy.—$247,550,000 is for astronomical sciences, including $164,890,000 for infrastructure. Within the infrastructure portfolio, NSF shall fund pre-construction planning and research resources at the budget request level and allocate the remaining funds to observatories. To the extent that increases in infrastructure spending require a reduction in the research budget, those reductions should come from the planned increases for the Enhancing Access to the Radio Spectrum program.

No limitations are placed on the implementation of the Telescope System Instrumentation Plan, and no action or statement herein regarding the Division of Astronomical Sciences (AST) should be construed as an expression of opinion regarding AST's recently concluded portfolio review, which has yet to be submitted to the Congress for consideration.

EPSCoR.—$158,190,000 is for EPSCoR.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

This Act includes $196,170,000 for Major Research Equipment and Facilities Construction.

EDUCATION AND HUMAN RESOURCES

This Act includes $895,610,000 for Education and Human Resources (EHR).

Program terminations and reductions.—NSF's proposed EHR termination and reduction proposals as described in the House report are incorporated, with the exception of NSF's proposal to reduce the Advancing Informal STEM Learning (AISL) program. AISL shall be funded as described in the Senate report.

Broadening participation programs.—Funding for the Historically Black Colleges and Universities Undergraduate Program, the Louis Stokes Alliance for Minority Participation, the Tribal Colleges and Universities Program and Centers for Research Excellence in Science and Technology is incorporated, as described in the Senate report.

Advanced Technological Education (ATE).—An increase of $5,000,000 above the request for ATE is included, as described in the House report. NSF shall choose an offset to accommodate this increase from among the EHR programs not otherwise described in this statement.

Best practices in K–12 STEM education.—Adopted, by reference, is language from the House report on the implementation of the recommendations contained in the National Research Council's 2011 report entitled Successful K–12 STEM Education: Identifying Effective Approaches in Science, Technology, Engineering, and Mathematics.

Federal Cyber Service: Scholarships for Service.—Adopted, by reference, is language from the Senate report regarding the Federal Cyber Service: Scholarships for Service program.

AGENCY OPERATIONS AND AWARD MANAGEMENT

This Act includes $299,400,000 for Agency Operations and Award Management.

Follow-up on OIG findings.—NSF management responses to recommendations of the OIG, particularly those regarding workforce management and construction contingency funding, have been inadequate. NSF is directed to provide the report described in the Senate report within 30 days of the enactment of this Act and to provide updates to that report on a semiannual basis.

NSF headquarters.—The requested amount for expenses associated with the expiration of NSF's headquarters lease is provided.

OFFICE OF THE NATIONAL SCIENCE BOARD

This Act includes $4,440,000 for the National Science Board.

OFFICE OF INSPECTOR GENERAL

This Act includes $14,200,000 for the OIG.

ADMINISTRATIVE PROVISION

This Act includes a provision that establishes terms and conditions for the transfer of funds.

TITLE IV
RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

This Act includes $9,400,000 for the Commission on Civil Rights.

Improving oversight.—Language is continued that was first included in fiscal year 2012 establishing an inspector general (IG) function for the Commission on Civil Rights and providing that the function will be carried out by the individual holding the position of IG at the Government Accountability Office (GAO). The IG is tasked with the duties and responsibilities specified in the Inspector General Act of 1978, including conducting audits and reviews of Commission programs, finances and personnel.

Funding is provided for these operations in the amount of $450,000 by direct transfer to the Office of Inspector General of the GAO. This amount is $200,000 above the request and the enacted level. The GAO IG was unable to fulfill the statutory requirements for its role as IG for the Commission within the amounts provided in fiscal year 2012. Accordingly, the resources available to the IG have been increased. Also included is language providing the IG flexibility in submitting statutorily required reports so the IG can focus its efforts on more substantive oversight issues. With these additional resources and flexibility, the IG is expected to conduct vigorous oversight of the Commission. The IG also is expected to consult with the Committees on Appropriations before exercising this new authority.

Vacancies.—The findings of the IG's recent report on management and performance challenges are concerning. In particular, the Commission has not had a permanent staff director since January 2011 and has not had an acting staff director since April 2012. In addition, the Commission has dozens of other vacant positions, many of which have been unfilled for years. Many other staff have multiple titles and responsibilities. The Commission is directed to examine its staffing structure, realign positions, as appropriate, based on available resources, and report the results to the Committees on Appropriations within 90 days of enactment of this Act. This report is expected to include details on staffing at the Commission's regional offices, as well as an assessment of the role of these offices in carrying out the work of the Commission.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

This Act includes $370,000,000 for the Equal Employment Opportunity Commission (EEOC). Up to $29,500,000 shall be available for payments to State and local enforcement agencies to ensure that the EEOC provides adequate resources to its State and local partners.

Strategic plan.—EEOC is expected to use its resources to implement the strategic objectives identified in the EEOC's 2012–2016 strategic plan; specifically: combating employment discrimination through strategic law enforcement, preventing employment discrimination through education and outreach, and delivering excellent and consistent service.

EEOC is directed to report to the Committees on Appropriations within 60 days of the enactment of this Act on the steps it has taken to reach the fiscal year 2012 goals set forth in the strategic plan, whether those goals were achieved, and, if not, an explanation of why those goals were not achieved. Many of the strategies and measures outlined in the strategic plan are multi-year efforts, and EEOC is expected to provide an

analysis of the impact the strategies will have in subsequent years. As noted in the Senate report, there is particular interest in seeing the results of discussions surrounding intake and charge management in the private sector process and the development of a new case management system in the Federal sector process.

In creating the strategic plan, the EEOC sought the input of all members of the EEOC workforce, in addition to the agency's leadership, and solicited and received comments from a wide range of stakeholders and the public. Therefore, it is expected that these invested stakeholders will be active and constructive partners in the plan's implementation by EEOC.

Age discrimination.—Section 540 of H.R. 5326 of the 112th Congress regarding an EEOC rule on age discrimination is not included. There is concern that EEOC did not conduct a thorough analysis of this rule's impact on small business. Therefore, notwithstanding the EEOC's determination under section 605(b) of title 5, United States Code, no later than 90 days after enactment of this Act, EEOC shall conduct an analysis equivalent to that required under section 604 of such title and provide the analysis to the Committees on Appropriations as well as to the public. The EEOC shall consult with the Committees on Appropriations prior to undertaking this analysis. This requirement shall not interfere with implementation of the rule.

Guidance on criminal background checks.—Section 544 of H.R. 5326 of the 112th Congress is not included. The EEOC recently finalized new guidance regarding the use of criminal record checks, without regard for a directive proposed by the Senate that such guidance should be circulated for public comment at least six months before adoption. The EEOC is directed to report to the Committees on Appropriations within 120 days of enactment of this Act detailing the steps it has taken to alleviate confusion about the new guidance.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

This Act includes $83,000,000 for the International Trade Commission.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

This Act includes $365,000,000 for the Legal Services Corporation (LSC).

Pro bono task force.—It is encouraging that the LSC launched a pro bono task force, which released its report this fall. The LSC is urged to implement the recommendations as it continues to work with grantees to adopt measures aimed at increasing the involvement of private attorneys in the delivery of legal services to their clients.

Pro bono innovation program.—The pro bono task force's recommendation for the creation of a pro bono innovation program is encouraging, and LSC believes it has authority under the Legal Services Corporation Act to establish this program. LSC is directed to submit a reprogramming request to the Committees on Appropriations before starting the program.

Headquarters management.—Language is incorporated from the Senate report regarding LSC headquarters' efforts to incite stakeholders into actively lobbying Congress on budget issues with Federal dollars appropriated to headquarters. The funding expended in these efforts may be better used towards providing services to those in need of LSC counseling in the field. LSC is directed to re-examine its headquarters structure and identify areas of duplication for consolidation or elimination in an effort to provide a more efficient and cost-saving structure, and send more funding to those in the field in need of LSC services. LSC shall report these findings to the Committees on Appropriations within 90 days of enactment of this Act.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

Unauthorized uses of funds.—The Inspector General of the LSC is encouraged to conduct annual audits of LSC grantees to ensure that funds are not being used in contravention of the restrictions on engaging in political activities or any of the other restrictions by which LSC grantees are required to abide. The removal of funds from any LSC grantee determined by the Inspector General to have engaged in unauthorized political activity is recommended.

Allocation of basic field grants.—Language, modified from H.R. 5326 of the 112th Congress, making a technical change to the allocation formula for basic field grants is included. The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104–134) required that the allocation for grantees in each geographic area be based on poverty statistics from the ''most recent decennial census.'' The Census Bureau has since stopped collecting poverty data in the decennial census and instead collects those data in the American Community Survey (ACS). The recommended language alters the formula to reflect this shift. Since ACS data are released more frequently, the language allows reallocation of funding every three years. The language also provides a two-year phase in of the changes. The phase in, which was not included in H.R. 5326 of the 112th Congress, allows grantees to adjust more easily to changes in funding allocations. It is disappointing that LSC waited until the fiscal year 2013 budget request to seek this change, long after it was known that these data would no longer be made available in the decennial census.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

This Act includes $3,081,000 for the Marine Mammal Commission.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

This Act includes $51,251,000 for the Office of the U.S. Trade Representative.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

This Act includes $5,121,000 for the State Justice Institute.

TITLE V
GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

This Act includes the following general provisions:

Section 501 prohibits the use of funds for publicity or propaganda purposes unless expressly authorized by law.

Section 502 prohibits any appropriation contained in this Act from remaining available for obligation beyond the current fiscal year unless expressly provided.

Section 503 provides that the expenditure of any appropriation contained in the Act for any consulting service through procurement contracts 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 existing Executive Order issued pursuant to existing law.

Section 504 provides that if any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of other provisions shall not be affected.

Section 505 prohibits 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 by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employee; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees; (7) augments funds for existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent; or (8) 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 House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds. Language is included requiring the Department of Justice to notify the Committees 45 days in advance of any such reprogramming.

Section 506 provides that if it is determined that any person intentionally affixes a ''Made in America'' label to any product that was not made in America that person shall not be eligible to receive any contract or subcontract with funds made available in this Act. The section further provides that to the extent practicable, with respect to purchases of promotional items, funds made available under this Act shall be used to purchase items manufactured, produced or assembled in the United States or its territories or possessions.

Section 507 requires quarterly reporting to Congress on the status of balances of appropriations.

Section 508 provides that any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions in the Act shall be absorbed within the budgetary resources available to the department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 509 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade services to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Section 510 delays the obligations of any receipts deposited into the Crime Victims Fund in excess of $730,000,000 until the following fiscal year.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious or moral beliefs of students participating in such programs.

Section 512 prohibits the transfer of funds in the Act to any department, agency or instrumentality of the United States Government, except for transfers made by, or pursuant to authorities provided in, this Act or any other appropriations Act.

Section 513 provides that funds provided for E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

Section 514 permanently requires the Bureau of Alcohol, Tobacco, Firearms and Explosives to include specific language in any release of tracing study data that makes

clear that trace data cannot be used to draw broad conclusions about firearms-related crimes.

Section 515 requires certain timetables of audits performed by Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation and sets limits and restrictions on the awarding and use of grants or contracts funded by amounts appropriated by this Act.

Section 516 prohibits funds for information technology acquisitions unless the acquiring department or agency has assessed the risk of cyber-espionage or sabotage. Any acquisition of information technology produced by entities that are owned, directed, or subsidized by the People's Republic of China must be preceded by a determination that the acquisition is in the national interest. Each department or agency covered under section 516 shall submit a quarterly report to the Committees on Appropriations of the House and the Senate describing assessments made pursuant to this section and any associated findings or determinations of risk.

Section 517 prohibits the use of funds in this Act to support or justify the use of torture by any official or contract employee of the United States Government.

Section 518 prohibits the use of funds in this Act to require certain export licenses.

Section 519 prohibits the use of funds in this Act to deny certain import applications regarding ''curios or relics'' firearms, parts, or ammunition.

Section 520 prohibits the use of funds to include certain language in trade agreements.

Section 521 prohibits the use of funds in this Act to authorize or issue a National Security Letter (NSL) in contravention of certain laws authorizing the Federal Bureau of Investigation to issue NSLs.

Section 522 requires congressional notification for any project within the Departments of Commerce or Justice, the National Science Foundation or the National Aeronautics and Space Administration totaling more than $75,000,000 that has cost increases of at least 10 percent.

Section 523 deems funds for intelligence or intelligence-related activities as authorized by the Congress until the enactment of the Intelligence Authorization Act for fiscal year 2013.

Section 524 requires the departments and agencies funded in this Act to establish and maintain on the homepages of their Internet websites direct links to the Internet websites of their Offices of Inspectors General, and a mechanism by which individuals may anonymously report cases of waste, fraud or abuse.

Section 525 prohibits contracts or grant awards in excess of $5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the IRS Code of 1986, and has no unpaid Federal tax assessment.

(RESCISSIONS)

Section 526 provides for rescissions of unobligated balances in the Department of Justice. The rescission from the Federal Prison System, Buildings and Facilities account rescinds all remaining balances associated with the ''Acquire Existing Institution for Higher Security FCI'' project. With respect to rescissions of unobligated balances from the Office on Violence Against Women, the Office of Justice Programs and the Office of Community Oriented Policing Services, it is expected that rescissions will be from grant deobligations and recoveries.

Section 527 prohibits the use of funds in this Act in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws.

Section 528 prohibits the use of funds in this Act for the purchase of first class or premium air travel.

Section 529 prohibits the use of funds to pay for the attendance of more than 50 department or agency employees at any single conference outside the United States, unless the conference is a law enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States.

Section 530 includes language regarding detainees held at Guantanamo Bay.

Section 531 includes language regarding facilities for housing detainees held at Guantanamo Bay.

Section 532 prohibits the distribution of funds contained in this Act to the Association of Community Organizations for Reform Now or its subsidiaries.

Section 533 includes language regarding the purchase of light bulbs.

Section 534 requires any department, agency or instrumentality of the United States Government receiving funds appropriated under this Act to track and report on undisbursed balances in expired grant accounts.

Section 535 prohibits the use of funds by the National Aeronautics and Space Administration or the Office of Science and Technology Policy to engage in bilateral activities with China or a Chinese-owned company unless the activities are authorized by subsequent legislation or NASA or OSTP have made a certification pursuant to subsections (c) and (d) of this section.

Section 536 prohibits the use of funds to relocate the Bureau of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President.

Section 537 requires the Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation to submit spending plans.

Section 538 prohibits funds made available by this Act from being used to deny the importation of shotgun models if no application for the importation of such models, in the same configuration, had been denied prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

Section 539 prohibits the use of funds to establish or maintain a computer network that does not block pornography, except for law enforcement purposes.

Section 540 prohibits funds made available by this Act from being 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, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the government.

Section 541 prohibits funds made available by this Act from being 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, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the government.

Section 542 prohibits funds made available by this Act from being used to pay the salaries of an employee of the Department of Commerce to use amounts in the Fisheries Enforcement Asset Forfeiture Fund of NOAA for any purposes other than specified in the law.

Section 540 from H.R. 5326 of the 112th Congress regarding an EEOC rule on age discrimination is not included. Direction to EEOC on this subject is provided under title IV of this statement.

Section 542 from S. 2323 of the 112th Congress regarding vehicle fleets is not included. Instead, all agencies and departments funded under this Act are directed to send to the Committees on Appropriations, at the end of the fiscal year, a report containing a complete inventory of the total number of vehicles owned, permanently retired, and purchased during fiscal year 2013 as well as the total cost of the vehicle fleet, including maintenance, fuel, storage, purchasing, and leasing.

Section 543 from H.R. 5326 of the 112th Congress regarding fisheries catch shares is not included. Instead, direction to NOAA on this subject is included under title I of this statement.

Section 544 from H.R. 5326 of the 112th Congress regarding EEOC guidance on criminal records is not included. Direction to EEOC on this subject is provided under title IV of this statement.

Section 545 from H.R. 5326 of the 112th Congress, which prohibits the Census Bureau from enforcing section 13 U.S.C. 221(a) regarding the American Community Survey is not included. Instead, direction to the Census Bureau and the Department of Commerce regarding these activities is included under title I of this statement.

Section 546 from H.R. 5326 of the 112th Congress is not included. Direction to the Department of Justice on Operation Fast and Furious is provided under the Department of Justice, General Administration heading under title II of this statement.

Section 549 from H.R. 5326 of the 112th Congress regarding certain court settlements is not included. On February 9, 2012, the Department of Justice announced that the Federal government, along with 49 State attorneys general, reached a landmark $25,000,000,000 settlement with the nation's five largest banks. It is recognized that investors in mortgage-backed securities (MBS) were excluded from negotiations with respect to the settlement, and are concerned about the effect the settlement will have on their interests. MBS investors include State retirement systems, 401(k) plans, public and private pension plans, insurance company annuities, and mutual funds. Because the details of the settlement agreement will likely never be known to the public, the Department of Justice is directed to study both the efforts of the five largest banks to comply with the settlement and the impact of the settlement on the revenue of MBS trusts, and submit a report to the Committees on its findings not later than one year after the date of enactment of this Act.

Section 553 from H.R. 5326 of the 112th Congress regarding the National Ocean Policy is not included. Instead, direction to NOAA regarding these activities is included under title I of this statement.

Section 554 from H.R. 5326 of the 112th Congress regarding vehicle efficiency standards is not included. The departments and agencies funded under this Act are expected to adhere to the guidance of Presidential Memorandum—Federal Fleet Performance,

dated May 24, 2011, and to notify the Committees on Appropriations regarding any vehicle leases or purchases that are not in accordance with that guidance.

Section 562 from H.R. 5326 of the 112th Congress regarding turtle excluder devices is not included. Instead, direction to NOAA regarding this issue is included under title I of this statement.

Section 564 from H.R. 5326 of the 112th Congress regarding the National Science Foundation's (NSF) Climate Change Education (CCE) program is not included. However, within the amounts provided to NSF in title III of this Act, NSF shall spend no more than $3,130,000 on CCE.

Section 565 from H.R. 5326 of the 112th Congress regarding NSF's political science program is not included. As part of the spending plan required by this Act, NSF is directed to provide: (1) a detailed description of how the agency proposes to allocate funds among the various NSF directorates, divisions and programs; (2) a justification for how this proposed allocation of funds appropriately reflects national scientific and policy priorities; and (3) a discussion of the relative contributions of various scientific disciplines to innovation, economic growth and national security.

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
TITLE I—DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	465,000	526,439	482,538	+17,538	−43,901
Offsetting fee collections	−9,439	−9,439	−11,360	−1,921	−1,921
Direct appropriation	455,561	517,000	471,178	+15,617	−45,822
Bureau of Industry and Security					
Operations and administration	69,721	68,049	67,695	−2,026	−354
Defense function	31,279	34,279	34,101	+2,822	−178
Total, Bureau of Industry and Security	101,000	102,328	101,796	+796	−532
Economic Development Administration					
Economic Development Assistance Programs	220,000	182,000	187,300	−32,700	+5,300
Disaster relief category	200,000			−200,000	
Subtotal	420,000	182,000	187,300	−232,700	+5,300
Salaries and expenses	37,500	37,719	37,500		−219
Total, Economic Development Administration	457,500	219,719	224,800	−232,700	+5,081
Minority Business Development Agency					
Minority Business Development	30,339	28,689	28,689	−1,650	
Economic and Statistical Analysis					
Salaries and expenses	96,000	100,269	100,228	+4,228	−41
Bureau of the Census					
Salaries and expenses	253,336	259,175	256,255	+2,919	−2,920
Periodic censuses and programs	635,000	711,250	649,953	+14,953	−61,297
Total, Bureau of the Census	888,336	970,425	906,208	+17,872	−64,217
National Telecommunications and Information Administration					
Salaries and expenses	45,568	46,925	45,994	+426	−931
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding	2,678,000	2,933,241	2,933,241	+255,241	
Offsetting fee collections	−2,678,000	−2,933,241	−2,933,241	−255,241	
Total, United States Patent and Trademark Office					
National Institute of Standards and Technology					
Scientific and Technical Research and Services	567,000	648,000	621,173	+54,173	−26,827
(transfer out)	(−9,000)	(−9,000)	(−9,000)		
Industrial Technology Services	128,443	149,000	143,000	+14,557	−6,000
Manufacturing extension partnerships	(128,443)	(128,000)	(128,500)	(+57)	(+500)
Advanced manufacturing technology consortia		(21,000)	(14,500)	(+14,500)	(−6,500)
Construction of research facilities	55,381	60,000	60,000	+4,619	
Working Capital Fund (by transfer)	(9,000)	(9,000)	(9,000)		
Total, National Institute of Standards and Technology	750,824	857,000	824,173	+73,349	−32,827
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities	3,022,231	3,042,460	3,112,614	+90,383	+70,154
(by transfer)	(109,098)	(119,064)	(119,064)	(+9,966)	
Promote and Develop Fund (transfer out)	(−109,098)	(−119,064)	(−119,064)	(−9,966)	
Subtotal	3,022,231	3,042,460	3,112,614	+90,383	+70,154
Procurement, Acquisition and Construction	1,817,094	1,965,736	1,926,036	+108,942	−39,700
Pacific Coastal Salmon Recovery	65,000	50,000	65,000		+15,000
Fishermen's Contingency Fund	350	350	350		
Fisheries Finance Program Account	−11,000	−4,000	−4,000	+7,000	
Fisheries Enforcement Asset Forfeiture Fund	8,000			−8,000	
Offsetting receipts	−8,000			+8,000	
Sanctuaries Enforcement Asset Forfeiture Fund	1,000			−1,000	
Offsetting receipts	−1,000			+1,000	
Total, National Oceanic and Atmospheric Administration	4,893,675	5,054,546	5,100,000	+206,325	+45,454
Departmental Management					
Salaries and expenses	57,000	56,000	56,000	−1,000	
Renovation and Modernization	5,000	2,040	2,040	−2,960	
Office of Inspector General	26,946	28,753	28,753	+1,807	
Total, Departmental Management	88,946	86,793	86,793	−2,153	
Total, title I, Department of Commerce	7,807,749	7,983,694	7,889,859	+82,110	−93,835
Appropriations	(7,607,749)	(7,983,694)	(7,889,859)	(+282,110)	(−93,835)
Disaster relief category	(200,000)			(−200,000)	
(by transfer)	118,098	128,064	128,064	+9,966	
(transfer out)	−118,098	−128,064	−128,064	−9,966	
TITLE II—DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	110,822	127,667	110,822		−16,845

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
National Drug Intelligence Center	20,000			−20,000	
Justice Information Sharing Technology	44,307	33,426	33,426	−10,881	
Tactical Law Enforcement Wireless Communications	87,000			−87,000	
Total, General Administration	262,129	161,093	144,248	−117,881	−16,845
Administrative review and appeals	305,000	313,438	313,438	+8,438	
Transfer from immigration examinations fee account	−4,000	−4,000	−4,000		
Direct appropriation	301,000	309,438	309,438	+8,438	
Detention Trustee	1,580,595			−1,580,595	
Office of Inspector General	84,199	85,985	85,985	+1,786	
United States Parole Commission					
Salaries and expenses	12,833	12,772	12,772	−61	
Legal Activities					
Salaries and expenses, general legal activities	863,367	903,603	881,000	+17,633	−22,603
Vaccine Injury Compensation Trust Fund	7,833	7,833	7,833		
Salaries and expenses, Antitrust Division	159,587	164,753	162,170	+2,583	−2,583
Offsetting fee collections—current year	−108,000	−115,000	−115,000	−7,000	
Direct appropriation	51,587	49,753	47,170	−4,417	−2,583
Salaries and expenses, United States Attorneys	1,960,000	1,974,378	1,969,687	+9,687	−4,691
United States Trustee System Fund	223,258	227,407	223,258		−4,149
Offsetting fee collections	−223,258	−227,407	−223,258		+4,149
Direct appropriation					
Salaries and expenses, Foreign Claims Settlement Commission	2,000	2,139	2,000		−139
Fees and expenses of witnesses	270,000	270,000	270,000		
Salaries and expenses, Community Relations Service	11,456	12,036	12,036	+580	
Assets Forfeiture Fund	20,948	20,948	20,948		
Total, Legal Activities	3,187,191	3,240,690	3,210,674	+23,483	−30,016
United States Marshals Service					
Salaries and expenses	1,174,000	1,203,488	1,196,000	+22,000	−7,488
Construction	15,000	10,000	10,000	−5,000	
Federal Prisoner Detention		1,668,235	1,647,383	+1,647,383	−20,852
Total, United States Marshals Service	1,189,000	2,881,723	2,853,383	+1,664,383	−28,340
National Security Division					
Salaries and expenses	87,000	90,039	90,039	+3,039	
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement	527,512	524,793	521,793	−5,719	−3,000
Federal Bureau of Investigation					
Salaries and expenses	3,376,000	3,403,030	3,320,657	−55,343	−82,373
Counterintelligence and national security	4,660,991	4,747,991	4,864,350	+203,359	+116,359
Subtotal	8,036,991	8,151,021	8,185,007	+148,016	+33,986
Construction	80,982	80,982	80,982		
Total, Federal Bureau of Investigation	8,117,973	8,232,003	8,265,989	+148,016	+33,986
Drug Enforcement Administration					
Salaries and expenses	2,347,000	2,403,504	2,403,504	+56,504	
Diversion control fund	−322,000	−352,600	−352,600	−30,600	
Subtotal	2,025,000	2,050,904	2,050,904	+25,904	
Construction	10,000			−10,000	
Total, Drug Enforcement Administration	2,035,000	2,050,904	2,050,904	+15,904	
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses	1,152,000	1,153,345	1,153,345	+1,345	
Federal Prison System					
Salaries and expenses	6,551,281	6,820,217	6,820,217	+268,936	
Buildings and facilities	90,000	99,189	90,000		−9,189
Limitation on administrative expenses, Federal Prison Industries, Incorporated	2,700	2,700	2,700		
Total, Federal Prison System	6,643,981	6,922,106	6,912,917	+268,936	−9,189
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs	412,500	268,000	416,500	+4,000	+148,500
(by transfer)		(145,000)			(−145,000)
Office of Justice Programs:					
Research, evaluation and statistics	113,000	136,000	127,000	+14,000	−9,000
State and local law enforcement assistance	1,162,500	781,500	1,140,418	−22,082	+358,918
(by transfer)		(221,000)			(−221,000)
Juvenile justice programs	262,500	245,000	279,500	+17,000	+34,500
Public safety officer benefits:					
Death benefits	62,000	62,000	62,000		
Disability and education benefits	16,300	16,300	16,300		
Subtotal	78,300	78,300	78,300		
Total, Office of Justice Programs	1,616,300	1,240,800	1,625,218	+8,918	+384,418
Community Oriented Policing Services:					
COPS programs	198,500	289,587	222,500	+24,000	−67,087
Total, State and Local Law Enforcement Activities	2,227,300	1,798,387	2,264,218	+36,918	+465,831
Total, title II, Department of Justice	27,407,713	27,463,278	27,875,705	+467,992	+412,427
TITLE III—SCIENCE					
Office of Science and Technology Policy	4,500	5,850	5,850	+1,350	

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
National Aeronautics and Space Administration					
Science	5,090,000	4,911,200	5,144,000	+54,000	+232,800
Operational Satellite Acquisition					
Aeronautics	569,900	551,500	570,000	+100	+18,500
Space Technology	575,000	699,000	642,000	+67,000	−57,000
Exploration	3,770,800	3,932,800	3,887,000	+116,200	−45,800
Space Operations	4,233,600	4,013,200	3,953,000	−280,600	−60,200
Education	138,400	100,000	125,000	−13,400	+25,000
Cross-agency Support	2,995,000	2,847,500	2,823,000	−172,000	−24,500
Construction and environmental compliance and restoration	390,000	619,200	680,000	+290,000	+60,800
Office of Inspector General	37,300	37,000	38,000	+700	+1,000
Total, National Aeronautics and Space Administration	17,800,000	17,711,400	17,862,000	+62,000	+150,600
National Science Foundation					
Research and related activities	5,651,000	5,915,280	5,915,280	+264,280	
Defense function	68,000	68,000	68,000		
Subtotal	5,719,000	5,983,280	5,983,280	+264,280	
Major Research Equipment and Facilities Construction	167,055	196,170	196,170	+29,115	
Education and Human Resources	829,000	875,610	895,610	+66,610	+20,000
Agency Operations and Award Management	299,400	299,400	299,400		
Office of the National Science Board	4,440	4,440	4,440		
Office of Inspector General	14,200	14,200	14,200		
Total, National Science Foundation	7,033,095	7,373,100	7,393,100	+360,005	+20,000
Total, title III, Science	24,837,595	25,090,350	25,260,950	+423,355	+170,600
TITLE IV—RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses	9,193	9,400	9,400	+207	
Equal Employment Opportunity Commission					
Salaries and expenses	360,000	373,711	370,000	+10,000	−3,711
International Trade Commission					
Salaries and expenses	80,000	82,800	83,000	+3,000	+200
Payment to the Legal Services Corporation					
Salaries and expenses	348,000	402,000	365,000	+17,000	−37,000
Marine Mammal Commission					
Salaries and expenses	3,025	3,081	3,081	+56	
Office of the U.S. Trade Representative					
Salaries and expenses	51,251	53,041	51,251		−1,790
State Justice Institute					
Salaries and expenses	5,121	5,121	5,121		
Total, title IV, Related Agencies	856,590	929,154	886,853	+30,263	−42,301
TITLE V—GENERAL PROVISIONS					
Emergency steel, oil gas guarantees prgm (rescission)	−700			+700	
NTIA, Information Infrastructure grants (rescission)	−2,000			+2,000	
NTIA, Public Telecommunications Facilities, Planning and Construction	−2,750			+2,750	
Foreign Fishing Observer Fund (rescission)	−350			+350	
Digital TV Transition Public Safety Fund (rescission)	−4,300			+4,300	
DOJ, Working Capital Fund (rescission) (Sec. 526a)	−40,000	−26,000	−26,000	+14,000	
DOJ, Assets Forfeiture Fund (rescission) (Sec. 526a)	−675,000	−675,000	−722,697	−47,697	−47,697
FBI, Salaries and expenses (rescission)		−162,226			+162,226
US Marshals Salaries and expenses (rescission)	−2,200	−14,400		+2,200	+14,400
ATF (rescission)		−12,400			+12,400
ATF Violent Crime Reduction (rescission) (Sec. 526a)		−1,028	−1,028	−1,028	
DEA, Salaries and expenses (rescission)	−10,000	−15,600		+10,000	+15,600
FPS, Buildings and facilities (rescission) (Sec. 526a)	−45,000	−75,000	−64,700	−19,700	+10,300
Violence against women prevention and prosecution programs (rescission) (Sec. 526a)	−15,000	−6,000	−12,000	+3,000	−6,000
Office of Justice programs (rescission) (Sec. 526a)	−55,000	−43,000	−43,000	+12,000	
COPS (rescission) (Sec. 526a)	−23,605	−12,200	−12,200	+11,405	
NASA (rescission)	−30,000			+30,000	
Miscellaneous reductions (Sec. 558)					
Miscellaneous reduction, security category (Sec. 558)					
Total, title V, Rescissions	−905,905	−1,042,854	−881,625	+24,280	+161,229
DIVISION G					
Section 3001 (rescission) (Non-security)			−1,157,000	−1,157,000	−1,157,000
Grand total	60,003,742	60,423,622	59,874,742	−521,000	−940,880
Appropriations	(60,709,647)	(61,913,367)	(61,913,367)	(+1,203,720)	(+446,891)
Rescissions	(−905,905)	(−1,042,854)	(−2,430,625)	(−1,524,720)	(−1,387,771)
Disaster relief category	(200,000)			(−200,000)	
(by transfer)	118,098	494,064	128,064	+9,966	−366,000
(transfer out)	−118,098	−128,064	−128,064	−9,966	

References in Division C to ''conferees'' are deemed to be references to the Committees on Appropriations of the House of Representatives and the Senate, and references to the ''conference agreement'' are deemed to be references to the Department of Defense Appropriations Act.

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

The conference agreement on the Department of Defense Appropriations Act, 2013, 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 112–493 and Senate Report 112–196 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, 2013, 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 2014, 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 sub-activity 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 2014.

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 July 31, 2012.

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 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, as specifically addressed in the explanatory statement.

REPROGRAMMING GUIDANCE

The conferees direct the Secretary of Defense 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 (House Report 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. 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 conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees annual DD Form 1416 reports for titles I and II and quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles 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.

SHIP MODERNIZATION, OPERATIONS AND SUSTAINMENT FUND

As detailed in House Report 112–493 and Senate Report 112–196, the conferees remain concerned with the Navy's proposal to prematurely retire capable and relevant ships with over 100 years of remaining service life following an initial investment of no less than $11,600,000,000 in current fiscal year 2012 dollars.

Therefore, the conferees recommend denying these proposed retirements and direct the Secretary of the Navy to retain this force structure in its entirety. The conferees recommend full funding, as identified by the Navy, to man, operate, sustain, upgrade, and modernize only CG–63, CG–64, CG–65, CG–66, CG–68, CG–69, CG–73, LSD–41, and LSD–46 in the ''Ship Modernization, Operations and Sustainment Fund'', as specified elsewhere in this conference agreement. The conferees recommend full funding for all known requirements only for these specific platforms for the next two fiscal years, and provide the Secretary of the Navy the authority to transfer funds from the ''Ship Modernization, Operations and Sustainment Fund'' to the appropriate appropriation accounts in the year of execution following 30 day prior notification to the congressional defense committees. The conferees direct funds to be transferred in accordance with the requirements previously identified to the congressional defense committees by the Navy and further direct that any deviation from those requirements shall be fully and clearly identified to the congressional defense committees prior to the initiation of any such transfer. The conferees believe that this approach provides the fiscal relief required by the Navy to maintain this force structure and allows the Navy sufficient time to plan and budget for this force structure in future budget submissions.

Additionally, the conferees direct the Comptroller General to review the Navy's methodology and analysis regarding its decommissioning proposal, to include an analysis of the extent to which readiness metrics, maintenance, and inspection data; operating and support costs; and cost metrics related to initial and proposed curtailed service lives were considered. This review shall also address the extent to which decommissioning costs and any costs for maintaining or acquiring like capabilities were considered, the extent to which combatant command requirements were taken into account when the proposal was made, and the impact of the reduced fleet size on the Navy's ability to meet operational and personnel tempo goals and maintenance requirements. The results of this review should be submitted to the congressional defense committees not later than 180 days after the enactment of this Act.

In addition, the USS Port Royal (CG–73) incurred significant damage following a grounding incident in 2009. Following the incident, the ship was repaired and has since completed a deployment. However, while the Navy claims that the ship never completely recovered from the grounding, the Navy has failed to provide adequate analysis and cost data on the structural condition of the USS Port Royal. Therefore, the conferees direct the Secretary of the Navy to carry out an independent structural assessment of the Port Royal that includes a comparative structural assessment to other cruisers of the same class. The independent review shall provide a detailed cost estimate to repair the ship and how that estimate differs from the cost to repair other cruisers of the same class, including what issues would be corrected during planned maintenance availabilities. The conferees further direct that this independent assessment be certified by the Government Accountability Office (GAO). Both the independent review and the GAO certification should be submitted to the congressional defense committees not later than 180 days after the enactment of this Act.

FORCE STRUCTURE

The conferees agree to include a provision that prohibits the Air Force from using funds made available by this Act to retire, divest, realign, or transfer aircraft, or to disestablish or convert units, with an exception for actions proposed in the fiscal year 2013 budget request affecting C–5, C–17, and E–8 aircraft, and their associated units.

The conferees do not agree to require the Air Force to submit cost-benefit analyses for the force structure proposals in the fiscal year 2013 budget request, as proposed by the House. However, the conferees expect that any future force structure proposals submitted by the Air Force will be transparently and comprehensively justified.

CONFERENCES

The conferees agree to not retain a reporting requirement as established in House Report 112–493 accompanying the Department of Defense Appropriations Act, 2013, which directs the Inspector General to provide reports to the congressional defense committees on conferences.

TREATY COMPLIANCE

The conferees believe compliance with nuclear arms control treaties is vital to our national security. The Secretary of Defense is directed to notify the congressional defense committees if any parties with which the

United States has signed a nuclear arms control treaty are violating or acting inconsistently with the terms of that treaty.

BASE REALIGNMENT AND CLOSURE

The conferees do not support further rounds of Base Realignment and Closure (BRAC). As such, there are no funds included in this Act for new BRAC activities.

TITLE I—MILITARY PERSONNEL

The conference agreement provides $127,533,073,000 in Title I, Military Personnel, instead of $128,462,794,000 as proposed by the House and $127,502,463,000 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	RECOMMEND
RECAPITULATION		
MILITARY PERSONNEL, ARMY	40,777,844	40,199,263
MILITARY PERSONNEL, NAVY	27,090,893	26,902,346
MILITARY PERSONNEL, MARINE CORPS	12,481,050	12,531,549
MILITARY PERSONNEL, AIR FORCE	28,048,539	28,052,826
RESERVE PERSONNEL, ARMY	4,513,753	4,456,823
RESERVE PERSONNEL, NAVY	1,898,668	1,874,023
RESERVE PERSONNEL, MARINE CORPS	664,641	658,251
RESERVE PERSONNEL, AIR FORCE	1,741,365	1,722,425
NATIONAL GUARD PERSONNEL, ARMY	8,103,207	7,981,577
NATIONAL GUARD PERSONNEL, AIR FORCE	3,110,065	3,153,990
GRAND TOTAL, MILITARY PERSONNEL	128,430,025	127,533,073

SUMMARY OF MILITARY PERSONNEL END STRENGTH

	Fiscal Year 2012 Authorized	Fiscal Year 2013		
		Budget Request	Recommendation	Change from Request
Active Forces (End Strength)				
Army*	562,000	552,100	552,100	-
Navy	325,700	322,700	322,700	-
Marine Corps**	202,100	197,300	197,300	-
Air Force	332,800	328,900	330,008	1,108
Total, Active Forces	**1,422,600**	**1,401,000**	**1,402,108**	**1,108**
Guard and Reserve Forces (End Strength)				
Army Reserve	205,000	205,000	205,000	-
Navy Reserve	66,200	62,500	62,500	-
Marine Corps Reserve	39,600	39,600	39,600	-
Air Force Reserve	71,400	70,500	71,365	865
Army National Guard	358,200	358,200	358,200	-
Air National Guard	106,700	101,600	106,621	5,021
Total, Selected Reserve	**847,100**	**837,400**	**843,286**	**5,886**
Total, Military Personnel	**2,269,700**	**2,238,400**	**2,245,394**	**6,994**

*For FY12, Army Active Forces end strength includes Temporary End Strength Increase of 14,600 troops

*For FY13, Army Active Forces end strength includes 49,700 Army end strength requested in the Overseas Contingency Operations budget, as well as 12,400 increase requested in the base budget for the Army's Temporary End strength Army Medical (TEAM) program associated with non-deployable soldiers in the Integrated Disability Evaluation System

**For FY13, Marine Corps Active Forces end strength includes 15,200 Marine Corps end strength requested in the Overseas Contingency Operations budget

SUMMARY OF GUARD AND RESERVE FULL-TIME SUPPORT

	Fiscal Year 2012 Authorized	Fiscal Year 2013		
		Budget Request	Recommendation	Change from Request
Army Reserve:				
AGR	16,261	16,277	16,277	-
Technicians	8,395	8,445	8,445	-
Navy Reserve:				
AR	10,337	10,114	10,114	-
Marine Corps Reserve:				
AR	2,261	2,261	2,261	-
Air Force Reserve:				
AGR	2,662	2,888	2,888	-
Technicians	10,777	10,283	10,697	414
Army National Guard:				
AGR	32,060	32,060	32,060	-
Technicians	27,210	28,380	28,380	-
Air National Guard:				
AGR	14,833	14,305	14,681	376
Technicians	22,509	21,101	22,355	1,254
Totals:				
AGR/AR	78,414	77,905	78,281	376
Technicians	68,891	68,209	69,877	1,668
Total, Full-Time Support	**147,305**	**146,114**	**148,158**	**2,044**

PERMANENT CHANGE OF STATION EFFICIENCIES

The conferees recommend a total reduction of $146,793,000 in the Permanent Change of Station (PCS) budgets for program efficiencies. The conferees recognize that potential cost savings could be found in the PCS program. The conferees direct the Under Secretary of Defense (Personnel and Readiness) to conduct a review of the PCS program to identify potential efficiencies and to submit a report to the congressional defense committees not later than 180 days after the enactment of this Act on its findings. The conferees understand that each of the Services have increased time on station requirements but that the Services are not meeting these goals. As such, the report should include a review of the reasons that the Services have not met the increased time on station goals and a plan to achieve them, including the budget efficiencies that can be gained by increased tour lengths. Furthermore, the report should consider the potential impact of increased tour lengths on servicemembers' job performance and on morale and quality of life for servicemembers and their families. It should also include how a change in policy would impact promotion and professional development opportunities, personnel readiness, and quality of life issues for servicemembers serving in hardship or overseas locations.

COMPOSITE PAY RATES

For a number of years, the Government Accountability Office (GAO) has used the Department of Defense's composite pay rates in its military personnel end strength analysis to estimate the financial impact of work year variances on the Services' military personnel budget requests. Although this information has been important to the congressional defense committees in their budget analyses, the conferees believe that GAO's estimates would be more useful if the analysis was made available earlier in the budget process. Therefore, to improve the timeliness of the GAO analysis, the conferees direct that the Services' composite budget pay rates should be reviewed, approved, and published not later than 30 days after the President's budget request is submitted to the Congress.

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	RECOMMEND
50 MILITARY PERSONNEL, ARMY		
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
150 BASIC PAY	6,046,542	6,237,542
200 RETIRED PAY ACCRUAL	1,936,899	1,936,899
250 BASIC ALLOWANCE FOR HOUSING	1,852,895	1,852,895
300 BASIC ALLOWANCE FOR SUBSISTENCE	252,272	252,272
350 INCENTIVE PAYS	102,530	102,530
400 SPECIAL PAYS	340,023	340,023
450 ALLOWANCES	232,696	232,696
500 SEPARATION PAY	90,679	90,679
550 SOCIAL SECURITY TAX	460,046	460,046
600 TOTAL, BUDGET ACTIVITY 1	11,314,582	11,505,582
650 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
700 BASIC PAY	13,198,604	12,548,604
750 RETIRED PAY ACCRUAL	4,233,149	4,233,149
800 BASIC ALLOWANCE FOR HOUSING	4,735,765	4,735,765
850 INCENTIVE PAYS	114,035	114,035
900 SPECIAL PAYS	699,801	681,801
950 ALLOWANCES	880,308	880,308
1000 SEPARATION PAY	378,455	378,455
1050 SOCIAL SECURITY TAX	1,009,678	1,009,678
1100 TOTAL, BUDGET ACTIVITY 2	25,249,795	24,581,795
1150 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS		
1200 ACADEMY CADETS	77,680	77,680
1250 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
1300 BASIC ALLOWANCE FOR SUBSISTENCE	1,357,570	1,357,570
1350 SUBSISTENCE-IN-KIND	753,551	728,551
1400 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	1,911	1,911
1450 TOTAL, BUDGET ACTIVITY 4	2,113,032	2,088,032

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
1500 ACTIVITY 5: PERMANENT CHANGE OF STATION		
1550 ACCESSION TRAVEL	163,294	163,294
1600 TRAINING TRAVEL	167,995	167,995
1650 OPERATIONAL TRAVEL	495,917	471,121
1700 ROTATIONAL TRAVEL	677,396	643,526
1750 SEPARATION TRAVEL	193,262	193,262
1800 TRAVEL OF ORGANIZED UNITS	12,150	12,150
1850 NON-TEMPORARY STORAGE	9,726	9,726
1900 TEMPORARY LODGING EXPENSE	67,841	67,841
1950 TOTAL, BUDGET ACTIVITY 5	1,787,581	1,728,915
2000 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
2050 APPREHENSION OF MILITARY DESERTERS	1,434	1,434
2100 INTEREST ON UNIFORMED SERVICES SAVINGS	687	687
2150 DEATH GRATUITIES	62,800	62,800
2200 UNEMPLOYMENT BENEFITS	264,874	264,874
2250 EDUCATION BENEFITS	698	698
2300 ADOPTION EXPENSES	494	494
2350 TRANSPORTATION SUBSIDY	7,436	7,436
2400 PARTIAL DISLOCATION ALLOWANCE	428	428
2450 RESERVE OFFICERS TRAINING CORPS (ROTC)	107,370	107,370
2500 JUNIOR ROTC	42,845	42,845
2550 TOTAL, BUDGET ACTIVITY 6	489,066	489,066
2600 LESS REIMBURSABLES	-253,892	-253,892
2650 UNDISTRIBUTED ADJUSTMENT	---	-17,915
2700 TOTAL, ACTIVE FORCES, ARMY	40,777,844	40,199,263
6300 TOTAL, MILITARY PERSONNEL, ARMY	40,777,844	40,199,263

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	**6,046,542**	**6,237,542**
Lower than budgeted average strength levels		-9,000
Army identified shortfall for officer pay		200,000
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	**13,198,604**	**12,548,604**
Lower than budgeted average strength levels		-50,000
Army requested transfer to title IX Basic Pay Officers		-182,000
Army requested transfer to title IX Basic Pay Enlisted Personnel		-418,000
SPECIAL PAYS	**699,801**	**681,801**
Enlistment bonuses - Army requested transfer to Loan Repayment Program		-18,000
Reenlistment bonuses excess to requirement		-18,000
Loan Repayment Program - Army requested transfer from enlistment bonuses to meet identified shortfall		18,000
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
SUBSISTENCE-IN-KIND	**753,551**	**728,551**
Army requested transfer to title IX Subsistence-In-Kind		-25,000
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	**495,917**	**471,121**
PCS efficiency		-24,796
ROTATIONAL TRAVEL	**677,396**	**643,526**
PCS efficiency		-33,870
UNDISTRIBUTED ADJUSTMENT		**-17,915**
Unobligated/Unexpended balances		-17,915

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	RECOMMEND
6400 MILITARY PERSONNEL, NAVY		
6450 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
6500 BASIC PAY	3,949,301	3,949,301
6550 RETIRED PAY ACCRUAL	1,266,753	1,266,753
6600 BASIC ALLOWANCE FOR HOUSING	1,381,431	1,381,431
6650 BASIC ALLOWANCE FOR SUBSISTENCE	158,373	158,373
6700 INCENTIVE PAYS	135,303	135,303
6750 SPECIAL PAYS	423,059	423,059
6800 ALLOWANCES	108,203	108,203
6850 SEPARATION PAY	33,001	27,308
6900 SOCIAL SECURITY TAX	300,287	300,287
6950 TOTAL, BUDGET ACTIVITY 1	7,755,711	7,750,018
7000 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
7050 BASIC PAY	8,439,026	8,321,026
7100 RETIRED PAY ACCRUAL	2,708,787	2,708,787
7150 BASIC ALLOWANCE FOR HOUSING	3,864,310	3,864,310
7200 INCENTIVE PAYS	101,491	101,491
7250 SPECIAL PAYS	699,482	699,482
7300 ALLOWANCES	515,163	515,163
7350 SEPARATION PAY	229,632	196,489
7400 SOCIAL SECURITY TAX	645,586	645,586
7450 TOTAL, BUDGET ACTIVITY 2	17,203,477	17,052,334
7500 ACTIVITY 3: PAY AND ALLOWANCES OF MIDSHIPMEN		
7550 MIDSHIPMEN	76,628	76,628
7600 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
7650 BASIC ALLOWANCE FOR SUBSISTENCE	751,528	743,528
7700 SUBSISTENCE-IN-KIND	429,247	429,247
7750 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	13	13
7800 TOTAL, BUDGET ACTIVITY 4	1,180,788	1,172,788

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
7850	ACTIVITY 5: PERMANENT CHANGE OF STATION		
7900	ACCESSION TRAVEL	90,302	90,302
7950	TRAINING TRAVEL	119,663	119,663
8000	OPERATIONAL TRAVEL	271,324	257,758
8050	ROTATIONAL TRAVEL	313,309	297,644
8100	SEPARATION TRAVEL	138,273	138,273
8150	TRAVEL OF ORGANIZED UNITS	24,342	24,342
8200	NON-TEMPORARY STORAGE	5,700	5,700
8250	TEMPORARY LODGING EXPENSE	6,426	6,426
8300	OTHER	5,622	5,622
8350	TOTAL, BUDGET ACTIVITY 5	974,961	945,730
8400	ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
8450	APPREHENSION OF MILITARY DESERTERS	262	262
8500	INTEREST ON UNIFORMED SERVICES SAVINGS	2,464	2,464
8550	DEATH GRATUITIES	16,100	16,100
8600	UNEMPLOYMENT BENEFITS	103,735	121,235
8650	EDUCATION BENEFITS	23,758	20,758
8700	ADOPTION EXPENSES	275	275
8750	TRANSPORTATION SUBSIDY	6,254	6,254
8800	PARTIAL DISLOCATION ALLOWANCE	57	57
8900	RESERVE OFFICERS TRAINING CORPS (ROTC)	22,945	22,945
8950	JUNIOR ROTC	12,784	12,784
9000	TOTAL, BUDGET ACTIVITY 6	188,634	203,134
9050	LESS REIMBURSABLES	-289,306	-289,306
9100	UNDISTRIBUTED ADJUSTMENT	---	-8,980
9200	TOTAL, ACTIVE FORCES, NAVY	27,090,893	26,902,346
11000	TOTAL, MILITARY PERSONNEL, NAVY	27,090,893	26,902,346

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: PAY AND ALLOWANCES OF OFFICERS		
SEPARATION PAY	**33,001**	**27,308**
Navy identified excess to requirement		-5,693
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	**8,439,026**	**8,321,026**
Navy identified excess to requirement - transfer to Unemployment Benefits		-17,500
Navy identified excess to requirement		-100,500
SEPARATION PAY	**229,632**	**196,489**
Navy identified excess to requirement		-33,143
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	**751,528**	**743,528**
Navy identified excess to requirement		-8,000
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	**271,324**	**257,758**
PCS efficiency		-13,566
ROTATIONAL TRAVEL	**313,309**	**297,644**
PCS efficiency		-15,666
BA-6: OTHER MILITARY PERSONNEL COSTS		
UNEMPLOYMENT BENEFITS	**103,735**	**121,235**
Navy identified shortfall - transfer from Basic Pay Enlisted Personnel		17,500
EDUCATION BENEFITS	**23,758**	**20,758**
Excess to requirement		-3,000
UNDISTRIBUTED ADJUSTMENT		**-8,980**
Unobligated/Unexpended balances		-8,980

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	RECOMMEND
12000 MILITARY PERSONNEL, MARINE CORPS		
12050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
12100 BASIC PAY	1,331,519	1,331,519
12150 RETIRED PAY ACCRUAL	427,088	427,088
12200 BASIC ALLOWANCE FOR HOUSING	446,183	446,183
12250 BASIC ALLOWANCE FOR SUBSISTENCE	57,318	57,318
12300 INCENTIVE PAYS	52,549	47,549
12350 SPECIAL PAYS	21,356	21,356
12400 ALLOWANCES	35,637	35,637
12450 SEPARATION PAY	15,056	39,459
12500 SOCIAL SECURITY TAX	100,832	100,832
12550 TOTAL, BUDGET ACTIVITY 1	2,487,538	2,506,941
12600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
12650 BASIC PAY	4,617,777	4,601,777
12700 RETIRED PAY ACCRUAL	1,478,142	1,478,142
12750 BASIC ALLOWANCE FOR HOUSING	1,639,289	1,639,289
12800 INCENTIVE PAYS	9,832	9,832
12850 SPECIAL PAYS	165,326	151,326
12900 ALLOWANCES	302,682	299,682
12950 SEPARATION PAY	71,143	164,337
13000 SOCIAL SECURITY TAX	352,300	352,300
13050 TOTAL, BUDGET ACTIVITY 2	8,636,491	8,696,685
13100 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
13150 BASIC ALLOWANCE FOR SUBSISTENCE	421,262	421,262
13200 SUBSISTENCE-IN-KIND	315,470	315,470
13250 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	50	50
13300 TOTAL, BUDGET ACTIVITY 4	736,782	736,782

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
13350 ACTIVITY 5: PERMANENT CHANGE OF STATION		
13400 ACCESSION TRAVEL	65,546	65,546
13450 TRAINING TRAVEL	13,060	13,060
13500 OPERATIONAL TRAVEL	222,404	211,284
13550 ROTATIONAL TRAVEL	104,397	99,177
13600 SEPARATION TRAVEL	84,374	88,506
13650 TRAVEL OF ORGANIZED UNITS	768	768
13700 NON-TEMPORARY STORAGE	6,600	6,600
13750 TEMPORARY LODGING EXPENSE	14,621	14,621
13800 OTHER	3,387	3,387
13850 TOTAL, BUDGET ACTIVITY 5	515,157	502,949
13900 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
13950 APPREHENSION OF MILITARY DESERTERS	968	968
14000 INTEREST ON UNIFORMED SERVICES SAVINGS	19	19
14050 DEATH GRATUITIES	10,100	10,100
14100 UNEMPLOYMENT BENEFITS	104,060	112,060
14150 EDUCATION BENEFITS	4,105	4,105
14200 ADOPTION EXPENSES	73	73
14250 TRANSPORTATION SUBSIDY	3,048	3,048
14300 PARTIAL DISLOCATION ALLOWANCE	159	159
14400 JUNIOR ROTC	5,911	5,911
14450 TOTAL, BUDGET ACTIVITY 6	128,443	136,443
14500 LESS REIMBURSABLES	-23,361	-23,361
14600 UNDISTRIBUTED ADJUSTMENT	---	-24,890
14650 TOTAL, ACTIVE FORCES, MARINE CORPS	12,481,050	12,531,549
16000 TOTAL, MILITARY PERSONNEL, MARINE CORPS	12,481,050	12,531,549

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: PAY AND ALLOWANCES OF OFFICERS		
INCENTIVE PAYS	**52,549**	**47,549**
Aviation Continuation Bonus excess to requirement		-5,000
SEPARATION PAY	**15,056**	**39,459**
Marine Corps identified shortfall - transfer from P,MC line 2		24,403
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	**4,617,777**	**4,601,777**
Lower than budgeted average strength levels		-16,000
SPECIAL PAYS	**165,326**	**151,326**
Projected underexecution		-4,000
Reenlistment bonuses excess to requirement		-10,000
ALLOWANCES	**302,682**	**299,682**
Clothing Allowance projected underexecution		-3,000
SEPARATION PAY	**71,143**	**164,337**
Marine Corps identified shortfall - transfer from P,MC line 2		93,194
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	**222,404**	**211,284**
PCS efficiency		-11,120
ROTATIONAL TRAVEL	**104,397**	**99,177**
PCS efficiency		-5,220
SEPARATION TRAVEL	**84,374**	**88,506**
Marine Corps identified shortfall - transfer from P,MC line 2		4,132
BA-6: OTHER MILITARY PERSONNEL COSTS		
UNEMPLOYMENT BENEFITS	**104,060**	**112,060**
Marine Corps identified shortfall - transfer from P,MC line 2		8,000
UNDISTRIBUTED ADJUSTMENT		**-24,890**
Unobligated/Unexpended balances		-24,890

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	RECOMMEND
17000 MILITARY PERSONNEL, AIR FORCE		
17050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
17100 BASIC PAY	4,879,598	4,857,898
17150 RETIRED PAY ACCRUAL	1,558,889	1,558,889
17200 BASIC ALLOWANCE FOR HOUSING	1,398,746	1,421,846
17250 BASIC ALLOWANCE FOR SUBSISTENCE	196,731	196,731
17300 INCENTIVE PAYS	218,362	218,362
17350 SPECIAL PAYS	303,583	303,583
17400 ALLOWANCES	142,100	142,100
17450 SEPARATION PAY	61,644	61,644
17500 SOCIAL SECURITY TAX	371,372	371,372
17550 TOTAL, BUDGET ACTIVITY 1	9,131,025	9,132,425
17600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
17650 BASIC PAY	8,715,826	8,715,826
17700 RETIRED PAY ACCRUAL	2,789,838	2,789,838
17750 BASIC ALLOWANCE FOR HOUSING	3,361,407	3,451,107
17800 INCENTIVE PAYS	40,899	40,899
17850 SPECIAL PAYS	363,794	363,794
17900 ALLOWANCES	590,662	590,662
17950 SEPARATION PAY	137,532	137,532
18000 SOCIAL SECURITY TAX	666,760	666,760
18050 TOTAL, BUDGET ACTIVITY 2	16,666,718	16,756,418
18100 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS		
18150 ACADEMY CADETS	70,369	70,369
18200 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
18250 BASIC ALLOWANCE FOR SUBSISTENCE	1,008,796	1,008,796
18300 SUBSISTENCE-IN-KIND	146,157	146,157
18350 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	34	34
18400 TOTAL, BUDGET ACTIVITY 4	1,154,987	1,154,987

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
18450	ACTIVITY 5: PERMANENT CHANGE OF STATION		
18500	ACCESSION TRAVEL	87,255	87,255
18550	TRAINING TRAVEL	75,236	70,236
18600	OPERATIONAL TRAVEL	320,117	304,111
18650	ROTATIONAL TRAVEL	530,984	489,435
18700	SEPARATION TRAVEL	187,760	158,760
18750	TRAVEL OF ORGANIZED UNITS	15,779	15,779
18800	NON-TEMPORARY STORAGE	42,843	42,843
18850	TEMPORARY LODGING EXPENSE	30,281	30,281
18950	TOTAL, BUDGET ACTIVITY 5	1,290,255	1,198,700
19000	ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
19050	APPREHENSION OF MILITARY DESERTERS	149	149
19100	INTEREST ON UNIFORMED SERVICES SAVINGS	2,514	2,514
19150	DEATH GRATUITIES	16,000	16,000
19200	UNEMPLOYMENT BENEFITS	71,683	71,683
19300	EDUCATION BENEFITS	340	340
19350	ADOPTION EXPENSES	519	519
19400	TRANSPORTATION SUBSIDY	5,326	5,326
19450	PARTIAL DISLOCATION ALLOWANCE	1,975	1,975
19550	RESERVE OFFICERS TRAINING CORPS (ROTC)	37,228	37,228
19600	JUNIOR ROTC	16,565	16,565
19650	TOTAL, BUDGET ACTIVITY 6	152,299	152,299
19700	LESS REIMBURSABLES	-417,114	-417,114
19750	UNDISTRIBUTED ADJUSTMENT	---	4,742
19800	TOTAL, ACTIVE FORCES, AIR FORCE	28,048,539	28,052,826
21000	TOTAL, MILITARY PERSONNEL, AIR FORCE	28,048,539	28,052,826

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	**4,879,598**	**4,857,898**
Excess to requirement		-21,700
BASIC ALLOWANCE FOR HOUSING	**1,398,746**	**1,421,846**
Air Force identified shortfall		23,100
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR HOUSING	**3,361,407**	**3,451,107**
Air Force identified shortfall		89,700
BA-5: PERMANENT CHANGE OF STATION		
TRAINING TRAVEL	**75,236**	**70,236**
Excess to requirement		-5,000
OPERATIONAL TRAVEL	**320,117**	**304,111**
PCS efficiency		-16,006
ROTATIONAL TRAVEL	**530,984**	**489,435**
Excess to requirement		-15,000
PCS efficiency		-26,549
SEPARATION TRAVEL	**187,760**	**158,760**
Excess to requirement		-29,000
UNDISTRIBUTED ADJUSTMENTS		**4,742**
Retain Global Hawk Block 30		22,000
Retain Air Force force structure		27,400
Unobligated/Unexpended balances		-44,658

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	RECOMMEND
23000 RESERVE PERSONNEL, ARMY		
23050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
23100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	1,447,614	1,447,614
23150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	38,868	38,868
23200 PAY GROUP F TRAINING (RECRUITS).....	275,318	275,318
23250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	12,665	12,665
23300 MOBILIZATION TRAINING	7,473	7,473
23350 SCHOOL TRAINING.....	216,544	216,544
23400 SPECIAL TRAINING.....	283,620	283,620
23450 ADMINISTRATION AND SUPPORT.....	2,060,896	2,044,896
23500 EDUCATION BENEFITS.....	41,063	41,063
23550 HEALTH PROFESSION SCHOLARSHIP	66,834	66,834
23600 OTHER PROGRAMS	62,858	62,858
23650 TOTAL, BUDGET ACTIVITY 1.....	4,513,753	4,497,753
23800 UNDISTRIBUTED ADJUSTMENT.....	---	-40,930
24000 TOTAL RESERVE PERSONNEL, ARMY.....	4,513,753	4,456,823

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
ADMINISTRATION AND SUPPORT	**2,060,896**	**2,044,896**
Selected Reserve Incentive Program bonuses excess to requirement		-16,000
UNDISTRIBUTED ADJUSTMENTS		**-40,930**
Unexecutable OPTEMPO growth		-11,000
Unobligated/Unexpended balances		-29,930

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	RECOMMEND
26000 RESERVE PERSONNEL, NAVY		
26050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
26100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	607,595	602,595
26150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	9,459	9,459
26200 PAY GROUP F TRAINING (RECRUITS).....	51,028	51,028
26250 MOBILIZATION TRAINING.....	9,037	9,037
26300 SCHOOL TRAINING.....	53,791	53,791
26350 SPECIAL TRAINING.....	96,138	96,138
26400 ADMINISTRATION AND SUPPORT.....	1,009,599	1,003,399
26450 EDUCATION BENEFITS.....	1,377	1,377
26500 HEALTH PROFESSION SCHOLARSHIP.....	60,644	60,644
26550 TOTAL, BUDGET ACTIVITY 1.....	1,898,668	1,887,468
26600 UNDISTRIBUTED ADJUSTMENT.....	---	-13,445
27000 TOTAL, RESERVE PERSONNEL, NAVY.....	1,898,668	1,874,023

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)	**607,595**	**602,595**
Inactive Duty Training unjustified growth		-5,000
ADMINISTRATION AND SUPPORT	**1,009,599**	**1,003,399**
Prior service enlistment bonuses excess to requirement		-1,200
Officer retention bonuses excess to requirement		-5,000
UNDISTRIBUTED ADJUSTMENT		**-13,445**
Unobligated/Unexpended balances		-13,445

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	RECOMMEND
28000 RESERVE PERSONNEL, MARINE CORPS		
28050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
28100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	222,952	221,952
28150 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).....	32,908	32,908
28200 PAY GROUP F TRAINING (RECRUITS).....	124,226	124,226
28300 MOBILIZATION TRAINING.....	2,239	2,239
28350 SCHOOL TRAINING.....	11,164	11,164
28400 SPECIAL TRAINING.....	19,927	20,927
28450 ADMINISTRATION AND SUPPORT.....	233,056	233,056
28500 PLATOON LEADER CLASS.....	11,759	11,759
28550 EDUCATION BENEFITS.....	6,410	6,410
28600 TOTAL, BUDGET ACTIVITY 1.....	664,641	664,641
28700 UNDISTRIBUTED ADJUSTMENT.....	---	-6,390
29000 TOTAL, RESERVE PERSONNEL, MARINE CORPS.....	664,641	658,251

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)	**222,952**	**221,952**
Annual Training projected underexecution - transfer to Special Training		-1,000
SPECIAL TRAINING	**19,927**	**20,927**
Restore unjustified efficiency reduction - transfer from Pay Group A Training		1,000
UNDISTRIBUTED ADJUSTMENT		**-6,390**
Unobligated/Unexpended balances		-6,390

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	RECOMMEND
30000 RESERVE PERSONNEL, AIR FORCE		
30050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
30100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	698,550	698,550
30150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	103,514	103,514
30200 PAY GROUP F TRAINING (RECRUITS).....	64,919	64,919
30250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	50	50
30300 MOBILIZATION TRAINING.....	773	773
30350 SCHOOL TRAINING.....	146,738	146,738
30400 SPECIAL TRAINING.....	277,193	277,193
30450 ADMINISTRATION AND SUPPORT.....	372,149	350,149
30500 EDUCATION BENEFITS.....	17,512	17,512
30550 HEALTH PROFESSION SCHOLARSHIP.....	55,095	55,095
30600 OTHER PROGRAMS (ADMIN & SUPPORT).....	4,872	4,872
30650 TOTAL, BUDGET ACTIVITY 1.....	1,741,365	1,719,365
30750 UNDISTRIBUTED ADJUSTMENT.....	---	3,060
31000 TOTAL, RESERVE PERSONNEL, AIR FORCE.....	1,741,365	1,722,425

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
ADMINISTRATION AND SUPPORT	**372,149**	**350,149**
Full Time Pay and Allowances lower than budgeted average strength levels		-14,000
Reserve Incentive Program - Air Force Reserve identified excess to requirement		-8,000
UNDISTRIBUTED ADJUSTMENTS		**3,060**
Retain Air Force Reserve force structure		11,800
Unobligated/Unexpended balances		-8,740

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	RECOMMEND
32000 NATIONAL GUARD PERSONNEL, ARMY		
32050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
32100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	2,446,262	2,446,262
32150 PAY GROUP F TRAINING (RECRUITS).....	623,345	623,345
32200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	29,528	24,128
32250 SCHOOL TRAINING.....	500,423	500,423
32300 SPECIAL TRAINING.....	536,856	536,856
32350 ADMINISTRATION AND SUPPORT.....	3,855,110	3,752,610
32400 EDUCATION BENEFITS.....	111,683	111,683
32450 TOTAL, BUDGET ACTIVITY 1.....	8,103,207	7,995,307
32600 UNDISTRIBUTED ADJUSTMENT.....	---	-13,730
33000 TOTAL, NATIONAL GUARD PERSONNEL, ARMY.....	8,103,207	7,981,577

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP P TRAINING (PIPELINE RECRUITS)	**29,528**	**24,128**
Individual Clothing and Uniform Allowance excess to requirement		-5,400
ADMINISTRATION AND SUPPORT	**3,855,110**	**3,752,610**
Reenlistment bonuses excess to requirement		-39,500
Full Time Pay and Allowances - Army Guard identified excess to requirement		-63,000
UNDISTRIBUTED ADJUSTMENT		**-13,730**
Unobligated/Unexpended balances		-13,730

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	RECOMMEND
34000 NATIONAL GUARD PERSONNEL, AIR FORCE		
34050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
34100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	910,733	903,733
34150 PAY GROUP F TRAINING (RECRUITS).....	122,985	122,985
34200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	4,811	4,811
34250 SCHOOL TRAINING.....	245,857	245,857
34300 SPECIAL TRAINING.....	142,591	142,591
34350 ADMINISTRATION AND SUPPORT.....	1,648,453	1,641,953
34400 EDUCATION BENEFITS.....	34,635	34,635
34450 TOTAL, BUDGET ACTIVITY 1.....	3,110,065	3,096,565
34700 UNDISTRIBUTED ADJUSTMENT.....	---	57,425
35000 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE.....	3,110,065	3,153,990

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)	**910,733**	**903,733**
Inactive Duty Training projected underexecution		-3,000
Clothing Allowances excess to requirement		-4,000
ADMINISTRATION AND SUPPORT	**1,648,453**	**1,641,953**
Enlistment bonuses excess to requirement		-4,000
Reenlistment bonuses excess to requirement		-2,500
UNDISTRIBUTED ADJUSTMENTS		**57,425**
Retain Air National Guard force structure		65,600
Unobligated/Unexpended balances		-8,175

TITLE II—OPERATION AND MAINTENANCE

The conference agreement provides $173,494,558,000 in Title II, Operation and Maintenance, instead of $175,103,569,000 as proposed by the House and $170,785,490,000 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	RECOMMEND
RECAPITULATION		
OPERATION & MAINTENANCE, ARMY	36,608,592	35,409,260
OPERATION & MAINTENANCE, NAVY	41,606,943	41,614,453
OPERATION & MAINTENANCE, MARINE CORPS	5,983,163	6,034,963
OPERATION & MAINTENANCE, AIR FORCE	35,435,360	34,780,406
OPERATION & MAINTENANCE, DEFENSE-WIDE	31,993,013	31,862,980
OPERATION & MAINTENANCE, ARMY RESERVE	3,162,008	3,182,923
OPERATION & MAINTENANCE, NAVY RESERVE	1,246,982	1,256,347
OPERATION & MAINTENANCE, MARINE CORPS RESERVE	272,285	277,377
OPERATION & MAINTENANCE, AIR FORCE RESERVE	3,166,482	3,261,324
OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	7,108,612	7,154,161
OPERATION & MAINTENANCE, AIR NATIONAL GUARD	6,015,455	6,494,326
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES	13,516	13,516
ENVIRONMENTAL RESTORATION, ARMY	335,921	335,921
ENVIRONMENTAL RESTORATION, NAVY	310,594	310,594
ENVIRONMENTAL RESTORATION, AIR FORCE	529,263	529,263
ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	11,133	11,133
ENVIRONMENTAL RESTORATION, FORMERLY USED DEF. SITES	237,543	287,543
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	108,759	108,759
COOPERATIVE THREAT REDUCTION ACCOUNT	519,111	519,111
DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	274,198	50,198
GRAND TOTAL, OPERATION & MAINTENANCE	174,938,933	173,494,558

REPROGRAMMING GUIDANCE FOR OPERATION AND MAINTENANCE ACCOUNTS

The conferees direct the Secretary of Defense to continue to follow the reprogramming guidelines specified in the conference report accompanying H.R. 3222, the Department of Defense Appropriations Act, 2008. Specifically, the dollar threshold for reprogramming funds shall remain at $15,000,000 for operation and maintenance accounts.

Also, the conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees annual DD Form 1416 reports for service and defense-wide accounts in titles I and II of this Act. Further, the conferees direct the Under Secretary of Defense (Comptroller) to submit the Base for Reprogramming (DD Form 1414) for each of the fiscal year 2013 appropriations accounts not later than 60 days after the 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 sub-activities:

Army:
Maneuver units
Modular support brigades
Land forces operations support
Force readiness operations support
Land forces depot maintenance
Base operations support
Facilities Sustainment, Restoration, and Modernization
Navy:
Aircraft depot maintenance
Ship depot maintenance
Facilities Sustainment, Restoration, and Modernization
Marine Corps:
Depot maintenance
Facilities Sustainment, Restoration, and Modernization
Air Force:
Primary combat forces
Combat enhancement forces
Combat communications
Facilities Sustainment, Restoration, and Modernization
Operating forces depot maintenance
Mobilization depot maintenance
Training and recruiting depot maintenance
Administration and service-wide depot maintenance
Air Force Reserve:
Depot maintenance
Air National Guard:
Depot maintenance

Finally, the Secretary of Defense should follow prior approval reprogramming procedures for transfers in excess of $15,000,000 into the following budget sub-activity:

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 defense agencies in excess of $15,000,000 shall be subject to prior approval reprogramming procedures.

MILITARY INFORMATION SUPPORT OPERATIONS

The conference agreement includes $187,200,000 for Department of Defense military information support operations, instead of $170,100,000 as proposed by the House and $228,600,000 as proposed by the Senate. Of the total amount, the conference agreement includes $32,400,000 in title II and $154,800,000 in title IX of this division. The allocation of funding by combatant command and funding levels for certain programs is specifically delineated in the classified annex accompanying this Act. Those items shall be considered congressional special interest items and be subject to normal reprogramming procedures. The conferees reiterate the direction in House Report 112–493 regarding congressional budget justifications and reporting requirements for military information support operations.

SPECIAL OPERATIONS COMMAND NATIONAL CAPITAL REGION

The conferees are aware of a proposal to establish a Special Operations Command National Capital Region (SOCOM–NCR) entity. While no funds were requested for this activity in either the fiscal year 2012 or fiscal year 2013 budget submissions, the conferees understand that SOCOM began this initiative using fiscal year 2012 Overseas Contingency Operations funds. Unfortunately, few details have been provided regarding the basis for this proposal and the expected efficiencies. Therefore, the conferees direct that no funds made available in this Act shall be used for the SOCOM–NCR until 30 days after the congressional defense committees have received a copy of the Secretary of Defense's waiver of Section 8018 of this Act and a report which describes the purpose of, and activities to be performed by the SOCOM–NCR, an explanation of the impact of this proposal on existing activities at SOCOM headquarters, and a detailed, by fiscal year, breakout of the staffing and costs associated with its establishment over the future years defense program.

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	RECOMMEND
	OPERATION AND MAINTENANCE, ARMY		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	LAND FORCES		
10	MANEUVER UNITS	1,223,087	1,055,242
20	MODULAR SUPPORT BRIGADES	80,574	67,902
30	ECHELONS ABOVE BRIGADES	723,039	620,651
40	THEATER LEVEL ASSETS	706,974	602,581
50	LAND FORCES OPERATIONS SUPPORT	1,226,650	1,086,855
60	AVIATION ASSETS	1,319,832	1,297,479
	LAND FORCES READINESS		
70	FORCE READINESS OPERATIONS SUPPORT	3,447,174	3,447,174
80	LAND FORCES SYSTEMS READINESS	454,774	454,774
90	LAND FORCES DEPOT MAINTENANCE	1,762,757	1,110,780
	LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT	7,401,613	7,669,366
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	3,041,074	3,215,474
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	410,171	410,171
130	COMBATANT COMMANDER'S CORE OPERATIONS	177,819	177,819
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	461,333	461,333
	TOTAL, BUDGET ACTIVITY 1	22,436,871	21,677,601
	BUDGET ACTIVITY 2: MOBILIZATION		
	MOBILITY OPERATIONS		
180	STRATEGIC MOBILITY	405,496	405,496
190	ARMY PREPOSITIONED STOCKS	195,349	195,349
200	INDUSTRIAL PREPAREDNESS	6,379	6,379
	TOTAL, BUDGET ACTIVITY 2	607,224	607,224

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
	ACCESSION TRAINING		
210	OFFICER ACQUISITION	112,866	112,866
220	RECRUIT TRAINING	73,265	73,265
230	ONE STATION UNIT TRAINING	51,227	51,227
240	SENIOR RESERVE OFFICERS TRAINING CORPS	443,306	481,306
	BASIC SKILL AND ADVANCED TRAINING		
250	SPECIALIZED SKILL TRAINING	1,099,556	1,079,556
260	FLIGHT TRAINING	1,130,627	1,130,627
270	PROFESSIONAL DEVELOPMENT EDUCATION	191,683	191,683
280	TRAINING SUPPORT	652,095	652,095
	RECRUITING AND OTHER TRAINING AND EDUCATION		
290	RECRUITING AND ADVERTISING	507,510	507,510
300	EXAMINING	156,964	156,964
310	OFF-DUTY AND VOLUNTARY EDUCATION	244,343	244,343
320	CIVILIAN EDUCATION AND TRAINING	212,477	203,477
330	JUNIOR RESERVE OFFICERS TRAINING CORPS	182,691	182,691
	TOTAL, BUDGET ACTIVITY 3	5,058,610	5,067,610
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	LOGISTICS OPERATIONS		
350	SERVICEWIDE TRANSPORTATION	601,331	601,331
360	CENTRAL SUPPLY ACTIVITIES	741,324	741,324
370	LOGISTICS SUPPORT ACTIVITIES	610,136	610,136
380	AMMUNITION MANAGEMENT	478,707	478,707

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	SERVICEWIDE SUPPORT		
390	ADMINISTRATION	556,307	556,307
400	SERVICEWIDE COMMUNICATIONS	1,547,925	1,490,880
410	MANPOWER MANAGEMENT	362,205	332,205
420	OTHER PERSONNEL SUPPORT	220,754	220,754
430	OTHER SERVICE SUPPORT	1,153,556	1,153,556
440	ARMY CLAIMS ACTIVITIES	250,970	240,970
450	REAL ESTATE MANAGEMENT	222,351	211,351
460	BASE OPERATIONS SUPPORT	222,379	222,379
	SUPPORT OF OTHER NATIONS		
460	SUPPORT OF NATO OPERATIONS	459,710	459,393
470	MISC. SUPPORT OF OTHER NATIONS	25,637	25,637
	OTHER PROGRAMS		
	OTHER PROGRAMS	1,052,595	1,061,495
	TOTAL, BUDGET ACTIVITY 4	8,505,887	8,406,425
	INVENTORY OF SPARE PARTS AND SECONDARY ITEMS	---	-100,000
	CIVILIAN PERSONNEL COMPENSATION	---	-34,000
	EXCESS WORKING CAPITAL FUND CARRYOVER	---	-146,600
	TRANSFER TO RESEARCH, DEVELOPMENT, TEST AND EVALUATION ARMY	---	-22,000
	IT CONTRACT SUPPORT GROWTH	---	-47,000
	TOTAL, OPERATION AND MAINTENANCE, ARMY	36,608,592	35,409,260

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
111	**MANEUVER UNITS**	**1,223,087**	**1,055,242**
	Unjustified program growth		-167,845
112	**MODULAR SUPPORT BRIGADES**	**80,574**	**67,902**
	Unjustified program growth		-12,672
113	**ECHELONS ABOVE BRIGADES**	**723,039**	**620,651**
	Unjustified program growth		-97,742
	Excess growth in travel		-4,646
114	**THEATER LEVEL ASSETS**	**706,974**	**602,581**
	Unjustified program growth		-74,593
	Excess growth in travel		-11,715
	Army identified excess for Balkans mission contract support		-18,085
115	**LAND FORCES OPERATIONS SUPPORT**	**1,226,650**	**1,086,855**
	Unjustified program growth		-139,795
116	**AVIATION ASSETS**	**1,319,832**	**1,297,479**
	Unjustified program growth		-22,353
123	**LAND FORCES DEPOT MAINTENANCE**	**1,762,757**	**1,110,780**
	Depot Maintenance - Aviation - transfer to title IX		-150,483
	Depot Maintenance - Communications Electronics - transfer to title IX		-203,560
	Depot Maintenance - General Purpose - transfer to title IX		-102,707
	Depot Maintenance - Missiles - transfer to title IX		-161,174
	Depot Maintenance - Post Production Software Support - transfer to title IX		-34,053
131	**BASE OPERATIONS SUPPORT**	**7,401,613**	**7,669,366**
	Restore funding attributed to unrealistic efficiency saving targets		462,000
	Funds to be appropriated to Cemeterial Expenses, Army		-25,000
	Army requested transfer to OP,A line 191		-52,000
	Unjustified request		-101,247
	Budget justification does not match summary of price and program changes for the Building Maintenance Fund		-29,000
	Environmental conservation for ranges to address shortfalls		13,000
132	**FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION**	**3,041,074**	**3,215,474**
	Restore unjustified efficiency reduction		174,400
314	**SENIOR RESERVE OFFICER TRAINING CORP**	**443,306**	**481,306**
	Maintain ratio of 63% public and 37% private colleges		38,000
321	**SPECIALIZED SKILL TRAINING**	**1,099,556**	**1,079,556**
	Program decreases for TRADOC centers of excellence and joint service schools not properly accounted for in budget justification		-20,000
331	**RECRUITING AND ADVERTISING**	**507,510**	**507,510**
	Active Army NASCAR sponsorship costs eliminated for fiscal year 2013		-2,300

O-1		Budget Request	Conference
	Transfer funds to increase online presence for recruiting and advertising efforts		2,300
334	**CIVILIAN EDUCATION AND TRAINING**	**212,477**	**203,477**
	Training load decreases not properly accounted for in budget justification		-9,000
411	**SECURITY PROGRAMS**	**1,052,595**	**1,061,495**
	Classified adjustment		8,900
432	**SERVICEWIDE COMMUNICATIONS**	**1,547,925**	**1,490,880**
	Expand ABIS to improve data sharing with federal partner agencies - the Unique Identity Task Force		5,000
	Overstatement of information technology enterprise collaboration requirement		-57,045
	Duplicate request for pricing adjustment for Defense Information Systems Agency		-5,000
433	**MANPOWER MANAGEMENT**	**362,205**	**332,205**
	Overstatement of civilian personnel resources support		-30,000
435	**OTHER SERVICE SUPPORT**	**1,153,556**	**1,153,556**
	Army support to the Capitol 4th		4,900
	Unjustified request		-4,900
436	**ARMY CLAIMS ACTIVITIES**	**250,970**	**240,970**
	Overestimate of unemployment compensation cost growth		-10,000
437	**REAL ESTATE MANAGEMENT**	**222,351**	**211,351**
	Budget justification does not match summary of price and program changes for the Pentagon Reservation Maintenance Revolving Fund		-11,000
441	**INTERNATIONAL MILITARY HEADQUARTERS**	**459,710**	**459,393**
	Finance foreign currency fluctuation from the Foreign Currency Account		-317
	INVENTORY OF SPARE PARTS AND SECONDARY ITEMS		**-100,000**
	ARMY IDENTIFIED EXCESS FOR CIVILIAN PERSONNEL COMPENSATION		**-34,000**
	EXCESS WORKING CAPITAL FUND CARRYOVER		**-146,600**
	TRANSFERS TO RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY NOT PROPERLY ACCOUNTED FOR IN BUDGET JUSTIFICATION		**-22,000**
	BUDGET JUSTIFICATION DOES NOT MATCH SUMMARY OF PRICE AND PROGRAM CHANGES FOR IT CONTRACT SUPPORT GROWTH		**-47,000**

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	RECOMMEND
	OPERATION AND MAINTENANCE, NAVY		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	AIR OPERATIONS		
10	MISSION AND OTHER FLIGHT OPERATIONS	4,918,144	4,918,144
20	FLEET AIR TRAINING	1,886,825	1,847,825
30	AVIATION TECHNICAL DATA AND ENGINEERING SERVICES	44,032	44,032
40	AIR OPERATIONS AND SAFETY SUPPORT	101,565	101,565
50	AIR SYSTEMS SUPPORT	374,827	374,827
60	AIRCRAFT DEPOT MAINTENANCE	960,802	960,802
70	AIRCRAFT DEPOT OPERATIONS SUPPORT	37,545	37,545
80	AVIATION LOGISTICS	328,805	328,805
	SHIP OPERATIONS		
90	MISSION AND OTHER SHIP OPERATIONS	4,686,535	4,686,535
100	SHIP OPERATIONS SUPPORT AND TRAINING	769,204	769,204
110	SHIP DEPOT MAINTENANCE	5,089,981	5,239,981
120	SHIP DEPOT OPERATIONS SUPPORT	1,315,366	1,304,485
	COMBAT COMMUNICATIONS/SUPPORT		
130	COMBAT COMMUNICATIONS	619,909	619,909
140	ELECTRONIC WARFARE	92,364	92,364
150	SPACE SYSTEMS AND SURVEILLANCE	174,437	174,437
160	WARFARE TACTICS	441,035	441,035
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	333,554	333,554
180	COMBAT SUPPORT FORCES	910,087	910,087
190	EQUIPMENT MAINTENANCE	167,158	167,158
200	DEPOT OPERATIONS SUPPORT	4,183	4,183
210	COMBATANT COMMANDERS CORE OPERATIONS	95,528	95,528
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	204,569	204,569

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	WEAPONS SUPPORT		
230	CRUISE MISSILE	111,884	111,884
240	FLEET BALLISTIC MISSILE	1,181,038	1,181,038
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	87,606	87,606
260	WEAPONS MAINTENANCE	519,583	539,583
270	OTHER WEAPON SYSTEMS SUPPORT	300,435	300,435
	BASE SUPPORT		
280	ENTERPRISE INFORMATION TECHNOLOGY	1,077,924	1,069,924
290	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,101,279	2,189,179
300	BASE OPERATING SUPPORT	4,822,093	4,828,093
	TOTAL, BUDGET ACTIVITY 1	33,758,297	33,964,316
	BUDGET ACTIVITY 2: MOBILIZATION		
	READY RESERVE AND PREPOSITIONING FORCES		
310	SHIP PREPOSITIONING AND SURGE	334,659	334,659
	ACTIVATIONS/INACTIVATIONS		
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,562	6,562
330	SHIP ACTIVATIONS/INACTIVATIONS	1,066,329	983,783
	MOBILIZATION PREPAREDNESS		
340	FLEET HOSPITAL PROGRAM	83,901	83,901
350	INDUSTRIAL READINESS	2,695	2,695
360	COAST GUARD SUPPORT	23,502	23,502
	TOTAL, BUDGET ACTIVITY 2	1,517,648	1,435,102
	BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
	ACCESSION TRAINING		
370	OFFICER ACQUISITION	147,807	147,807
380	RECRUIT TRAINING	10,473	10,473
390	RESERVE OFFICERS TRAINING CORPS	139,220	139,220
	BASIC SKILLS AND ADVANCED TRAINING		
400	SPECIALIZED SKILL TRAINING	582,177	582,177
410	FLIGHT TRAINING	5,456	5,456
420	PROFESSIONAL DEVELOPMENT EDUCATION	170,746	170,746
430	TRAINING SUPPORT	153,403	153,403

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	RECRUITING, AND OTHER TRAINING AND EDUCATION		
440	RECRUITING AND ADVERTISING	241,329	242,366
450	OFF-DUTY AND VOLUNTARY EDUCATION	108,226	108,226
460	CIVILIAN EDUCATION AND TRAINING	105,776	105,776
470	JUNIOR ROTC	51,817	51,817
	TOTAL, BUDGET ACTIVITY 3	1,716,430	1,717,467
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	SERVICEWIDE SUPPORT		
480	ADMINISTRATION	797,177	797,177
490	EXTERNAL RELATIONS	12,872	12,872
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,181	120,181
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	235,753	235,753
520	OTHER PERSONNEL SUPPORT	263,060	263,060
530	SERVICEWIDE COMMUNICATIONS	363,213	363,213
	LOGISTICS OPERATIONS AND TECHNICAL SUPPORT		
550	SERVICEWIDE TRANSPORTATION	182,343	182,343
570	PLANNING, ENGINEERING AND DESIGN	282,464	282,464
580	ACQUISITION AND PROGRAM MANAGEMENT	1,092,123	1,092,123
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	53,560	53,560
600	COMBAT/WEAPONS SYSTEMS	25,299	25,299
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	64,418	64,418
	SECURITY PROGRAMS		
620	NAVAL INVESTIGATIVE SERVICE	580,042	580,042
	SUPPORT OF OTHER NATIONS		
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,984	4,984
	OTHER PROGRAMS		
	OTHER PROGRAMS	537,079	540,979
	TOTAL, BUDGET ACTIVITY 4	4,614,568	4,618,468
	EXCESS WORKING CAPITAL FUND CARRYOVER	---	-120,900
	TOTAL, OPERATION AND MAINTENANCE, NAVY	41,606,943	41,614,453

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
1A2A	FLEET AIR TRAINING	1,886,825	1,847,825
	Inadequate budget justification		-39,000
1B4B	SHIP DEPOT MAINTENANCE	5,089,981	5,239,981
	Navy identified shortfall to repair USS Miami		150,000
1B5B	SHIP DEPOT OPERATIONS SUPPORT	1,315,366	1,304,485
	Removal of one-time fiscal year 2012 increase		-10,881
1D4D	WEAPONS MAINTENANCE	519,583	539,583
	Program increase - ship self defense		20,000
BSIT	ENTERPRISE INFORMATION TECHNOLOGY	1,077,924	1,069,924
	Inadequate budget justification		-8,000
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,101,279	2,189,179
	Restore unjustified efficiency reduction		87,900
BSS1	BASE OPERATING SUPPORT	4,822,093	4,828,093
	Unjustified growth		-7,000
	Environmental conservation for ranges to address shortfalls		13,000
2B2G	SHIP ACTIVATIONS/INACTIVATIONS	1,066,329	983,783
	USS Enterprise inactivation costs ahead of need		-70,000
	Retain cruisers		-12,546
3C1L	RECRUITING AND ADVERTISING	241,329	242,366
	Naval Sea Cadet Corps		1,037
999	OTHER PROGRAMS	537,079	540,979
	Classified adjustment		3,900
	EXCESS WORKING CAPITAL FUND CARRYOVER		-120,900

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	RECOMMEND
	OPERATION AND MAINTENANCE, MARINE CORPS		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	EXPEDITIONARY FORCES		
10	OPERATIONAL FORCES	788,055	842,455
20	FIELD LOGISTICS	762,614	762,614
30	DEPOT MAINTENANCE	168,447	168,447
	USMC PREPOSITIONING		
40	MARITIME PREPOSITIONING	100,374	100,374
60	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	825,039	825,039
70	BASE OPERATING SUPPORT	2,188,883	2,188,083
	TOTAL, BUDGET ACTIVITY 1	4,833,412	4,887,012
	BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
	ACCESSION TRAINING		
80	RECRUIT TRAINING	18,251	18,251
90	OFFICER ACQUISITION	869	869
	BASIC SKILLS AND ADVANCED TRAINING		
100	SPECIALIZED SKILLS TRAINING	80,914	80,914
120	PROFESSIONAL DEVELOPMENT EDUCATION	42,744	42,744
130	TRAINING SUPPORT	292,150	292,150
	RECRUITING AND OTHER TRAINING EDUCATION		
140	RECRUITING AND ADVERTISING	168,609	178,609
150	OFF-DUTY AND VOLUNTARY EDUCATION	56,865	56,865
160	JUNIOR ROTC	19,912	19,912
	TOTAL, BUDGET ACTIVITY 3	680,314	690,314
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	SERVICEWIDE SUPPORT		
180	SERVICEWIDE TRANSPORTATION	39,962	39,962
200	ACQUISITION AND PROGRAM MANAGEMENT	83,404	83,404
	TOTAL, BUDGET ACTIVITY 4	123,366	123,366
	OTHER PROGRAMS		
	OTHER PROGRAMS	346,071	341,071
	EXCESS WORKING CAPITAL FUND CARRYOVER	---	-6,800
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	5,983,163	6,034,963

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
1A1A	**OPERATIONAL FORCES**	**788,055**	**842,455**
	Civilian personnel realignment requested as program growth		-10,600
	Marine Corps identified shortfall for unit deployment program		65,000
BSS1	**BASE OPERATING SUPPORT**	**2,188,883**	**2,188,083**
	Budget justification does not match summary of price and program changes for rents		-13,800
	Environmental conservation for ranges to address shortfalls		13,000
3C1F	**RECRUITING AND ADVERTISING**	**168,609**	**178,609**
	Marine Corps requested transfer from P,MC line 2		10,000
	OTHER PROGRAMS	**346,071**	**341,071**
	Removal of one-time fiscal year 2012 costs for technical services organization relocation incentive		-5,000
	EXCESS WORKING CAPITAL FUND CARRYOVER		**-6,800**

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	RECOMMEND
	OPERATION AND MAINTENANCE, AIR FORCE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	AIR OPERATIONS		
10	PRIMARY COMBAT FORCES	2,973,141	2,963,141
20	COMBAT ENHANCEMENT FORCES	1,611,032	1,610,513
30	AIR OPERATIONS TRAINING	1,472,806	1,422,806
50	DEPOT MAINTENANCE	5,545,470	5,537,470
60	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,353,987	1,389,387
70	BASE OPERATING SUPPORT	2,595,032	2,535,484
	COMBAT RELATED OPERATIONS		
80	GLOBAL C3I AND EARLY WARNING	957,040	982,753
90	OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	916,200	903,200
100	TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES	733,716	733,716
	SPACE OPERATIONS		
110	LAUNCH FACILITIES	314,490	314,490
120	SPACE CONTROL SYSTEMS	488,762	488,762
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	862,979	773,479
140	COMBATANT COMMANDERS CORE OPERATIONS	222,429	163,962
	TOTAL, BUDGET ACTIVITY 1	20,047,084	19,819,163

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	BUDGET ACTIVITY 2: MOBILIZATION		
	MOBILITY OPERATIONS		
150	AIRLIFT OPERATIONS	1,785,379	1,985,379
160	MOBILIZATION PREPAREDNESS	154,049	154,049
170	DEPOT MAINTENANCE	1,477,396	1,477,396
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	309,699	324,699
190	BASE SUPPORT	707,574	707,574
	TOTAL, BUDGET ACTIVITY 2	4,434,097	4,649,097
	BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
	ACCESSION TRAINING		
200	OFFICER ACQUISITION	115,427	115,427
210	RECRUIT TRAINING	17,619	17,619
220	RESERVE OFFICER TRAINING CORPS (ROTC)	92,949	92,949
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	336,433	354,033
240	BASE SUPPORT (ACADEMIES ONLY)	842,441	793,441
	BASIC SKILLS AND ADVANCED TRAINING		
250	SPECIALIZED SKILL TRAINING	482,634	482,634
260	FLIGHT TRAINING	750,609	750,609
270	PROFESSIONAL DEVELOPMENT EDUCATION	235,114	235,114
280	TRAINING SUPPORT	101,231	101,231
290	DEPOT MAINTENANCE	233,330	233,330
	RECRUITING, AND OTHER TRAINING AND EDUCATION		
300	RECRUITING AND ADVERTISING	130,217	130,217
310	EXAMINING	2,738	2,738
320	OFF DUTY AND VOLUNTARY EDUCATION	155,170	155,170
330	CIVILIAN EDUCATION AND TRAINING	175,147	175,147
340	JUNIOR ROTC	74,809	74,809
	TOTAL, BUDGET ACTIVITY 3	3,745,868	3,714,468

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	LOGISTICS OPERATIONS		
350	LOGISTICS OPERATIONS	1,029,734	1,029,734
360	TECHNICAL SUPPORT ACTIVITIES	913,843	913,843
370	DEPOT MAINTENANCE	---	29,163
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	303,610	318,010
390	BASE SUPPORT	1,266,800	1,266,800
	SERVICEWIDE ACTIVITIES		
400	ADMINISTRATION	587,654	581,154
410	SERVICEWIDE COMMUNICATIONS	667,910	667,910
420	OTHER SERVICEWIDE ACTIVITIES	1,094,509	1,094,509
430	CIVIL AIR PATROL CORPORATION	23,904	28,404
	SUPPORT TO OTHER NATIONS		
460	INTERNATIONAL SUPPORT	81,307	81,307
	OTHER PROGRAMS		
	OTHER PROGRAMS	1,239,040	1,209,877
	TOTAL, BUDGET ACTIVITY 4	7,208,311	7,220,711
	INVENTORY OF SPARE PARTS AND SECONDARY ITEMS	---	-400,000
	RETAIN AIR FORCE FORCE STRUCTURE	---	14,500
	CIVILIAN PERSONNEL COMPENSATION	---	-167,533
	FOREIGN NATIONAL INDIRECT HIRES	---	-12,000
	EXCESS WORKING CAPITAL FUND CARRYOVER	---	-58,000
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	35,435,360	34,780,406

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
011A	**PRIMARY COMBAT FORCES**	**2,973,141**	**2,963,141**
	Unjustified increase to travel		-10,000
011C	**COMBAT ENHANCEMENT FORCES**	**1,611,032**	**1,610,513**
	Remove U-2 retirement costs		-519
	Global Hawk Block 30 with 21 aircraft		[133,000]
011D	**AIR OPERATIONS TRAINING**	**1,472,806**	**1,422,806**
	Unjustified increase to travel		-50,000
011M	**DEPOT MAINTENANCE**	**5,545,470**	**5,537,470**
	Sustainment funding decrease not accounted for in budget justification for cancellation of Light Attack Armed Reconnaissance Aircraft		-8,000
011R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**1,353,987**	**1,389,387**
	Restore unjustified efficiency reduction		35,400
011Z	**BASE OPERATING SUPPORT**	**2,595,032**	**2,535,484**
	Unjustified growth of 556 direct hires		-60,048
	Unjustified request		-12,500
	Environmental conservation for ranges to address shortfalls		13,000
012A	**GLOBAL C3I AND EARLY WARNING**	**957,040**	**982,753**
	Transfer from RDTE,AF line 59		25,713
012C	**OTHER COMBAT OPERATIONS SUPPORT PROGRAMS**	**916,200**	**903,200**
	Budget justification does not match summary of price and program changes for the Defense Information Services Agency bill		-13,000
015A	**COMBATANT COMMANDERS DIRECT MISSION SUPPORT**	**862,979**	**773,479**
	Removal of one-time fiscal year 2012 cost to stand up Global Adaptive Planning Collaborative Information Environment		-13,100
	Unjustified STRATCOM funding		-35,000
	Military Information Support Operations - transfer to title IX		-29,400
	Civilian pay inconsistency for joint forces command restructure		-12,000
015B	**COMBATANT COMMANDERS CORE OPERATIONS**	**222,429**	**163,962**
	Unjustified increase for civilian pay program		-58,467
	Remove CYBERCOM funds from STATCOM direct mission support		-156,400
	Establish a CYBERCOM direct mission support line		156,400
021A	**AIRLIFT OPERATIONS**	**1,785,379**	**1,985,379**
	Airlift readiness account		200,000
021R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**309,699**	**324,699**
	Restore unjustified efficiency reduction		15,000
031R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**336,433**	**354,033**
	Restore unjustified efficiency reduction		17,600

O-1		Budget Request	Conference
031Z	BASE SUPPORT (ACADEMIES ONLY)	842,441	793,441
	Unjustified growth for equipment purchases		-49,000
041M	DEPOT MAINTENANCE	0	29,163
	Correction to President's budget request		29,163
041R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	303,610	318,010
	Restore unjustified efficiency reduction		14,400
042A	ADMINISTRATION	587,654	581,154
	Unjustified increase for personnel service delivery		-6,500
042I	CIVIL AIR PATROL CORPORATION	23,904	28,404
	Civil Air Patrol		4,500
043A	SECURITY PROGRAMS	1,239,040	1,209,877
	Correction to President's budget request		-29,163
	INVENTORY OF SPARE PARTS AND SECONDARY ITEMS		-400,000
	UNJUSTIFIED GROWTH FOR CIVILIAN PERSONNEL COMPENSATION		-167,533
	INCORRECT PRICING ADJUSTMENT FOR FOREIGN NATIONAL INDIRECT HIRES		-12,000
	EXCESS WORKING CAPITAL FUND CARRYOVER		-58,000
	RETAIN AIR FORCE FORCE STRUCTURE		14,500

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	RECOMMEND
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
10	JOINT CHIEFS OF STAFF	485,708	475,708
20	SPECIAL OPERATIONS COMMAND	5,091,001	5,012,101
	TOTAL, BUDGET ACTIVITY 1	5,576,709	5,487,809
	BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
30	DEFENSE ACQUISITION UNIVERSITY	147,210	147,210
40	NATIONAL DEFENSE UNIVERSITY	84,999	81,999
	TOTAL, BUDGET ACTIVITY 3	232,209	229,209
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
50	CIVIL MILITARY PROGRAMS	161,294	171,294
80	DEFENSE CONTRACT AUDIT AGENCY	573,973	573,973
90	DEFENSE CONTRACT MANAGEMENT AGENCY	1,293,196	1,292,596
100	DEFENSE FINANCE AND ACCOUNTING SERVICE	17,513	17,513
110	DEFENSE HUMAN RESOURCES ACTIVITY	676,186	696,186
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,346,847	1,336,847
140	DEFENSE LEGAL SERVICES AGENCY	35,137	35,137
150	DEFENSE LOGISTICS AGENCY	431,893	434,393
160	DEFENSE MEDIA ACTIVITY	224,013	224,013
170	DEFENSE POW /MISSING PERSONS OFFICE	21,964	21,964
180	DEFENSE SECURITY COOPERATION AGENCY	557,917	542,917
190	DEFENSE SECURITY SERVICE	---	506,662
200	DEFENSE TECHNOLOGY SECURITY AGENCY	35,319	35,319
210	DEFENSE THREAT REDUCTION AGENCY	---	443,382

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,744,971	2,787,971
230	MISSILE DEFENSE AGENCY	259,975	253,975
250	OFFICE OF ECONOMIC ADJUSTMENT	253,437	243,437
260	OFFICE OF THE SECRETARY OF DEFENSE	2,095,362	2,097,862
270	WASHINGTON HEADQUARTERS SERVICES	521,297	509,297
	TOTAL, BUDGET ACTIVITY 4	11,250,294	12,224,738
	OSD IDENTIFIED SCHOOL CAPACITY OR CONDITION SHORTFALL	---	-51,000
	IMPACT AID	---	40,000
	IMPACT AID FOR CHILDREN WITH DISABILITIES	---	5,000
	OTHER PROGRAMS	14,933,801	13,927,224
	TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	31,993,013	31,862,980

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
1PL1	**JOINT CHIEFS OF STAFF**	**485,708**	**475,708**
	Budget justification does not match summary of price and program changes for the Pentagon Reservation Maintenance Revolving Fund		-10,000
1PL2	**SPECIAL OPERATIONS COMMAND**	**5,091,001**	**5,012,101**
	Military Information Support Operations		9,100
	Non-Standard Aviation and Aviation Foreign Internal Defense (AvFID) Consolidation excess to need		-53,000
	Unjustified growth in per-graduate costs for initial skills training		-20,000
	Decrease shown in spare and repair parts metrics not properly accounted for in budget justification		-15,000
PEV5	**NATIONAL DEFENSE UNIVERSITY**	**84,999**	**81,999**
	Excess growth in operations support costs		-3,000
4GT3	**CIVIL MILITARY PROGRAMS**	**161,294**	**171,294**
	Youth ChalleNGe		5,000
	STARBASE youth program		5,000
4GTB	**DEFENSE LOGISTICS AGENCY**	**431,893**	**434,393**
	Unjustified growth for virtual interactive processing systems		-7,500
	Procurement Technical Assistance Program		10,000
4GTI	**DEFENSE THREAT REDUCTION AGENCY**	**0**	**443,382**
	Transfer from line 9999		443,382
4GTJ	**DEFENSE DEPENDENTS EDUCATION**	**2,744,971**	**2,787,971**
	Restore unjustified reduction		43,000
4GT8	**DEFENSE HUMAN RESOURCES ACTIVITY**	**676,186**	**696,186**
	Program increase - for suicide prevention program		20,000
4GTO	**DEFENSE CONTRACT MANAGEMENT AGENCY**	**1,293,196**	**1,292,596**
	Unjustified increase for voluntary separation incentive pay		-600
4GTD	**DEFENSE SECURITY COOPERATION AGENCY**	**557,917**	**542,917**
	Global Train and Equip program		-15,000
4GTE	**DEFENSE SECURITY SERVICE**	**0**	**506,662**
	Transfer from line 9999		506,662
4GTM	**OFFICE OF ECONOMIC ADJUSTMENT**	**253,437**	**243,437**
	Program increase		10,000
	Funds requested ahead of need		-20,000
4GTN	**OFFICE OF THE SECRETARY OF DEFENSE**	**2,095,362**	**2,097,862**
	Unjustified growth for policy planning and integration - transfer to accelerate financial auditability		-2,500
	Unjustified growth for the Rewards Program - transfer to accelerate financial auditability		-2,000
	Unjustified growth for warfighting support activities - transfer to accelerate financial auditability		-3,000

O-1		Budget Request	Conference
	Unfinanced requirement for the Chief Financial Officer initiative to accelerate financial auditability - transfer from OSD reductions		12,000
	Excess funding for long range planning for the Office of the Director, Cost Assessment and Program Evaluation - transfer to accelerate financial auditability		-1,000
	Program increase - Office of Net Assessment		10,000
	Defense Chief Management Office - transfer to DLA for rental payments not properly accounted for in budget justification		-3,500
	OSD AT&L - realignment of funding for contingency business tools not properly accounted for in budget justification		-4,000
	OSD Policy - transfer to DLA for continuity of operations not properly accounted for in budget justification - transfer to accelerate financial auditability		-3,500
4GTQ	**WASHINGTON HEADQUARTERS SERVICES**	**521,297**	**509,297**
	Removal of one-time fiscal year 2012 cost for centrally funded Mark Center rent		-12,000
011A	**MISSILE DEFENSE AGENCY**	**259,975**	**253,975**
	THAAD excess to requirement		-6,000
4GT9	**DEFENSE INFORMATION SYSTEMS AGENCY**	**1,346,847**	**1,336,847**
	Program growth requested for circuit transition maintenance unsupported by program metrics		-10,000
9999	**OTHER PROGRAMS**	**14,933,801**	**13,927,224**
	Classified adjustment		-101,533
	Transfer to DSS for budget request		-506,662
	Transfer to DTRA for budget request		-443,382
	Additional ISR support to operation observant compass authorization increase		45,000
	FUNDS TO CORRECT OSD IDENTIFIED SCHOOL CAPACITY OR CONDITION INADEQUACIES FUNDED VIA GENERAL PROVISION		**-51,000**
	IMPACT AID		**40,000**
	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	RECOMMEND
	OPERATION AND MAINTENANCE, ARMY RESERVE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	LAND FORCES		
10	MANEUVER UNITS	1,391	1,391
20	MODULAR SUPPORT BRIGADES	20,889	20,889
30	ECHELONS ABOVE BRIGADES	592,724	586,724
40	THEATER LEVEL ASSETS	114,983	114,983
50	LAND FORCES OPERATIONS SUPPORT	633,091	619,591
60	AVIATION ASSETS	76,823	76,823
	LAND FORCES READINESS		
70	FORCES READINESS OPERATIONS SUPPORT	481,997	480,147
80	LAND FORCES SYSTEM READINESS	70,118	70,118
90	DEPOT MAINTENANCE	141,205	189,205
	LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT	561,878	561,878
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	287,399	316,139
120	MANAGEMENT AND OPERATIONS HEADQUARTERS	52,431	52,431
	TOTAL, BUDGET ACTIVITY 1	3,034,929	3,090,319
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	12,995	12,995
140	ADMINISTRATION	32,432	32,432
150	SERVICEWIDE COMMUNICATIONS	4,895	4,895
160	PERSONNEL/FINANCIAL ADMINISTRATION	16,074	11,574
170	RECRUITING AND ADVERTISING	60,683	54,708
	TOTAL, BUDGET ACTIVITY 4	127,079	116,604
	UNEXECUTABLE OPTEMPO GROWTH	---	-24,000
	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	3,162,008	3,182,923

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
113	**ECHELONS ABOVE BRIGADES**	**592,724**	**586,724**
	Budget justification does not match summary of price and program changes for Full Time Support costs		-6,000
115	**LAND FORCES OPERATIONS SUPPORT**	**633,091**	**619,591**
	Unjustified growth for travel of persons		-3,000
	Budget justification does not match summary of price and program changes for Full Time Support costs		-6,500
	Budget justification does not match summary of price and program changes for Management and Professional Services		-4,000
121	**FORCES READINESS OPERATIONS SUPPORT**	**481,997**	**480,147**
	Unjustified growth for increased schoolhouse capacity		-1,850
123	**DEPOT MAINTENANCE**	**141,205**	**189,205**
	Restore unjustified efficiency reduction		48,000
132	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**287,399**	**316,139**
	Restore unjustified efficiency reduction		28,740
433	**PERSONNEL/FINANCIAL ADMINISTRATION**	**16,074**	**11,574**
	Unjustified growth for civilian personnel		-4,500
434	**RECRUITING AND ADVERTISING**	**60,683**	**54,708**
	Army discontinuation of Army Reserve Recruiter Assistance Program		-5,975
	UNEXECUTABLE OPTEMPO GROWTH		**-24,000**

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	RECOMMEND
	OPERATION AND MAINTENANCE, NAVY RESERVE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	RESERVE AIR OPERATIONS		
10	MISSION AND OTHER FLIGHT OPERATIONS	616,776	616,776
20	INTERMEDIATE MAINTENANCE	15,076	15,076
30	AIR OPERATIONS AND SAFETY SUPPORT	1,479	1,479
40	AIRCRAFT DEPOT MAINTENANCE	107,251	110,551
50	AIRCRAFT DEPOT OPERATIONS SUPPORT	355	355
	RESERVE SHIP OPERATIONS		
60	MISSION AND OTHER SHIP OPERATIONS	82,186	82,186
70	SHIP OPERATIONAL SUPPORT AND TRAINING	589	589
80	SHIP DEPOT MAINTENANCE	48,593	48,593
	RESERVE COMBAT OPERATIONS SUPPORT		
90	COMBAT COMMUNICATIONS	15,274	15,274
100	COMBAT SUPPORT FORCES	124,917	124,917
	RESERVE WEAPONS SUPPORT		
110	WEAPONS MAINTENANCE	1,978	1,978
120	ENTERPRISE INFORMATION TECHNOLOGY	43,699	43,699
	BASE OPERATING SUPPORT		
130	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	60,646	66,711
140	BASE OPERATING SUPPORT	105,227	105,227
	TOTAL, BUDGET ACTIVITY 1	1,224,046	1,233,411
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
150	ADMINISTRATION	3,117	3,117
160	MILITARY MANPOWER & PERSONNEL	14,337	14,337
170	SERVICEWIDE COMMUNICATIONS	2,392	2,392
180	ACQUISITION AND PROGRAM MANAGEMENT	3,090	3,090
	TOTAL, BUDGET ACTIVITY 4	22,936	22,936
	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	1,246,982	1,256,347

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
1A5A AIRCRAFT DEPOT MAINTENANCE	**107,251**	**110,551**
Restore unjustified efficiency reduction		3,300
BSMR FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	**60,646**	**66,711**
Restore unjustified efficiency reduction		6,065

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	RECOMMEND
	OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	EXPEDITIONARY FORCES		
10	OPERATING FORCES	89,690	89,690
20	DEPOT MAINTENANCE	16,735	16,735
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	37,913	41,704
50	BASE OPERATING SUPPORT	103,746	105,047
	TOTAL, BUDGET ACTIVITY 1	248,084	253,176
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
70	SERVICEWIDE TRANSPORTATION	873	873
80	ADMINISTRATION	14,330	14,330
90	RECRUITING AND ADVERTISING	8,998	8,998
	TOTAL, BUDGET ACTIVITY 4	24,201	24,201
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE	272,285	277,377

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
BSM1	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**37,913**	**41,704**
	Restore unjustified efficiency reduction		3,791
BSS1	**BASE OPERATING SUPPORT**	**103,746**	**105,047**
	Restore unjustified efficiency reduction to Morale, Welfare, and Recreation program		1,301

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	RECOMMEND
	OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	AIR OPERATIONS		
10	PRIMARY COMBAT FORCES	2,089,326	1,985,215
20	MISSION SUPPORT OPERATIONS	112,992	112,992
30	DEPOT MAINTENANCE	406,101	536,998
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	71,564	78,720
50	BASE OPERATING SUPPORT	364,862	364,862
	TOTAL, BUDGET ACTIVITY 1	3,044,845	3,078,787
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
60	ADMINISTRATION	78,824	78,824
70	RECRUITING AND ADVERTISING	16,020	16,020
80	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	19,496	19,496
90	OTHER PERSONNEL SUPPORT	6,489	6,489
100	AUDIOVISUAL	808	808
	TOTAL, BUDGET ACTIVITY 4	121,637	121,637
	RETAIN AIR FORCE RESERVE FORCE STRUCTURE	---	66,400
	CIVILIAN PERSONNEL COMPENSATION	---	-5,500
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	3,166,482	3,261,324

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
011A	**PRIMARY COMBAT FORCES**	**2,089,326**	**1,985,215**
	Consolidate depot maintenance funding in the Depot Maintenance SAG - transfer to SAG 011M		-104,111
011M	**DEPOT MAINTENANCE**	**406,101**	**536,998**
	Consolidate depot maintenance funding in the Depot Maintenance SAG - transfer from SAG 011A		104,111
	Restore unjustified efficiency reduction		26,786
011R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**71,564**	**78,720**
	Restore unjustified efficiency reduction		7,156
	RETAIN AIR FORCE RESERVE FORCE STRUCTURE		**66,400**
	UNJUSTIFIED GROWTH IN CIVILIAN PERSONNEL COMPENSATION		**-5,500**

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	RECOMMEND
	OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	LAND FORCES		
10	MANEUVER UNITS	680,206	680,206
20	MODULAR SUPPORT BRIGADES	186,408	186,408
30	ECHELONS ABOVE BRIGADE	865,628	861,128
40	THEATER LEVEL ASSETS	112,651	112,651
50	LAND FORCES OPERATIONS SUPPORT	36,091	36,091
60	AVIATION ASSETS	907,011	902,011
	LAND FORCES READINESS		
70	FORCE READINESS OPERATIONS SUPPORT	751,606	751,606
80	LAND FORCES SYSTEMS READINESS	60,043	60,043
90	LAND FORCES DEPOT MAINTENANCE	411,940	411,940
	LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT	995,423	995,423
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	688,189	757,008
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	953,716	936,693
	TOTAL, BUDGET ACTIVITY 1	6,648,912	6,691,208

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	11,806	11,806
140	REAL ESTATE MANAGEMENT	1,656	1,656
150	ADMINISTRATION	89,358	82,311
160	SERVICEWIDE COMMUNICATIONS	39,513	39,513
170	MANPOWER MANAGEMENT	7,224	7,224
180	RECRUITING AND ADVERTISING	310,143	310,143
	TOTAL, BUDGET ACTIVITY 4	459,700	452,653
	RETAIN ARMY NATIONAL GUARD FORCE STRUCTURE	---	10,300
	TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	7,108,612	7,154,161

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
113	**ECHELONS ABOVE BRIGADE**	865,628	861,128
	Budget justification does not match summary of price and program changes for Management and Professional Services		-4,500
116	**AVIATION ASSETS**	907,011	902,011
	Budget justification does not match summary of price and program changes for fuel		-5,000
132	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	688,189	757,008
	Restore unjustified efficiency reduction		68,819
133	**MANAGEMENT AND OPERATIONAL HEADQUARTERS**	953,716	936,693
	Unjustified growth for Mission Support		-17,023
431	**ADMINISTRATION**	89,358	82,311
	Unjustified growth for Mission Support		-7,047
	RETAIN ARMY NATIONAL GUARD FORCE STRUCTURE - RETAIN EIGHT C-23 SHERPAS		10,300

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	RECOMMEND
	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	AIR OPERATIONS		
10	AIRCRAFT OPERATIONS	3,559,824	3,099,094
20	MISSION SUPPORT OPERATIONS	721,225	681,251
30	DEPOT MAINTENANCE	774,875	1,555,079
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	270,709	297,780
50	BASE OPERATING SUPPORT	624,443	624,443
	TOTAL, BUDGET ACTIVITY 1	5,951,076	6,257,647
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	SERVICEWIDE ACTIVITIES		
60	ADMINISTRATION	32,358	32,358
70	RECRUITING AND ADVERTISING	32,021	32,021
	TOTAL, BUDGET ACTIVITY 4	64,379	64,379
	RETAIN AIR NATIONAL GUARD FORCE STRUCTURE	---	210,300
	CIVILIAN PERRSONNEL COMPENSATION	---	-38,000
	TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD	6,015,455	6,494,326

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
011F	**AIRCRAFT OPERATIONS**	**3,559,824**	**3,099,094**
	C-130 Aircraft Temporary Shelter funding ahead of requirement		-3,000
	Consolidate depot maintenance funding in the Depot Maintenance SAG - transfer to SAG 011M		-457,730
011G	**MISSION SUPPORT OPERATIONS**	**721,225**	**681,251**
	Consolidate depot maintenance funding in the Depot Maintenance SAG - transfer to SAG 011M		-39,974
011M	**DEPOT MAINTENANCE**	**774,875**	**1,555,079**
	Consolidate depot maintenance funding in the Depot Maintenance SAG - transfer from SAG 011F		457,730
	Consolidate depot maintenance funding in the Depot Maintenance SAG - transfer from SAG 011G		39,974
	Air National Guard identified shortfall - restore unjustified efficiency reduction		282,500
011R	**FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION**	**270,709**	**297,780**
	Restore unjustified efficiency reduction		27,071
	RETAIN AIR NATIONAL GUARD FORCE STRUCTURE		**210,300**
	UNJUSTIFIED GROWTH IN CIVILIAN COMPENSATION		**-38,000**

UNITED STATES COURT OF APPEALS FOR THE ARMED SERVICES

The conference agreement provides $13,516,000 for the United States Court of Appeals for the Armed Services, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, ARMY

The conference agreement provides $335,921,000 for Environmental Restoration, Army, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, NAVY

The conference agreement provides $310,594,000 for Environmental Restoration, Navy, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, AIR FORCE

The conference agreement provides $529,263,000 for Environmental Restoration, Air Force, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

The conference agreement provides $11,133,000 for Environmental Restoration, Defense-Wide, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

The conference agreement provides $287,543,000 for Environmental Restoration, Formerly Used Defense Sites, as proposed by the Senate, instead of $237,543,000 as proposed by the House.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

The conference agreement provides $108,759,000 for Overseas Humanitarian, Disaster, and Civic Aid, as proposed by both the House and the Senate.

COOPERATIVE THREAT REDUCTION ACCOUNT

The conference agreement provides $519,111,000 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 $50,198,000 for the Department of Defense Acquisition Workforce Development Fund, as proposed by the House, instead of $720,000,000 as proposed by the Senate.

TITLE III—PROCUREMENT

The conference agreement provides $100,350,714,000 in Title III, Procurement, instead of $102,512,191,000 as proposed by the House and $97,635,496,000 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	RECOMMEND
SUMMARY		
ARMY		
AIRCRAFT	5,853,729	6,028,754
MISSILES	1,302,689	1,535,433
WEAPONS, TRACKED COMBAT VEHICLES	1,501,706	1,857,823
AMMUNITION	1,739,706	1,641,306
OTHER	6,326,245	5,741,664
TOTAL, ARMY	16,724,075	16,804,980
NAVY		
AIRCRAFT	17,129,296	17,382,152
WEAPONS	3,117,578	3,036,871
AMMUNITION	759,539	659,897
SHIPS	13,579,845	15,584,212
OTHER	6,169,378	5,955,078
MARINE CORPS	1,622,955	1,411,411
TOTAL, NAVY	42,378,591	44,029,621
AIR FORCE		
AIRCRAFT	11,002,999	11,774,019
MISSILES	5,491,846	4,962,376
AMMUNITION	599,194	594,694
OTHER	16,720,848	17,082,508
TOTAL, AIR FORCE	33,814,887	34,413,597
DEFENSE-WIDE		
DEFENSE-WIDE	4,187,935	4,878,985
DEFENSE PRODUCTION ACT PURCHASES	89,189	223,531
TOTAL PROCUREMENT	97,194,677	100,350,714

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 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, as specifically addressed in the explanatory statement.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The conferees direct the Secretary of Defense to continue to follow the reprogramming guidance as specified in the report accompanying the House version of the fiscal year 2008 Department of Defense Appropriations bill (House Report 110–279). 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.

Also, 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. Reports for titles III and IV shall comply with the 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 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.

DIMINISHING MANUFACTURING SOURCES COSTS IN MISSILE PROGRAMS

The conferees are concerned by the level of diminishing manufacturing sources (DMS) costs in Department of Defense tactical missile programs, particularly the Advanced Medium Range Air-to-Air Missile (AMRAAM). The conferees direct the Under Secretary of Defense (Acquisition, Technology, and Logistics), in coordination with the Service secretaries, to provide two reports to the congressional defense committees.

The first report shall provide information on the management of DMS costs within the AMRAAM program, to include an explanation of the cost drivers of AMRAAM DMS; an explanation of the AMRAAM program's approach to DMS management and its conformity with departmental guidance and best practices; an economic analysis demonstrating the costs and benefits, including the break-even point, of the AMRAAM DMS program; and an analysis of the impact of foreign military sales on AMRAAM DMS costs and management. This report shall be submitted not later than 120 days after the enactment of this Act.

The second report shall provide information on the broader issue of DMS costs and management across all tactical missile procurement programs. This report shall provide an overview of current strategies for addressing DMS, including current and planned joint activities that address common DMS issues; an explanation of the key tactical missile DMS cost drivers; a comparison of DMS costs across all tactical missile programs; and an analysis of the impact of foreign military sales on DMS costs and management. This report shall be submitted not later than 180 days after the enactment of this Act.

In addition, the conferees direct the Secretaries of the Air Force and the Navy to report DMS costs separately from missile unit costs in future budget exhibits to enhance the congressional defense committees' ability to oversee DMS costs.

JOINT STRIKE FIGHTER ADVANCE PROCUREMENT AND CONTRACT DELAYS

The conferees are concerned with the Joint Strike Fighter (JSF) contract award timelines and the negative impacts on the JSF subcontractor workforce. The combination of inconsistencies in JSF advance procurement for each variant and the contract award delays have a potential to put the industrial base at risk or jeopardize the aircraft delivery schedule. Therefore, the conferees direct the Secretary of Defense to provide a report which examines the authorities and use of JSF advance procurement, including the rationale for the cost differences in advance procurement among the aircraft variants and their associated impacts to the subcontractor workforce. Additionally, the report should examine the causes of procurement contract award delays and the planned corrective action to ensure that final award of the production contracts occurs within the year of appropriation. This report shall be submitted to the congressional defense committees not later than 120 days after the enactment of this Act. USE OF UNM

USE OF UNMANNED AERIAL VEHICLES IN DOMESTIC AIRSPACE

The conferees are aware of concerns that have been raised regarding the use of unmanned aerial vehicles (UAV) and their sensors in domestic airspace. The conferees understand that the Air Force has policies and procedures in place governing the disposition of UAV collections that may inadvertently capture matters of concern to law enforcement agencies. These policies and procedures are designed to ensure constitutional protections and proper separation between the military and law enforcement. However, it is unclear if other Services and Defense agencies have similar policies and procedures in place, or if these policies and procedures need to be revised or standardized. Therefore, the conferees direct the Secretary of Defense to report to the congressional defense committees on the policies and procedures in place across the Services and Defense agencies governing the use of such collections and to identify any additional steps that need to be taken to ensure that such policies and procedures are adequate and consistent across the Department of Defense. This report shall be submitted not later than 90 days after the enactment of this Act.

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	RECOMMEND
	AIRCRAFT PROCUREMENT, ARMY		
	AIRCRAFT		
	FIXED WING		
1	UTILITY F/W CARGO AIRCRAFT	18,639	16,439
4	MQ-1 UAV	518,088	414,088
5	RQ-11 (RAVEN)	25,798	25,798
	ROTARY		
6	HELICOPTER, LIGHT UTILITY (LUH)	271,983	275,982
7	AH-64 APACHE BLOCK IIIA REMAN	577,115	527,115
8	AH-64 APACHE BLOCK IIIA REMAN (AP-CY)	107,707	101,707
9	AH-64 APACHE BLOCK IIIB NEW BUILD	153,993	224,993
10	AH-64 APACHE BLOCK IIIB NEW BUILD (AP-CY)	146,121	135,421
13	UH-60 BLACKHAWK (MYP)	1,107,087	1,306,087
14	UH-60 BLACKHAWK (MYP) (AP-CY)	115,113	115,113
15	CH-47 HELICOPTER	1,076,036	1,186,036
16	CH-47 HELICOPTER (AP-CY)	83,346	83,346
	TOTAL, AIRCRAFT	4,201,026	4,412,125
	MODIFICATION OF AIRCRAFT		
18	MQ-1 PAYLOAD - UAS	231,508	184,608
20	GUARDRAIL MODS (MIP)	16,272	16,272
21	MULTI SENSOR ABN RECON (MIP)	4,294	4,294
22	AH-64 MODS	178,805	178,805
23	CH-47 CARGO HELICOPTER MODS	39,135	87,935
24	UTILITY/CARGO AIRPLANE MODS	24,842	24,842
26	UTILITY HELICOPTER MODS	73,804	183,804
27	KIOWA WARRIOR	192,484	119,584
29	NETWORK AND MISSION PLAN	190,789	190,789
30	COMMS, NAV SURVEILLANCE	133,191	133,191
31	GATM ROLLUP	87,280	87,280
32	RQ-7 UAV MODS	104,339	29,265
	TOTAL, MODIFICATION OF AIRCRAFT	1,276,743	1,240,669

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	SUPPORT EQUIPMENT AND FACILITIES		
	GROUND SUPPORT AVIONICS		
34	AIRCRAFT SURVIVABILITY EQUIPMENT	34,037	34,037
36	CMWS	127,751	127,751
	OTHER SUPPORT		
37	AVIONICS SUPPORT EQUIPMENT	4,886	4,886
38	COMMON GROUND EQUIPMENT	82,511	82,511
39	AIRCREW INTEGRATED SYSTEMS	77,381	77,381
40	AIR TRAFFIC CONTROL	47,235	47,235
41	INDUSTRIAL FACILITIES	1,643	1,643
42	LAUNCHER, 2.75 ROCKET	516	516
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	375,960	375,960
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	5,853,729	6,028,754

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	Conference
1	**UTILITY F/W CARGO AIRCRAFT**	18,639	16,439
	Test funding ahead of need		-2,200
4	**MQ-1 UAV GRAY EAGLE**	518,088	414,088
	Schedule delays and prior year unobligated balances		-104,000
6	**HELICOPTER, LIGHT UTILITY (LUH)**	271,983	275,982
	Replace training loss - only for the Army National Guard		7,999
	Unjustified economic change orders cost growth		-4,000
7	**AH-64 APACHE BLOCK IIIA REMAN**	577,115	527,115
	Unjustified unit cost increase		-50,000
8	**AH-64 APACHE BLOCK IIIA REMAN (AP-CY)**	107,707	101,707
	Excess advance procurement		-6,000
9	**AH-64 APACHE BLOCK IIIB NEW BUILD**	153,993	224,993
	Additional aircraft		71,000
10	**AH-64 APACHE BLOCK IIIB NEW BUILD (AP-CY)**	146,121	135,421
	Excess advance procurement		-10,700
13	**UH-60 BLACKHAWK (MYP)**	1,107,087	1,306,087
	Program increase - only for the Army National Guard		199,000
15	**CH-47 HELICOPTER**	1,076,036	1,186,036
	Additional aircraft		110,000
18	**MQ-1 PAYLOAD - UAS**	231,508	184,608
	Army requested transfer to RDTE,A line 131 for EMAARS		-46,900
23	**CH-47 CARGO HELICOPTER MODS**	39,135	87,935
	Cargo on/off loading system with ballistic protection		48,800
26	**UTILITY HELICOPTER MODS**	73,804	183,804
	UH-60 A to L conversion - only for the Army National Guard		110,000
27	**KIOWA WARRIOR**	192,484	119,584
	OH-58 recap		-37,200
	Cockpit and sensor upgrade program - ahead of need		-35,700
32	**RQ-7 UAV MODS**	104,339	29,265
	Ahead of need		-75,074

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	RECOMMEND
	MISSILE PROCUREMENT, ARMY		
	OTHER MISSILES		
	SURFACE-TO-AIR MISSILE SYSTEM		
1	PATRIOT SYSTEM SUMMARY	646,590	946,590
2	MSE MISSILE	12,850	9,350
	AIR-TO-SURFACE MISSILE SYSTEM		
4	HELLFIRE SYS SUMMARY	1,401	1,401
	ANTI-TANK/ASSAULT MISSILE SYSTEM		
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	81,121	81,121
6	TOW 2 SYSTEM SUMMARY	64,712	64,712
7	TOW 2 SYSTEM SUMMARY (AP-CY)	19,931	19,931
8	GUIDED MLRS ROCKET (GMLRS)	218,679	207,423
9	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,767	16,267
10	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	12,051	12,051
	TOTAL, OTHER MISSILES	1,076,102	1,358,846
	MODIFICATION OF MISSILES		
	MODIFICATIONS		
11	PATRIOT MODS	199,565	149,565
13	MLRS MODS	2,466	2,466
14	HIMARS MODIFICATIONS	6,068	6,068
	TOTAL, MODIFICATION OF MISSILES	208,099	158,099
	SPARES AND REPAIR PARTS		
16	SPARES AND REPAIR PARTS	7,864	7,864
	SUPPORT EQUIPMENT AND FACILITIES		
17	AIR DEFENSE TARGETS	3,864	3,864
18	ITEMS LESS THAN $5.0M (MISSILES)	1,560	1,560
19	PRODUCTION BASE SUPPORT	5,200	5,200
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	10,624	10,624
	TOTAL, MISSILE PROCUREMENT, ARMY	1,302,689	1,535,433

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
1	**PATRIOT SYSTEM SUMMARY**	**646,590**	**946,590**
	Program increase		300,000
2	**MSE MISSILE**	**12,850**	**9,350**
	Excess to requirement		-3,500
8	**GUIDED MLRS ROCKET (GMLRS)**	**218,679**	**207,423**
	Unit cost efficiencies		-11,256
9	**MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)**	**18,767**	**16,267**
	Unit cost efficiencies		-2,500
11	**PATRIOT MODS**	**199,565**	**149,565**
	Radar digital processor program delay		-50,000

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	RECOMMEND
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
1	STRYKER VEHICLE	286,818	286,818
	MODIFICATION OF TRACKED COMBAT VEHICLES		
3	STRYKER (MOD)	60,881	60,881
4	FIST VEHICLE (MOD)	57,257	57,257
5	BRADLEY PROGRAM (MOD)	148,193	288,193
6	HOWITZER, MED SP FT 155MM M109A6 (MOD)	10,341	8,641
7	PALADIN PIPM MOD IN SERVICE	206,101	206,101
8	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	107,909	169,909
9	ARMORED BREACHER VEHICLE	50,039	50,039
10	M88 FOV MODS	29,930	29,930
11	M1 ABRAMS TANK (MOD)	129,090	129,090
12	ABRAMS UPGRADE PROGRAM	74,433	255,433
	SUPPORT EQUIPMENT AND FACILITIES		
13	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,145	1,145
	TOTAL, TRACKED COMBAT VEHICLES	1,162,137	1,543,437
	WEAPONS AND OTHER COMBAT VEHICLES		
14	INTEGRATED AIR BURST WEAPON SYS FAMILY	506	506
17	LIGHTWEIGHT .50 CALIBER MACHINE GUN	25,183	---
19	MORTAR SYSTEMS	8,104	8,104
21	XM320 GRENADE LAUNCHER MODULE (GLM)	14,096	14,096
24	M4 CARBINE	21,272	21,272
25	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,598	6,598
26	COMMON REMOTELY OPERATED WEAPONS STATION	56,725	56,725
27	HOWITZER LT WT 155MM (T)	13,827	13,827

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	MOD OF WEAPONS AND OTHER COMBAT VEH		
29	M777 MODS	26,843	26,843
30	M4 CARBINE MODS	27,243	27,243
31	M2 50 CAL MACHINE GUN MODS	39,974	39,974
32	M249 SAW MACHINE GUN MODS	4,996	4,996
33	M240 MEDIUM MACHINE GUN MODS	6,806	6,806
34	SNIPER RIFLES MODIFICATIONS	14,113	14,113
35	M119 MODIFICATIONS	20,727	20,727
36	M16 RIFLE MODS	3,306	3,306
37	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	3,072	3,072
	SUPPORT EQUIPMENT AND FACILITIES		
38	ITEMS LESS THAN $5.0M (WOCV-WTCV)	2,026	2,026
39	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,115	10,115
40	INDUSTRIAL PREPAREDNESS	442	442
41	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,378	2,378
	TOTAL, WEAPONS AND OTHER COMBAT VEHICLES	308,352	283,169
	SPARE AND REPAIR PARTS		
42	SPARES AND REPAIR PARTS (WTCV)	31,217	31,217
	TOTAL, PROCUREMENT OF W&TCV, ARMY	1,501,706	1,857,823

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	Conference
5	**BRADLEY PROGRAM (MOD)**	148,193	288,193
	Program increase		140,000
6	**HOWITZER, MED SP FT 155MM M109A6 (MOD)**	10,341	8,641
	Unjustified increase in contractor support		-1,700
8	**IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)**	107,909	169,909
	Program increase		62,000
12	**ABRAMS UPGRADE PROGRAM**	74,433	255,433
	Program increase		181,000
17	**LIGHTWEIGHT .50 CALIBER MACHINE GUN**	25,183	0
	Program cancellation by Army		-25,183

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	RECOMMEND
	PROCUREMENT OF AMMUNITION, ARMY		
	AMMUNITION		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	158,313	158,313
2	CTG, 7.62MM, ALL TYPES	91,438	91,438
3	CTG, HANDGUN, ALL TYPES	8,954	8,954
4	CTG, .50 CAL, ALL TYPES	109,604	109,604
5	CTG, 20MM, ALL TYPES	4,041	4,041
6	CTG, 25MM, ALL TYPES	12,654	12,654
7	CTG, 30MM, ALL TYPES	72,154	52,154
8	CTG, 40MM, ALL TYPES	60,138	31,738
	MORTAR AMMUNITION		
9	60MM MORTAR, ALL TYPES	44,375	44,375
10	81MM MORTAR, ALL TYPES	27,471	27,471
11	120MM MORTAR, ALL TYPES	87,811	87,811
	TANK AMMUNITION		
12	CTG TANK 105MM AND 120MM: ALL TYPES	112,380	112,380
	ARTILLERY AMMUNITION		
13	CTG, ARTY, 75MM AND 105MM: ALL TYPES	50,861	50,861
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES	26,227	26,227
15	PROJ 155MM EXTENDED RANGE XM982	110,329	60,329
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL TYPES	43,924	43,924
	MINES		
17	MINES AND CLEARING CHARGE, ALL TYPES	3,775	3,775
	NETWORKED MUNITIONS		
18	SPIDER NETWORK MUNITIONS, ALL TYPES	17,408	17,408
	ROCKETS		
19	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	1,005	1,005
20	ROCKET, HYDRA 70, ALL TYPES	123,433	123,433
	OTHER AMMUNITION		
21	DEMOLITION MUNITIONS, ALL TYPES	35,189	35,189
22	GRENADES, ALL TYPES	33,477	33,477
23	SIGNALS, ALL TYPES	9,991	9,991
24	SIMULATORS, ALL TYPES	10,388	10,388

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	MISCELLANEOUS		
25	AMMO COMPONENTS, ALL TYPES	19,383	19,383
26	NON-LETHAL AMMUNITION, ALL TYPES	7,336	7,336
27	CAD/PAD ALL TYPES	6,641	6,641
28	ITEMS LESS THAN $5 MILLION	15,092	15,092
29	AMMUNITION PECULIAR EQUIPMENT	15,692	15,692
30	FIRST DESTINATION TRANSPORTATION (AMMO)	14,107	14,107
31	CLOSEOUT LIABILITIES	106	106
	TOTAL, AMMUNITION	1,333,697	1,235,297
	AMMUNITION PRODUCTION BASE SUPPORT		
	PRODUCTION BASE SUPPORT		
32	PROVISION OF INDUSTRIAL FACILITIES	220,171	220,171
33	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	182,461	182,461
34	ARMS INITIATIVE	3,377	3,377
	TOTAL, AMMUNITION PRODUCTION BASE SUPPORT	406,009	406,009
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	1,739,706	1,641,306

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
7	**CTG, 30MM, ALL TYPES**	**72,154**	**52,154**
	Army requested transfer to title IX - AP,A line 13		-18,000
	Excess non-recurring engineering		-2,000
8	**CTG, 40MM, ALL TYPES**	**60,138**	**31,738**
	Excess to requirement		-28,400
15	**PROJ 155MM EXTENDED RANGE XM982**	**110,329**	**60,329**
	Contract award delays		-50,000

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	RECOMMEND
	OTHER PROCUREMENT, ARMY		
	TACTICAL AND SUPPORT VEHICLES		
	TACTICAL VEHICLES		
1	SEMITRAILERS, FLATBED:	7,097	7,097
2	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	346,115	339,515
3	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN	19,292	19,292
4	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	52,933	52,933
5	PLS ESP	18,035	18,035
9	TRUCK, TRACTOR, LINE HAUL, M915/M916	3,619	3,619
10	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	26,859	26,859
12	TACTICAL WHEELED VEHICLE PROTECTION KITS	69,163	69,163
13	MODIFICATION OF IN SVC EQUIP	91,754	91,754
	NON-TACTICAL VEHICLES		
18	PASSENGER CARRYING VEHICLES	2,548	2,548
19	NONTACTICAL VEHICLES, OTHER	16,791	11,791
	TOTAL, TACTICAL AND SUPPORT VEHICLES	654,206	642,606
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
	COMM - JOINT COMMUNICATIONS		
20	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	10,061	8,961
21	WIN-T - GROUND FORCES TACTICAL NETWORK	892,635	545,820
22	SIGNAL MODERNIZATION PROGRAM	45,626	45,626
23	JCSE EQUIPMENT (USREDCOM)	5,143	5,143
	COMM - SATELLITE COMMUNICATIONS		
24	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	151,636	151,636
25	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	6,822	1,822
26	SHF TERM	9,108	9,108
28	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	27,353	8,453
29	SMART-T (SPACE)	98,656	14,040
31	GLOBAL BRDCST SVC - GBS	47,131	47,131
32	MOD OF IN-SVC EQUIP (TAC SAT)	23,281	23,281

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	COMM - C3 SYSTEM		
34	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	10,848	10,848
	COMM - COMBAT COMMUNICATIONS		
35	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	979	979
36	JOINT TACTICAL RADIO SYSTEM	556,250	366,250
37	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	86,219	86,219
38	RADIO TERMINAL SET, MIDS LVT(2)	7,798	7,798
39	SINCGARS FAMILY	9,001	9,001
40	AMC CRITICAL ITEMS - OPA2	24,601	24,601
41	TRACTOR DESK	7,779	2,579
43	SPIDER APLA REMOTE CONTROL UNIT	34,365	32,365
44	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,833	---
45	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	12,984	12,984
47	GUNSHOT DETECTION SYSTEM (GDS)	2,332	---
48	RADIO, IMPROVED HF (COTS) FAMILY	1,132	1,132
49	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	22,899	22,899
	COMM - INTELLIGENCE COMM		
51	CI AUTOMATION ARCHITECTURE (MIP)	1,564	1,564
52	RESERVE CA/MISO GPF EQUIPMENT	28,781	28,781
	INFORMATION SECURITY		
53	TSEC - ARMY KEY MGT SYS (AKMS)	23,432	23,432
54	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	43,897	43,897
	COMM - LONG HAUL COMMUNICATIONS		
56	TERRESTRIAL TRANSMISSION	2,891	2,891
57	BASE SUPPORT COMMUNICATIONS	13,872	13,872
58	WW TECH CON IMP PROG (WWTCIP)	9,595	9,595
	COMM - BASE COMMUNICATIONS		
59	INFORMATION SYSTEMS	142,133	131,133
61	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	57,727	57,727
62	PENTAGON INFORMATION MGT AND TELECOM	5,000	5,000

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ELECT EQUIP		
	ELECT EQUIP - TACT INT REL ACT (TIARA)		
65	JTT/CIBS-M (MIP)	1,641	1,641
66	PROPHET GROUND (MIP)	48,797	48,797
69	DCGS-A (MIP)	184,007	184,007
70	JOINT TACTICAL GROUND STATION (JTAGS)	2,680	2,680
71	TROJAN (MIP)	21,483	21,483
72	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,412	2,412
73	CI HUMINT AUTO REPRTING AND COLL(CHARCS)(MIP)	7,077	7,077
	ELECT EQUIP - ELECTRONIC WARFARE (EW)		
75	LIGHTWEIGHT COUNTER MORTAR RADAR	72,594	72,594
76	CREW	15,446	15,446
78	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,470	1,470
79	CI MODERNIZATION (MIP)	1,368	1,368
	ELECT EQUIP - TACTICAL SURV. (TAC SURV)		
80	FAAD GBS	7,980	7,980
81	SENTINEL MODS	33,444	33,444
82	SENSE THROUGH THE WALL (STTW)	6,212	---
83	NIGHT VISION DEVICES	166,516	166,516
85	NIGHT VISION, THERMAL WPN SIGHT	82,162	82,162
86	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	20,717	20,717
89	GREEN LASER INTERDICTION SYSTEM	1,014	1,014
90	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	29,881	27,381
91	PROFILER	12,482	12,482
92	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	3,075	3,075
94	JOINT BATTLE COMMAND - PLATFORM (JBC-P)	141,385	141,385
96	MOD OF IN-SERVICE EQUIPMENT (LLDR)	22,403	88,403
98	MORTAR FIRE CONTROL SYSTEM	29,505	21,705
99	COUNTERFIRE RADARS	244,409	244,409
100	ENHANCED SENSOR & MONITORING SYSTEM	2,426	2,426

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
ELECT EQUIP - TACTICAL C2 SYSTEMS		
101 TACTICAL OPERATIONS CENTERS	30,196	30,196
102 FIRE SUPPORT C2 FAMILY	58,903	58,903
103 BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	8,111	8,111
104 FAAD C2	5,031	5,031
105 AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD	64,144	64,144
106 KNIGHT FAMILY	11,999	11,999
107 LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,853	1,853
108 AUTOMATIC IDENTIFICATION TECHNOLOGY	14,377	14,377
111 NETWORK MANAGEMENT INITIALIZATION AND SERVICE	59,821	44,921
112 MANEUVER CONTROL SYSTEM (MCS)	51,228	51,228
113 SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	176,901	176,901
114 RECONNAISSANCE AND SURVEYING INSTRUMENT SET	15,209	15,209
ELECT EQUIP - AUTOMATION		
115 ARMY TRAINING MODERNIZATION	8,866	8,866
116 AUTOMATED DATA PROCESSING EQUIPMENT	129,438	129,438
117 GENERAL FUND ENTERPRISE BUSINESS SYSTEM	9,184	9,184
118 CSS COMMUNICATIONS	20,639	20,639
119 RESERVE COMPONENT AUTOMATION SYS (RCAS)	35,493	35,493
ELECT EQUIP - AUDIO VISUAL SYS (A/V)		
120 ITEMS LESS THAN $5.0M (A/V)	8,467	8,467
121 ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	5,309	5,309
ELECT EQUIP - SUPPORT		
122 PRODUCTION BASE SUPPORT (C-E)	586	586
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	4,303,705	3,669,497
OTHER SUPPORT EQUIPMENT		
CHEMICAL DEFENSIVE EQUIPMENT		
126 FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	3,960	1,000
127 BASE DEFENSE SYSTEMS (BDS)	4,374	4,374
128 CBRN SOLDIER PROTECTION	9,259	9,259
BRIDGING EQUIPMENT		
130 TACTICAL BRIDGING	35,499	2,961
131 TACTICAL BRIDGE, FLOAT-RIBBON	32,893	20,843

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
134	ROBOTIC COMBAT SUPPORT SYSTEM	29,106	29,106
135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	25,459	25,459
136	REMOTE DEMOLITION SYSTEMS	8,044	8,044
137	ITEMS LESS THAN $5M, COUNTERMINE EQUIPMENT	3,698	3,698
	COMBAT SERVICE SUPPORT EQUIPMENT		
138	HEATERS AND ECU'S	12,210	12,210
139	SOLDIER ENHANCEMENT	6,522	6,522
140	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	11,222	11,222
141	GROUND SOLDIER SYSTEM	103,317	93,317
143	FIELD FEEDING EQUIPMENT	27,417	27,417
145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	52,065	52,065
146	MORTUARY AFFAIRS SYSTEMS	2,358	2,358
147	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	31,573	31,573
148	ITEMS LESS THAN $5M (ENG SPT)	14,093	14,093
	PETROLEUM EQUIPMENT		
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	36,266	36,266
	MEDICAL EQUIPMENT		
150	COMBAT SUPPORT MEDICAL	34,101	34,101
151	MEDEVAC MISSION EQUIPMENT PACKAGE (MEP)	20,540	20,540
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	2,495	2,495
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,028	2,028
156	SCRAPERS, EARTHMOVING	6,146	6,146
157	MISSION MODULES - ENGINEERING	31,200	31,200
161	TRACTOR, FULL TRACKED	20,867	20,867
162	ALL TERRAIN CRANES	4,003	3,503
163	PLANT, ASPHALT MIXING	3,679	3,679
164	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS	30,042	30,042
165	ENHANCED RAPID AIRFIELD CONSTRUCTION	13,725	---
166	CONST EQUIP ESP	13,351	11,351
167	ITEMS LESS THAN $5.0M (CONST EQUIP)	9,134	9,134
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
170	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	10,552	10,552

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	GENERATORS		
171	GENERATORS AND ASSOCIATED EQUIPMENT	60,302	60,302
	MATERIAL HANDLING EQUIPMENT		
173	FAMILY OF FORKLIFTS	5,895	5,895
	TRAINING EQUIPMENT		
175	COMBAT TRAINING CENTERS SUPPORT	104,649	104,649
176	TRAINING DEVICES, NONSYSTEM	125,251	122,251
177	CLOSE COMBAT TACTICAL TRAINER	19,984	19,984
178	AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA	10,977	10,977
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	4,056	4,056
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
180	CALIBRATION SETS EQUIPMENT	10,494	10,494
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	45,508	45,508
182	TEST EQUIPMENT MODERNIZATION (TEMOD)	24,334	37,334
	OTHER SUPPORT EQUIPMENT		
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	5,078	5,078
184	PHYSICAL SECURITY SYSTEMS (OPA3)	46,301	46,301
185	BASE LEVEL COM'L EQUIPMENT	1,373	1,373
186	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	59,141	59,141
187	PRODUCTION BASE SUPPORT (OTH)	2,446	2,446
188	SPECIAL EQUIPMENT FOR USER TESTING	12,920	12,920
189	AMC CRITICAL ITEMS OPA3	19,180	19,180
190	TRACTOR YARD	7,368	7,368
191	BCT UNMANNED GROUND VEHICLE	83,937	31,937
	TOTAL, OTHER SUPPORT EQUIPMENT	1,300,392	1,184,619
	SPARE AND REPAIR PARTS		
193	INITIAL SPARES - C&E	64,507	64,507
	TOTAL, SPARE AND REPAIR PARTS	64,507	64,507
	CLASSIFIED PROGRAMS	3,435	3,435
	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	---	52,000
	NON-DEVELOPMENTAL EMERGING TECHNOLOGIES	---	25,000
	ARMY NATIONAL GUARD HMMWV MODERNIZATION PROGRAM	---	100,000
	TOTAL, OTHER PROCUREMENT, ARMY	6,326,245	5,741,664

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
2	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	346,115	339,515
	Support cost growth		-6,600
19	NONTACTICAL VEHICLES, OTHER	16,791	11,791
	Unobligated balances		-5,000
20	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	10,061	8,961
	Unobligated balances		-1,100
21	WIN-T - GROUND FORCES TACTICAL NETWORK	892,635	545,820
	Increment 2 contract award delay		-346,815
25	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	6,822	1,822
	Ahead of need		-5,000
28	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	27,353	8,453
	Contract award delay		-18,900
29	SMART-T (SPACE)	98,656	14,040
	Army reduced requirement		-84,616
36	JOINT TACTICAL RADIO SYSTEM	556,250	366,250
	Manpack contract award delay		-190,000
41	TRACTOR DESK	7,779	2,579
	Excess to need		-5,200
43	SPIDER APLA REMOTE CONTROL UNIT	34,365	32,365
	Program adjustment		-2,000
44	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,833	0
	Unobligated balances		-1,833
47	GUNSHOT DETECTION SYSTEM (GDS)	2,332	0
	Contract award delay		-2,332
59	INFORMATION SYSTEMS	142,133	131,133
	Unobligated balances		-11,000
82	SENSE THROUGH THE WALL (STTW)	6,212	0
	Contract award delay		-6,212
90	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	29,881	27,381
	Training excess to need		-2,500
96	MOD OF IN-SERVICE EQUIPMENT (LLDR)	22,403	88,403
	Light weight laser designator/range finder - Army identified shortfall		66,000
98	MORTAR FIRE CONTROL SYSTEM	29,505	21,705
	Program cost growth		-7,800

P-1	Budget Request	Conference
111 NETWORK MANAGEMENT INITIALIZATION AND SERVICE	**59,821**	**44,921**
Unjustified unit cost growth		-11,900
Program support cost growth		-3,000
116 AUTOMATED DATA PROCESSING EQUIPMENT	**129,438**	**129,438**
Army requested internal realignment - high performance computing modernization program		[57,700]
126 FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	**3,960**	**1,000**
Stun device requirement met with fiscal year 2012 funding		-2,960
130 TACTICAL BRIDGING	**35,499**	**2,961**
Dry support bridge contract award delay		-32,000
Line of communication bridge termination		-538
131 TACTICAL BRIDGE, FLOAT-RIBBON	**32,893**	**20,843**
Propulsion contract award delay		-12,050
141 GROUND SOLDIER SYSTEM	**103,317**	**93,317**
Reduce funding by two brigade combat teams		-10,000
162 ALL TERRAIN CRANES	**4,003**	**3,503**
Excess support costs		-500
165 ENHANCED RAPID AIRFIELD CONSTRUCTION	**13,725**	**0**
Excess to need		-13,725
166 CONSTRUCTION EQUIPMENT EXTENDED SERVICE PROG	**13,351**	**11,351**
Excess suppport costs		-2,000
176 TRAINING DEVICES, NONSYSTEM	**125,251**	**122,251**
Unobligated balances		-3,000
182 TEST EQUIPMENT MODERNIZATION (TEMOD)	**24,334**	**37,334**
Test and training ranges upgrades		13,000
191 BCT UNMANNED GROUND VEHICLE	**83,937**	**31,937**
Ahead of need		-52,000
xxx EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	**0**	**52,000**
Army requested transfer from OM,A line 131		52,000
xxx NON-DEVELOPMENTAL EMERGING TECHNOLOGIES	**0**	**25,000**
Army requested transfer from RDTE,A line 169		25,000
xxx ARMY NATIONAL GUARD HMMWV MODERNIZATION PROGRAM	**0**	**100,000**
Program increase		100,000

CONTAINER HANDLING EQUIPMENT

The conferees do not agree to withhold funding made available to the Army in this Act or any other appropriations act for fiscal year 2013 or any previous fiscal year for the procurement of container handling equipment. However, the conference agreement retains a reporting requirement as established in House Report 112–493, which directs the Comptroller General to provide a report to the congressional defense committees.

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	RECOMMEND
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	EA-18G	1,027,443	940,965
2	EA-18G (AP-CY)	---	45,000
3	F/A-18E/F (FIGHTER) HORNET (MYP)	2,035,131	2,581,565
4	F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY)	30,296	30,296
5	JOINT STRIKE FIGHTER	1,007,632	965,979
6	JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)	65,180	32,590
7	JSF STOVL	1,404,737	1,241,636
8	JSF STOVL (AP-CY)	106,199	106,199
9	V-22 (MEDIUM LIFT)	1,303,120	1,362,120
10	V-22 (MEDIUM LIFT) (AP-CY)	154,202	154,202
11	UH-1Y/AH-1Z	720,933	785,545
12	UH-1Y/AH-1Z (AP-CY)	69,658	69,658
13	MH-60S (MYP)	384,792	377,168
14	MH-60S (MYP) (AP-CY)	69,277	69,277
15	MH-60R	656,866	656,866
16	MH-60R (AP-CY)	185,896	159,541
17	P-8A POSEIDON	2,420,755	2,385,209
18	P-8A POSEIDON (ADVANCE PROCUREMENT)	325,679	325,679
19	E-2D ADV HAWKEYE	861,498	833,498
20	E-2D ADV HAWKEYE (AP-CY)	123,179	123,179
21	C-40A	---	79,000
	TOTAL, COMBAT AIRCRAFT	12,952,473	13,325,172
	TRAINER AIRCRAFT		
22	JPATS	278,884	243,379
	TOTAL, TRAINER AIRCRAFT	278,884	243,379

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	OTHER AIRCRAFT		
23	KC-130J	3,000	133,000
24	KC-130J (AP-CY)	22,995	22,995
25	RQ-4 UAV (AP-CY)	51,124	51,124
26	MQ-8 UAV	124,573	124,573
27	STUASLO UAV	9,593	---
	TOTAL, OTHER AIRCRAFT	211,285	331,692
	MODIFICATION OF AIRCRAFT		
28	EA-6 SERIES	30,062	30,062
29	AEA SYSTEMS	49,999	44,819
30	AV-8 SERIES	38,703	38,703
31	ADVERSARY	4,289	4,289
32	F-18 SERIES	647,306	600,194
33	H-46 SERIES	2,343	2,343
34	AH-1W SERIES	8,721	8,721
35	H-53 SERIES	45,567	38,067
36	SH-60 SERIES	83,527	97,392
37	H-1 SERIES	6,508	6,508
38	EP-3 SERIES	66,374	63,474
39	P-3 SERIES	148,405	137,145
40	E-2 SERIES	16,322	16,322
41	TRAINER A/C SERIES	34,284	28,134
42	C-2A	4,743	4,743
43	C-130 SERIES	60,302	45,961
44	FEWSG	670	670
45	CARGO/TRANSPORT A/C SERIES	26,311	15,629
46	E-6 SERIES	158,332	152,732
47	EXECUTIVE HELICOPTERS SERIES	58,163	43,163

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
48	SPECIAL PROJECT AIRCRAFT	12,421	11,421
49	T-45 SERIES	64,488	48,908
50	POWER PLANT CHANGES	21,569	13,569
51	JPATS SERIES	1,552	1,552
52	AVIATION LIFE SUPPORT MODS	2,473	2,473
53	COMMON ECM EQUIPMENT	114,690	112,944
54	COMMON AVIONICS CHANGES	96,183	92,583
56	ID SYSTEMS	39,846	36,112
57	P-8 SERIES	5,302	5,302
58	MAGTF EW FOR AVIATION	34,127	34,127
59	RQ-7 SERIES	49,324	49,324
60	V-22 (TILT/ROTOR ACFT) OSPREY	95,856	91,856
	TOTAL, MODIFICATION OF AIRCRAFT	2,028,762	1,879,242
	AIRCRAFT SPARES AND REPAIR PARTS		
61	SPARES AND REPAIR PARTS	1,166,430	1,119,200
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		
62	COMMON GROUND EQUIPMENT	387,195	381,195
63	AIRCRAFT INDUSTRIAL FACILITIES	23,469	21,474
64	WAR CONSUMABLES	43,383	43,383
65	OTHER PRODUCTION CHARGES	3,399	3,399
66	SPECIAL SUPPORT EQUIPMENT	32,274	32,274
67	FIRST DESTINATION TRANSPORTATION	1,742	1,742
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT & FACILITIES	491,462	483,467
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	17,129,296	17,382,152

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
1	**EA-18G**	**1,027,443**	**940,965**
	CFE electronics cost growth		-25,896
	Engine cost growth		-13,020
	Other GFE contract savings		-1,308
	Excess ancilliary equipment funding		-4,941
	Support funding carryover		-8,000
	Avionics PGSE cost growth		-20,000
	AEA kit shutdown phasing		-13,313
2	**EA-18G (AP-CY)**	**0**	**45,000**
	Program increase - 15 additional aircraft (advance procurement)		45,000
3	**F/A-18E/F (FIGHTER) HORNET (MYP)**	**2,035,131**	**2,581,565**
	GFE electronics cost growth		-8,710
	Engine cost growth		-28,000
	Armament cost growth		-2,458
	Excess ECO funding		-11,398
	Support funding carryover		-8,000
	Program increase - 11 additional aircraft		605,000
5	**JOINT STRIKE FIGHTER**	**1,007,632**	**965,979**
	Excess ECO funding		-4,249
	Excess NRE		-7,404
	Engine PGSE growth		-10,000
	Support funding carryover		-20,000
6	**JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)**	**65,180**	**32,590**
	Excess advance procurement due to reduced fiscal year 2013 procurement		-32,590
7	**JSF STOVL**	**1,404,737**	**1,241,636**
	Engine cost growth		-44,350
	ECO growth		-3,950
	Excess NRE due to reduced procurement ramp		-77,801
	Support funding carryover		-30,000
	Engine PGSE growth		-7,000
9	**V-22 (MEDIUM LIFT)**	**1,303,120**	**1,362,120**
	Replace operational loss		71,000
	Flyaway unit cost savings		-12,000
11	**UH-1Y/AH-1Z**	**720,933**	**785,545**
	UH-1Y GFE electronics cost growth		-8,700
	AH-1Z GFE electronics cost growth		-6,588
	Replace aircraft losses		79,900
13	**MH-60S (MYP)**	**384,792**	**377,168**
	Airframe contract savings		-7,624

P-1		Budget Request	Conference
16	**MH-60R (AP-CY)**	**185,896**	**159,541**
	Excess advance procurement due to reduced fiscal year 2013 procurement		-26,355
17	**P-8A POSEIDON**	**2,420,755**	**2,385,209**
	Excess to need		-35,546
19	**E-2D ADV HAWKEYE**	**861,498**	**833,498**
	Airframe cost growth		-28,000
21	**C-40A**	**0**	**79,000**
	One C-40 aircraft to mitigate Navy Reserve shortfall		79,000
22	**JPATS**	**278,884**	**243,379**
	Airframe cost growth		-21,285
	NRE growth		-4,220
	Support funding carryover		-4,000
	Excess ECO funding		-6,000
23	**KC-130J**	**3,000**	**133,000**
	Program increase - two additional aircraft		130,000
27	**STUASL0 UAV**	**9,593**	**0**
	Program decrease		-9,593
29	**AEA SYSTEMS**	**49,999**	**44,819**
	Low band transmitter cost growth		-1,980
	Installation equipment NRE growth		-3,000
	AEA expendable ahead of need		-200
32	**F-18 SERIES**	**647,306**	**600,194**
	ECP 1125 cost growth		-1,504
	ILS growth (OSIP 11-84)		-5,000
	Excess other support funding (OSIP 10-99)		-1,100
	Installation kit non-recurring funding growth (OSIP 11-99)		-10,000
	Aft fuselage installation cost growth (OSIP 11-99)		-2,250
	Joint helmet mounted cueing system (JHMCS) contract savings (OSIP 24-00)		-5,400
	JHMCS (C/D) B-kit cost growth (OSIP 24-00)		-4,000
	APG-65/73/79 obsolescence growth (OSIP 002-07)		-4,858
	Other support funding growth (OSIP 001-10)		-3,000
	Core avionics improvements installation equipment non-recurring engineering unjustified growth		-10,000
35	**H-53 SERIES**	**45,567**	**38,067**
	Other support cost growth		-7,500

P-1		Budget Request	Conference
36	**SH-60 SERIES**	**83,527**	**97,392**
	ECP 4034 and 4039 kit procurement ahead of need (OSIP 009-07)		-1,535
	Automatic radar periscope detection discrimination (OSIP 005-12) contract savings		-3,600
	Program increase - special warfare support helicopter capability upgrade		20,000
	Other support cost growth		-1,000
38	**EP-3 SERIES**	**66,374**	**63,474**
	Quick reaction capability unjustified request		-1,000
	Other support cost growth		-1,900
39	**P-3 SERIES**	**148,405**	**137,145**
	TCAS modification kit procurement ahead of need		-9,500
	Special structural inspection kits installation cost growth		-1,760
41	**TRAINER A/C SERIES**	**34,284**	**28,134**
	T-44 Avionics obsolescence cost growth (OSIP 005-04)		-6,150
43	**C-130 SERIES**	**60,302**	**45,961**
	Other support funding growth (OSIP 008-12)		-4,156
	NRE B-kit procurement ahead of need (OSIP 008-12)		-5,400
	LAIRCM installation funding ahead of need (OSIP 020-12)		-4,679
	C-130J communications navigation surveillance/air traffic management integrated logistics support excess to need		-106
45	**CARGO/TRANSPORT A/C SERIES**	**26,311**	**15,629**
	CNS/ATM installation cost growth (OSIP 012-04)		-682
	Aircraft survivability equipment excess to need (OSIP 023-12)		-10,000
46	**E-6 SERIES**	**158,332**	**152,732**
	Other support growth (OSIP 003-04)		-2,600
	SLEP kit installation cost growth (OSIP 003-07)		-3,000
47	**EXECUTIVE HELICOPTERS SERIES**	**58,163**	**43,163**
	VH-3D cockpit upgrade non-recurring engineering contract delay		-15,000
48	**SPECIAL PROJECT AIRCRAFT**	**12,421**	**11,421**
	Excess other support funding		-1,000
49	**T-45 SERIES**	**64,488**	**48,908**
	Excess non-recurring and other support funding (OSIP 008-95)		-6,200
	Installation funding carryover (OSIP 008-12)		-1,900
	Avionics obsolesence modification kit cost growth (OSIP 017-04)		-2,360
	Synthetic radar modification kit cost growth (OSIP 002-06)		-5,120

P-1		Budget Request	Conference
50	**POWER PLANT CHANGES**	**21,569**	**13,569**
	Unobligated balances		-8,000
53	**COMMON ECM EQUIPMENT**	**114,690**	**112,944**
	LAIRCM cost growth (OSIP 005-08)		-1,746
54	**COMMON AVIONICS CHANGES**	**96,183**	**92,583**
	Blue force situational awareness installation kits procurement ahead of need (OSIP 10-11)		-1,400
	Prior year funds available		-2,200
56	**ID SYSTEMS**	**39,846**	**36,112**
	Mode 5 IFF cost growth (OSIP 15-03)		-3,734
60	**V-22 (TILT/ROTOR ACFT) OSPREY**	**95,856**	**91,856**
	Other support growth (OSIP 022-01)		-4,000
61	**SPARES AND REPAIR PARTS**	**1,166,430**	**1,119,200**
	Excess MV-22 initial spares		-11,230
	Excess E-2D initial spares		-19,000
	MQ-8 spares growth		-2,000
	F-35C spares execution		-15,000
62	**COMMON GROUND EQUIPMENT**	**387,195**	**381,195**
	Aircrew virtual environment trainer cost growth		-1,000
	Support funding carryover		-5,000
63	**AIRCRAFT INDUSTRIAL FACILITIES**	**23,469**	**21,474**
	Physical dimension/optical calibration cost growth		-1,995

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	RECOMMEND
	WEAPONS PROCUREMENT, NAVY		
	BALLISTIC MISSILES		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,224,683	1,199,883
	SUPPORT EQUIPMENT AND FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	5,553	5,553
	TOTAL, BALLISTIC MISSILES	1,230,236	1,205,436
	OTHER MISSILES		
	STRATEGIC MISSILES		
3	TOMAHAWK	308,970	293,970
	TACTICAL MISSILES		
4	AMRAAM	102,683	92,359
5	SIDEWINDER	80,226	74,267
6	JSOW	127,609	127,609
7	STANDARD MISSILE	399,482	381,762
8	RAM	66,769	65,769
9	HELLFIRE	74,501	74,501
11	AERIAL TARGETS	61,518	59,862
12	OTHER MISSILE SUPPORT	3,585	3,585
	MODIFICATION OF MISSILES		
13	ESSM	58,194	53,694
14	HARM MODS	86,721	86,721
	SUPPORT EQUIPMENT AND FACILITIES		
16	WEAPONS INDUSTRIAL FACILITIES	2,014	2,014
17	FLEET SATELLITE COMM FOLLOW-ON	21,454	21,454
	ORDNANCE SUPPORT EQUIPMENT		
18	ORDNANCE SUPPORT EQUIPMENT	54,945	54,945
	TOTAL, OTHER MISSILES	1,448,671	1,392,512

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	TORPEDOES AND RELATED EQUIPMENT		
	TORPEDOES AND RELATED EQUIP		
19	SSTD	2,700	2,700
20	ASW TARGETS	10,385	10,385
	MOD OF TORPEDOES AND RELATED EQUIP		
21	MK-46 TORPEDO MODS	74,487	73,487
22	MK-48 TORPEDO ADCAP MODS	54,281	48,833
23	QUICKSTRIKE MINE	6,852	6,852
	SUPPORT EQUIPMENT		
24	TORPEDO SUPPORT EQUIPMENT	46,402	46,402
25	ASW RANGE SUPPORT	11,927	10,927
	DESTINATION TRANSPORTATION		
26	FIRST DESTINATION TRANSPORTATION	3,614	3,614
	TOTAL, TORPEDOES AND RELATED EQUIPMENT	210,648	203,200
	OTHER WEAPONS		
	GUNS AND GUN MOUNTS		
27	SMALL ARMS AND WEAPONS	12,594	12,594
	MODIFICATION OF GUNS AND GUN MOUNTS		
28	CIWS MODS	59,303	67,003
29	COAST GUARD WEAPONS	19,072	19,072
30	GUN MOUNT MODS	54,706	54,706
32	CRUISER MODERNIZATION WEAPONS	1,591	1,591
33	AIRBORNE MINE NEUTRALIZATION SYSTEMS	20,607	20,607
	TOTAL, OTHER WEAPONS	167,873	175,573
34	SPARES AND REPAIR PARTS	60,150	60,150
	TOTAL, WEAPONS PROCUREMENT, NAVY	3,117,578	3,036,871

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
1	**TRIDENT II MODS**	**1,224,683**	**1,199,883**
	Rocket motor requalification growth		-2,100
	Tooling and test/support equipment growth		-10,000
	Reduce unjustified program support costs		-12,700
3	**TOMAHAWK**	**308,970**	**293,970**
	Contract savings		-15,000
4	**AMRAAM**	**102,683**	**92,359**
	Captive air training missile cost growth		-10,324
5	**SIDEWINDER**	**80,226**	**74,267**
	All up round missile cost growth		-3,847
	Captive air training missile cost growth		-2,112
7	**STANDARD MISSILE**	**399,482**	**381,762**
	Maintain fiscal year 2012 SM-6 production level		-17,720
8	**RAM**	**66,769**	**65,769**
	Support funding carryover		-1,000
11	**AERIAL TARGETS**	**61,518**	**59,862**
	Rocket motor unit cost growth		-1,656
13	**ESSM**	**58,194**	**53,694**
	Support funding carryover		-4,500
21	**MK-46 TORPEDO MODS**	**74,487**	**73,487**
	Support funding carryover		-1,000
22	**MK-48 TORPEDO ADCAP MODS**	**54,281**	**48,833**
	CBASS kit contract savings		-5,448
25	**ASW RANGE SUPPORT**	**11,927**	**10,927**
	Stationary target component growth		-1,000
28	**CIWS MODS**	**59,303**	**67,003**
	Program increase - additional RMA kits		7,700

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	RECOMMEND
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
	PROC AMMO, NAVY		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	27,024	26,024
2	AIRBORNE ROCKETS, ALL TYPES	56,575	54,775
3	MACHINE GUN AMMUNITION	21,266	20,266
4	PRACTICE BOMBS	34,319	32,619
5	CARTRIDGES & CART ACTUATED DEVICES	53,755	53,755
6	AIR EXPENDABLE COUNTERMEASURES	61,693	58,233
7	JATOS	2,776	2,776
8	LRLAP 6" LONG RANGE ATTACK PROJECTILE	7,102	7,102
9	5 INCH/54 GUN AMMUNITION	48,320	48,320
10	INTERMEDIATE CALIBER GUN AMMUNITION	25,544	18,544
11	OTHER SHIP GUN AMMUNITION	41,624	36,184
12	SMALL ARMS & LANDING PARTY AMMO	65,893	63,515
13	PYROTECHNIC AND DEMOLITION	11,176	11,176
14	AMMUNITION LESS THAN $5 MILLION	4,116	4,116
	TOTAL, PROC AMMO, NAVY	461,183	437,405

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	PROC AMMO, MARINE CORPS		
	MARINE CORPS AMMUNITION		
15	SMALL ARMS AMMUNITION	83,733	69,455
16	LINEAR CHARGES, ALL TYPES	24,645	18,253
17	40 MM, ALL TYPES	16,201	16,201
19	81MM, ALL TYPES	13,711	3,711
20	120MM, ALL TYPES	12,557	12,557
22	GRENADES, ALL TYPES	7,634	6,185
23	ROCKETS, ALL TYPES	27,528	27,528
24	ARTILLERY, ALL TYPES	93,065	55,409
25	DEMOLITION MUNITIONS, ALL TYPES	2,047	---
26	FUZE, ALL TYPES	5,297	1,255
27	NON LETHALS	1,362	1,362
28	AMMO MODERNIZATION	4,566	4,566
29	ITEMS LESS THAN $5 MILLION	6,010	6,010
	TOTAL, PROC AMMO, MARINE CORPS	298,356	222,492
	TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	759,539	659,897

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
1	**GENERAL PURPOSE BOMBS**	**27,024**	**26,024**
	Support funding carryover		-1,000
2	**AIRBORNE ROCKETS, ALL TYPES**	**56,575**	**54,775**
	MK-66 rocket motor cost growth		-1,800
3	**MACHINE GUN AMMUNITION**	**21,266**	**20,266**
	20MM linkless TP PGU-27 cost growth		-1,000
4	**PRACTICE BOMBS**	**34,319**	**32,619**
	MK-76 and MK-82 inert bombs cost growth		-1,700
6	**AIR EXPENDABLE COUNTERMEASURES**	**61,693**	**58,233**
	ALE-55 cost growth		-1,700
	MJU-57 cost growth		-1,760
10	**INTERMEDIATE CALIBER GUN AMMUNITION**	**25,544**	**18,544**
	MK295 cartridge prior year funds available		-1,100
	MK295 cartridge decreased unit cost		-5,900
11	**OTHER SHIP GUN AMMUNITION**	**41,624**	**36,184**
	20MM MK-244 cartridge cost growth		-2,700
	30MM x 173 linked cartridge contract delay		-2,740
12	**SMALL ARMS & LANDING PARTY AMMO**	**65,893**	**63,515**
	5.56MM M855 cartridge cost growth		-1,082
	7.62MM LKD, ball, and tracer cartridge cost growth		-650
	M18A1 mine cost growth		-646
15	**SMALL ARMS AMMUNITION**	**83,733**	**69,455**
	5.56MM LAP kit cost growth		-5,300
	7.62MM 4 & 1 linked cartridge cost growth		-1,074
	.50 caliber 4 & 1 linked cartridge cost growth		-1,600
	Prior year funds available		-6,304
16	**LINEAR CHARGES, ALL TYPES**	**24,645**	**18,253**
	M58 series charge LAP kit cost growth		-1,295
	M58 series charge C-4 composite cost growth		-3,670
	Obstacle breaching system complete rounds cost growth		-1,427
19	**81MM, ALL TYPES**	**13,711**	**3,711**
	Excess to requirement		-10,000
22	**GRENADES, ALL TYPES**	**7,634**	**6,185**
	Signaling colored smoke grenade cost growth		-1,449
24	**ARTILLERY, ALL TYPES**	**93,065**	**55,409**
	IMX-101 explosive fill cost growth		-6,900
	M795 metal parts cost growth		-4,533
	IMX-101 wooden pallets cost growth		-901
	155MM projectile M795 HE LAP kit contract delay		-20,340
	DA13 propellant M31A2 contract delay		-4,982
25	**DEMOLITION MUNITIONS, ALL TYPES**	**2,047**	**0**
	Excess to requirement		-2,047
26	**FUZE, ALL TYPES**	**5,297**	**1,255**
	Prior year funds available		-4,042

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	RECOMMEND
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
1	CARRIER REPLACEMENT PROGRAM	608,195	565,371
3	VIRGINIA CLASS SUBMARINE	3,217,601	3,217,601
4	VIRGINIA CLASS SUBMARINE (AP-CY)	874,878	1,652,557
5	CVN REFUELING OVERHAUL	1,613,392	1,613,392
6	CVN REFUELING OVERHAULS (AP-CY)	70,010	70,010
8	DDG 1000	669,222	669,222
9	DDG-51	3,048,658	4,036,628
10	DDG-51 (AP-CY)	466,283	466,283
11	LITTORAL COMBAT SHIP	1,784,959	1,784,959
	TOTAL, OTHER WARSHIPS	12,353,198	14,076,023
	AMPHIBIOUS SHIPS		
13	LPD-17(AP)	---	263,255
15	INTRATHEATER CONNECTOR	189,196	189,196
	TOTAL, AMPHIBIOUS SHIPS	189,196	452,451
	AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM COSTS		
17	MOORED TRAINING SHIP	307,300	307,300
18	OUTFITTING	309,648	290,035
20	LCAC SLEP	47,930	85,830
21	COMPLETION OF PY SHIPBUILDING PROGRAMS	372,573	372,573
	TOTAL, AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM	1,037,451	1,055,738
	TOTAL, SHIPBUILDING & CONVERSION, NAVY	13,579,845	15,584,212

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
1	**CARRIER REPLACEMENT PROGRAM**	**608,195**	**565,371**
	Electronics ship test and integration growth		-2,500
	HM&E engineering services growth		-6,000
	Trucks/forklifts growth		-2,000
	Ship self defense system engineering growth		-2,000
	SEWIP block 2 growth		-5,000
	EMALS systems engineering growth		-3,000
	EMALS technical engineering services growth		-8,000
	JPALS pricing		-1,000
	AN/SQQ-34 tactical support center pricing		-1,000
	NULKA decoy system pricing		-1,500
	AN/UPX-29(V) IFF revised cost estimate		-10,824
4	**VIRGINIA CLASS SUBMARINE (AP-CY)**	**874,878**	**1,652,557**
	Program increase - advance procurement		777,679
9	**DDG-51**	**3,048,658**	**4,036,628**
	EXCOMM equipment cost growth		-10,214
	CIWS hardware cost growth		-1,816
	Program increase - one additional ship		1,000,000
13X	**LPD-17 (AP-CY)**	**0**	**263,255**
	Program increase - advance procurement		263,255
18	**OUTFITTING**	**309,648**	**290,035**
	DDG-113 outfitting ahead of need		-397
	SSN-786 outfitting phasing		-3,000
	SSN-788 outfitting ahead of need		-2,265
	CVN-72 outfitting ahead of need		-4,309
	JHSV-902 post delivery ahead of need		-3,642
	LPD-23 post delivery phasing		-6,000
20	**LCAC SLEP**	**47,930**	**85,830**
	Restore unjustified reduction of two craft		37,900

VIRGINIA CLASS SUBMARINE

The conferees direct the Navy to include ten Virginia Class Submarines in the program's next multi-year procurement opportunity.

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	RECOMMEND
	OTHER PROCUREMENT, NAVY		
	SHIPS SUPPORT EQUIPMENT		
	SHIP PROPULSION EQUIPMENT		
1	LM-2500 GAS TURBINE	10,658	10,658
2	ALLISON 501K GAS TURBINE	8,469	3,983
	NAVIGATION EQUIPMENT		
3	OTHER NAVIGATION EQUIPMENT	23,392	23,392
	PERISCOPES		
4	SUB PERISCOPES & IMAGING EQUIP	53,809	52,609
	OTHER SHIPBOARD EQUIPMENT		
5	DDG MOD	452,371	412,656
6	FIREFIGHTING EQUIPMENT	16,958	9,099
7	COMMAND AND CONTROL SWITCHBOARD	2,492	2,492
8	POLLUTION CONTROL EQUIPMENT	20,707	18,498
9	SUBMARINE SUPPORT EQUIPMENT	12,046	24,546
10	VIRGINIA CLASS SUPPORT EQUIPMENT	79,870	77,458
11	LCS CLASS SUPPORT EQUIPMENT	19,865	9,300
12	SUBMARINE BATTERIES	41,522	41,522
13	LPD CLASS SUPPORT EQUIPMENT	30,543	28,048
14	STRATEGIC PLATFORM SUPPORT EQUIP	16,257	16,257
15	DSSP EQUIPMENT	3,630	3,630
16	CG-MODERNIZATION	101,000	101,000
17	LCAC	16,645	16,645
18	UNDERWATER EOD PROGRAMS	35,446	33,318
19	ITEMS LESS THAN $5 MILLION	65,998	59,026
20	CHEMICAL WARFARE DETECTORS	4,359	4,359
21	SUBMARINE LIFE SUPPORT SYSTEM	10,218	6,610
	REACTOR PLANT EQUIPMENT		
22	REACTOR POWER UNITS	286,859	286,859
23	REACTOR COMPONENTS	278,503	278,503

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	OCEAN ENGINEERING		
24	DIVING AND SALVAGE EQUIPMENT	8,998	8,998
	SMALL BOATS		
25	STANDARD BOATS	30,131	30,131
	TRAINING EQUIPMENT		
26	OTHER SHIPS TRAINING EQUIPMENT	29,772	29,772
	PRODUCTION FACILITIES EQUIPMENT		
27	OPERATING FORCES IPE	64,346	104,346
	OTHER SHIP SUPPORT		
28	NUCLEAR ALTERATIONS	154,652	154,652
29	LCS MODULES	31,319	31,319
30	LCS MCM MISSION MODULES	38,392	38,392
31	LCS SUW MISSION MODULES	32,897	32,897
	LOGISTICS SUPPORT		
32	LSD MIDLIFE	49,758	45,793
	TOTAL, SHIPS SUPPORT EQUIPMENT	2,031,882	1,996,768
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
	SHIP SONARS		
34	SPQ-9B RADAR	19,777	19,777
35	AN/SQQ-89 SURF ASW COMBAT SYSTEM	89,201	88,201
36	SSN ACOUSTICS	190,874	190,874
37	UNDERSEA WARFARE SUPPORT EQUIPMENT	17,035	17,035
38	SONAR SWITCHES AND TRANSDUCERS	13,410	13,410
	ASW ELECTRONIC EQUIPMENT		
40	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,489	15,614
41	SSTD	10,716	10,716
42	FIXED SURVEILLANCE SYSTEM	98,896	98,896
43	SURTASS	2,774	2,774
44	TACTICAL SUPPORT CENTER	18,428	18,428
	ELECTRONIC WARFARE EQUIPMENT		
45	AN/SLQ-32	92,270	89,270
	RECONNAISSANCE EQUIPMENT		
46	SHIPBOARD IW EXPLOIT	107,060	97,064
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	914	914
	SUBMARINE SURVEILLANCE EQUIPMENT		
48	SUBMARINE SUPPORT EQUIPMENT PROG	34,050	34,050

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	OTHER SHIP ELECTRONIC EQUIPMENT		
49	COOPERATIVE ENGAGEMENT CAPABILITY	27,881	22,191
50	TRUSTED INFORMATION SYSTEM (TIS)	448	448
51	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	35,732	33,737
53	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	9,533	9,533
54	MINESWEEPING SYSTEM REPLACEMENT	60,111	45,654
55	SHALLOW WATER MCM	6,950	6,950
56	NAVSTAR GPS RECEIVERS (SPACE)	9,089	9,089
57	ARMED FORCES RADIO AND TV	7,768	5,568
58	STRATEGIC PLATFORM SUPPORT EQUIP	3,614	3,614
	TRAINING EQUIPMENT		
59	OTHER TRAINING EQUIPMENT	42,911	41,421
	AVIATION ELECTRONIC EQUIPMENT		
60	MATCALS	5,861	5,861
61	SHIPBOARD AIR TRAFFIC CONTROL	8,362	8,362
62	AUTOMATIC CARRIER LANDING SYSTEM	15,685	13,623
63	NATIONAL AIR SPACE SYSTEM	16,919	14,512
64	AIR STATION SUPPORT EQUIPMENT	6,828	6,828
65	MICROWAVE LANDING SYSTEM	7,646	7,646
66	ID SYSTEMS	35,474	29,856
67	TAC A/C MISSION PLANNING SYS(TAMPS)	9,958	9,958
	OTHER SHORE ELECTRONIC EQUIPMENT		
68	DEPLOYABLE JOINT COMMAND AND CONT	9,064	9,064
69	TADIX-B	16,026	14,882
70	GCCS-M EQUIPMENT TACTICAL/MOBILE	11,886	11,886
71	DCGS-N	11,887	11,887
72	CANES	341,398	316,389
73	RADIAC	8,083	8,083
74	CANES-INTELL	79,427	67,956
75	GPETE	6,083	6,083
76	INTEG COMBAT SYSTEM TEST FACILITY	4,495	4,495
77	EMI CONTROL INSTRUMENTATION	4,767	4,767
78	ITEMS LESS THAN $5 MILLION	81,755	74,355
	SHIPBOARD COMMUNICATIONS		
80	SHIP COMMUNICATIONS AUTOMATION	56,870	55,166

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
81	MARITIME DOMAIN AWARENESS (MDA)	1,063	1,063
82	COMMUNICATIONS ITEMS UNDER $5M	28,522	28,522
	SUBMARINE COMMUNICATIONS		
83	SUBMARINE BROADCAST SUPPORT	4,183	4,183
84	SUBMARINE COMMUNICATION EQUIPMENT	69,025	63,423
	SATELLITE COMMUNICATIONS		
85	SATELLITE COMMUNICATIONS SYSTEMS	49,294	49,294
86	NAVY MULTIBAND TERMINAL (NMT)	184,825	170,521
	SHORE COMMUNICATIONS		
87	JCS COMMUNICATIONS EQUIPMENT	2,180	2,180
88	ELECTRICAL POWER SYSTEMS	1,354	1,354
	CRYPTOGRAPHIC EQUIPMENT		
90	INFO SYSTEMS SECURITY PROGRAM (ISSP)	144,104	142,193
	CRYPTOLOGIC EQUIPMENT		
91	CRYPTOLOGIC COMMUNICATIONS EQUIP	12,604	12,604
	OTHER ELECTRONIC SUPPORT		
92	COAST GUARD EQUIPMENT	6,680	6,680
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	2,163,239	2,038,904
	AVIATION SUPPORT EQUIPMENT		
	SONOBUOYS		
95	SONOBUOYS - ALL TYPES	104,677	104,677
	AIRCRAFT SUPPORT EQUIPMENT		
96	WEAPONS RANGE SUPPORT EQUIPMENT	70,753	80,253
97	EXPEDITIONARY AIRFIELDS	8,678	8,678
98	AIRCRAFT REARMING EQUIPMENT	11,349	9,269
99	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	82,618	72,618
100	METEOROLOGICAL EQUIPMENT	18,339	18,339
101	OTHER PHOTOGRAPHIC EQUIPMENT	1,414	1,414
102	AVIATION LIFE SUPPORT	40,475	38,675
103	AIRBORNE MINE COUNTERMEASURES	61,552	59,552
104	LAMPS MK III SHIPBOARD EQUIPMENT	18,771	17,614
105	PORTABLE ELECTRONIC MAINTENANCE AIDS	7,954	7,954
106	OTHER AVIATION SUPPORT EQUIPMENT	10,023	8,377
107	AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS)	3,826	3,826
	TOTAL. AVIATION SUPPORT EQUIPMENT	440,429	431,246

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ORDNANCE SUPPORT EQUIPMENT		
	SHIP GUN SYSTEM EQUIPMENT		
108	NAVAL FIRES CONTROL SYSTEM	3,472	3,472
109	GUN FIRE CONTROL EQUIPMENT	4,528	4,528
	SHIP MISSILE SYSTEMS EQUIPMENT		
110	NATO SEASPARROW	8,960	8,960
111	RAM GMLS	1,185	1,185
112	SHIP SELF DEFENSE SYSTEM	55,371	55,371
113	AEGIS SUPPORT EQUIPMENT	81,614	78,614
114	TOMAHAWK SUPPORT EQUIPMENT	77,767	68,117
115	VERTICAL LAUNCH SYSTEMS	754	754
116	MARITIME INTEGRATED PLANNING SYSTEM-MIPS	4,965	3,965
	FBM SUPPORT EQUIPMENT		
117	STRATEGIC MISSILE SYSTEMS EQUIP	181,049	173,549
	ASW SUPPORT EQUIPMENT		
118	SSN COMBAT CONTROL SYSTEMS	71,316	71,316
119	SUBMARINE ASW SUPPORT EQUIPMENT	4,018	4,018
120	SURFACE ASW SUPPORT EQUIPMENT	6,465	6,465
121	ASW RANGE SUPPORT EQUIPMENT	47,930	47,930
	OTHER ORDNANCE SUPPORT EQUIPMENT		
122	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	3,579	3,579
123	ITEMS LESS THAN $5 MILLION	3,125	3,125
	OTHER EXPENDABLE ORDNANCE		
124	ANTI-SHIP MISSILE DECOY SYSTEM	31,743	29,743
125	SURFACE TRAINING DEVICE MODS	34,174	34,174
126	SUBMARINE TRAINING DEVICE MODS	23,450	23,450
	TOTAL, ORDNANCE SUPPORT EQUIPMENT	645,465	622,315
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
127	PASSENGER CARRYING VEHICLES	7,158	7,158
128	GENERAL PURPOSE TRUCKS	3,325	3,325
129	CONSTRUCTION & MAINTENANCE EQUIP	8,692	8,692
130	FIRE FIGHTING EQUIPMENT	14,533	14,533
131	TACTICAL VEHICLES	15,330	15,330
132	AMPHIBIOUS EQUIPMENT	10,803	10,803
133	POLLUTION CONTROL EQUIPMENT	7,265	7,265

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
134	ITEMS UNDER $5 MILLION	15,252	15,252
135	PHYSICAL SECURITY VEHICLES	1,161	1,161
	TOTAL, CIVIL ENGINEERING SUPPORT EQUIPMENT	83,519	83,519
	SUPPLY SUPPORT EQUIPMENT		
136	MATERIALS HANDLING EQUIPMENT	15,204	15,204
137	OTHER SUPPLY SUPPORT EQUIPMENT	6,330	6,330
138	FIRST DESTINATION TRANSPORTATION	6,539	6,539
139	SPECIAL PURPOSE SUPPLY SYSTEMS	34,804	22,286
	TOTAL, SUPPLY SUPPORT EQUIPMENT	62,877	50,359
	PERSONNEL AND COMMAND SUPPORT EQUIPMENT		
	TRAINING DEVICES		
140	TRAINING SUPPORT EQUIPMENT	25,444	25,444
	COMMAND SUPPORT EQUIPMENT		
141	COMMAND SUPPORT EQUIPMENT	43,165	43,165
142	EDUCATION SUPPORT EQUIPMENT	2,251	2,251
143	MEDICAL SUPPORT EQUIPMENT	3,148	3,148
146	NAVAL MIP SUPPORT EQUIPMENT	3,502	3,502
148	OPERATING FORCES SUPPORT EQUIPMENT	15,696	15,696
149	C4ISR EQUIPMENT	4,344	4,344
150	ENVIRONMENTAL SUPPORT EQUIPMENT	19,492	19,492
151	PHYSICAL SECURITY EQUIPMENT	177,149	177,149
152	ENTERPRISE INFORMATION TECHNOLOGY	183,995	183,995
	TOTAL, PERSONNEL AND COMMAND SUPPORT EQUIPMENT	478,186	478,186
153	SPARES AND REPAIR PARTS	250,718	240,718
	CLASSIFIED PROGRAMS	13,063	13,063
	TOTAL, OTHER PROCUREMENT, NAVY	6,169,378	5,955,078

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
2	**ALLISON 501K GAS TURBINE**	**8,469**	**3,983**
	Hot section replacement modification funding carryover		-4,486
4	**SUB PERISCOPES & IMAGING EQUIP**	**53,809**	**52,609**
	Support funding carryover		-1,200
5	**DDG MOD**	**452,371**	**412,656**
	Land based engineering site upgrade funding carryover		-8,000
	GEDMS equipment contract savings		-5,236
	MCS/DCS equipment cost growth		-1,275
	MCS/DCS engineering services growth		-2,842
	DVSS equipment cost growth		-1,303
	MK-160 gun installation cost growth		-1,100
	Aegis weapon system (AWS) equipment cost growth		-2,886
	Excess AWS design service agent installation funding		-3,200
	Excess multi-mission signal processor engineering services funding		-3,717
	SPY-1D upgrades cost growth		-2,697
	Excess VLS engineering services funding		-5,759
	Excess AN/SQQ-89 engineering services funding		-1,700
6	**FIREFIGHTING EQUIPMENT**	**16,958**	**9,099**
	EEBD contract delay		-7,859
8	**POLLUTION CONTROL EQUIPMENT**	**20,707**	**18,498**
	Pollution control support systems cost growth		-1,000
	R-114 conversion kit cost growth		-1,209
9	**SUBMARINE SUPPORT EQUIPMENT**	**12,046**	**24,546**
	Materials research and technology		12,500
10	**VIRGINIA CLASS SUPPORT EQUIPMENT**	**79,870**	**77,458**
	Ship alteration 4612K installation cost growth		-2,412
11	**LCS CLASS SUPPORT EQUIPMENT**	**19,865**	**9,300**
	LCS waterjet shore spare components ahead of need		-10,565
13	**LPD CLASS SUPPORT EQUIPMENT**	**30,543**	**28,048**
	HW/SW installation funding ahead of need		-2,495
18	**UNDERWATER EOD PROGRAMS**	**35,446**	**33,318**
	Underwater Mine Countermeasure UUV retrofit kit cost growth		-2,128
19	**ITEMS LESS THAN $5 MILLION**	**65,998**	**59,026**
	Machinery plant upgrades installation cost growth		-2,117
	Excess machinery plant upgrades design service agent funding		-4,194
	PC ECDIS installation funding ahead of need		-661

P-1		Budget Request	Conference
21	**SUBMARINE LIFE SUPPORT SYSTEM**	**10,218**	**6,610**
	Contract savings		-3,608
27	**OPERATING FORCES IPE**	**64,346**	**104,346**
	Program increase - shipyard capital investment program		40,000
32	**LSD MIDLIFE**	**49,758**	**45,793**
	Excess 30 ton crane control installation funding		-2,000
	RO and generator modification cost growth		-1,965
35	**AN/SQQ-89 SURF ASW COMBAT SYSTEM**	**89,201**	**88,201**
	Excess ECO funding		-1,000
40	**SUBMARINE ACOUSTIC WARFARE SYSTEM**	**21,489**	**15,614**
	NAE beacon contract delay		-3,875
	Contract award delays for launch tube and MK3		-2,000
45	**AN/SLQ-32**	**92,270**	**89,270**
	Excess block 2 electronic support system installation funding		-2,000
	Support funding carryover		-1,000
46	**SHIPBOARD IW EXPLOIT**	**107,060**	**97,064**
	SSEE increment F modification kit cost growth		-2,296
	SSEE increment F modification installation funding carryover		-6,300
	Support funding carryover		-1,400
49	**COOPERATIVE ENGAGEMENT CAPABILITY**	**27,881**	**22,191**
	Signal data processor backfit kit contract delay		-1,350
	Excess PAAA backfit installation funding		-615
	Excess signal data processor backfit kit installation funding		-2,725
	Support funding carryover		-1,000
51	**NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)**	**35,732**	**33,737**
	Upgrade kit installation cost growth		-1,995
54	**MINESWEEPING SYSTEM REPLACEMENT**	**60,111**	**45,654**
	Software integration growth		-2,800
	AN/SQQ-32 sonar cost growth		-8,757
	Support funding carryover		-2,900
57	**ARMED FORCES RADIO AND TV**	**7,768**	**5,568**
	Excess production support funding		-2,200
59	**OTHER TRAINING EQUIPMENT**	**42,911**	**41,421**
	Excess BFTT upgrade kit installation funding		-1,490

P-1		Budget Request	Conference
62	**AUTOMATIC CARRIER LANDING SYSTEM**	**15,685**	**13,623**
	AN/SPN-46 modification kit cost growth		-850
	AN/SPN-46 modification kit procurement ahead of need		-1,212
63	**NATIONAL AIR SPACE SYSTEM**	**16,919**	**14,512**
	Digital airport surveillance radar cost growth		-2,407
66	**ID SYSTEMS**	**35,474**	**29,856**
	Equipment procurement ahead of need		-2,918
	Support funding carryover		-2,700
69	**TADIX-B**	**16,026**	**14,882**
	AN/USQ-151 JTT-M system cost growth		-808
	Excess design service agent funding		-336
72	**CANES**	**341,398**	**316,389**
	Excess ADNS installation (afloat) funding		-2,070
	Excess ADNS installation (ashore) funding		-2,415
	Contract award delay and protest		-20,524
74	**CANES-INTELL**	**79,427**	**67,956**
	Contract delay (DDG-51 class)		-5,532
	Contract delay (LHD-7)		-5,939
78	**ITEMS LESS THAN $5 MILLION**	**81,755**	**74,355**
	Dual band radar ECP and production support funding ahead of need		-4,900
	SPS-48G ECP growth		-2,500
80	**SHIP COMMUNICATIONS AUTOMATION**	**56,870**	**55,166**
	Excess installation funding		-1,704
84	**SUBMARINE COMMUNICATION EQUIPMENT**	**69,025**	**63,423**
	Virginia class submarine common submarine radio room installation cost growth		-1,400
	Los Angeles class common submarine radio room modification kit cost growth		-1,152
	Los Angeles class design service agent funding growth		-1,800
	Los Angeles class common submarine radio room installation contract savings		-1,250
86	**NAVY MULTIBAND TERMINAL (NMT)**	**184,825**	**170,521**
	Ship terminal procurement ahead of need		-10,000
	Shore terminal procurement ahead of need		-2,704
	Support funding carryover		-1,600
90	**INFO SYSTEMS SECURITY PROGRAM (ISSP)**	**144,104**	**142,193**
	Comsec installation cost growth		-1,911
96	**WEAPONS RANGE SUPPORT EQUIPMENT**	**70,753**	**80,253**
	Support funding carryover		-3,500
	Test and training range upgrades		13,000
98	**AIRCRAFT REARMING EQUIPMENT**	**11,349**	**9,269**
	Weapons assembly station contract delay		-2,080
99	**AIRCRAFT LAUNCH & RECOVERY EQUIPMENT**	**82,618**	**72,618**
	Unjustified cost growth for kit purchase		-10,000

P-1	Budget Request	Conference
102 AVIATION LIFE SUPPORT	**40,475**	**38,675**
Flight deck cranial cost growth		-1,800
103 AIRBORNE MINE COUNTERMEASURES	**61,552**	**59,552**
Modification funding growth		-2,000
104 LAMPS MK III SHIPBOARD EQUIPMENT	**18,771**	**17,614**
LAMPS MK III equipment procurement ahead of need		-1,157
106 OTHER AVIATION SUPPORT EQUIPMENT	**10,023**	**8,377**
Joint tactical data integration suites cost growth		-1,092
Expeditionary pack up kit cost growth		-554
113 AEGIS SUPPORT EQUIPMENT	**81,614**	**78,614**
Aegis weapon system ship change procurement growth		-3,000
114 TOMAHAWK SUPPORT EQUIPMENT	**77,767**	**68,117**
Production support funding growth		-9,650
116 MARITIME INTEGRATED PLANNING SYSTEM-MIPS	**4,965**	**3,965**
Excess installation funding		-1,000
117 STRATEGIC MISSILE SYSTEMS EQUIP	**181,049**	**173,549**
Launcher software refresh/redesign growth		-7,500
124 ANTI-SHIP MISSILE DECOY SYSTEM	**31,743**	**29,743**
Installation cost growth		-2,000
139 SPECIAL PURPOSE SUPPLY SYSTEMS	**34,804**	**22,286**
Excess to need		-12,518
153 SPARES AND REPAIR PARTS	**250,718**	**240,718**
Outfitting spares execution		-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	RECOMMEND
	PROCUREMENT, MARINE CORPS		
	WEAPONS AND COMBAT VEHICLES		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	16,089	16,089
2	LAV PIP	186,216	45,342
	ARTILLERY AND OTHER WEAPONS		
3	EXPEDITIONARY FIRE SUPPORT SYSTEM	2,502	2,502
4	155MM LIGHTWEIGHT TOWED HOWITZER	17,913	17,913
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	47,999	7,107
6	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	17,706	16,558
	OTHER SUPPORT		
7	MODIFICATION KITS	48,040	45,775
8	WEAPONS ENHANCEMENT PROGRAM	4,537	4,537
	TOTAL, WEAPONS AND COMBAT VEHICLES	341,002	155,823
	GUIDED MISSILES AND EQUIPMENT		
	GUIDED MISSILES		
9	GROUND BASED AIR DEFENSE	11,054	11,054
11	FOLLOW ON TO SMAW	19,650	19,650
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	20,708	20,162
	TOTAL, GUIDED MISSILES AND EQUIPMENT	51,412	50,866

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
	COMMAND AND CONTROL SYSTEMS		
14	COMBAT OPERATIONS CENTER	1,420	1,420
	REPAIR AND TEST EQUIPMENT		
15	REPAIR AND TEST EQUIPMENT	25,127	25,127
	OTHER SUPPORT (TEL)		
16	COMBAT SUPPORT SYSTEM	25,822	22,822
17	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL		
18	ITEMS UNDER $5 MILLION (COMM & ELEC)	5,498	5,498
19	AIR OPERATIONS C2 SYSTEMS	11,290	11,290
	RADAR + EQUIPMENT (NON-TEL)		
20	RADAR SYSTEMS	128,079	128,079
21	RQ-21 UAS	27,619	14,000
	INTELL/COMM EQUIPMENT (NON-TEL)		
22	FIRE SUPPORT SYSTEM	7,319	7,319
23	INTELLIGENCE SUPPORT EQUIPMENT	7,466	7,466
25	RQ-11 UAV	2,318	2,318
26	DCGS-MC	18,291	13,291
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
29	NIGHT VISION EQUIPMENT	48,084	43,884
	OTHER SUPPORT (NON-TEL)		
30	COMMON COMPUTER RESOURCES	206,708	206,708
31	COMMAND POST SYSTEMS	35,190	35,190
32	RADIO SYSTEMS	89,059	89,059
33	COMM SWITCHING & CONTROL SYSTEMS	22,500	22,500
34	COMM & ELEC INFRASTRUCTURE SUPPORT	42,625	42,625
	CLASSIFIED PROGRAMS	2,290	2,290
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	709,536	683,717

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	SUPPORT VEHICLES		
	ADMINISTRATIVE VEHICLES		
35	COMMERCIAL PASSENGER VEHICLES	2,877	2,877
36	COMMERCIAL CARGO VEHICLES	13,960	13,960
	TACTICAL VEHICLES		
37	5/4T TRUCK HMMWV (MYP)	8,052	8,052
38	MOTOR TRANSPORT MODIFICATIONS	50,269	50,269
40	LOGISTICS VEHICLE SYSTEM REP	37,262	37,262
41	FAMILY OF TACTICAL TRAILERS	48,160	48,160
	OTHER SUPPORT		
43	ITEMS LESS THAN $5 MILLION	6,705	6,705
	TOTAL, SUPPORT VEHICLES	167,285	167,285
	ENGINEER AND OTHER EQUIPMENT		
	ENGINEER AND OTHER EQUIPMENT		
44	ENVIRONMENTAL CONTROL EQUIP ASSORT	13,576	13,576
45	BULK LIQUID EQUIPMENT	16,869	16,869
46	TACTICAL FUEL SYSTEMS	19,108	19,108
47	POWER EQUIPMENT ASSORTED	56,253	56,253
48	AMPHIBIOUS SUPPORT EQUIPMENT	13,089	13,089
49	EOD SYSTEMS	73,699	73,699
	MATERIALS HANDLING EQUIPMENT		
50	PHYSICAL SECURITY EQUIPMENT	3,510	3,510
51	GARRISON MOBILE ENGR EQUIP	11,490	11,490
52	MATERIAL HANDLING EQUIP	20,659	20,659
53	FIRST DESTINATION TRANSPORTATION	132	132

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	GENERAL PROPERTY		
54	FIELD MEDICAL EQUIPMENT	31,068	31,068
55	TRAINING DEVICES	45,895	45,895
56	CONTAINER FAMILY	5,801	5,801
57	FAMILY OF CONSTRUCTION EQUIPMENT	23,939	23,939
60	RAPID DEPLOYABLE KITCHEN	8,365	8,365
	OTHER SUPPORT		
61	ITEMS LESS THAN $5 MILLION	7,077	7,077
	TOTAL, ENGINEER AND OTHER EQUIPMENT	350,530	350,530
62	SPARES AND REPAIR PARTS	3,190	3,190
	TOTAL, PROCUREMENT, MARINE CORPS	1,622,955	1,411,411

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
2	LAV PIP	186,216	45,342
	Marine Corps requested transfer to MP,MC and OM,MC		-140,874
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	47,999	7,107
	Marine Corps requested transfer to title IX - AP,N line 23		-40,892
6	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	17,706	16,558
	Scout sniper excess to requirement		-1,148
7	MODIFICATION KITS	48,040	45,775
	Abrams suspension unit cost growth		-2,265
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	20,708	20,162
	Unit cost growth		-546
16	COMBAT SUPPORT SYSTEM	25,822	22,822
	GCSS program delay		-3,000
21	RQ-21 UAS	27,619	14,000
	Program adjustment		-13,619
26	DCGS-MC	18,291	13,291
	Prior year unobligated balances		-5,000
29	NIGHT VISION EQUIPMENT	48,084	43,884
	Squad thermal system program delay		-4,200

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	RECOMMEND
	AIRCRAFT PROCUREMENT, AIR FORCE		
	COMBAT AIRCRAFT		
	TACTICAL FORCES		
1	F-35	3,124,302	3,039,302
2	F-35 (AP-CY)	293,400	293,400
	TOTAL, COMBAT AIRCRAFT	3,417,702	3,332,702
	AIRLIFT AIRCRAFT		
	OTHER AIRLIFT		
5	C-130J	68,373	139,373
6	C-130J ADVANCE PROCUREMENT (CY)	---	180,000
7	HC-130J	152,212	278,212
9	MC-130J	374,866	500,866
12	JOINT CARGO AIRCRAFT	---	137,863
	TOTAL, AIRLIFT AIRCRAFT	595,451	1,236,314
	OTHER AIRCRAFT		
	HELICOPTERS		
15	HH-60 LOSS REPLACEMENT/RECAP	60,596	57,396
17	V-22 OSPREY	294,220	294,220
18	V-22 OSPREY (AP-CY)	15,000	15,000
	MISSION SUPPORT AIRCRAFT		
19	CIVIL AIR PATROL A/C	2,498	9,298

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	OTHER AIRCRAFT		
24	TARGET DRONES	129,866	129,866
26	RQ-4 UAV	75,000	182,000
28	MC 130 IN BA 04	163,970	163,970
30	MQ-9	553,530	682,430
31	RQ-4 BLOCK 40 PROC	11,654	11,654
	TOTAL, OTHER AIRCRAFT	1,306,334	1,545,834
	MODIFICATION OF INSERVICE AIRCRAFT		
	STRATEGIC AIRCRAFT		
32	B-2A	82,296	82,296
33	B-1B	149,756	149,756
34	B-52	9,781	9,781
35	LARGE AIRCRAFT INFRARED COUNTERMEASURES	28,800	28,800
	TACTICAL AIRCRAFT		
36	A-10	89,919	251,119
37	F-15	148,378	210,878
38	F-16	6,896	6,896
39	F-22A	283,871	288,271
40	F-35 MODIFICATIONS	147,995	87,995
	AIRLIFT AIRCRAFT		
41	C-5	6,967	6,967
43	C-5M	944,819	874,819
44	C-5M (AP-CY)	175,800	175,800
46	C-17A	205,079	205,079
47	C-21	199	199
48	C-32A	1,750	1,750
49	C-37A	445	445
50	C-130 AMP	---	10,000
	TRAINER AIRCRAFT		
51	GLIDER MODS	126	126
52	T6	15,494	15,494
53	T-1	272	272
54	T-38	20,455	20,455

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	OTHER AIRCRAFT		
56	U-2 MODS	44,477	44,477
57	KC-10A (ATCA)	46,921	10,000
58	C-12	1,876	1,876
59	MC-12W	17,054	17,054
60	C-20 MODS	243	243
61	VC-25A MOD	11,185	11,185
62	C-40	243	243
63	C-130	67,853	67,853
65	C130J MODS	70,555	70,555
66	C-135	46,707	46,707
67	COMPASS CALL MODS	50,024	50,024
68	RC-135	165,237	181,237
69	E-3	193,099	169,599
70	E-4	47,616	47,616
71	E-8	59,320	49,020
72	H-1	5,449	5,449
73	H-60	26,227	26,227
74	RQ-4 UAV MODS	9,257	7,757
75	HC/MC-130 MODIFICATIONS	22,326	22,326
76	OTHER AIRCRAFT	18,832	18,832
77	MQ-1 MODS	30,861	30,861
78	MQ-9 MODS	238,360	192,360
79	MQ-9 PAYLOAD - UAS	93,461	93,461
80	CV-22 MODS	23,881	23,881
	TOTAL, MODIFICATION OF INSERVICE AIRCRAFT	3,610,162	3,616,041
	AIRCRAFT SPARES AND REPAIR PARTS		
81	INITIAL SPARES/REPAIR PARTS	729,691	731,669
	TOTAL, AIRCRAFT SPARES AND REPAIR PARTS	729,691	731,669

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		
	COMMON SUPPORT EQUIPMENT		
82	AIRCRAFT REPLACEMENT SUPPORT EQUIP	56,542	56,542
	POST PRODUCTION SUPPORT		
83	A-10	5,100	5,100
84	B-1	965	965
86	B-2A	47,580	47,580
88	KC-10A (ATCA)	13,100	13,100
89	C-17A	181,703	181,703
90	C-130	31,830	31,830
91	C-135	13,434	13,434
92	F-15 POST PRODUCTION SUPPORT	2,363	2,363
93	F-16 POST PRODUCTION SUPPORT	8,506	5,906
96	OTHER AIRCRAFT	9,522	9,522
	INDUSTRIAL PREPAREDNESS		
97	INDUSTRIAL PREPAREDNESS	20,731	20,731
	WAR CONSUMABLES		
98	WAR CONSUMABLES	89,727	89,727
	OTHER PRODUCTION CHARGES		
100	OTHER PRODUCTION CHARGES	842,392	812,792
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES	1,323,495	1,291,295
	CLASSIFIED PROGRAMS	20,164	20,164
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	11,002,999	11,774,019

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
1	**F-35**	**3,124,302**	**3,039,302**
	Non-recurring engineering unjustified increase		-55,000
	Ancillary equipment unjustified increase		-30,000
5	**C-130J**	**68,373**	**139,373**
	Add one aircraft		55,000
	Modular Airborne Fire Fighting Systems		16,000
6	**C-130J AP (CY)**	**0**	**180,000**
	Unfunded requirement for advance procurement for 18 C/HC/MC/AC-130Js		180,000
7	**HC-130J**	**152,212**	**278,212**
	Add two aircraft		126,000
9	**MC-130J**	**374,866**	**500,866**
	Add two aircraft		126,000
12	**C-27J JOINT CARGO AIRCRAFT**	**0**	**137,863**
	Retain C-27J force structure		137,863
15	**HH-60 LOSS REPLACEMENT/RECAP**	**60,596**	**57,396**
	Interim contractor support forward financing		-3,200
19	**CIVIL AIR PATROL AIRCRAFT**	**2,498**	**9,298**
	Program increase		6,800
26	**RQ-4**	**75,000**	**182,000**
	Restore Block 30 program at 21 aircraft		107,000
30	**MQ-9**	**553,530**	**682,430**
	Add 12 aircraft		155,000
	Block 50 GCS program adjustment		-26,100
36	**A-10**	**89,919**	**251,119**
	Retain A-10 force structure		161,200
37	**F-15**	**148,378**	**210,878**
	AESA radars for ANG F-15s - level production rate		62,500
39	**F-22A MODIFICATIONS**	**283,871**	**288,271**
	Backup oxygen system		21,500
	Engine modifications - excess cost growth		-17,100
40	**F-35 MODIFICATIONS**	**147,995**	**87,995**
	Block 3 upgrade kits ahead of need		-60,000
43	**C-5M**	**944,819**	**874,819**
	Inflation adjustment and installation efficiencies		-20,000
	ECO execution delays and excess growth		-50,000
50	**C-130 AMP**	**0**	**10,000**
	C-130 AMP		10,000

P-1		Budget Request	Conference
57	**KC-10A (ATCA)**	**46,921**	**10,000**
	CNS/ATM funds requested ahead of need		-36,921
68	**RC-135**	**165,237**	**181,237**
	Rivet Joint shortfall		16,000
69	**E-3**	**193,099**	**169,599**
	Block 40/45 - reduce one shipset		-17,300
	NGIFF excess unit cost growth		-6,200
71	**E-8**	**59,320**	**49,020**
	PME-DMS install funding ahead of need		-10,300
74	**RQ-4 MODS**	**9,257**	**7,757**
	Excess to requirement		-1,500
78	**MQ-9 MODS**	**238,360**	**192,360**
	Block 5 retrofit		-25,000
	GCS Block 50 unsustained ramp		-21,000
81	**INITIAL SPARES/REPAIR PARTS**	**729,691**	**731,669**
	General reduction		-50,000
	C-27 spares - retain force structure		51,978
93	**F-16 POST PRODUCTION SUPPORT**	**8,506**	**5,906**
	Production line shutdown excess to need		-2,600
99	**OTHER PRODUCTION CHARGES**	**842,392**	**812,792**
	Classified adjustment		-29,600

B–52 COMBAT NETWORK COMMUNICATIONS TECHNOLOGY

The fiscal year 2013 budget request included no funds in Aircraft Procurement, Air Force for the B–52 Combat Network Communications Technology (CONECT) program despite a valid requirement from the Air Force Global Strike Command. Subsequent to the budget submission, the program achieved conditional entry into Milestone C Low Rate Initial Production (LRIP), with an LRIP contract award contingent upon funding of the B–52 CONECT program in the fiscal year 2014 Program Objective Memorandum. Accordingly, the conferees recommend the retention of prior year B–52 CONECT funding for an LRIP contract award subject to the conditions identified by the Milestone C Acquisition Decision Memorandum.

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	RECOMMEND
	MISSILE PROCUREMENT, AIR FORCE		
	BALLISTIC MISSILES		
	MISSILE REPLACEMENT EQUIPMENT - BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	56,906	56,906
	OTHER MISSILES		
	TACTICAL		
2	JASSM	240,399	240,399
3	SIDEWINDER (AIM-9X)	88,020	81,550
4	AMRAAM	229,637	201,637
5	PREDATOR HELLFIRE MISSILE	47,675	47,675
6	SMALL DIAMETER BOMB	42,000	2,000
	INDUSTRIAL FACILITIES		
7	INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION	744	744
	TOTAL, OTHER MISSILES	648,475	574,005
	MODIFICATION OF INSERVICE MISSILES		
	CLASS IV		
9	MM III MODIFICATIONS	54,794	54,794
10	AGM-65D MAVERICK	271	271
11	AGM-88A HARM	23,240	23,240
12	AIR LAUNCH CRUISE MISSILE	13,620	13,620
13	SMALL DIAMETER BOMB	5,000	5,000
	TOTAL, MODIFICATION OF INSERVICE MISSILES	96,925	96,925

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	SPARES AND REPAIR PARTS		
14	INITIAL SPARES/REPAIR PARTS	74,373	74,373
	OTHER SUPPORT		
	SPACE PROGRAMS		
15	ADVANCED EHF	557,205	477,205
17	WIDEBAND GAPFILLER SATELLITES	36,835	36,835
19	GPS III SPACE SEGMENT	410,294	410,294
20	GPS III SPACE SEGMENT (AP-CY)	82,616	82,616
21	SPACEBORNE EQUIP (COMSEC)	10,554	10,554
22	GLOBAL POSITIONING (SPACE)	58,147	48,147
23	DEF METEOROLOGICAL SAT PROG (SPACE)	89,022	89,022
24	EVOLVED EXPENDABLE LAUNCH VEH (SPACE)	1,679,856	805,250
24A	EVOLVED EXPENDABLE LAUNCH VEH INFRASTRUCTURE (SPACE)	---	654,606
25	SBIR HIGH (SPACE)	454,251	394,251
	SPECIAL PROGRAMS		
30	SPECIAL UPDATE PROGRAMS	138,904	138,904
	TOTAL, OTHER SUPPORT	3,517,684	3,147,684
	CLASSIFIED PROGRAMS	1,097,483	1,012,483
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	5,491,846	4,962,376

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
3	**SIDEWINDER (AIM-9X)**	**88,020**	**81,550**
	All up round missile cost growth		-4,530
	Captive air training missile cost growth		-1,940
4	**AMRAAM**	**229,637**	**201,637**
	All up round missile cost growth		-17,000
	Captive air training missile cost growth		-11,000
6	**SMALL DIAMETER BOMB**	**42,000**	**2,000**
	Delay procurement by one year		-40,000
15	**ADVANCED EHF**	**557,205**	**477,205**
	Program management unjustified request		-5,000
	Schedule delay due to late AP award		-75,000
22	**GLOBAL POSITIONING (SPACE)**	**58,147**	**48,147**
	GPS space and control technical support excess to need		-10,000
24	**EVOLVED EXPENDABLE LAUNCH VEHICLE (SPACE)**	**1,679,856**	**805,250**
	EELV launch capability - transfer to line 24a		-874,606
24a	**EVOLVED EXPENDABLE LAUNCH VEHICLE INFRASTRUCTURE (SPACE)**	**0**	**654,606**
	EELV launch capability - transfer from line 24		874,606
	EELV launch capability contract savings		-220,000
25	**SBIR HIGH (SPACE)**	**454,251**	**394,251**
	Schedule delay due to late AP award		-60,000
999	**CLASSIFIED PROGRAMS**	**1,097,483**	**1,012,483**
	Classified adjustment		-85,000

EVOLVED EXPENDABLE LAUNCH VEHICLE

The conference agreement provides $805,250,000 for Evolved Expendable Launch Vehicle (EELV) Launch Services and $654,606,000 for EELV Launch Capability. The funds are provided in separate procurement lines to increase the budget visibility of each program. The conferees direct that none of the recommended reduction to the EELV Launch Capabilities program be applied against mission assurance activities. Finally, the conferees direct the Secretary of the Air Force to provide clarification and definition of mission assurance activities that can be correlated to the EELV program and contract to the congressional defense committees not later than 90 days after the enactment of this Act.

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	RECOMMEND
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	PROCUREMENT OF AMMO, AIR FORCE		
1	ROCKETS	8,927	8,927
2	CARTRIDGES	118,075	118,075
	BOMBS		
3	PRACTICE BOMBS	32,393	31,893
4	GENERAL PURPOSE BOMBS	163,467	163,467
5	JOINT DIRECT ATTACK MUNITION	101,921	101,921
	FLARE, IR MJU-7B		
6	CAD/PAD	43,829	43,829
7	EXPLOSIVE ORDINANCE DISPOSAL (EOD)	7,515	7,515
8	SPARES AND REPAIR PARTS	1,003	1,003
9	MODIFICATIONS	5,321	5,321
10	ITEMS LESS THAN $5,000,000	5,066	5,066
	FUZES		
11	FLARES	46,010	46,010
12	FUZES	36,444	36,444
	TOTAL, PROCUREMENT OF AMMO, AIR FORCE	569,971	569,471
	WEAPONS		
13	SMALL ARMS	29,223	25,223
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	599,194	594,694

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
3	**PRACTICE BOMBS**	32,393	31,893
	MK-84 inert pricing adjustment		-500
13	**SMALL ARMS**	29,223	25,223
	Pricing adjustment		-4,000

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	RECOMMEND
	OTHER PROCUREMENT, AIR FORCE		
	VEHICULAR EQUIPMENT		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLE	1,905	1,905
	CARGO + UTILITY VEHICLES		
2	FAMILY MEDIUM TACTICAL VEHICLE	18,547	18,547
3	CAP VEHICLES	932	932
4	ITEMS LESS THAN $5M (CARGO)	1,699	1,699
	SPECIAL PURPOSE VEHICLES		
5	SECURITY AND TACTICAL VEHICLES	10,850	10,850
6	ITEMS LESS THAN $5M (SPECIAL)	9,246	9,246
	FIRE FIGHTING EQUIPMENT		
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,148	23,148
	MATERIALS HANDLING EQUIPMENT		
8	ITEMS LESS THAT $5,000,000	18,323	18,323
	BASE MAINTENANCE SUPPORT		
9	RUNWAY SNOW REMOVAL & CLEANING EQUIP	1,685	1,685
10	ITEMS LESS THAN $5M	17,014	17,014
	TOTAL, VEHICULAR EQUIPMENT	103,349	103,349
	ELECTRONICS AND TELECOMMUNICATIONS EQUIP		
	COMM SECURITY EQUIPMENT(COMSEC)		
12	COMSEC EQUIPMENT	166,559	166,559
13	MODIFICATIONS (COMSEC)	1,133	1,133
	INTELLIGENCE PROGRAMS		
14	INTELLIGENCE TRAINING EQUIPMENT	2,749	2,749
15	INTELLIGENCE COMM EQUIP	32,876	32,876
16	ADVANCE TECH SENSORS	877	877
17	MISSION PLANNING SYSTEMS	15,295	15,295

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ELECTRONICS PROGRAMS		
18	TRAFFIC CONTROL/LANDING	21,984	21,984
19	NATIONAL AIRSPACE SYSTEM	30,698	30,698
20	BATTLE CONTROL SYSTEM - FIXED	17,368	17,368
21	THEATER AIR CONTROL SYS IMPRO	23,483	23,483
22	WEATHER OBSERVATION FORECAST	17,864	17,864
23	STRATEGIC COMMAND AND CONTROL	53,995	28,995
24	CHEYENNE MOUNTAIN COMPLEX	14,578	14,578
25	TAC SIGNIT SPT	208	208
	SPECIAL COMM-ELECTRONICS PROJECTS		
27	GENERAL INFORMATION TECHNOLOGY	69,743	69,743
28	AF GLOBAL COMMAND & CONTROL SYSTEM	15,829	15,829
29	MOBILITY COMMAND AND CONTROL	11,023	11,023
30	AIR FORCE PHYSICAL SECURITY SYSTEM	64,521	64,521
31	COMBAT TRAINING RANGES	18,217	31,217
32	C3 COUNTERMEASURES	11,899	11,899
33	GCSS-AF FOS	13,920	13,920
34	THEATER BATTLE MGT C2 SYS	9,365	9,365
35	AIR OPERATIONS CENTER (AOC)	33,907	33,907
	AIR FORCE COMMUNICATIONS		
36	INFORMATION TRANSPORT SYSTEMS	52,464	52,464
38	AFNET	125,788	125,788
39	VOICE SYSTEMS	16,811	16,811
40	USCENTCOM	32,138	32,138
	DISA PROGRAMS		
41	SPACE BASED IR SENSOR PROG SPACE	47,135	47,135
42	NAVSTAR GPS SPACE	2,031	2,031
43	NUDET DETECTION SYS (NDS) SPACE	5,564	5,564
44	AF SATELLITE CONTROL NETWORK SPACE	44,219	44,219
45	SPACELIFT RANGE SYSTEM SPACE	109,545	109,545
46	MILSATCOM SPACE	47,592	47,592
47	SPACE MODS SPACE	47,121	47,121
48	COUNTERSPACE SYSTEM	20,961	20,961

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ORGANIZATION AND BASE		
49	TACTICAL C-E EQUIPMENT	126,131	126,131
50	COMBAT SURVIVOR EVADER LOCATER	23,707	23,707
51	RADIO EQUIPMENT	12,757	12,757
52	CCTV/AUDIOVISUAL EQUIPMENT	10,716	10,716
53	BASE COMM INFRASTRUCTURE	74,528	74,528
	MODIFICATIONS		
54	COMM ELECT MODS	43,507	43,507
	TOTAL, ELECTRONICS AND TELECOMMUNICATIONS EQUIP	1,490,806	1,478,806
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP		
	PERSONAL SAFETY AND RESCUE EQUIP		
55	NIGHT VISION GOGGLES	22,693	22,693
56	ITEMS LESS THAN $5,000,000 (SAFETY)	30,887	30,887
	DEPOT PLANT + MATERIALS HANDLING EQ		
57	MECHANIZED MATERIAL HANDLING	2,850	2,850
	BASE SUPPORT EQUIPMENT		
58	BASE PROCURED EQUIPMENT	8,387	8,387
59	CONTINGENCY OPERATIONS	10,358	10,358
60	PRODUCTIVITY CAPITAL INVESTMENT	3,473	3,473
62	MOBILITY EQUIPMENT	14,471	14,471
63	ITEMS LESS THAN $5M (BASE SUPPORT)	1,894	1,894
	SPECIAL SUPPORT PROJECTS		
65	DARP RC135	24,176	24,176
66	DISTRIBUTED GROUND SYSTEMS	142,928	142,928
68	SPECIAL UPDATE PROGRAM	479,446	479,446
69	DEFENSE SPACE RECONNAISSANCE PROGRAM	39,155	39,155
	TOTAL, OTHER BASE MAINTENANCE AND SUPPORT EQUIP	780,718	780,718
	SPARE AND REPAIR PARTS		
71	SPARES AND REPAIR PARTS	14,663	14,663
	CLASSIFIED PROGRAMS	14,331,312	14,704,972
	TOTAL, OTHER PROCUREMENT, AIR FORCE	16,720,848	17,082,508

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
23	**STRATEGIC COMMAND AND CONTROL**	53,995	28,995
	Facility fit-out ahead of need		-25,000
31	**COMBAT TRAINING RANGES**	18,217	31,217
	Test and training range upgrades		13,000
999	**CLASSIFIED PROGRAMS**	14,331,312	14,704,972
	Classified adjustment		373,660

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	RECOMMEND
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT		
	MAJOR EQUIPMENT, DCAA		
2	MAJOR EQUIPMENT ITEMS LESS THAN $5M	1,486	1,486
	MAJOR EQUIPMENT, DCMA		
3	MAJOR EQUIPMENT	2,129	2,129
	MAJOR EQUIPMENT, DHRA		
5	PERSONNEL ADMINISTRATION	6,147	6,147
	MAJOR EQUIPMENT, DISA		
12	INFORMATION SYSTEMS SECURITY	12,708	12,708
14	GLOBAL COMBAT SUPPORT SYSTEM	3,002	3,002
15	TELEPORT PROGRAM	46,992	46,992
16	ITEMS LESS THAN $5M	108,462	108,462
17	NET CENTRIC ENTERPRISE SERVICES (NCES)	2,865	2,865
18	DEFENSE INFORMATION SYSTEMS NETWORK	116,906	116,906
19	PUBLIC KEY INFRASTRUCTURE	1,827	1,827
21	CYBER SECURITY INITIATIVE	10,319	10,319
	MAJOR EQUIPMENT, DLA		
22	MAJOR EQUIPMENT	9,575	6,775
	MAJOR EQUIPMENT, DMACT		
23	A - WEAPON SYSTEM COST	15,179	15,179
	MAJOR EQUIPMENT, DODEA		
24	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,458	1,458
26	EQUIPMENT	2,522	2,522
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
27	VEHICLES	50	50
28	OTHER MAJOR EQUIPMENT	13,096	12,433
	MAJOR EQUIPMENT, MDA		
30	THAAD SYSTEM	460,728	460,728
31	AEGIS BMD	389,626	578,626
32	BMDS AN/TPY-2 RADARS	217,244	380,244
33	RADAR SYSTEMS	10,177	10,177
33	IRON DOME SYSTEM	---	211,000

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	MAJOR EQUIPMENT, NSA		
41	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	6,770	6,770
	MAJOR EQUIPMENT, OSD		
42	MAJOR EQUIPMENT, OSD	45,938	45,938
43	MAJOR EQUIPMENT, INTELLIGENCE	17,582	17,582
	MAJOR EQUIPMENT, TJS		
44	MAJOR EQUIPMENT, TJS	21,878	21,878
	MAJOR EQUIPMENT, WHS		
45	MAJOR EQUIPMENT, WHS	26,550	26,550
	TOTAL, MAJOR EQUIPMENT	1,551,216	2,110,753
	SPECIAL OPERATIONS COMMAND		
	AVIATION PROGRAMS		
46	SOF ROTARY WING UPGRADES AND SUSTAINMENT	74,832	74,832
48	MH-60 SOF MODERNIZATION PROGRAM	126,780	126,780
49	NON-STANDARD AVIATION	99,776	37,000
51	SOF U-28	7,530	116,906
52	MH-47 CHINOOK	134,785	134,785
53	RQ-11 UNMANNED AERIAL VEHICLE	2,062	2,062
54	CV-22 SOF MODIFICATION	139,147	139,147
55	MQ-1 UNMANNED AERIAL VEHICLE	3,963	26,963
56	MQ-9 UNMANNED AERIAL VEHICLE	3,952	39,352
58	STUASLO	12,945	---
59	PRECISION STRIKE PACKAGE	73,013	73,013
60	AC-130J	51,484	32,806
62	C-130 MODIFICATIONS	25,248	25,248
64	AIRCRAFT SUPPORT	5,314	5,314
	SHIPBUILDING		
64	UNDERWATER SYSTEMS	23,037	6,449
	AMMUNITION PROGRAMS		
66	SOF ORDNANCE REPLENISHMENT	113,183	113,183
67	SOF ORDNANCE ACQUISITION	36,981	36,981

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	OTHER PROCUREMENT PROGRAMS		
68	COMM EQUIPMENT & ELECTRONICS	99,838	145,738
69	SOF INTELLIGENCE SYSTEMS	71,428	71,428
70	SMALL ARMS & WEAPONS	27,108	27,108
71	DCGS-SOF	12,767	15,967
74	SOF COMBATANT CRAFT SYSTEMS	42,348	42,348
75	SPARES AND REPAIR PARTS	600	600
77	TACTICAL VEHICLES	37,421	37,421
78	MISSION TRAINING AND PREPARATIONS SYSTEMS	36,949	43,273
79	COMBAT MISSION REQUIREMENTS	20,255	20,255
80	MILCON COLLATERAL EQUIPMENT	17,590	17,590
82	SOF AUTOMATION SYSTEMS	66,573	66,573
83	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	6,549	6,549
84	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	32,335	32,335
85	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	15,153	15,153
86	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SY	33,920	33,920
87	SOF TACTICAL RADIO SYSTEMS	75,132	75,132
90	MISCELLANEOUS EQUIPMENT	6,667	6,667
91	SOF OPERATIONAL ENHANCEMENTS	217,972	251,272
92	MILITARY INFORMATION SUPPORT OPERATIONS	27,417	27,417
	TOTAL, SPECIAL OPERATIONS COMMAND	1,782,054	1,927,567
	CHEMICAL/BIOLOGICAL DEFENSE		
93	INSTALLATION FORCE PROTECTION	24,025	24,025
94	INDIVIDUAL PROTECTION	73,720	73,720
95	DECONTAMINATION	506	506
96	JOINT BIOLOGICAL DEFENSE PROGRAM	32,597	32,597
97	COLLECTIVE PROTECTION	3,144	3,144
98	CONTAMINATION AVOIDANCE	164,886	164,886
	TOTAL, CHEMICAL/BIOLOGICAL DEFENSE	298,878	298,878
	CLASSIFIED PROGRAMS	555,787	541,787
	TOTAL, PROCUREMENT, DEFENSE-WIDE	4,187,935	4,878,985

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
22	**MAJOR EQUIPMENT**	**9,575**	**6,775**
	Virtual interactive processing system - change in acquisition strategy		-2,800
28	**OTHER MAJOR EQUIPMENT**	**13,096**	**12,433**
	Emergent technologies ahead of need		-663
31	**AEGIS BMD**	**389,626**	**578,626**
	· 17 additional SM-3 IB interceptors		189,000
32	**BMDS AN/TPY-2 RADARS**	**217,244**	**380,244**
	Additional AN/TPY-2 radar		163,000
34	**ISRAELI COOPERATIVE PROGRAMS**	**0**	**211,000**
	Program increase - Iron Dome		211,000
49	**NON-STANDARD AVIATION**	**99,776**	**37,000**
	SOCOM requested transfer to line 51 for Aviation Foreign Internal Defense fixed-wing aircraft		-62,776
51	**SOF U-28**	**7,530**	**116,906**
	SOCOM requested transfer from line 49 for Aviation Foreign Internal Defense fixed-wing aircraft		62,776
	HD full motion video		46,600
55	**MQ-1 UAV**	**3,963**	**26,963**
	HD full motion video		23,000
56	**MQ-9 UAV**	**3,952**	**39,352**
	HD full motion video		35,400
58	**STUASLO**	**12,945**	**0**
	Ahead of need		-12,945
60	**AC-130J**	**51,484**	**32,806**
	Excess to need due to testing schedule delays		-18,678
64	**UNDERWATER SYSTEMS**	**23,037**	**6,449**
	Program rebaselining excess to need		-4,588
	Transfer to RDTE,DW line 272		-12,000
68	**COMMUNICATION EQUIPMENT & ELECTRONICS**	**99,838**	**145,738**
	HD full motion video		3,900
	SOF deployable node		42,000
71	**DCGS-SOF**	**12,767**	**15,967**
	HD full motion video		3,200
78	**MISSION TRAINING AND PREPARATIONS SYSTEMS**	**36,949**	**43,273**
	HD full motion video		5,000
	SOCOM requested transfer from RDTE,DW line 262		1,324
91	**SOF OPERATIONAL ENHANCEMENTS**	**217,972**	**251,272**
	HD full motion video		25,300
	Tactical airborne ISR		8,000
	CLASSIFIED PROGRAMS	**555,787**	**541,787**
	Classified adjustment		-14,000

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]

	Budget Request	Conference
GALLIUM NITRIDE RADAR AND ELECTRONIC WARFARE MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	5,031	5,031
CADMIUM ZINC TELLURIDE SUBSTRATE PRODUCTION	1,900	1,900
READ OUT INTEGRATED CIRCUIT FOUNDRY IMPROVEMENT AND SUSTAINABILITY	1,200	1,200
SPACE QUALIFIED SOLAR CELL SUPPLY CHAIN	1,000	1,000
TRAVELING WAVE TUBE AMPLIFIERS	1,320	1,320
COMPLEMENTARY METAL OXIDE SEMICONDUCTOR FOCAL PLAN ARRAYS FOR VISIBLE SENSORS FOR STAR TRACKERS	1,800	1,800
ADVANCED PROJECTS	1,280	1,280
PRODUCTION BASE INVESTMENT ASSESSMENTS AND ACTIVITIES	5,658	0
Program reduction		−5,658
ADVANCED DROP-IN BIOFUEL PRODUCTION	70,000	60,000
Ahead of need		−10,000
PROGRAM INCREASE		150,000
TOTAL, DEFENSE PRODUCTION ACT	89,189	223,531

TITLE IV—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides $69,928,477,000 in Title IV, Research, Development, Test and Evaluation, instead of $69,984,145,000 as proposed by the House and $69,091,078,000 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	RECOMMEND
RECAPITULATION		
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.....	8,929,415	8,676,627
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY.....	16,882,877	16,963,398
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE.	25,428,046	25,432,738
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE.....	17,982,161	18,631,946
OPERATIONAL TEST AND EVALUATION, DEFENSE.....	185,268	223,768
GRAND TOTAL, RDT&E.....	69,407,767	69,928,477

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 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, as 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 2008 Department of Defense Appropriations bill (House Report 110–279). 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.

Also, 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. 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 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.

DEPARTMENT OF DEFENSE AND SERVICE CYBER ACTIVITIES

The conferees understand that the Department is revising the budget justification materials to be provided with the fiscal year 2014 budget submission that are in support of cyber activities. The conferees support the Department's efforts to provide increased detail on this important national security issue and will continue to work with the Department to ensure there is adequate oversight on cyber activities.

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	RECOMMEND
	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
	BASIC RESEARCH		
1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	20,860	20,860
2	DEFENSE RESEARCH SCIENCES	219,180	219,180
3	UNIVERSITY RESEARCH INITIATIVES	80,986	80,986
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	123,045	107,446
	TOTAL, BASIC RESEARCH	444,071	428,472
	APPLIED RESEARCH		
5	MATERIALS TECHNOLOGY	29,041	74,041
6	SENSORS AND ELECTRONIC SURVIVABILITY	45,260	45,260
7	TRACTOR HIP	22,439	22,439
8	AVIATION TECHNOLOGY	51,607	51,607
9	ELECTRONIC WARFARE TECHNOLOGY	15,068	15,068
10	MISSILE TECHNOLOGY	49,383	49,383
11	ADVANCED WEAPONS TECHNOLOGY	25,999	25,999
12	ADVANCED CONCEPTS AND SIMULATION	23,507	23,507
13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	69,062	69,062
14	BALLISTICS TECHNOLOGY	60,823	60,823
15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,465	4,465
16	JOINT SERVICE SMALL ARMS PROGRAM	7,169	7,169
17	WEAPONS AND MUNITIONS TECHNOLOGY	35,218	50,218
18	ELECTRONICS AND ELECTRONIC DEVICES	60,300	80,300
19	NIGHT VISION TECHNOLOGY	53,244	53,244
20	COUNTERMINE SYSTEMS	18,850	31,850
21	HUMAN FACTORS ENGINEERING TECHNOLOGY	19,872	19,872
22	ENVIRONMENTAL QUALITY TECHNOLOGY	20,095	20,095
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	28,852	28,852
24	COMPUTER AND SOFTWARE TECHNOLOGY	9,830	9,830
25	MILITARY ENGINEERING TECHNOLOGY	70,693	77,693
26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	17,781	17,781
27	WARFIGHTER TECHNOLOGY	28,281	54,281

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
28	MEDICAL TECHNOLOGY	107,891	107,891
	TOTAL, APPLIED RESEARCH	874,730	1,000,730
	ADVANCED TECHNOLOGY DEVELOPMENT		
29	WARFIGHTER ADVANCED TECHNOLOGY	39,359	39,359
30	MEDICAL ADVANCED TECHNOLOGY	69,580	108,580
31	AVIATION ADVANCED TECHNOLOGY	64,215	64,215
32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	67,613	77,613
33	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	104,359	141,359
34	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	4,157	4,157
35	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	9,856	9,856
36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,661	50,661
37	TRACTOR HIKE	9,126	9,126
38	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,257	17,257
39	TRACTOR ROSE	9,925	9,925
40	MILITARY HIV RESEARCH	6,984	22,984
41	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	9,716	9,716
42	TRACTOR NAIL	3,487	3,487
43	TRACTOR EGGS	2,323	2,323
44	ELECTRONIC WARFARE TECHNOLOGY	21,683	21,683
45	MISSILE AND ROCKET ADVANCED TECHNOLOGY	71,111	90,111
46	TRACTOR CAGE	10,902	10,902
47	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	180,582	228,182
48	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	27,204	27,204
49	JOINT SERVICE SMALL ARMS PROGRAM	6,095	6,095
50	NIGHT VISION ADVANCED TECHNOLOGY	37,217	37,217
51	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	13,626	13,626
52	MILITARY ENGINEERING ADVANCED TECHNOLOGY	28,458	28,458
53	ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY	25,226	25,226
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	890,722	1,059,322

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	DEMONSTRATION & VALIDATION		
54	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	14,505	24,505
55	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	9,876	9,876
56	LANDMINE WARFARE AND BARRIER - ADV DEV	5,054	5,054
57	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	2,725	2,725
58	TANK AND MEDIUM CALIBER AMMUNITION	30,560	30,560
59	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	14,347	14,347
60	SOLDIER SUPPORT AND SURVIVABILITY	10,073	4,014
61	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - AD	8,660	8,660
62	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	10,715	10,715
63	ENVIRONMENTAL QUALITY TECHNOLOGY	4,631	4,631
64	WARFIGHTER INFORMATION NETWORK-TACTICAL	278,018	181,418
65	NATO RESEARCH AND DEVELOPMENT	4,961	4,961
66	AVIATION - ADV DEV	8,602	8,602
67	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	14,605	14,605
68	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION	5,054	5,054
69	MEDICAL SYSTEMS - ADV DEV	24,384	24,384
70	SOLDIER SYSTEMS - ADVANCED DEVELOPMENT	32,050	32,050
71	INTEGRATED BROADCAST SERVICE	96	96
72	TECHNOLOGY MATURATION INITIATIVES	24,868	2,197
72A	ANALYSIS OF ALTERNATIVES	---	10,871
73	TRACTOR JUTE	59	59
75	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2-INTERC	76,039	28,829
77	INTEGRATED BASE DEFENSE	4,043	4,043
78	ENDURANCE UAVS	26,196	23,197
	TOTAL, DEMONSTRATION & VALIDATION	610,121	455,453

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ENGINEERING & MANUFACTURING DEVELOPMENT		
79	AIRCRAFT AVIONICS	78,538	50,038
80	ARMED, DEPLOYABLE OH-58D	90,494	90,494
81	ELECTRONIC WARFARE DEVELOPMENT	181,347	128,247
83	MID-TIER NETWORKING VEHICULAR RADIO	12,636	2,636
84	ALL SOURCE ANALYSIS SYSTEM	5,694	5,694
85	TRACTOR CAGE	32,095	13,295
86	INFANTRY SUPPORT WEAPONS	96,478	90,578
87	MEDIUM TACTICAL VEHICLES	3,006	3,006
89	JAVELIN	5,040	5,040
90	FAMILY OF HEAVY TACTICAL VEHICLES	3,077	3,077
91	AIR TRAFFIC CONTROL	9,769	9,769
92	TACTICAL UNMANNED GROUND VEHICLE	13,141	3,141
99	NIGHT VISION SYSTEMS - SDD	32,621	32,621
100	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,132	2,132
101	NON-SYSTEM TRAINING DEVICES - SDD	44,787	44,787
102	TERRAIN INFORMATION - SDD	1,008	1,008
103	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD	73,333	48,408
104	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	28,937	28,937
105	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	10,815	10,815
106	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD	13,926	13,926
107	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	17,797	17,797
108	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	214,270	214,270
109	WEAPONS AND MUNITIONS - SDD	14,581	14,581

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
110	LOGISTICS AND ENGINEER EQUIPMENT - SDD	43,706	43,706
111	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD	20,776	20,776
112	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT	43,395	43,395
113	LANDMINE WARFARE/BARRIER - SDD	104,983	44,483
114	ARTILLERY MUNITIONS	4,346	4,346
116	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	77,223	49,023
117	RADAR DEVELOPMENT	3,486	3,486
118	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	9,963	27,163
119	FIREFINDER	20,517	20,517
120	SOLDIER SYSTEMS - WARRIOR DEM/VAL	51,851	31,851
121	ARTILLERY SYSTEMS	167,797	167,797
122	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	400,861	380,861
123	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,922	7,922
124	INFORMATION TECHNOLOGY DEVELOPMENT	51,463	51,463
125	ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMH	158,646	136,546
126	JOINT AIR-TO-GROUND MISSILE (JAGM)	10,000	10,000
128	PAC-2/MSE MISSILE	69,029	69,029
129	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	277,374	277,374
130	MANNED GROUND VEHICLE	639,874	639,874
131	AERIAL COMMON SENSOR	47,426	118,026
132	JOINT LIGHT TACTICAL VEHICLE ENG AND MANUFACTURING	72,295	66,386
133	TROJAN - RH12	4,232	4,232
134	ELECTRONIC WARFARE DEVELOPMENT	13,942	13,942
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	3,286,629	3,066,495

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	RDT&E MANAGEMENT SUPPORT		
135	THREAT SIMULATOR DEVELOPMENT	18,090	18,090
136	TARGET SYSTEMS DEVELOPMENT	14,034	14,034
137	MAJOR T&E INVESTMENT	37,394	50,394
138	RAND ARROYO CENTER	21,026	21,026
139	ARMY KWAJALEIN ATOLL	176,816	176,816
140	CONCEPTS EXPERIMENTATION PROGRAM	27,902	27,902
142	ARMY TEST RANGES AND FACILITIES	369,900	369,900
143	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	69,183	69,183
144	SURVIVABILITY/LETHALITY ANALYSIS	44,753	44,753
146	AIRCRAFT CERTIFICATION	5,762	5,762
147	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,402	7,402
148	MATERIEL SYSTEMS ANALYSIS	19,954	19,954
149	EXPLOITATION OF FOREIGN ITEMS	5,535	5,535
150	SUPPORT OF OPERATIONAL TESTING	67,789	70,789
151	ARMY EVALUATION CENTER	62,765	62,765
152	SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)	1,545	1,545
153	PROGRAMWIDE ACTIVITIES	83,422	83,422
154	TECHNICAL INFORMATION ACTIVITIES	50,820	50,820
155	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	46,763	56,763
156	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,601	4,601
157	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	18,524	18,524
	TOTAL, RDT&E MANAGEMENT SUPPORT	1,153,980	1,179,980

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	OPERATIONAL SYSTEMS DEVELOPMENT		
159	MLRS PRODUCT IMPROVEMENT PROGRAM	143,005	123,005
161	PATRIOT PRODUCT IMPROVEMENT	109,978	49,978
162	AEROSTAT JOINT PROJECT OFFICE	190,422	159,922
164	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	32,556	32,556
165	COMBAT VEHICLE IMPROVEMENT PROGRAMS	253,959	237,559
166	MANEUVER CONTROL SYSTEM	68,325	68,325
167	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	280,247	226,147
168	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	898	898
169	DIGITIZATION	35,180	10,180
169A	NETWORK INTEGRATED EVALUATION (NIE)	---	28,200
171	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	20,733	20,733
172	TRACTOR CARD	63,243	63,243
173	JOINT TACTICAL GROUND SYSTEM	31,738	31,738
174	JOINT HIGH SPEED VESSEL (JHSV)	35	35
176	SECURITY AND INTELLIGENCE ACTIVITIES	7,591	7,591
177	INFORMATION SYSTEMS SECURITY PROGRAM	15,961	15,961
178	GLOBAL COMBAT SUPPORT SYSTEM	120,927	120,927
179	SATCOM GROUND ENVIRONMENT (SPACE)	15,756	15,756
180	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	14,443	14,443
182	TACTICAL UNMANNED AERIAL VEHICLES	31,303	28,503
183	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	40,876	40,876
184	MQ-1 SKY WARRIOR A UAV	74,618	74,618
185	RQ-11 UAV	4,039	4,039
186	RQ-7 UAV	31,158	31,158
187	VERTICAL UAS	2,387	---
188	BIOMETRICS ENABLED INTELLIGENCE	15,248	15,248
189	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,908	59,908
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,664,534	1,481,547
999	CLASSIFIED PROGRAMS	4,628	4,628
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	8,929,415	8,676,627

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	Conference
4	**UNIVERSITY AND INDUSTRY RESEARCH CENTERS**	**123,045**	**107,446**
	Historically black colleges and universities - transfer to RDTE,DW line 9		-15,599
5	**MATERIALS TECHNOLOGY**	**29,041**	**74,041**
	Program increase - corrosion control		10,000
	Materials research and technology		13,000
	Nanotechnology research		9,000
	Silicon carbide research		13,000
17	**WEAPONS AND MUNITIONS TECHNOLOGY**	**35,218**	**50,218**
	Program increase		15,000
18	**ELECTRONICS AND ELECTRONIC DEVICES**	**60,300**	**80,300**
	Program increase - energy efficiency		20,000
20	**COUNTERMINE SYSTEMS**	**18,850**	**31,850**
	Unexploded ordnance and landmine detection research		13,000
25	**MILITARY ENGINEERING TECHNOLOGY**	**70,693**	**77,693**
	U.S. Army Corps of Engineers research		7,000
27	**WARFIGHTER TECHNOLOGY**	**28,281**	**54,281**
	Clothing and equipment technology		13,000
	Power generation and storage		13,000
30	**MEDICAL ADVANCED TECHNOLOGY**	**69,580**	**108,580**
	Peer-Reviewed neurotoxin exposure treatment parkinsons research program		16,000
	Peer-Reviewed neurofibromatosis research program		15,000
	Military burn research program		8,000
32	**WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY**	**67,613**	**77,613**
	Program increase		10,000
33	**COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOG'**	**104,359**	**141,359**
	Alternative energy research		37,000
40	**MILITARY HIV RESEARCH**	**6,984**	**22,984**
	Program increase		16,000
45	**MISSILE AND ROCKET ADVANCED TECHNOLOGY**	**71,111**	**90,111**
	Restore unjustified reduction		19,000
47	**HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM**	**180,582**	**228,182**
	Restore unjustified reduction		47,600
54	**ARMY MISSILE DEFENSE SYSTEMS INTEGRATION**	**14,505**	**24,505**
	Program increase		10,000
60	**SOLDIER SUPPORT AND SURVIVABILITY**	**10,073**	**4,014**
	C08 unjustified request		-6,059

R-1		Budget Request	Conference
64	WARFIGHTER INFORMATION NETWORK-TACTICAL	278,018	181,418
	Increment III excess growth		-90,000
	Management services excess growth		-6,600
72	TECHNOLOGY MATURATION INITIATIVES	24,868	2,197
	Army identified excess to requirement		-11,800
	Analysis of alternatives - transfer to line 72A		-10,871
72A	ANALYSIS OF ALTERNATIVES		10,871
	Analysis of alternatives - transfer from line 72		10,871
75	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2-INTERCEPT	76,039	28,829
	Technology development contract award delays		-47,210
78	ENDURANCE UAVS	26,196	23,197
	Fielding delays		-2,999
79	AIRCRAFT AVIONICS	78,538	50,038
	Degraded visual environment ONS - transfer to title IX		-28,500
81	ELECTRONIC WARFARE DEVELOPMENT	181,347	128,247
	Common infrared counter measures technology development delays		-53,100
83	MID-TIER NETWORKING VEHICULAR RADIO	12,636	2,636
	Funded via prior approval above threshold reprogramming fiscal Year 12-14		-10,000
85	TRACTOR CAGE	32,095	13,295
	Lack of requirement		-18,800
86	INFANTRY SUPPORT WEAPONS	96,478	90,578
	S61 Increment 1b program adjustment		-5,900
92	TACTICAL UNMANNED GROUND VEHICLE	13,141	3,141
	Lack of competitive acquisition strategy		-10,000
103	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD	73,333	48,408
	Interceptor enhancements - program terminated by Army		-24,925
113	LANDMINE WARFARE/BARRIER - SDD	104,983	44,483
	HMDS contract award delays and change to acquisition strategy		-40,000
	EHP - Army requested adjustment		-10,600
	RCIS program delays		-5,400
	AMDS contract award delays		-4,500
116	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	77,223	49,023
	C34 - transfer to line 169A		-28,200
118	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	9,963	27,163
	Program increase to develop secure capability		17,200

R-1	Budget Request	Conference
120 SOLDIER SYSTEMS - WARRIOR DEM/VAL	51,851	31,851
S75 - excessive new hardware and software development, integration and evaluation		-20,000
122 PATRIOT/MEADS COMBINED AGGREGATE PROGRAM	400,861	380,861
Program adjustment		-400,861
Completion of proof of concept or termination liability required by paragraph 19.5.2 of memorandum of understanding if certified by the Secretary of Defense		348,000
US MEADS national program office		52,861
US MEADS national program office reduction		-20,000
125 ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMHRS), OR INTEGRATED PERSONNEL AND PAY SYSTEM - ARMY (IPPS-A)	158,646	136,546
IPPS-A execution delays and Increment II concurrency		-22,100
131 AERIAL COMMON SENSOR	47,426	118,026
Army requested transfer from AP,A line 18 only to exercise the option for two additional EMD aircraft		46,900
Program increase only to fully fund EMD		23,700
132 JOINT LIGHT TACTICAL VEHICLE ENG AND MANUFACTURING	72,295	66,386
Two month contract award delay		-5,909
137 MAJOR TEST AND EVALUATION INVESTMENT	37,394	50,394
Program increase - restore unjustified reduction		13,000
150 SUPPORT OF OPERATIONAL TESTING	67,789	70,789
Program increase - restore unjustified reduction		3,000
155 MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	46,763	56,763
Program increase		10,000
159 MLRS PRODUCT IMPROVEMENT PROGRAM	143,005	123,005
Fire control system forward financing		-20,000
161 PATRIOT PRODUCT IMPROVEMENT	109,978	49,978
Growth without acquisition strategy		-60,000
162 AEROSTAT JOINT PROJECT OFFICE-JLENS	190,422	159,922
COCOM exercise ahead of need		-30,500
165 COMBAT VEHICLE IMPROVEMENT PROGRAMS	253,959	237,559
DS5 ahead of need for fiscal year 2014 contract		-16,400
167 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	280,247	226,147
Improved turbine engine program ahead of need		-54,100

R-1	Budget Request	Conference
169 DIGITIZATION	**35,180**	**10,180**
Army requested transfer to OP,A for non-developmental emerging technologies		-25,000
NETWORK INTEGRATED EVALUATION [NIE] TECHNOLOGY		
169A TRANSITION		**28,200**
Transfer from line 116, C34 only for NIE technology transition		28,200
182 TACTICAL UNMANNED AERIAL VEHICLES	**31,303**	**28,503**
11B - TSP increment II ahead of need		-2,800
187 VERTICAL UAS	**2,387**	**0**
Lack of justification		-2,387

ACTIVE DENIAL TECHNOLOGY

The fiscal year 2013 budget request included $35,218,000 in Research, Development, Test and Evaluation, Army, program element 0602624A, ''Weapons and Munitions Technology''. The conferees are aware that multiple programs and projects are funded in this program element, including non-lethal technologies. The conferees recognize the benefits to units in the field of developing non-lethal technologies, including counter-personnel and directed energy technologies. The conference agreement provides an additional $15,000,000, as proposed by the House, to support Army research and development efforts in both lethal and non-lethal technologies.

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	RECOMMEND
	RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
	BASIC RESEARCH		
1	UNIVERSITY RESEARCH INITIATIVES	113,690	133,690
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,261	18,261
3	DEFENSE RESEARCH SCIENCES	473,070	482,070
	TOTAL, BASIC RESEARCH	605,021	634,021
	APPLIED RESEARCH		
4	POWER PROJECTION APPLIED RESEARCH	89,189	99,189
5	FORCE PROTECTION APPLIED RESEARCH	143,301	209,301
6	MARINE CORPS LANDING FORCE TECHNOLOGY	46,528	46,528
7	COMMON PICTURE APPLIED RESEARCH	41,696	41,696
8	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	44,127	44,127
9	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	78,228	78,228
10	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,635	64,635
11	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,973	5,973
12	UNDERSEA WARFARE APPLIED RESEARCH	96,814	96,814
13	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEV	162,417	162,417
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,394	32,394
	TOTAL, APPLIED RESEARCH	790,302	881,302
	ADVANCED TECHNOLOGY DEVELOPMENT		
15	POWER PROJECTION ADVANCED TECHNOLOGY	56,543	56,543
16	FORCE PROTECTION ADVANCED TECHNOLOGY	18,616	18,616
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	54,858	63,858
20	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	130,598	130,598
21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,706	11,706
22	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEV	256,382	288,382
23	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	3,880	42,580
24	UNDERSEA WARFARE ADVANCED TECHNOLOGY	---	10,000
25	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	51,819	51,819
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	584,402	674,102

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	DEMONSTRATION & VALIDATION		
28	AIR/OCEAN TACTICAL APPLICATIONS	34,085	34,085
29	AVIATION SURVIVABILITY	8,783	8,783
30	DEPLOYABLE JOINT COMMAND AND CONTROL	3,773	3,773
31	AIRCRAFT SYSTEMS	24,512	24,512
32	ASW SYSTEMS DEVELOPMENT	8,090	8,090
33	TACTICAL AIRBORNE RECONNAISSANCE	5,301	5,301
34	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,506	1,506
35	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	190,622	188,622
36	SURFACE SHIP TORPEDO DEFENSE	93,346	93,346
37	CARRIER SYSTEMS DEVELOPMENT	108,871	108,871
39	PILOT FISH	101,169	101,169
40	RETRACT LARCH	74,312	74,312
41	RETRACT JUNIPER	90,730	90,730
42	RADIOLOGICAL CONTROL	777	777
43	SURFACE ASW	6,704	4,504
44	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	555,123	77,028
44A	OHIO REPLACEMENT PROGRAM	---	483,095
45	SUBMARINE TACTICAL WARFARE SYSTEMS	9,368	9,368
46	SHIP CONCEPT ADVANCED DESIGN	24,609	24,609
47	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,710	34,810
48	ADVANCED NUCLEAR POWER SYSTEMS	249,748	249,748
49	ADVANCED SURFACE MACHINERY SYSTEMS	29,897	29,897
50	CHALK EAGLE	509,988	499,988
51	LITTORAL COMBAT SHIP (LCS)	429,420	414,920
52	COMBAT SYSTEM INTEGRATION	56,551	50,551
53	CONVENTIONAL MUNITIONS	7,342	7,342
54	MARINE CORPS ASSAULT VEHICLES	95,182	83,182
55	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	10,496	10,496

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
56	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	52,331	38,331
57	COOPERATIVE ENGAGEMENT	56,512	56,512
58	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	7,029	7,029
59	ENVIRONMENTAL PROTECTION	21,080	21,080
60	NAVY ENERGY PROGRAM	55,324	95,324
61	FACILITIES IMPROVEMENT	3,401	3,401
62	CHALK CORAL	45,966	45,966
63	NAVY LOGISTIC PRODUCTIVITY	3,811	3,811
64	RETRACT MAPLE	341,305	341,305
65	LINK PLUMERIA	181,220	181,220
66	RETRACT ELM	174,014	162,014
68	LINK EVERGREEN	68,654	68,654
69	SPECIAL PROCESSES	44,487	44,487
70	NATO RESEARCH AND DEVELOPMENT	9,389	9,389
71	LAND ATTACK TECHNOLOGY	16,132	16,132
72	NONLETHAL WEAPONS	44,994	44,994
74	JOINT PRECISION APPROACH AND LANDING SYSTEMS	137,369	122,369
77	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	73,934	73,934
78	ASE SELF-PROTECTION OPTIMIZATION	711	711
79	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE	71,300	46,936
78	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	5,654	5,654
79	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE	31,549	28,949
82	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	86,801	86,801
83	JOINT LIGHT TACTICAL VEHICLE ENGINEERING/MANUFACTURING	44,500	38,591
80	ASW SYSTEMS DEVELOPMENT - MIP	13,172	13,172
82	ELECTRONIC WARFARE DEVELOPMENT - MIP	643	643
	TOTAL, DEMONSTRATION & VALIDATION	4,335,297	4,280,824

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ENGINEERING & MANUFACTURING DEVELOPMENT		
87	OTHER HELO DEVELOPMENT	33,978	24,978
88	AV-8B AIRCRAFT - ENG DEV	32,789	17,535
89	STANDARDS DEVELOPMENT	84,988	74,988
90	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	6,866	6,866
91	AIR/OCEAN EQUIPMENT ENGINEERING	4,060	4,060
92	P-3 MODERNIZATION PROGRAM	3,451	3,451
93	WARFARE SUPPORT SYSTEM	13,071	11,071
94	TACTICAL COMMAND SYSTEM	71,645	71,645
95	ADVANCED HAWKEYE	119,065	128,065
96	H-1 UPGRADES	31,105	31,105
97	ACOUSTIC SEARCH SENSORS	34,299	34,299
98	V-22A	54,412	49,412
99	AIR CREW SYSTEMS DEVELOPMENT	2,717	2,717
100	EA-18	13,009	13,009
101	ELECTRONIC WARFARE DEVELOPMENT	51,304	51,304
102	VH-71A EXECUTIVE HELO DEVELOPMENT	61,163	51,163
103	NEXT GENERATION JAMMER (NGJ)	187,024	167,024
104	JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	337,480	267,480
105	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	260,616	260,616
106	LPD-17 CLASS SYSTEMS INTEGRATION	824	824
107	SMALL DIAMETER BOMB (SDB)	31,064	31,064
108	STANDARD MISSILE IMPROVEMENTS	63,891	48,391
109	AIRBORNE MCM	73,246	66,996
110	MARINE AIR GROUND TASK FORCE ELECTRONIC WARFARE	10,568	10,568
111	NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENG.	39,974	39,974
112	FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM	122,481	102,481
113	ADVANCED ABOVE WATER SENSORS	255,516	40,895
113A	AIR AND MISSILE DEFENSE RADAR	---	223,621
114	SSN-688 AND TRIDENT MODERNIZATION	82,620	82,620
115	AIR CONTROL	5,633	5,633
116	SHIPBOARD AVIATION SYSTEMS	55,826	55,826

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
117	COMBAT INFORMATION CENTER CONVERSION	918	918
118	NEW DESIGN SSN	165,230	90,230
119	SUBMARINE TACTICAL WARFARE SYSTEM	49,141	49,141
120	SHIP CONTRACT DESIGN/LIVE FIRE T&E	196,737	196,737
121	NAVY TACTICAL COMPUTER RESOURCES	3,889	3,889
122	MINE DEVELOPMENT	8,335	8,335
123	LIGHTWEIGHT TORPEDO DEVELOPMENT	49,818	51,818
124	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,099	8,099
125	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,348	5,348
126	JOINT STANDOFF WEAPON SYSTEMS	5,518	5,518
127	SHIP SELF DEFENSE (DETECT & CONTROL)	87,662	87,662
128	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	64,079	64,079
129	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	151,489	139,489
131	MEDICAL DEVELOPMENT	12,707	41,707
132	NAVIGATION/ID SYSTEM	47,764	41,764
133	JOINT STRIKE FIGHTER (JSF) - EMD	737,149	718,949
134	JOINT STRIKE FIGHTER (JSF)	743,926	720,209
135	INFORMATION TECHNOLOGY DEVELOPMENT	12,143	12,143
136	INFORMATION TECHNOLOGY DEVELOPMENT	72,209	72,209
138	CH-53K	606,204	606,204
140	MULTI-MISSION MARITIME AIRCRAFT (MMA)	421,102	436,102
141	DDG-1000	124,655	124,655
142	TACTICAL COMMAND SYSTEM - MIP	1,170	1,170
144	TACTICAL CRYPTOLOGIC SYSTEMS	23,255	23,255
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	5,747,232	5,489,311

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	RDT&E MANAGEMENT SUPPORT		
146	THREAT SIMULATOR DEVELOPMENT	30,790	30,790
147	TARGET SYSTEMS DEVELOPMENT	59,221	59,221
148	MAJOR T&E INVESTMENT	35,894	35,894
149	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	7,573	6,573
150	STUDIES AND ANALYSIS SUPPORT - NAVY	20,963	17,963
151	CENTER FOR NAVAL ANALYSES	46,856	46,856
153	TECHNICAL INFORMATION SERVICES	796	796
154	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	32,782	47,782
155	STRATEGIC TECHNICAL SUPPORT	3,306	3,306
156	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	70,302	70,302
157	RDT&E SHIP AND AIRCRAFT SUPPORT	144,033	144,033
158	TEST AND EVALUATION SUPPORT	342,298	372,298
159	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,399	16,399
160	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,579	4,579
161	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,000	8,000
162	MARINE CORPS PROGRAM WIDE SUPPORT	18,490	18,490
163	TACTICAL CRYPTOLOGIC ACTIVITIES	2,795	2,795
	TOTAL, RDT&E MANAGEMENT SUPPORT	845,077	886,077
	OPERATIONAL SYSTEMS DEVELOPMENT		
167	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT	142,282	142,282
170	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	105,892	105,892
171	SSBN SECURITY TECHNOLOGY PROGRAM	34,729	34,729
172	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	1,434	1,434
173	NAVY STRATEGIC COMMUNICATIONS	19,208	19,208
174	RAPID TECHNOLOGY TRANSITION (RTT)	25,566	25,566
175	F/A-18 SQUADRONS	188,299	169,299
176	E-2 SQUADRONS	8,610	8,610
177	FLEET TELECOMMUNICATIONS (TACTICAL)	15,695	15,695
178	SURFACE SUPPORT	4,171	3,371

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
179	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)..	11,265	11,265
180	INTEGRATED SURVEILLANCE SYSTEM.....	45,922	45,922
181	AMPHIBIOUS TACTICAL SUPPORT UNITS.....	8,435	8,435
182	GROUND/AIR TASK ORIENTED RADAR.....	75,088	75,088
183	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT.....	20,229	18,544
184	CRYPTOLOGIC DIRECT SUPPORT.....	1,756	1,756
185	ELECTRONIC WARFARE (EW) READINESS SUPPORT.....	19,843	19,843
186	HARM IMPROVEMENT.....	11,477	11,477
187	TACTICAL DATA LINKS.....	118,818	90,618
188	SURFACE ASW COMBAT SYSTEM INTEGRATION.....	27,342	27,342
189	MK-48 ADCAP.....	28,717	38,717
190	AVIATION IMPROVEMENTS.....	89,157	89,157
191	NAVY SCIENCE ASSISTANCE PROGRAM.....	3,450	3,450
192	OPERATIONAL NUCLEAR POWER SYSTEMS.....	86,435	86,435
193	MARINE CORPS COMMUNICATIONS SYSTEMS.....	219,054	210,054
194	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS....	181,693	167,693
195	MARINE CORPS COMBAT SERVICES SUPPORT.....	58,393	54,393
196	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)....	22,966	22,966
197	TACTICAL AIM MISSILES.....	21,107	21,107
198	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).....	2,857	2,857
199	JOINT HIGH SPEED VESSEL (JHSV).....	1,932	1,932
204	SATELLITE COMMUNICATIONS (SPACE).....	188,482	188,482
205	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES.....	16,749	16,749
206	INFORMATION SYSTEMS SECURITY PROGRAM.....	26,307	26,307
207	WWMCCS/Global Command and Control System.....	500	500
210	COBRA JUDY.....	17,091	17,091
211	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)...	810	810
212	JOINT MILITARY INTELLIGENCE PROGRAMS.....	8,617	8,617
213	TACTICAL UNMANNED AERIAL VEHICLES.....	9,066	7,566
215	MANNED RECONNAISSANCE SYSTEMS.....	30,654	30,654

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
216	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS.....	25,917	25,917
217	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS.....	14,676	14,676
218	RQ-4 UAV.....	657,483	657,483
219	MQ-8 UAV.....	99,600	92,000
220	RQ-11 UAV.....	495	495
221	RQ-7 UAV.....	863	863
223	SMALL (LEVEL 0) TACTICAL UAS (STUASLO).....	9,734	9,734
225	RQ-21A.....	22,343	22,343
226	MODELING AND SIMULATION SUPPORT.....	5,908	5,908
227	DEPOT MAINTENANCE (NON-IF).....	27,391	27,391
229	INDUSTRIAL PREPAREDNESS.....	54,879	72,879
230	MARITIME TECHNOLOGY (MARITECH).....	5,000	5,000
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	2,824,387	2,766,602
999	CLASSIFIED PROGRAMS.....	1,151,159	1,351,159
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.....	16,882,877	16,963,398

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	Conference
1	UNIVERSITY RESEARCH INITIATIVES	113,690	133,690
	Program increase - cooperative based university research program		20,000
3	DEFENSE RESEARCH SCIENCES	473,070	482,070
	Nanotechnology research		9,000
4	POWER PROJECTION APPLIED RESEARCH	89,189	99,189
	Program increase - power projection applied research		10,000
5	FORCE PROTECTION APPLIED RESEARCH	143,301	209,301
	Alternative energy research		40,000
	Materials research and technology		13,000
	Power generation and storage research		13,000
10	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,635	64,635
	Program increase - AGOR mid-life refit		15,000
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	54,858	63,858
	Advanced radar research		9,000
22	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	256,382	288,382
	Technology transition - restore unjustified reduction		32,000
23	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	3,880	42,580
	Program increase - bone marrow registry program		31,500
	Program increase - tactical athlete program		7,200
24	UNDERSEA WARFARE ADVANCED TECHNOLOGY	0	10,000
	Program increase - ASW research		10,000
35	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	190,622	188,622
	Excess to need		-2,000
43	SURFACE ASW	6,704	4,504
	Program execution		-2,200
44	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	555,123	77,028
	Transfer to line 44X		-483,095
	Seawolf risk reduction efforts		5,000
44X	OHIO CLASS REPLACEMENT PROGRAM	0	483,095
	Transfer from line 44		483,095
47	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,710	34,810
	Program delay		-3,900
	TAO(X) design		25,000
50	CHALK EAGLE	509,988	499,988
	Unjustified cost growth		-10,000

R-1		Budget Request	Conference
51	LITTORAL COMBAT SHIP (LCS)	429,420	414,920
	Increment 2 missile system ahead of need		-8,000
	Irregular warfare module ahead of need		-4,000
	Program increase - small business technology insertion		10,000
	Reduction to training architecture		-12,500
52	COMBAT SYSTEM INTEGRATION	56,551	50,551
	Program execution		-6,000
54	MARINE CORPS ASSAULT VEHICLES	95,182	83,182
	Program execution		-12,000
56	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	52,331	38,331
	Program execution		-14,000
60	NAVY ENERGY PROGRAM	55,324	95,324
	Program increase - alternative energy initiatives		40,000
66	RETRACT ELM	174,014	162,014
	Program execution		-12,000
73	JOINT PRECISION APPROACH AND LANDING SYSTEMS	137,369	122,369
	Program management cost growth		-15,000
78	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE	71,300	46,936
	Program execution		-20,000
	Unjustified miscellaneous contract		-4,364
80	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE	31,549	28,949
	Program execution		-2,600
83	JOINT LIGHT TACTICAL VEHICLE ENGINEERING/MANUFACTURING	44,500	38,591
	Contract award delay		-5,909
87	OTHER HELO DEVELOPMENT	33,978	24,978
	Program execution		-9,000
88	AV-8B AIRCRAFT - ENG DEV	32,789	17,535
	Excess functional control computer funding		-15,254
89	STANDARDS DEVELOPMENT	84,988	74,988
	Support funding growth		-2,000
	Program execution		-8,000
93	WARFARE SUPPORT SYSTEM	13,071	11,071
	Program execution		-2,000
95	ADVANCED HAWKEYE	119,065	128,065
	Advanced radar research		9,000
98	V-22A	54,412	49,412
	Program execution		-5,000

R-1	Budget Request	Conference
102 VH-71A EXECUTIVE HELO DEVELOPMENT	**61,163**	**51,163**
Program execution		-10,000
103 NEXT GENERATION JAMMER (NGJ)	**187,024**	**167,024**
Milestone delay		-20,000
104 JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	**337,480**	**267,480**
Revised acquisition strategy		-70,000
108 STANDARD MISSILE IMPROVEMENTS	**63,891**	**48,391**
Program execution		-5,500
Modernization program delay due to development issues		-10,000
109 AIRBORNE MCM	**73,246**	**66,996**
Program not meeting key performance parameters		-3,000
Program execution		-3,250
112 FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM	**122,481**	**102,481**
Milestone A delay		-20,000
113 ADVANCED ABOVE WATER SENSORS	**255,516**	**40,895**
Transfer to line 113X		-223,621
Advanced radar research		9,000
113X AIR AND MISSILE DEFENSE RADAR	**0**	**223,621**
Transfer from line 113		223,621
118 NEW DESIGN SSN	**165,230**	**90,230**
Program increase - small business technology insertion		15,000
Virginia payload module ahead of need		-90,000
123 LIGHTWEIGHT TORPEDO DEVELOPMENT	**49,818**	**51,818**
Program increase - small business technology insertion		10,000
Program forward financed		-8,000
124 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	**10,099**	**8,099**
Program execution		-2,000
125 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	**7,348**	**5,348**
Program execution		-2,000
129 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	**151,489**	**139,489**
Program execution		-12,000
131 MEDICAL DEVELOPMENT	**12,707**	**41,707**
Program increase - NAMRU research		10,000
Program increase - wound care research		13,000
Program increase - military dental research		6,000
132 NAVIGATION/ID SYSTEM	**47,764**	**41,764**
Program execution		-6,000

R-1	Budget Request	Conference
133 JOINT STRIKE FIGHTER (JSF) - EMD	737,149	718,949
Block IV development ahead of need		-3,200
Development support excess to need		-15,000
134 JOINT STRIKE FIGHTER (JSF)	743,926	720,209
Block IV development ahead of need		-8,717
Development support excess to need		-15,000
140 MULTI-MISSION MARITIME AIRCRAFT (MMA)	421,102	436,102
Program increase - small business technology insertion		15,000
149 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	7,573	6,573
Program execution		-1,000
150 STUDIES AND ANALYSIS SUPPORT - NAVY	20,963	17,963
Program execution		-3,000
154 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	32,782	47,782
Printed circuit board executive agent - previous NDAA mandate		15,000
158 TEST AND EVALUATION SUPPORT	342,298	372,298
Program increase - major range and test facility base		30,000
175 F/A-18 SQUADRONS	188,299	169,299
Program execution		-19,000
178 SURFACE SUPPORT	4,171	3,371
Program execution		-800
183 CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	20,229	18,544
Program execution		-1,685
187 TACTICAL DATA LINKS	118,818	90,618
Program execution		-28,200
189 MK-48 ADCAP	28,717	38,717
Program increase - small business technology insertion		10,000
193 MARINE CORPS COMMUNICATIONS SYSTEMS	219,054	210,054
Common aviation command and control system late contract award		-9,000
194 MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	181,693	167,693
Program execution		-10,000
Marine personnel carrier - excess program management		-4,000
195 MARINE CORPS COMBAT SERVICES SUPPORT	58,393	54,393
Program execution		-4,000
213 TACTICAL UNMANNED AERIAL VEHICLES	9,066	7,566
Contract award delay		-1,500

R-1	Budget Request	Conference
219 MQ-8 UAV	**99,600**	**92,000**
Program execution		-7,600
229 INDUSTRIAL PREPAREDNESS	**54,879**	**72,879**
Program increase		18,000
999 CLASSIFIED PROGRAMS	**1,151,159**	**1,351,159**
Classified adjustment		200,000

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	RECOMMEND
	RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE		
	BASIC RESEARCH		
1	DEFENSE RESEARCH SCIENCES	361,787	361,787
2	UNIVERSITY RESEARCH INITIATIVES	141,153	141,153
3	HIGH ENERGY LASER RESEARCH INITIATIVES	13,094	13,094
	TOTAL, BASIC RESEARCH	516,034	516,034
	APPLIED RESEARCH		
4	MATERIALS	114,166	123,166
5	AEROSPACE VEHICLE TECHNOLOGIES	120,719	120,719
6	HUMAN EFFECTIVENESS APPLIED RESEARCH	89,319	89,319
7	AEROSPACE PROPULSION	232,547	232,547
8	AEROSPACE SENSORS	127,637	127,637
9	SPACE TECHNOLOGY	98,375	98,375
10	CONVENTIONAL MUNITIONS	77,175	77,175
11	DIRECTED ENERGY TECHNOLOGY	106,196	108,196
	DOMINANT INFORMATION SCIENCES AND METHODS	104,362	104,362
13	HIGH ENERGY LASER RESEARCH	38,557	38,557
	TOTAL, APPLIED RESEARCH	1,109,053	1,120,053
	ADVANCED TECHNOLOGY DEVELOPMENT		
14	ADVANCED MATERIALS FOR WEAPON SYSTEMS	47,890	60,890
15	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	6,565	6,565
16	ADVANCED AEROSPACE SENSORS	37,657	37,657
17	AEROSPACE TECHNOLOGY DEV/DEMO	81,376	81,376
18	AEROSPACE PROPULSION AND POWER TECHNOLOGY	151,152	164,152
19	ELECTRONIC COMBAT TECHNOLOGY	32,941	26,941
20	ADVANCED SPACECRAFT TECHNOLOGY	64,557	64,557
21	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	29,256	29,256
22	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	21,523	21,523
23	CONVENTIONAL WEAPONS TECHNOLOGY	36,352	36,352
24	ADVANCED WEAPONS TECHNOLOGY	19,004	19,004
25	MANUFACTURING TECHNOLOGY PROGRAM	37,045	57,045
26	BATTLESPACE KNOWLEDGE DEVELOPMENT & DEMONSTRATION	31,419	31,419
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	596,737	636,737

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ADVANCED COMPONENT DEVELOPMENT		
28	INTELLIGENCE ADVANCED DEVELOPMENT	3,866	3,866
29	PHYSICAL SECURITY EQUIPMENT	3,704	3,704
30	ADVANCED EHF MILSATCOM (SPACE)	229,171	231,171
31	POLAR MILSATCOM (SPACE)	120,676	120,676
32	SPACE CONTROL TECHNOLOGY	25,144	23,144
33	COMBAT IDENTIFICATION TECHNOLOGY	32,243	29,243
34	NATO RESEARCH AND DEVELOPMENT	4,507	4,507
35	INTERNATIONAL SPACE COOPERATIVE R&D	652	652
36	SPACE PROTECTION PROGRAM (SPP)	10,429	10,429
37	INTEGRATED BROADCAST SERVICE	19,938	19,938
38	INTERCONTINENTAL BALLISTIC MISSILE	71,181	71,181
39	WIDEBAND GAPFILLER SYSTEM RDT&E (SPACE)	12,027	12,027
40	POLLUTION PREVENTION (DEM/VAL)	2,054	1,054
41	JOINT PRECISION APPROACH AND LANDING SYSTEMS	57,975	12,975
42	NEXT GENERATION BOMBER	291,742	291,742
43	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	114,417	111,417
44	TECHNOLOGY TRANSFER	2,576	2,576
45	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM	16,711	16,711
47	REQUIREMENTS ANALYSIS AND MATURATION	16,343	16,343
48	WEATHER SATELLITE FOLLOW-ON	2,000	---
50	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	9,423	9,423
54	OPERATIONALLY RESPONSIVE SPACE	---	105,000
55	TECH TRANSITION PROGRAM	37,558	34,558
56	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	96,840	71,840
	TOTAL, ADVANCED COMPONENT DEVELOPMENT	1,181,177	1,204,177

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ENGINEERING & MANUFACTURING DEVELOPMENT		
58	GLOBAL BROADCAST SERVICE (GBS)	14,652	14,652
59	NUCLEAR WEAPONS SUPPORT	25,713	---
60	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,583	5,630
61	ELECTRONIC WARFARE DEVELOPMENT	1,975	1,975
62	JOINT TACTICAL RADIO	2,594	---
63	TACTICAL DATA NETWORKS ENTERPRISE	24,534	24,534
64	PHYSICAL SECURITY EQUIPMENT	51	51
65	SMALL DIAMETER BOMB (SDB)	143,000	138,000
66	COUNTERSPACE SYSTEMS	28,797	27,797
67	SPACE SITUATION AWARENESS SYSTEMS	267,252	230,152
68	AIRBORNE ELECTRONIC ATTACK	4,118	4,118
69	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	448,594	531,594
70	ARMAMENT/ORDNANCE DEVELOPMENT	9,951	9,951
71	SUBMUNITIONS	2,567	2,567
72	AGILE COMBAT SUPPORT	13,059	26,059
73	LIFE SUPPORT SYSTEMS	9,720	6,720
74	COMBAT TRAINING RANGES	9,222	9,222
76	INTELLIGENCE EQUIPMENT	803	803
77	JOINT STRIKE FIGHTER (JSF)	1,210,306	1,177,999
78	INTERCONTINENTAL BALLISTIC MISSILE	135,437	135,437
79	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	7,980	32,980
80	LONG RANGE STANDOFF WEAPON	2,004	2,004
81	ICBM FUZE MODERNIZATION	73,512	73,512
82	F-22 MODERNIZATION INCREMENT 3.2B	140,100	140,100
83	NEXT GENERATION AERIAL REFUELING AIRCRAFT	1,815,588	1,738,488
84	CSAR HH-60 RECAPITALIZATION	123,210	115,210
85	HC/MC-130 RECAP RDT&E	19,039	10,739
86	B-2 DEFENSIVE MANAGEMENT SYSTEM	281,056	281,056

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
87	NUCLEAR WEAPONS MODERNIZATION	80,200	80,200
89	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE	310	310
90	FULL COMBAT MISSION TRAINING	14,861	14,861
91	MC-12	19,949	19,949
	JOINT CARGO AIRCRAFT (JCA)	---	6,500
93	CV-22	28,027	28,027
94	AIRBORNE SENIOR LEADER C3 (SLC3S)	1,960	1,960
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	4,966,724	4,893,157
	RDT&E MANAGEMENT SUPPORT		
95	THREAT SIMULATOR DEVELOPMENT	22,812	22,812
96	MAJOR T&E INVESTMENT	42,236	42,236
97	RAND PROJECT AIR FORCE	25,579	25,579
99	INITIAL OPERATIONAL TEST & EVALUATION	16,197	16,197
100	TEST AND EVALUATION SUPPORT	722,071	722,071
101	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	16,200	16,200
102	SPACE TEST PROGRAM (STP)	10,051	45,051
103	FACILITIES RESTORATION & MODERNIZATION - TEST & EVAL	42,597	42,597
104	FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT	27,301	27,301
105	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,964	13,964
106	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	203,766	195,766
107	ACQUISITION AND MANAGEMENT SUPPORT	42,430	32,530
107A	ELECTRONIC ACQUISITION SERVICES ENVIRONMENT	---	4,800
108	GENERAL SKILL TRAINING	1,294	---
111	INTERNATIONAL ACTIVITIES	3,851	3,851
	TOTAL, RDT&E MANAGEMENT SUPPORT	1,190,349	1,210,955

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	OPERATIONAL SYSTEMS DEVELOPMENT		
112	GPS III - OPERATIONAL CONTROL SEGMENT	371,595	350,095
114	AIR FORCE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	91,697	45,697
115	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	17,037	37,037
117	B-52 SQUADRONS	53,208	18,508
118	AIR-LAUNCHED CRUISE MISSILE (ALCM)	431	431
119	B-1B SQUADRONS	16,265	16,265
120	B-2 SQUADRONS	35,970	35,970
121	STRAT WAR PLANNING SYSTEM - USSTRATCOM	30,889	23,189
122	NIGHT FIST - USSTRATCOM	10	---
124	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION	5,609	5,609
126	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRAN	15,098	5,098
127	MQ-9 UAV	147,971	147,971
128	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	49,848	49,848
129	A-10 SQUADRONS	13,538	13,538
130	F-16 SQUADRONS	190,257	176,757
131	F-15E SQUADRONS	192,677	171,677
132	MANNED DESTRUCTIVE SUPPRESSION	13,683	13,683
133	F-22 SQUADRONS	371,667	365,167
134	F-35 SQUADRONS	8,117	---
135	TACTICAL AIM MISSILES	8,234	6,634
136	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	87,041	87,041
137	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,472	1,472
138	COMBAT RESCUE AND RECOVERY	2,095	2,095
139	COMBAT RESCUE - PARARESCUE	1,119	1,119
140	AF TENCAP	63,853	63,853
141	PRECISION ATTACK SYSTEMS PROCUREMENT	1,063	1,063
142	COMPASS CALL	12,094	12,094
143	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	187,984	187,984

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
145	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	7,950	7,950
146	AIR AND SPACE OPERATIONS CENTER (AOC)	76,315	76,315
147	CONTROL AND REPORTING CENTER (CRC)	8,653	8,653
148	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	65,200	48,900
149	TACTICAL AIRBORNE CONTROL SYSTEMS	5,767	5,767
152	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,756	5,756
154	TACTICAL AIR CONTROL PARTY--MOD	16,226	16,226
156	C2ISR TACTICAL DATA LINK	1,633	1,633
157	COMMAND AND CONTROL (C2) CONSTELLATION	18,086	15,786
158	DCAPES	15,690	15,690
159	JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM	24,241	24,241
160	SEEK EAGLE	22,654	22,654
161	USAF MODELING AND SIMULATION	15,501	15,501
162	WARGAMING AND SIMULATION CENTERS	5,699	5,699
163	DISTRIBUTED TRAINING AND EXERCISES	4,425	3,225
164	MISSION PLANNING SYSTEMS	69,377	69,377
165	INFORMATION WARFARE SUPPORT	7,159	7,159
166	CYBER COMMAND ACTIVITIES	66,888	66,888
174	SPACE SUPERIORITY INTELLIGENCE	12,056	12,056
175	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	4,159	4,159
176	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	20,124	20,124
177	INFORMATION SYSTEMS SECURITY PROGRAM	69,133	69,133
178	GLOBAL COMBAT SUPPORT SYSTEM	6,512	3,512
179	GLOBAL COMMAND AND CONTROL SYSTEM	4,316	2,316
180	MILSATCOM TERMINALS	107,237	107,237
182	AIRBORNE SIGINT ENTERPRISE	129,106	129,106
185	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,461	4,461
186	CYBER SECURITY INITIATIVE	2,055	2,055
187	DOD CYBER CRIME CENTER	285	285
188	SATELLITE CONTROL NETWORK (SPACE)	33,773	33,773
189	WEATHER SERVICE	29,048	29,048

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
190	AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC).	43,187	39,687
191	AERIAL TARGETS	50,496	46,096
194	SECURITY AND INVESTIGATIVE ACTIVITIES	354	354
195	ARMS CONTROL IMPLEMENTATION	4,000	4,000
196	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	342	---
198	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	29,621	29,621
199	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL).	14,335	14,335
201	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,680	3,680
202	SPACE WARFARE CENTER	2,430	2,430
203	SPACELIFT RANGE SYSTEM (SPACE)	8,760	8,360
205	DRAGON U-2	23,644	23,644
206	ENDURANCE UNMANNED AERIAL VEHICLES	21,000	81,000
207	AIRBORNE RECONNAISSANCE SYSTEMS	96,735	96,735
208	MANNED RECONNAISSANCE SYSTEMS	13,316	13,316
209	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	63,501	48,501
210	PREDATOR UAV (JMIP)	9,122	9,122
211	RQ-4 UAV	236,265	252,265
212	NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA)	7,367	7,367
213	COMMON DATA LINK (CDL)	38,094	36,694
214	NATO AGS	210,109	210,109
215	SUPPORT TO DCGS ENTERPRISE	24,500	24,500
216	GPS III SPACE SEGMENT	318,992	318,992
217	JSPOC MISSION SYSTEM	54,645	53,045
218	RAPID CYBER ACQUISITION	4,007	2,007
219	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	13,357	13,357
220	NUDET DETECTION SYSTEM (SPACE)	64,965	63,365
221	SPACE SITUATION AWARENESS OPERATIONS	19,586	19,586
223	SHARED EARLY WARNING (SEW)	1,175	1,175
224	C-130 AIRLIFT SQUADRON	5,000	15,000
225	C-5 AIRLIFT SQUADRONS	35,115	35,115
226	C-17 AIRCRAFT	99,225	86,225
227	C-130J PROGRAM	30,652	20,652

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
228	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	7,758	7,758
229	LIGHT MOBILITY AIRCRAFT (LiMA)	100	---
231	KC-10S	24,022	21,022
232	OPERATIONAL SUPPORT AIRLIFT	7,471	18,571
234	SPECIAL TACTICS / COMBAT CONTROL	4,984	4,984
235	DEPOT MAINTENANCE (NON-IF)	1,588	1,588
236	LOGISTICS SUPPORT ACTIVITIES	577	577
237	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	119,327	77,327
238	SUPPORT SYSTEMS DEVELOPMENT	15,873	72,873
240	OTHER FLIGHT TRAINING	349	349
242	OTHER PERSONNEL ACTIVITIES	117	---
243	JOINT PERSONNEL RECOVERY AGENCY	2,018	2,018
244	CIVILIAN COMPENSATION PROGRAM	1,561	1,561
245	PERSONNEL ADMINISTRATION	7,634	2,634
246	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,175	675
247	FACILITIES OPERATION--ADMINISTRATION	3,491	3,491
248	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	100,160	100,160
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	4,695,789	4,570,503
	CLASSIFIED PROGRAMS	11,172,183	11,281,122
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE	25,428,046	25,432,738

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	Conference
4	**MATERIALS**	**114,166**	**123,166**
	Nanotechnology research		9,000
11	**DIRECTED ENERGY TECHNOLOGY**	**106,196**	**108,196**
	Space situational awareness		9,000
	Delay electronic laser on a large aircraft		-7,000
14	**ADVANCED MATERIALS FOR WEAPON SYSTEMS**	**47,890**	**60,890**
	Materials research and technology		13,000
18	**AEROSPACE PROPULSION AND POWER TECHNOLOGY**	**151,152**	**164,152**
	Silicon carbide research		13,000
19	**ELECTRONIC COMBAT TECHNOLOGY**	**32,941**	**26,941**
	Protection concepts for 6th generation aircraft ahead of need		-2,000
	Rapidly fieldable operational demonstrations unjustified request		-4,000
25	**MANUFACTURING TECHNOLOGY PROGRAM**	**37,045**	**57,045**
	Program increase		20,000
30	**ADVANCED EHF MILSATCOM (SPACE)**	**229,171**	**231,171**
	Program management services excess to need		-3,000
	Satellite and MCS interim contractor support excess to need		-20,000
	Program increase - space modernization initiatives		25,000
32	**SPACE CONTROL TECHNOLOGY**	**25,144**	**23,144**
	Operationally responsive space - transfer to line 54		-2,000
33	**COMBAT IDENTIFICATION TECHNOLOGY**	**32,243**	**29,243**
	Underexecution		-3,000
40	**POLLUTION PREVENTION - DEM/VAL**	**2,054**	**1,054**
	Forward financing		-1,000
41	**JOINT PRECISION APPROACH AND LANDING SYSTEM - DEM/VAL**	**57,975**	**12,975**
	Development contract award delay		-45,000
43	**BATTLE MANAGEMENT COMMAND & CONTROL SENSOR DEVELOPMENT**	**114,417**	**111,417**
	SAR/MTI alternatives		10,000
	Excess to need		-13,000
48	**WEATHER SATELLITE FOLLOW-ON**	**2,000**	**0**
	Carryover of fiscal year 2012 funds		-2,000
54	**OPERATIONALLY RESPONSIVE SPACE**	**0**	**105,000**
	Program increase		100,000
	Space control technology - transfer from line 32		2,000
	Tech transition program - transfer from line 55		3,000
55	**TECH TRANSITION PROGRAM**	**37,558**	**34,558**
	Operationally responsive space - transfer to line 54		-3,000

R-1		Budget Request	Conference
56	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	96,840	71,840
	GPS user equipment, directorate, and other support unjustified growth		-2,500
	GPS user equipment, FFRDC, and management services unjustified growth		-2,500
	Reduction to growth due to protracted pre-engineering and manufacturing development phase		-20,000
59	NUCLEAR WEAPON SUPPORT	25,713	0
	Global C3I and early warning - transfer to OM,AF line 12A		-25,713
60	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,583	5,630
	Program delays		-953
62	JOINT TACTICAL RADIO	2,594	0
	Unjustified request		-2,594
65	SMALL DIAMETER BOMB (SDB)	143,000	138,000
	Other product development cost growth		-5,000
66	COUNTERSPACE SYSTEMS	28,797	27,797
	Historical excess from general reductions		-1,000
67	SPACE SITUATION AWARENESS SYSTEMS	267,252	230,152
	Space fence delay of award		-37,100
	U.S.-Australia C-band radar project - internal realignment		[11,200]
69	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH	448,594	531,594
	SBIRS SMI, architecture studies		-5,000
	SBIRS evolution		-10,000
	SBIRS ground expansion for HEO C2		40,000
	SBIRS ground starer/scanner integration acceleration		40,000
	Program increase - space modernization initiatives		18,000
72	AGILE COMBAT SUPPORT	13,059	26,059
	Power generation and storage research		13,000
73	LIFE SUPPORT SYSTEMS	9,720	6,720
	Forward financing		-3,000
77	F-35	1,210,306	1,177,999
	Block 4 ahead of need		-2,307
	Unjustified growth in other		-30,000
79	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	7,980	32,980
	RL-10 conversions		25,000
83	NEXT GENERATION AERIAL REFUELING AIRCRAFT	1,815,588	1,738,488
	Air Force identified forward financing		-77,100
84	CSAR HH-60 RECAP	123,210	115,210
	Unobligated prior year funds		-8,000
85	HC/MC-130 RECAP	19,039	10,739
	Forward financing		-8,300

R-1	Budget Request	Conference
92 C-27J JOINT CARGO AIRCRAFT	0	6,500
Retain Air Force force structure		6,500
102 SPACE TEST PROGRAM (STP)	10,051	45,051
Program increase		35,000
106 SPACE AND MISSILE CENTER CIVILIAN WORKFORCE	203,766	195,766
Excess to need		-8,000
107 ACQUISITION AND MANAGEMENT SUPPORT	42,430	32,530
Recruiting and development excess growth		-2,700
Acquisition systems unjustified cost growth		-2,400
Electronic acquisition services environment - transfer to line 107a		-4,800
107a ELECTRONIC ACQUISITION SERVICES ENVIRONMENT	0	4,800
Transfer from line 107		4,800
108 GENERAL SKILL TRAINING	1,294	0
Excess to need		-1,294
112 GLOBAL POSITIONING SYSTEM III - OPERATIONAL CONTROL SEGMENT	371,595	350,095
GPS/OCX - Phase B, OCX, Block 1 and 2 development ahead of need		-50,000
GPS launch control system acceleration		50,000
GPS/OCX FFRDC excess to need		-8,000
GPS - enterprise integrator FFRDC excess to need		-5,000
GPS - enterprise integrator excess to need		-8,500
114 AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	91,697	45,697
Contract award delay		-46,000
115 ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	17,037	37,037
Alternative power sources for anti-tamper technology		20,000
117 B-52 SQUADRONS	53,208	18,508
CONECT restructure		-34,700
121 STRAT WAR PLANNING SYSTEMS - USSTRATCOM	30,889	23,189
SWPS Increment 3 excess to need		-7,700
122 NIGHT FIST - USSTRATCOM	10	0
Unjustified request		-10
126 WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND	15,098	5,098
Unobligated balances		-10,000
130 F-16 SQUADRONS	190,257	176,757
Flight test unjustified increase		-3,500
Combat avionics programmed extension suite program delay		-10,000
131 F-15E SQUADRONS	192,677	171,677
Forward financing		-21,000
133 F-22A SQUADRONS	371,667	365,167
Should cost review savings		-6,500

R-1	Budget Request	Conference
134 F-35 SQUADRONS	8,117	0
Block 4 ahead of need		-8,117
135 TACTICAL AIM MISSILES	8,234	6,634
Product development cost growth		-1,600
148 AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	65,200	48,900
Underexecution		-16,300
157 COMMAND AND CONTROL (C2) CONSTELLATION	18,086	15,786
Architecture and systems engineering unjustified increase		-2,300
163 DISTRIBUTED TRAINING AND EXERCISES	4,425	3,225
Wargaming unjustified increase		-1,200
178 GLOBAL COMBAT SUPPORT SYSTEM	6,512	3,512
Program restructure		-3,000
179 GLOBAL COMMAND AND CONTROL SYSTEM	4,316	2,316
Underexecution		-2,000
190 AIR TRAFFIC CONTROL, APPROACH AND LANDING SYSTEM (ATCALS)	43,187	39,687
NextGen forward financing		-3,500
191 AERIAL TARGETS	50,496	46,096
QF-16 late contract award		-4,400
196 DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	342	0
Unobligated balances		-342
203 SPACELIFT RANGE SYSTEM (SPACE)	8,760	8,360
Historical excess from general reductions		-400
206 ENDURANCE UNMANNED AERIAL VEHICLES	21,000	81,000
Testing base for EUAVs		10,000
Long Dwell/Persistent ISR response for JUONs CC-0151 and CC-0302		50,000
209 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	63,501	48,501
Data compression contract award delay		-15,000
211 RQ-4 UAV	236,265	252,265
Restore Block 30 program		16,000
213 COMMON DATA LINK (CDL)	38,094	36,694
Unjustified program growth		-1,400
217 JSPOC MISSION SYSTEM	54,645	53,045
Historical excess from general reductions		-1,600
218 RAPID CYBER ACQUISITION	4,007	2,007
Unsustained funding level		-2,000
220 NUDET DETECTION SYSTEM (SPACE)	64,965	63,365
ICADS/UGNT execution delays		-1,600
224 C-130 AIRLIFT SQUADRON	5,000	15,000
C-130 AMP		10,000

R-1	Budget Request	Conference
226 C-17 AIRCRAFT	**99,225**	**86,225**
Unobligated balances		-13,000
227 C-130J PROGRAM	**30,652**	**20,652**
C-130J forward financing		-10,000
229 LIGHT MOBILITY AIRCRAFT (LIMA)	**100**	**0**
Program termination		-100
231 KC-10	**24,022**	**21,022**
Aircraft modernization program forward financing		-3,000
232 OPERATIONAL SUPPORT AIRLIFT	**7,471**	**18,571**
Air Force identified shortfall - VC-25 avionics modernization program		11,100
237 LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	**119,327**	**77,327**
Unobligated balances		-42,000
238 SUPPORT SYSTEMS DEVELOPMENT	**15,873**	**72,873**
Alternative energy research		37,000
Coal to liquid fuel only for lower emission research		20,000
242 OTHER PERSONNEL ACTIVITIES	**117**	**0**
Unobligated balances		-117
245 PERSONNEL ADMINISTRATION	**7,634**	**2,634**
Unjustified growth		-5,000
246 AIR FORCE STUDIES AND ANALYSIS AGENCY	**1,175**	**675**
Unobligated balances		-500
999 CLASSIFIED PROGRAMS	**11,172,183**	**11,281,122**
Classified adjustment		108,939

SPACE MODERNIZATION INITIATIVES

The conference agreement provides an additional $18,000,000 for the Space Based Infra-Red System (SBIRS) and $25,000,000 for the Advanced Extremely High Frequency (AEHF) Satellite Modernization Initiative (SMI) efforts and reiterates the direction as detailed in Senate Report 112–196 for the Secretary of the Air Force to provide the congressional defense committees a report detailing how the additional SMI funds will be used not less than 30 days prior to the obligation of such funds.

The conferees support the evolution of current space systems but are concerned that the Department of Defense and the Air Force have yet to define the architectural and system specific goals being pursued with these funds. The conferees direct the Secretary of the Air Force, in coordination with the Under Secretary of Defense (Acquisition, Technology, and Logistics), to provide to the congressional defense committees, not later than 90 days after the enactment of this Act, a report describing the overall SMI strategy and goals, a specific accounting of the studies and technologies to be pursued, the current and follow-on costs for those efforts, schedules for delivery of such efforts, and a roadmap of how these efforts correlate or support the future acquisition plans for SBIRS, AEHF, and Global Positioning System satellite and ground segments.

PROMOTING ENERGY SECURITY

The conferees do not include a provision as proposed by the House regarding the Energy Independence and Security Act. However, the conferees provide $20,000,000 in Research, Development, Test and Evaluation, Air Force only for research that will improve emissions of coal to liquid fuel to enable this technology to be a competitive alternative energy resource to meet the goals established in the Department of Defense's Operational Energy Strategy and its Implementation Plan. The conferees direct the Secretary of the Air Force, in consultation with the Assistant Secretary of Defense for Operational Energy Plans and Programs, to inform the congressional defense committees 30 days prior to any obligation or expenditure of these funds.RESEARCH,

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	RECOMMEND
	RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSE-WIDE		
	BASIC RESEARCH		
1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH..	45,071	45,071
2	DEFENSE RESEARCH SCIENCES.....	309,051	309,051
3	BASIC RESEARCH INITIATIVES.....	19,405	19,405
5	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE.....	39,676	39,676
6	NATIONAL DEFENSE EDUCATION PROGRAM.....	87,979	87,979
7	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	50,566	50,566
	TOTAL, BASIC RESEARCH.....	551,748	551,748
	APPLIED RESEARCH		
7	JOINT MUNITIONS TECHNOLOGY.....	20,615	20,615
8	BIOMEDICAL TECHNOLOGY.....	110,900	105,900
9	HISTORICALLY BLACK COLLEGES & UNIV (HBCU).....	---	35,599
10	LINCOLN LABORATORY RESEARCH PROGRAM.....	36,826	36,826
11	SYSTEMS 2020 APPLIED RESEARCH.....	7,898	---
12	INFORMATION AND COMMUNICATIONS TECHNOLOGY.....	392,421	392,421
13	COGNITIVE COMPUTING SYSTEMS.....	30,424	30,424
15	BIOLOGICAL WARFARE DEFENSE.....	19,236	19,236
16	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	223,269	223,269
17	JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT.....	13,753	8,753
18	CYBER SECURITY RESEARCH.....	18,985	11,485
19	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APP	6,771	6,771
20	TACTICAL TECHNOLOGY.....	233,209	228,209
21	MATERIALS AND BIOLOGICAL TECHNOLOGY.....	166,067	175,067
22	ELECTRONICS TECHNOLOGY.....	222,416	214,416
23	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.....	172,352	172,352
24	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT.....	28,739	41,591
	TOTAL, APPLIED RESEARCH.....	1,703,881	1,722,934

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ADVANCED TECHNOLOGY DEVELOPMENT		
25	JOINT MUNITIONS ADVANCED TECH INSENSITIVE MUNITIONS AD	25,612	20,012
26	SO/LIC ADVANCED DEVELOPMENT	26,324	26,324
27	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,144	122,144
28	COUNTERPROLIFERATION INITIATIVES--PROLIF PREV & DEFEAT	275,022	275,022
29	BALLISTIC MISSILE DEFENSE TECHNOLOGY	79,975	75,975
31	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	20,032	20,032
32	AGILE TRANSPO FOR THE 21ST CENTURY (AT21) - THEATER CA	3,892	3,892
33	SPECIAL PROGRAM--MDA TECHNOLOGY	36,685	36,685
34	ADVANCED AEROSPACE SYSTEMS	174,316	181,816
35	SPACE PROGRAMS AND TECHNOLOGY	159,704	159,704
36	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEV	234,280	234,280
37	JOINT ELECTRONIC ADVANCED TECHNOLOGY	6,983	6,983
38	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	158,263	158,263
39	NETWORKED COMMUNICATIONS CAPABILITIES	25,393	25,393
40	JOINT DATA MANAGEMENT RESEARCH	13,754	8,754
42	CYBER SECURITY ADVANCED RESEARCH	19,935	12,435
43	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADV	8,235	8,235
44	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROG	21,966	51,966
45	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	24,662	24,662
47	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	24,605	24,605
48	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	30,678	30,678
49	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,282	65,282
50	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	72,234	62,234
51	JOINT WARFIGHTING PROGRAM	8,403	8,403
52	ADVANCED ELECTRONICS TECHNOLOGIES	111,008	111,008
54	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	237,859	229,859
55	CLASSIFIED DARPA PROGRAMS	3,000	3,000
56	NETWORK-CENTRIC WARFARE TECHNOLOGY	236,883	244,383
57	SENSOR TECHNOLOGY	299,438	294,438
57XX	DEFENSE RAPID INNOVATION PROGRAM	---	250,000

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
58	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT..	12,195	12,195
59	SOFTWARE ENGINEERING INSTITUTE.....	30,036	30,036
60	QUICK REACTION SPECIAL PROJECTS.....	107,002	82,002
62	JOINT EXPERIMENTATION.....	21,230	21,230
63	MODELING AND SIMULATION MANAGEMENT OFFICE.....	47,433	43,433
64	DIRECTED ENERGY RESEARCH.....	46,944	22,944
65	NEXT GENERATION AEGIS MISSILE.....	224,077	61,377
66	TEST & EVALUATION SCIENCE & TECHNOLOGY.....	92,602	92,602
68	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.....	26,244	26,244
69	CWMD SYSTEMS.....	53,946	38,946
70	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT....	45,317	45,317
71	AVIATION ENGINEERING ANALYSIS.....	861	861
72	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECH...	4,959	4,959
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	3,194,413	3,258,613
	DEMONSTRATION & VALIDATION		
73	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT..	33,234	33,234
74	RETRACT LARCH.....	21,023	21,023
75	WALKOFF.....	94,624	94,624
77	ADVANCE SENSOR APPLICATIONS PROGRAM.....	16,958	18,958
78	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	75,941	75,941
79	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT....	316,929	301,929
80	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT...	903,172	978,172
81	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	179,023	179,023
82	BALLISTIC MISSILE DEFENSE SENSORS.....	347,012	347,012
84	BALLISTIC MISSILE DEFENSE ENABLING PROGRAMS.....	362,711	362,711
85	SPECIAL PROGRAMS - MDA.....	272,387	262,387
86	AEGIS BMD.....	992,407	992,407
87	SPACE SURVEILLANCE & TRACKING SYSTEM.....	51,313	51,313
88	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS.....	6,912	6,912
89	BALLISTIC MISSILE DEFENSE C2BMC.....	366,552	360,552
90	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT....	55,550	55,550
91	BALLISTIC MISSILE DEFENSE INTERGRATION AND OPERATIONS CENTER (MDIOC).....	63,043	63,043

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
92	REGARDING TRENCH	11,371	11,371
93	SEA BASED X-BAND RADAR (SBX)	9,730	27,730
94	ISRAELI COOPERATIVE PROGRAMS	99,836	268,736
95	BALLISTIC MISSILE DEFENSE TEST	454,400	454,400
96	BALLISTIC MISSILE DEFENSE TARGETS	435,747	435,747
97	HUMANITARIAN DEMINING	13,231	13,231
98	COALITION WARFARE	11,398	11,398
99	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,283	33,283
100	DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	12,368	12,368
101	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RES	5,131	5,131
104	JOINT SYSTEMS INTEGRATION	3,273	3,273
106	JOINT FIRES INTEGRATION & INTEROPERABILITY TEAM	7,364	7,364
107	LAND-BASED SM-3 (LBSM3)	276,338	276,338
108	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	420,630	470,630
109	PRECISION TRACKING SPACE SYSTEM RDT&E	297,375	242,375
111	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)	58,742	18,742
113	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,158	3,158
115	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	6,817	6,817
116	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	110,383	200,383
	TOTAL, DEMONSTRATION & VALIDATION	6,399,366	6,707,266

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
	ENGINEERING & MANUFACTURING DEVELOPMENT		
117	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	311,071	311,071
119	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	25,787	25,787
120	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,688	20,688
121	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	5,749	5,749
122	INFORMATION TECHNOLOGY DEVELOPMENT	12,699	12,699
125	HOMELAND PERSONNEL SECURITY INITIATIVE	387	387
126	DEFENSE EXPORTABILITY PROGRAM	1,859	1,859
127	OUSD(C) IT DEVELOPMENT INITIATIVES	7,010	7,010
128	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	133,104	111,000
129	DCMO POLICY AND INTEGRATION	25,269	25,269
131	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITY	10,238	10,238
132	GLOBAL COMBAT SUPPORT SYSTEM	19,670	19,670
133	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	3,556	3,556
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	577,087	554,983
	RDT&E MANAGEMENT SUPPORT		
135	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,383	6,383
136	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,845	3,845
137	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	144,109	156,109
138	ASSESSMENTS AND EVALUATIONS	2,419	2,419
139	THERMAL VICAR	8,214	8,214
140	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	19,380	19,380
141	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	32,266	32,266
142	USD(A&T)--CRITICAL TECHNOLOGY SUPPORT	840	840
143	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	56,012	56,012
144	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	55,508	55,508
145	CLASSIFIED PROGRAM USD(P)	---	100,000

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
146	FOREIGN COMPARATIVE TESTING	18,174	18,174
147	SYSTEMS ENGINEERING	43,195	43,195
148	STUDIES AND ANALYSIS SUPPORT	6,457	6,457
149	NUCLEAR MATTERS - PHYSICAL SECURITY	4,901	4,901
150	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	6,307	6,307
151	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,601	15,601
	DEFENSE-WIDE ELECTRONIC PROCUREMENT	---	20,000
152	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,849	92,849
159	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTR	1,857	1,857
160	DEFENSE TECHNOLOGY ANALYSIS	12,056	12,056
162	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	55,454	55,454
163	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	16,364	16,364
164	DEVELOPMENT TEST AND EVALUATION	15,110	20,110
166	MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)	69,767	69,767
167	BUDGET AND PROGRAM ASSESSMENTS	4,454	4,454
169	OPERATIONS SECURITY (OPSEC)	2,637	2,637
174	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	8,238	8,238
176	CYBER SECURITY INITIATIVE	1,801	1,801
177	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	16,041	16,041
180	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION	77,475	62,475
182	MANAGEMENT HEADQUARTERS - MDA	34,855	34,855
183	IT SOFTWARE DEV INITIATIVES	104	104
999	CLASSIFIED PROGRAMS	64,255	64,255
	TOTAL, RDT&E MANAGEMENT SUPPORT	887,928	1,018,928

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
185	OPERATIONAL SYSTEMS DEVELOPMENT ENTERPRISE SECURITY SYSTEM (ESS)	8,866	8,866
186	REGIONAL INTERNATIONAL OUTREACH & PARTNERSHIP FOR PEAC	3,238	3,238
187	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SY	288	288
188	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS D	14,745	14,745
190	JOINT INTEGRATION AND INTEROPERABILITY	5,013	5,013
191	PLANNING AND DECISION AID SYSTEM	3,922	3,922
192	C4I INTEROPERABILITY	72,574	72,574
194	JOINT/ALLIED COALITION INFORMATION SHARING	6,214	6,214
201	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	499	499
202	DEFENSE INFO INFRASTRUCTURE ENGINEERING & INTEGRATION.	14,498	14,498
203	LONG HAUL COMMUNICATIONS (DCS)	26,164	26,164
204	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	12,931	12,931
205	PUBLIC KEY INFRASTRUCTURE (PKI)	6,296	6,296
206	KEY MANAGEMENT INFRASTRUCTURE (KMI)	30,948	30,948
207	INFORMATION SYSTEMS SECURITY PROGRAM	11,780	11,780
208	INFORMATION SYSTEMS SECURITY PROGRAM	191,452	191,452
211	GLOBAL COMMAND AND CONTROL SYSTEM	36,575	36,575
212	JOINT SPECTRUM CENTER	24,278	24,278
213	NET-CENTRIC ENTERPRISE SERVICES (NCES)	2,924	2,924
214	JOINT MILITARY DECEPTION INITIATIVE	1,294	1,294
215	TELEPORT PROGRAM	6,050	6,050
217	SPECIAL APPLICATIONS FOR CONTINGENCIES	17,058	17,058
222	CYBER SECURITY INITIATIVE	4,189	4,189
223	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	10,462	10,462
227	POLICY R&D PROGRAMS	6,360	6,360
229	NET CENTRICITY	21,190	21,190
232	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,114	7,714
235	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,247	3,247
237	MQ-1 PREDATOR A UAV	1,355	1,355
240	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,303	2,303
241	INT'L INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT.	1,478	1,478
249	INDUSTRIAL PREPAREDNESS	27,044	27,044

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
250	LOGISTICS SUPPORT ACTIVITIES	4,711	4,711
251	MANAGEMENT HEADQUARTERS (JCS)	4,100	4,100
253	MQ-9 UAV	3,002	3,002
257	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEV	97,267	97,267
258	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	821	821
259	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	25,935	25,935
260	SOF OPERATIONAL ENHANCEMENTS	51,700	63,700
261	SPECIAL OPERATIONS CV-22 DEVELOPMENT	1,822	1,822
262	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	10,131	8,807
263	MC130J SOF TANKER RECAPITALIZATION	19,647	19,647
264	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	2,225	2,225
265	SOF TACTICAL RADIO SYSTEMS	3,036	3,036
266	SOF WEAPONS SYSTEMS	1,511	1,511
267	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	4,263	4,263
268	SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS	4,448	4,448
269	SOF TACTICAL VEHICLES	11,325	11,325
270	SOF MUNITIONS	1,515	1,515
271	SOF ROTARY WING AVIATION	24,430	24,430
272	SOF UNDERWATER SYSTEMS	26,405	75,405
273	SOF SURFACE CRAFT	8,573	8,573
275	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	7,620	7,620
276	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	16,386	13,386
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	913,222	970,498
	DARPA CLASSIFIED	---	-25,000
999	CLASSIFIED PROGRAMS	3,754,516	3,871,976
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DEF-WIDE	17,982,161	18,631,946

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	Conference
8	BIOMEDICAL TECHNOLOGY	110,900	105,900
	Reduction to new starts		-5,000
9	HISTORICALLY BLACK COLLEGES & UNIVERSITIES (HBCU) SCIENCE	0	35,599
	DDRE requested transfer from RDTE,A line 4		15,599
	Program adjustment		20,000
11	SYSTEMS 2020 APPLIED RESEARCH	7,898	0
	Reduction to new starts		-7,898
12	INFORMATION AND COMMUNICATIONS TECHNOLOGY	392,421	392,421
	Program increase - power efficiency technology		10,000
	Excess prior year funds		-5,000
	Reduce program growth		-5,000
17	DATA TO DECISIONS APPLIED RESEARCH	13,753	8,753
	Excess growth		-5,000
18	CYBER SECURITY RESEARCH	18,985	11,485
	Excess growth		-7,500
20	TACTICAL TECHNOLOGY	233,209	228,209
	Reduce program growth		-5,000
21	MATERIALS AND BIOLOGICAL TECHNOLOGY	166,067	175,067
	Technology transfer		9,000
22	ELECTRONICS TECHNOLOGY	222,416	214,416
	Reduce program growth		-8,000
24	SOF TECHNOLOGY DEVELOPMENT	28,739	41,591
	Sensor development - restore unjustified reduction		12,852
25	JOINT MUNITIONS ADVANCED TECHNOLOGY INSENSITIVE MUNITIONS ADVANCED TECHNOLOGY	25,612	20,012
	Excess growth		-5,600
27	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,144	122,144
	Program increase		45,000
29	BALLISTIC MISSILE DEFENSE TECHNOLOGY	79,975	75,975
	Advanced technology modeling and simulation+B357 ahead of need		-4,000
34	ADVANCED AEROSPACE SYSTEMS	174,316	181,816
	Technology transfer and transition		7,500
40	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT	13,754	8,754
	Excess growth		-5,000
42	CYBER SECURITY ADVANCED RESEARCH	19,935	12,435
	OSD identified excess to need		-7,500

R-1		Budget Request	Conference
44	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	21,966	51,966
	Program increase		30,000
50	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	72,234	62,234
	90nm next generation foundry		-10,000
54	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	237,859	229,859
	Reduction to new starts		-8,000
56	NETWORK-CENTRIC WARFARE TECHNOLOGY	236,883	244,383
	Technology transfer and transition		7,500
57	SENSOR TECHNOLOGY	299,438	294,438
	Reduction to new starts		-5,000
57XX	DEFENSE RAPID INNOVATION FUND	0	250,000
	Program increase		250,000
60	QUICK REACTION SPECIAL PROJECTS	107,002	82,002
	Excess growth		-25,000
63	MODELING AND SIMULATION MANAGEMENT OFFICE	47,433	43,433
	Reduction to new starts		-4,000
64	DIRECTED ENERGY RESEARCH	46,944	22,944
	Unjustified request		-24,000
65	NEXT GENERATION AEGIS MISSILE	224,077	61,377
	SM-3 Block IIB program reduction		-112,700
	MD70 transfer to line 108 for test and development risk reduction		-50,000
69	COMBATING WEAPONS OF MASS DESTRUCTION SYSTEMS	53,946	38,946
	Program reduction		-15,000
77	ADVANCE SENSOR APPLICATIONS PROGRAM	16,958	18,958
	Program increase		2,000
79	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	316,929	301,929
	Program support unjustified growth		-10,000
	Excess to need		-5,000
80	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	903,172	978,172
	Program increase - sustainment		75,000
85	SPECIAL PROGRAMS - MDA	272,387	262,387
	Program adjustment		-10,000
89	BALLISTIC MISSILE DEFENSE C2BMC	366,552	360,552
	Unjustified growth		-6,000
93	SEA BASED X-BAND RADAR (SBX)	9,730	27,730
	SBX software sustainment unjustified reduction		18,000

R-1		Budget Request	Conference
94	ISRAELI COOPERATIVE PROGRAMS	99,836	268,736
	Upper tier		23,800
	Arrow program		33,700
	David's sling weapon system		111,400
99	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,283	33,283
	Program increase		30,000
108	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	420,630	470,630
	Transfer from line 65 for test development risk reduction		50,000
109	PRECISION TRACKING SPACE SYSTEM RDT&E	297,375	242,375
	Program reduction		-55,000
111	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)	58,742	18,742
	Lack of acquisition strategy		-40,000
116	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	110,383	200,383
	Advanced hypersonic weapon		90,000
128	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	133,104	111,000
	Program growth		-22,104
137	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	144,109	156,109
	Restore unjustified reduction		12,000
145	CLASSIFIED PROGRAM USD(P)	0	100,000
	Classified adjustment		100,000
151	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,601	15,601
	Irregular warfare resource intelligence program for emerging technologies collection, exploitation, and research		9,000
151X	DEFENSE-WIDE ELECTRONIC PROCUREMENT	0	20,000
	Program increase - contract management services program		20,000
164	DEVELOPMENT TEST AND EVALUATION	15,110	20,110
	Program increase		5,000
180	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION	77,475	62,475
	Duplication with Service initiatives		-15,000
232	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,114	7,714
	HD full motion video		600
260	SOF OPERATIONAL ENHANCEMENTS	51,700	63,700
	Signature management and digital optics		14,000
	Excess prior year funds		-4,000
	Tactical airborne ISR		2,000
262	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	10,131	8,807
	SOCOM requested transfer to P,DW line 78		-1,324

R-1		Budget Request	Conference
272	**SOF UNDERWATER SYSTEMS**	**26,405**	**75,405**
	Risk reduction		35,000
	SOCOM requested transfer from P,DW line 64		14,000
276	**SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE**	**16,386**	**13,386**
	Excess prior year funds		-3,000
	CLASSIFIED PROGRAMS	**3,754,516**	**3,871,976**
	Classified adjustment		117,460
	DARPA	**0**	**-25,000**
	Program adjustment for unjustified special access programs		-25,000

OPERATIONAL TEST AND EVALUATION, DEFENSE

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
RDT&E MANAGEMENT SUPPORT		
1 OPERATIONAL TEST AND EVALUATION	72,501	91,501
National cyber range shortfall		4,000
Cyber testing shortfall		15,000
2 LIVE FIRE TESTING	49,201	49,201
3 OPERATIONAL TEST ACTIVITIES AND ANALYSIS	63,566	83,066
Restore unjustified reductions		19,500
TOTAL, OPERATIONAL TEST & EVALUATION, DEFENSE	185,268	223,768

TITLE V—REVOLVING AND MANAGEMENT FUNDS

The conference agreement provides $2,214,024,000 in Title V, Revolving and Management Funds as proposed by the Senate, instead of $2,080,820,000 as proposed by the House. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
TITLE V		
REVOLVING AND MANAGEMENT FUNDS		
DEFENSE WORKING CAPITAL FUNDS	1,516,184	1,516,184
NATIONAL DEFENSE SEALIFT FUND	608,136	697,840
TOTAL, TITLE V, REVOLVING AND MANAGEMENT FUNDS	2,124,320	2,214,024

DEFENSE WORKING CAPITAL FUNDS

The conference agreement provides $1,516,184,000 for the Defense Working Capital Funds, as proposed by both the House and the Senate.

NATIONAL DEFENSE SEALIFT FUND

The conference agreement provides $697,840,000 for the National Defense Sealift Fund as proposed by the Senate, instead of $564,636,000 as proposed by the House.

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Conference
STRATEGIC SEALIFT ACQUISITION	77,386	172,590
Navy requested transfer of funds for AFSB 1 only		−38,000
Fully fund AFSB 1 modification only		140,500
MLP #3 outfitting and post delivery ahead of need		−7,296
DoD MOBILIZATION ASSETS	184,616	184,616
SEALIFT RESEARCH AND DEVELOPMENT	42,811	37,311
Transfer of funds for AFSB 1 only		−5,500
READY RESERVE FORCE OPERATIONS AND MAINTENANCE	303,323	303,323
TOTAL, NATIONAL DEFENSE SEALIFT FUND	608,136	697,840

TITLE VI—OTHER DEPARTMENT OF DEFENSE PROGRAMS

The conference agreement provides $35,526,674,000 in Title VI, Other Department of Defense Programs, instead of $35,905,118,000 as proposed by the House and $35,013,758,000 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	RECOMMEND
TITLE VI		
OTHER DEPARTMENT OF DEFENSE PROGRAMS		
DEFENSE HEALTH PROGRAM:		
OPERATION AND MAINTENANCE	31,349,279	30,885,165
PROCUREMENT	506,462	521,762
RESEARCH, DEVELOPMENT, TEST AND EVALUATION	672,977	1,308,377
TOTAL, DEFENSE HEALTH PROGRAM	32,528,718	32,715,304
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE:		
OPERATION AND MAINTENANCE	635,843	635,843
PROCUREMENT	18,592	18,592
RESEARCH, DEVELOPMENT, TEST AND EVALUATION	647,351	647,351
TOTAL, CHEMICAL AGENTS	1,301,786	1,301,786
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	999,363	1,159,263
JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND	227,414	---
JOINT URGENT OPERATIONAL NEEDS FUND	99,477	---
OFFICE OF THE INSPECTOR GENERAL	273,821	350,321
TOTAL, TITLE VI, OTHER DEPARTMENT OF DEFENSE PROGRAMS	35,430,579	35,526,674

DEFENSE HEALTH PROGRAM

The conference agreement provides $32,715,304,000 for the Defense Health Program, instead of $32,902,234,000 as proposed by the House and $32,240,788,000 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	RECOMMEND
DEFENSE HEALTH PROGRAM		
OPERATION AND MAINTENANCE		
IN-HOUSE CARE	8,625,507	8,558,870
PRIVATE SECTOR CARE	16,148,263	15,557,970
CONSOLIDATED HEALTH SUPPORT	2,309,185	2,289,185
INFORMATION MANAGEMENT	1,465,328	1,465,328
MANAGEMENT ACTIVITIES	332,121	332,121
EDUCATION AND TRAINING	722,081	717,581
BASE OPERATIONS/COMMUNICATIONS	1,746,794	1,964,110
SUBTOTAL, OPERATION AND MAINTENANCE	31,349,279	30,885,165
PROCUREMENT		
DEFENSE HEALTH PROGRAM	506,462	521,762
RESEARCH DEVELOPMENT TEST AND EVALUATION		
DEFENSE HEALTH PROGRAM	672,977	1,308,377
SUBTOTAL, RESEARCH DEVELOPMENT TEST AND EVALUATION	672,977	1,308,377
TOTAL, DEFENSE HEALTH PROGRAM	32,528,718	32,715,304

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	Conference
OPERATION AND MAINTENANCE	**31,349,279**	**30,885,165**
IN-HOUSE CARE	**8,625,507**	**8,558,870**
Lower than budgeted TEAM strength		-66,637
PRIVATE SECTOR CARE	**16,148,263**	**15,557,970**
TRICARE historical underexecution		-807,413
Pharmacy funding unjustified growth		-20,000
Lower than budgeted TEAM strength		-35,880
Program adjustment to restore proposed TRICARE fee increases		273,000
CONSOLIDATED HEALTH SUPPORT	**2,309,185**	**2,289,185**
Historical underexecution		-25,000
Program increase - wounded warrior military adapative sports program		5,000
INFORMATION MANAGEMENT	**1,465,328**	**1,465,328**
MANAGEMENT ACTIVITIES	**332,121**	**332,121**
EDUCATION AND TRAINING	**722,081**	**717,581**
Travel excess growth		-4,500
BASE OPERATIONS AND COMMUNICATIONS	**1,746,794**	**1,964,110**
JTF CAPMED sustainment excess growth		-7,684
Air Force FSRM for medical facilities		100,000
Army FSRM for medical facilities		75,000
Navy FSRM for medical facilities		55,000
Visual information systems excess growth		-5,000
PROCUREMENT	**506,462**	**521,762**
Navy medical equipment		15,300
RESEARCH AND DEVELOPMENT	**672,977**	**1,308,377**
Walter Reed National Military Medical Center comprehensive cancer center		10,000
Peer-Reviewed alcohol and substance abuse disorders research		4,000
Peer-Reviewed ALS research		7,500
Peer-Reviewed alzheimer research		12,000
Peer-Reviewed autism research		6,000
Peer-Reviewed bone marrow failure disease research		3,200
Peer-Reviewed breast cancer research		120,000
Peer-Reviewed cancer research		15,000
Peer-Reviewed Duchenne muscular dystrophy research		3,200
Peer-Reviewed gulf war illness research		20,000
Peer-Reviewed lung cancer research		10,500
Peer-Reviewed medical research		50,000
Peer-Reviewed multiple sclerosis research		5,000
Peer-Reviewed orthopedic research		30,000
Peer-Reviewed ovarian cancer research		20,000
Peer-Reviewed prostate cancer research		80,000
Peer-Reviewed spinal cord research		30,000
Peer-Reviewed traumatic brain injury and psychological health research		135,000
Peer-Reviewed tuberous sclerosis complex research		6,000
Peer-Reviewed vision research		10,000
Global HIV/AIDS prevention		8,000
Joint warfighter medical research		50,000

REPROGRAMMING GUIDANCE FOR THE DEFENSE HEALTH PROGRAM

The conferees remain concerned regarding the transfer of funds from Direct (or In-house) Care to pay for contractor-provided medical care. To limit such transfers and improve oversight within the Defense Health Program operation and maintenance account, the conferees include a provision which caps the funds available for Private Sector Care under the TRICARE program subject to prior approval reprogramming procedures. The provision and accompanying explanatory statement language included by the conferees should not be interpreted by the Department 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 congressional defense 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 congressional defense 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 2013, 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 2012 designated carryover funds to the congressional defense committees not less than 30 days prior to executing the carryover funds. I89PEER-REVIEWED CANCER RESEARCH PROGRAM

The conference agreement provides $15,000,000 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, neuroblastoma, and listeria vaccine for cancer.

The funds provided under the Peer-Reviewed Cancer Research Program shall only be used for the purposes listed above. The conferees direct the Assistant Secretary of Defense (Health Affairs) to provide a report not later than 60 days after the 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 to servicemembers and their families.

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 the following areas: chronic kidney disease, chronic migraine and post-traumatic headaches, composite tissue transplantation, dengue, DNA vaccine technology for postexposure prophylaxis, dystonia, epilepsy, food allergies, Fragile X syndrome, hantavirus, hereditary angioedema, inflammatory bowel disease, interstitial cystitis, leishmaniasis, lupus, malaria, nanomedicine for drug delivery science, pancreatitis, polycystic kidney disease, post-traumatic osteoarthritis, pulmonary hypertension, rheumatoid arthritis, scleroderma, and tinnitus. The conferees emphasize that the additional funding provided under the Peer-Reviewed Medical Research Program shall be devoted only to the purposes listed above.

INTEGRATED ELECTRONIC HEALTH RECORD

The conference agreement includes a provision restricting the amount of funding that may be obligated to develop the integrated Department of Defense-Department of Veterans Affairs (DoD–VA) integrated Electronic Health Record (iEHR) to 25 percent of the funding provided until the DoD–VA Interagency Program Office (IPO) provides the House and Senate Appropriations Committees an expenditure plan which includes elements such as a budget and cost baseline with annual and total spending for each Department and quarterly milestones. The expenditure plan should also be submitted to the Government Accountability Office for review.

The conferees are concerned that after four years of working to establish a joint framework to collaborate and develop an integrated Electronic Health Record, the two Departments still seem to be operating as single entities. The conferees support the creation of the IPO and recognize this office as the single point of accountability for the development and implementation of the integrated Electronic Health Record for both Departments. Unfortunately, since the creation of the IPO and the naming of a director, the conferees have seen little benefit from establishing this office since both Departments appear to operate as separate entities. Despite repeated inquiries, neither the Departments nor the IPO has been able to provide Congress with a firm total cost of the integrated system. The conferees are concerned that the IPO is unable to maintain focus on its defined goals, provide effective governance, manage and maintain accountability on behalf of both Departments, and provide Congress with detailed expenditure plans as well as information regarding the progress and future plans for this project.

As a result, the conferees direct the IPO to deliver to the congressional defense committees, the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies, and the Government Accountability Office (GAO) a quarterly report that includes a detailed explanation of the cost and schedule of the iEHR development, to include milestones, knowledge points, and acquisition timelines as they impact both Departments, as well as quarterly obligation reports. The conferees also direct the IPO to continue briefing the House and Senate Appropriations Committees on a quarterly basis, coinciding with the report submission. The conferees further direct the GAO to review these quarterly reports and provide an annual report to the congressional defense committees and the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies on the cost and schedule of the iEHR.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

The conference agreement provides $1,301,786,000 for Chemical Agents and Munitions Destruction, Defense, as proposed by both the House and the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE		
CHEM DEMILITARIZATION - OPERATION AND MAINTENANCE.....	635,843	635,843
CHEM DEMILITARIZATION - PROCUREMENT.....	18,592	18,592
CHEM DEMILITARIZATION - RESEARCH, DEVELOPMENT, TEST AND EVALUATION.....	647,351	647,351
TOTAL, CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.....	1,301,786	1,301,786

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides $1,159,263,000 for Drug Interdiction and Counter-Drug Activities, Defense, instead of $1,133,363,000 as proposed by the House and $1,138,263,000 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
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES	999,363	1,159,263
National Guard counter-drug program		130,000
Young Marines drug demand reduction program		4,000
Program increase—drug demand reduction program for expanded drug testing		25,900

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]

	Budget Request	Conference
STAFF AND INFRASTRUCTURE	227,414	0
JIEDDO Staff and Infrastructure—transfer to title IX		−227,414

The conference agreement does not recommend funding for the Joint Improvised Explosive Device Defeat Fund in the base budget. The conferees address the funding requirements of the Joint Improvised Explosive Device Defeat Organization in title IX, Overseas Contingency Operations.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $350,321,000 for the Office of the Inspector General as proposed by the House, instead of $332,921,000 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
OPERATION AND MAINTENANCE	272,821	347,621
Program increase		74,800
PROCUREMENT	1,000	2,700
Program increase		1,700
TOTAL, OFFICE OF THE INSPECTOR GENERAL	273,821	350,321

TITLE VII—RELATED AGENCIES

The conference agreement provides $1,048,421,000 in Title VII, Related Agencies, instead of $1,025,476,000 as proposed by the House and $1,056,346,000 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	RECOMMEND
TITLE VII		
RELATED AGENCIES		
CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND	514,000	514,000
INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT (ICMA)	540,252	534,421
TOTAL, TITLE VII, RELATED AGENCIES	1,054,252	1,048,421

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, 2013.

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

The conference agreement provides $514,000,000 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 $534,421,000 for the Intelligence Community Management Account, instead of $511,476,000 as proposed by the House and $542,346,000 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 are as follows:

The conference agreement modifies a provision proposed by the House and the Senate which provides general transfer authority of $4,000,000,000.

The conference agreement retains a provision proposed by the House which identifies tables as Explanation of Project Level Adjustments. The Senate bill contained a similar provision.

The conference agreement modifies a provision proposed by the House and the Senate regarding limitations and conditions on the use of funds made available by this Act to initiate multi-year contracts.

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 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 which prohibits the sale of the F–22 to any foreign government. The House bill contained no 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 modifies a provision proposed by the House and the Senate recommending rescissions. The provision provides for the rescission of $2,142,447,000 from the following programs:

(RESCISSIONS)

2007 Appropriations:	
Shipbuilding and Conversion, Navy:	
DDG–51 Destroyer	$98,400,000
DDG–51 Destroyer advance procurement	2,500,000
CVN refueling overhaul	14,100,000
2011 Appropriations:	
Procurement of Ammunition, Army:	
40mm ammunition	14,862,000
Other Procurement, Army:	
Defense enterprise wideband SATCOM systems	10,900,000
Tractor Desk	6,900,000
Sense through the wall	1,845,000
Long range advanced scout surveillance system	17,200,000
BCT network	36,000,000
Handheld standoff mine detection system	11,500,000
Mounted soldier system	2,753,000
Training logistics management	21,000,000
Aircraft Procurement, Navy:	
P–8A	30,100,000
EA–18G advance procurement	5,960,000
Special support equipment	7,800,000
Shipbuilding and Conversion, Navy:	
DDG–51 Destroyer	215,300,000
Weapons Procurement, Navy:	
Tomahawk contract savings	22,000,000
Aircraft Procurement, Air Force:	
Light mobility aircraft	65,300,000
C–130 AMP	28,100,000
Other Procurement, Air Force:	
GCSS–AF FOS (ECSS)	9,500,000
2012 Appropriations:	
Operation and Maintenance, Defense-Wide	
Office of Economic Adjustment grant to Guam	21,000,000
Aircraft Procurement, Army:	
Utility F/W aircraft	800,000
MQ–1 payload—UAS	31,600,000
Global air traffic management	15,000,000
Other Procurement, Army:	
Warfighter information network—tactical	80,000,000
Tractor Desk	2,200,000
Gunshot detection system	1,000,000
Handheld standoff mine detection system	34,000,000
Mounted soldier system	5,000,000
Training logistics management	26,008,000
Knight family	31,400,000
Aircraft Procurement, Navy:	
F–18 series OSIP 14–03 ILS	10,000,000
H–53 series IMDS installation kits	4,400,000
F–18E/F advance procurement	4,640,000
Shipbuilding and Conversion, Navy:	
Littoral combat ship over-target contingency	28,800,000
DDG–51 Destroyer	83,000,000
Weapons Procurement, Navy:	
Tomahawk contract savings	18,000,000
AMRAAM contract savings	6,915,000
ASW targets	10,000,000
AIM–9X sidewinder	1,552,000
Procurement of Ammunition, Navy and Marine Corps:	
Demolition munitions, all types	16,300,000
Procurement, Marine Corps:	
LAV PIP	86,555,000
Follow on to SMAW	37,300,000
Air operations C2 systems	8,700,000
Aircraft Procurement, Air Force:	
Common vertical lift support platform	52,800,000
Light attack armed reconnaissance	115,049,000
RQ–4 advance procurement	71,500,000
C–17 modifications	37,750,000
C–130 AMP	117,200,000
Missile Procurement, Air Force:	
AMRAAM contract savings	42,624,000
AIM–9X sidewinder	3,274,000
Classified programs	7,000,000
Other Procurement, Air Force:	
GCSS–AF FOS (ECSS)	55,800,000
Procurement, Defense-Wide:	
MDA–AN/TPY–2	16,000,000
Research, Development, Test and Evaluation, Army:	
Joint air-to-ground missile	33,000,000
Enhanced medium altitude reconnaissance surveillance system	8,000,000
Research, Development, Test and Evaluation, Navy:	
Medium range maritime UAS	12,000,000
Joint air-to-ground missile	105,000,000
Littoral combat ship	15,800,000
Unmanned carrier launched airborne surveillance and strike system	9,000,000
Joint strike fighter—EMD Navy	100,000,000
Depot maintenance (non-IF)	5,000,000
Research, Development, Test and Evaluation, Air Force:	
JSpoC modernization system	10,000,000
Classified programs	80,000,000
EW development (MALD–J II)	7,630,000
Common vertical lift support platform	5,365,000
Light attack armed reconnaissance	11,021,000
AWACS	10,000,000
B–2 squadrons	10,526,000
Specialized undergraduate pilot training	12,000,000
Minimum essential emergency communications network	2,918,000

The conference agreement retains a provision proposed by the Senate regarding the Global Security Contingency Fund. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides 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 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 combatant commander operational and administrative control of various forces. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate regarding the use of funds to initiate new start programs without prior written notification. The House bill contained a similar provision.

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 retains a provision proposed by the Senate which prohibits funding from being used to transfer program authority relating to current tactical unmanned aerial vehicles from the Army. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House which establishes a baseline for application of reprogramming and transfer authorities for the Office of the Director of National Intelligence. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which allows for the transfer of funding for government-wide information sharing activities. The House bill contained no similar provision.

The conference agreement retains 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 House which directs the Department of Defense to continue to report contingency operations costs for Operation New Dawn, Operation Enduring Freedom, or any other named operation in the U.S. Central Command area of responsibility. The Senate bill contained a similar provision but did not include a reference to any other named operation.

The conference agreement retains a provision proposed by the House which prohibits the Office of the Director of National Intelligence from employing more Senior Executive Service employees than are specified in the classified annex. 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 a similar provision.

The conference agreement retains a provision proposed by the Senate to create the Ship Modernization, Operations and Sustainment Fund. The House 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 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 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 retains 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 a similar provision.

The conference agreement retains a provision proposed by the Senate which requires certain certifications to be met prior to the transfer of detainees from Naval Station Guantanamo Bay, Cuba to foreign countries. The House bill contained a similar provision.

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.

The conference agreement modifies a provision proposed by the House which prohibits funds from being used to retire, divest, realign, or transfer Air Force aircraft, with certain exceptions. The Senate bill contained no similar language.

The conference agreement retains a provision proposed by the Senate expressing the sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits the retirement of the C–23 Sherpa aircraft. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding civilian pay. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to enter into a noncompetitive contract for UH–60 Leak Proof Drip Pans. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding the sharing of classified information related to missile defense systems with Russia. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funding from being used in contravention of section 41106 of title 49, U.S.C., regarding the Civil Reserve Air Fleet. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funding from being used in violation of Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011. 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 contracts with entities that have been convicted of fraud. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House related to funding for Rosoboronexport. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funding from being used to implement enrollment fees for the TRICARE for Life program. The Senate bill contained no similar provision.

TITLE IX—OVERSEAS CONTINGENCY OPERATIONS

The conference agreement provides $86,954,838,000 in Title IX, Overseas Contingency Operations, instead of $87,105,081,000 as proposed by the House and $93,026,000,000 as proposed by the Senate.

REPORTING REQUIREMENTS

The conferees direct the Secretary of Defense to 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 required by the 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.

EXTREMIST ORGANIZATIONS

The conferees are aware that certain governments and organizations 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.

MILITARY PERSONNEL

The conference agreement provides $14,116,821,000 for Military Personnel, instead of $13,934,683,000 as proposed by the House and $14,410,421,000 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	1,569,045	1,751,045
Army requested transfer from title I Basic Pay Enlisted Personnel		182,000
RETIRED PAY ACCRUAL	460,708	460,708
BASIC ALLOWANCE FOR HOUSING	463,305	463,305
BASIC ALLOWANCE FOR SUBSISTENCE	63,244	63,244
INCENTIVE PAYS	4,660	4,660
SPECIAL PAYS	45,672	45,672
ALLOWANCES	21,361	21,361
SEPARATION PAY	6,332	6,332
SOCIAL SECURITY TAX	118,601	118,601
TOTAL, BA-1	2,752,928	2,934,928
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	2,414,145	2,832,145
Army requested transfer from title I Basic Pay Enlisted Personnel		418,000
RETIRED PAY ACCRUAL	686,605	686,605
BASIC ALLOWANCE FOR HOUSING	943,334	943,334
INCENTIVE PAYS	3,614	3,614
SPECIAL PAYS	224,329	224,329
ALLOWANCES	131,845	131,845
SEPARATION PAY	20,915	20,915
SOCIAL SECURITY TAX	183,570	183,570
TOTAL, BA-2	4,608,357	5,026,357
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	287,016	287,016
SUBSISTENCE-IN-KIND	862,270	887,270
Army requested transfer from title I Subsistence-In-Kind		25,000
TOTAL, BA-4	1,149,286	1,174,286
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	16,933	16,933
TRAINING TRAVEL	16,772	16,772
OPERATIONAL TRAVEL	90,749	90,749
ROTATIONAL TRAVEL	72,592	72,592
SEPARATION TRAVEL	40,634	40,634
TRAVEL OF ORGANIZED UNITS	1,204	1,204
TOTAL, BA-5	238,884	238,884
BA-6: OTHER MILITARY PERSONNEL COSTS		
INTEREST ON UNIFORMED SERVICES SAVINGS	4,589	4,589
DEATH GRATUITIES	10,800	10,800
UNEMPLOYMENT BENEFITS	248,903	248,903
RESERVE INCOME REPLACEMENT PROGRAM	207	207
SGLI EXTRA HAZARD PAYMENTS	113,317	113,317
TRAUMATIC INJURY PROTECTION COVERAGE	37,811	37,811
TOTAL, BA-6	415,627	415,627
TOTAL, MILITARY PERSONNEL, ARMY	9,165,082	9,790,082

M-1	Budget Request	Conference
MILITARY PERSONNEL, NAVY		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	126,814	98,514
Navy identified excess to requirement - transfer to Unemployment Benefits		-6,600
Navy identified excess to requirement		-21,700
RETIRED PAY ACCRUAL	30,943	30,943
BASIC ALLOWANCE FOR HOUSING	40,210	40,210
BASIC ALLOWANCE FOR SUBSISTENCE	4,367	4,367
INCENTIVE PAYS	3,886	3,886
SPECIAL PAYS	22,340	22,340
ALLOWANCES	12,967	12,967
SEPARATION PAY	9	9
SOCIAL SECURITY TAX	9,701	9,701
TOTAL, BA-1	251,237	222,937
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	162,655	118,955
Navy identified excess to requirement		-43,700
RETIRED PAY ACCRUAL	39,688	39,688
BASIC ALLOWANCE FOR HOUSING	75,673	75,673
INCENTIVE PAYS	566	566
SPECIAL PAYS	89,027	89,027
ALLOWANCES	30,207	30,207
SEPARATION PAY	410	410
SOCIAL SECURITY TAX	12,443	12,443
TOTAL, BA-2	410,669	366,969
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	19,223	16,123
Navy identified excess to requirement		-3,100
SUBSISTENCE-IN-KIND	25,647	23,747
Navy identified excess to requirement		-1,900
TOTAL, BA-4	44,870	39,870
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	4,092	3,492
Navy identified excess to requirement		-600
OPERATIONAL TRAVEL	21,807	5,207
Navy identified excess to requirement		-16,600
ROTATIONAL TRAVEL	27,897	15,097
Navy identified excess to requirement		-12,800
SEPARATION TRAVEL	3,168	3,168
TOTAL, BA-5	56,964	26,964
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	900	900
UNEMPLOYMENT BENEFITS	55,522	62,122
Navy identified shortfall - transfer from Basic Pay Officers		6,600
SGLI EXTRA HAZARD PAYMENTS	54,463	54,463
TOTAL, BA-6	110,885	117,485
TOTAL, MILITARY PERSONNEL, NAVY	874,625	774,225
MILITARY PERSONNEL, MARINE CORPS		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	206,978	285,578

M-1	Budget Request	Conference
Marine Corps identified shortfall - transfer from Basic Pay Enlisted Personnel		78,600
RETIRED PAY ACCRUAL	61,932	61,932
BASIC ALLOWANCE FOR HOUSING	70,235	70,235
BASIC ALLOWANCE FOR SUBSISTENCE	8,590	8,590
SPECIAL PAYS	7,960	7,960
ALLOWANCES	5,099	5,099
SEPARATION PAY	1,896	1,896
SOCIAL SECURITY TAX	15,834	15,834
TOTAL, BA-1	378,524	457,124
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	542,667	304,867
Marine Corps identified excess to requirement - transfer to Basic Pay Officers		-78,600
Marine Corps identified excess to requirement		-159,200
RETIRED PAY ACCRUAL	166,183	166,183
BASIC ALLOWANCE FOR HOUSING	194,800	194,800
SPECIAL PAYS	56,287	56,287
ALLOWANCES	22,729	22,729
SEPARATION PAY	4,004	4,004
SOCIAL SECURITY TAX	41,514	41,514
TOTAL, BA-2	1,028,184	790,384
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	77,753	58,053
Marine Corps identified excess to requirement		-19,700
TOTAL, BA-4	77,753	58,053
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ROTATIONAL TRAVEL	51,816	40,816
Marine Corps identified excess to requirement		-11,000
TOTAL, BA-5	51,816	40,816
BA-6: OTHER MILITARY PERSONNEL COSTS		
INTEREST ON UNIFORMED SERVICES SAVINGS	930	930
DEATH GRATUITIES	12,000	6,900
Marine Corps identified excess to requirement		-5,100
UNEMPLOYMENT BENEFITS	37,733	39,733
Marine Corps identified shortfall - transfer from P,MC line 2		2,000
SGLI EXTRA HAZARD PAYMENTS	34,416	31,216
Marine Corps identified excess to requirement		-3,200
TOTAL, BA-6	85,079	78,779
TOTAL, MILITARY PERSONNEL, MARINE CORPS	1,621,356	1,425,156
MILITARY PERSONNEL, AIR FORCE		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	220,573	220,573
RETIRED PAY ACCRUAL	53,829	53,829
BASIC ALLOWANCE FOR HOUSING	68,601	68,601
BASIC ALLOWANCE FOR SUBSISTENCE	7,873	7,873
SPECIAL PAYS	23,638	23,638
ALLOWANCES	10,097	10,097
SOCIAL SECURITY TAX	16,877	16,877
TOTAL, BA-1	401,488	401,488
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	332,878	332,878
RETIRED PAY ACCRUAL	81,235	81,235

M-1	Budget Request	Conference
BASIC ALLOWANCE FOR HOUSING	145,832	145,832
SPECIAL PAYS	75,965	75,965
ALLOWANCES	29,568	29,568
SOCIAL SECURITY TAX	25,468	25,468
TOTAL, BA-2	690,946	690,946
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	36,263	36,263
SUBSISTENCE-IN-KIND	60,537	60,537
TOTAL, BA-4	96,800	96,800
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	5,243	5,243
TOTAL, BA-5	5,243	5,243
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	2,000	2,000
UNEMPLOYMENT BENEFITS	23,174	23,174
SGLI EXTRA HAZARD PAYMENTS	67,132	67,132
TOTAL, BA-6	92,306	92,306
TOTAL, MILITARY PERSONNEL, AIR FORCE	1,286,783	1,286,783
RESERVE PERSONNEL, ARMY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	32,401	32,401
SCHOOL TRAINING	15,365	15,365
SPECIAL TRAINING	109,127	109,127
TOTAL, BA-1	156,893	156,893
TOTAL, RESERVE PERSONNEL, ARMY	156,893	156,893
RESERVE PERSONNEL, NAVY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SCHOOL TRAINING	3,966	3,966
SPECIAL TRAINING	33,813	33,813
ADMINISTRATION AND SUPPORT	1,556	1,556
TOTAL, BA-1	39,335	39,335
TOTAL, RESERVE PERSONNEL, NAVY	39,335	39,335
RESERVE PERSONNEL, MARINE CORPS		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SCHOOL TRAINING	4,437	4,437
SPECIAL TRAINING	19,912	19,912
ADMINISTRATION AND SUPPORT	373	373
TOTAL, BA-1	24,722	24,722
TOTAL, RESERVE PERSONNEL, MARINE CORPS	24,722	24,722
RESERVE PERSONNEL, AIR FORCE		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	25,348	25,348
TOTAL, BA-1	25,348	25,348
TOTAL, RESERVE PERSONNEL, AIR FORCE	25,348	25,348

M-1	Budget Request	Conference
NATIONAL GUARD PERSONNEL, ARMY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	132,368	132,368
SCHOOL TRAINING	21,461	21,461
SPECIAL TRAINING	369,858	369,858
ADMINISTRATION AND SUPPORT	60,117	60,117
TOTAL, BA-1	583,804	583,804
TOTAL, NATIONAL GUARD PERSONNEL, ARMY	583,804	583,804
NATIONAL GUARD PERSONNEL, AIR FORCE		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	10,473	10,473
TOTAL, BA-1	10,473	10,473
TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	10,473	10,473
TOTAL, MILITARY PERSONNEL	13,788,421	14,116,821

OPERATION AND MAINTENANCE

The conference agreement provides $62,131,012,000 for Operation and Maintenance, instead of $62,866,554,000 as proposed by the House and $65,479,099,000 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	2,758,162	2,758,162
115	LAND FORCES OPERATIONS SUPPORT	991,396	991,396
116	AVIATION ASSETS	40,300	40,300
121	FORCE READINESS OPERATIONS SUPPORT	1,755,445	1,715,445
	Decrease in contract linguist costs not properly accounted for in budget justification		-40,000
122	LAND FORCES FORCES SYSTEMS READINESS	307,244	307,244
123	LAND FORCES DEPOT MAINTENANCE	0	651,977
	Depot Maintenance Aviation - transfer from title II		150,483
	Depot Maintenance Communications Electronics - transfer from title II		203,560
	Depot Maintenance General Purpose - transfer from title II		102,707
	Depot Maintenance Missiles - transfer from title II		161,174
	Depot Maintenance Post Production Software Support - transfer from title II		34,053
131	BASE OPERATIONS SUPPORT	393,165	393,165
132	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	250,000	250,000
135	ADDITIONAL ACTIVITIES	12,524,137	12,490,737
	Military Information Support Operations excess to need		-23,000
	Task Force for stability operations - operations/sustainment request		-10,000
	ARGUS A-160 cancellation		-48,400
	Falcon - transfer from JIEDDO line 1		48,000
136	COMMANDERS EMERGENCY RESPONSE PROGRAM	400,000	200,000
	CERP Afghanistan		-200,000
137	RESET	3,687,973	3,687,973
411	SECURITY PROGRAMS	1,828,717	1,828,717
421	SERVICEWIDE TRANSPORTATION	3,238,310	3,238,310
422	CENTRAL SUPPLY ACTIVITIES	129,000	129,000
424	AMMUNITION MANAGEMENT	78,022	78,022
432	SERVICEWIDE COMMUNICATIONS	0	22,000
	Biometrics ID funding to be used for Biometrics Identity Management Agency - transfer from JIEDDO line 1		22,000
434	OTHER PERSONNEL SUPPORT	137,277	97,277
	Army requested transfer to OP, A line 61		-40,000
435	OTHER SERVICE SUPPORT	72,293	72,293
	UNJUSTIFIED GROWTH IN AVERAGE OPERATIONS PER TROOP		-500,000
	TOTAL, OPERATION AND MAINTENANCE, ARMY	28,591,441	28,452,018
	OPERATION AND MAINTENANCE, NAVY		
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	937,098	937,098
1A3A	AVIATION TECHNICAL DATA & ENGINEERING SVCS	1,000	1,000
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	15,794	15,794
1A4N	AIR SYSTEMS SUPPORT	19,013	19,013
1A5A	AIRCRAFT DEPOT MAINTENANCE	201,912	201,912
1A6A	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,000	3,000
1A9A	AVIATION LOGISTICS	44,150	44,150
1B1B	MISSION AND OTHER SHIP OPERATIONS	463,738	463,738
1B2B	SHIP OPERATIONS SUPPORT & TRAINING	24,774	24,774

O-1		Budget Request	Conference
1B4B	SHIP DEPOT MAINTENANCE	1,310,010	1,310,010
1C1C	COMBAT COMMUNICATIONS	42,965	42,965
1C4C	WARFARE TACTICS	25,970	25,970
1C5C	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	19,226	19,226
1C6C	COMBAT SUPPORT FORCES	1,668,359	1,912,359
	Unjustified growth		-30,000
	Navy identified shortfalls for CENTCOM - increased carrier presence		219,000
	Navy identified shortfalls for CENTCOM - ISR		37,000
	Navy identified shortfalls for CENTCOM - mine countermeasure ships		18,000
1C7C	EQUIPMENT MAINTENANCE	7,954	7,954
1D3D	IN-SERVICE WEAPONS SYSTEMS SUPPORT	94,655	64,655
	Unjustified growth		-30,000
1D4D	WEAPONS MAINTENANCE	303,087	303,087
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,218	3,218
BSS1	BASE OPERATING SUPPORT	143,442	143,442
2C1H	FLEET HOSPITAL PROGRAM	31,395	31,395
2C3H	COAST GUARD SUPPORT	254,461	0
	Transfer to Department of Homeland Security		-254,461
3B1K	SPECIALIZED SKILL TRAINING	50,903	50,903
4A1M	ADMINISTRATION	1,377	1,377
4A2M	EXTERNAL RELATIONS	487	487
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,022	6,022
4A5M	OTHER PERSONNEL SUPPORT	3,514	3,514
4B1N	SERVICEWIDE TRANSPORTATION	184,864	184,864
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	2,026	2,026
4C1P	NAVAL INVESTIGATIVE SERVICE	1,425	1,425
999	OTHER PROGRAMS	14,556	14,556
	TOTAL, OPERATION AND MAINTENANCE, NAVY	5,880,395	5,839,934
	OPERATION AND MAINTENANCE, MARINE CORPS		
1A1A	OPERATIONAL FORCES	1,921,258	1,851,258
	Unjustified growth for reserve component activation/deactivation		-20,000
	Unjustified growth for OPTEMPO		-50,000
1A2A	FIELD LOGISTICS	1,094,028	1,094,028
1A3A	DEPOT MAINTENANCE	222,824	342,824
	Increased funding for equipment reset		120,000
BSS1	BASE OPERATING SUPPORT	88,690	88,690
3B4D	TRAINING SUPPORT	215,212	215,212
4A3G	SERVICEWIDE TRANSPORTATION	512,627	512,627
9999	OTHER PROGRAMS (GWOT)	11,701	11,701
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	4,066,340	4,116,340
	OPERATION AND MAINTENANCE, AIR FORCE		
011A	PRIMARY COMBAT FORCES	1,494,144	1,479,679
	Equipment reset - transfer to SAG 011M		-14,465
011C	COMBAT ENHANCEMENT FORCES	809,531	809,531
011D	AIR OPERATIONS TRAINING	13,095	13,095
011M	DEPOT MAINTENANCE	1,403,238	1,417,703
	Transfer of reset funds from SAG 011A		14,465
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	155,954	105,954
	Unjustified growth in FSRM projects		-50,000
011Z	BASE OPERATING SUPPORT	342,226	342,226
012A	GLOBAL C3I AND EARLY WARNING	15,108	15,108

O-1		Budget Request	Conference
012C	OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	271,390	162,213
	Unjustified growth		-109,177
012F	TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES	25,400	25,400
013C	SPACE CONTROL SYSTEMS	5,110	5,110
015A	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	52,173	57,873
	Military Information Support Operations unjustified growth		-20,000
	Military Information Support Operations - transfer from title II and program reduction		25,700
021A	AIRLIFT OPERATIONS	3,187,211	3,187,211
021D	MOBILIZATION PREPAREDNESS	43,509	43,509
021M	DEPOT MAINTENANCE	554,943	754,943
	CLS contract for C-17 engine maintenance - transfer from WCF,AF		230,400
	CLS contract for C-17 engine maintenance - savings from competition for component parts		-30,400
021R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,431	4,431
021Z	BASE SUPPORT	9,256	9,256
031R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	424	424
031Z	BASE SUPPORT	1,036	1,036
032A	SPECIALIZED SKILL TRAINING	10,923	10,923
032B	FLIGHT TRAINING	72	72
032C	PROFESSIONAL DEVELOPMENT EDUCATION	323	323
032D	TRAINING SUPPORT	352	352
041A	LOGISTICS OPERATIONS	100,429	100,429
041R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	47,200	47,200
041Z	BASE SUPPORT	7,242	7,242
042A	ADMINISTRATION	1,552	1,552
042B	SERVICEWIDE COMMUNICATIONS	82,094	82,094
042G	OTHER SERVICEWIDE ACTIVITIES	582,977	537,977
	Unjustified growth for the DFAS bill		-45,000
043A	SECURITY PROGRAMS	20,270	26,870
	Classified adjustment		6,600
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	9,241,613	9,249,736
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
1PLT1	JOINT CHIEFS OF STAFF	2,000	2,000
1PL2	SPECIAL OPERATIONS COMMAND	2,503,060	2,476,260
	Military Information Support Operations		-26,800
ES18	DEFENSE MEDIA ACTIVITY	10,823	10,823
4GT6	DEFENSE CONTRACT AUDIT AGENCY	30,674	30,674
4GT8	DEFENSE HUMAN RESOURCES ACTIVITY	3,334	13,334
	Program increase - suicide prevention programs		10,000
4GT9	DEFENSE INFORMATION SYSTEMS AGENCY	152,925	152,925
4GT0	DEFENSE CONTRACT MANAGEMENT AGENCY	69,803	69,803
4GTA	DEFENSE LEGAL SERVICES AGENCY	102,322	102,322
46TJ	DEFENSE DEPENDENTS EDUCATION	139,830	159,830
	Beyond Yellow Ribbon program		20,000
4GTD	DEFENSE SECURITY COOPERATION AGENCY	2,200,000	2,100,000
	Program adjustment to CSF for Pakistan reimbursement only		-100,000
4GTN	OFFICE OF THE SECRETARY OF DEFENSE	87,805	74,105
	Civilian expeditionary workforce		-1,500
	Project Archer		-12,200
9999	OTHER PROGRAMS	2,522,003	2,522,003
	TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	7,824,579	7,714,079

O-1		Budget Request	Conference
	OPERATION AND MAINTENANCE, ARMY RESERVE		
113	ECHELONS ABOVE BRIGADE	78,600	78,600
115	LAND FORCES OPERATIONS SUPPORT	20,811	20,811
121	FORCES READINESS OPERATIONS SUPPORT	20,726	18,576
	Unjustified increase		-2,150
131	BASE OPERATIONS SUPPORT	34,400	39,900
	Yellow Ribbon program		5,500
	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	154,537	157,887
	OPERATION AND MAINTENANCE, NAVY RESERVE		
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	24,834	24,834
1A3A	INTERMEDIATE MAINTENANCE	300	300
1A5A	AIRCRAFT DEPOT MAINTENANCE	13,364	13,364
1B1B	MISSION AND OTHER SHIP OPERATIONS	8,213	8,213
1B4B	SHIP DEPOT MAINTENANCE	929	929
1C6C	COMBAT SUPPORT FORCES	8,244	8,244
BSSR	BASE OPERATING SUPPORT	40	40
	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	55,924	55,924
	OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
1A1A	OPERATING FORCES	22,657	22,657
BSS1	BASE OPERATING SUPPORT	2,820	2,820
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	25,477	25,477
	OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
011A	PRIMARY COMBAT FORCES	7,600	0
	Consolidate depot maintenance funding in the Depot Maintenance SAG - transfer to SAG 011M		-7,600
011M	DEPOT MAINTENANCE	106,768	54,368
	Consolidate depot maintenance funding in the Depot Maintenance SAG - transfer from SAG 011A		7,600
	Air Force Reserve identified excess to requirement		-60,000
011Z	BASE OPERATING SUPPORT	6,250	6,250
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	120,618	60,618
	OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		
111	MANEUVER UNITS	38,485	38,485
112	MODULAR SUPPORT BRIGADES	1,959	1,959
113	ECHELONS ABOVE BRIGADE	20,076	20,076
114	THEATER LEVEL ASSETS	2,028	2,028
116	AVIATION ASSETS	183,811	183,811
121	FORCE READINESS OPERATIONS SUPPORT	43,780	43,780
131	BASE OPERATIONS SUPPORT	70,237	80,237
	Yellow Ribbon program		10,000
133	MANAGEMENT AND OPERATIONAL HEADQUARTERS	20,072	20,072

O-1		Budget Request	Conference
432	SERVICEWIDE COMMUNICATIONS	2,000	2,000
	TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	382,448	392,448
	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
011G	MISSION SUPPORT OPERATIONS	19,975	34,500
	Restore unjustified efficiency reduction to Yellow Ribbon program and Strong Bonds		14,525
	TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	19,975	34,500
	OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT		
	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	0	582,884
	Program increase		582,884
	TOTAL, OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	0	582,884
	AFGHANISTAN INFRASTUCTURE FUND		
	AFGHANISTAN INFRASTRUCTURE FUND	400,000	325,000
	Program adjustment		-75,000
	TOTAL, AFGHANISTAN INFRASTUCTURE FUND	400,000	325,000
	AFGHANISTAN SECURITY FORCES FUND		
	Defense Forces	3,713,726	3,613,726
	Sustainment	2,523,825	2,523,825
	Infrastructure	190,000	90,000
	Infrastructure		-100,000
	Equipment and Transportation	241,521	241,521
	Training and Operations	758,380	758,380
	Interior Forces	2,010,677	2,010,677
	Sustainment	1,305,950	1,305,950
	Infrastructure	50,000	50,000
	Equipment and Transportation	84,859	84,859
	Training and Operations	569,868	569,868
	Related Activities	24,764	24,764
	Sustainment	18,325	18,325
	Infrastructure	1,200	1,200
	Equipment and Transportation	1,239	1,239
	Training and Operations	4,000	4,000
	General reduction due to lack of execution		-525,000
	TOTAL, AFGHANISTAN SECURITY FORCES FUND	5,749,167	5,124,167
	TOTAL, OPERATION AND MAINTENANCE	62,512,514	62,131,012

PROCUREMENT

The conference agreement provides $8,979,438,000 for Procurement, instead of $7,906,039,000 as proposed by the House and $10,126,300,000 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		
9	**AH-64 APACHE BLOCK IIIB NEW BUILD**	71,000	142,000
	Two Apache battle loss replacements		71,000
12	**KIOWA WARRIOR UPGRADE (OH-58 D)**	183,900	120,900
	Maintain fiscal year 2012 WRA rate		-63,000
13	**UH-60 BLACKHAWK (MYP)**		56,500
	Battle loss replacement		19,900
	Army requested transfer from titles III and IX PA,A line 7 for battle loss replacements		36,600
15	**CH-47 HELICOPTER**	231,300	231,300
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	486,200	550,700
	MISSILE PROCUREMENT, ARMY		
4	**HELLFIRE SYSTEM SUMMARY**	29,100	48,700
	Army identified shortfall for additional missiles		19,600
8	**GUIDED MLRS ROCKET (GMLRS)**	20,553	19,251
	Unit cost efficiencies		-1,302
	TOTAL, MISSILE PROCUREMENT, ARMY	49,653	67,951
	PROCUREMENT OF W&TCV, ARMY		
36	**M16 RIFLE MODS**	15,422	15,422
	TOTAL, PROCUREMENT OF W&TCV, ARMY	15,422	15,422
	PROCUREMENT OF AMMUNITION, ARMY		
3	**CTG, HANDGUN, ALL TYPES**	1,500	1,500
4	**CTG, .50 CAL, ALL TYPES**	10,000	10,000
7	**CTG, 30MM, ALL TYPES**	80,000	61,000
	Army requested transfer to title IX AP,A line 13		-18,600
	Excess to requirement		-400

P-1		Budget Request	Conference
9	60MM MORTAR, ALL TYPES	14,000	14,000
10	81MM MORTAR, ALL TYPES	6,000	6,000
11	120MM MORTAR, ALL TYPES	56,000	56,000
13	CTG, ARTY, 75MM AND 105MM: ALL TYPES	29,956	29,956
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES	37,044	37,044
15	PROJ 155MM EXTENDED RANGE XM982	12,300	12,300
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL TYPES	17,000	17,000
17	MINES, CLEARING CHARGE, ALL TYPES	12,000	12,000
20	ROCKET, HYDRA 70, ALL TYPES	63,635	63,635
23	SIGNALS, ALL TYPES	16,858	16,858
28	ITEMS LESS THAN $5 MILLION	1,200	1,200
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	357,493	338,493
	OTHER PROCUREMENT, ARMY		
2	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	28,247	28,247
4	FAMILY OF HEAVY TACTICAL VEHICLES	2,050	2,050
11	HMMWV RECAPITALIZATION PROGRAM	271,000	221,000
	Excess to need		-50,000
14	MINE-RESISTANT AMBUSH-PROTECTED MODS	927,400	721,400
	Federal roads excise tax		-106,000
	Excess to need		-100,000
52	RESERVE CA/MISO GPF EQUIPMENT	8,000	8,000
61	INSTALLATION INFO INFRASTRUCTURE MOD	25,000	50,000
	Army requested transfer from OM,A line 434 for fiber optic line		40,000
	Excess to need		-15,000
69	DCGS-A (MIP)	90,355	90,355
73	CI HUMINT AUTO REPORTING AND COLLECTION	6,516	6,516
75	LIGHTWEIGHT COUNTER MORTAR RADAR	27,646	27,646
77	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIES	52,000	27,000
	Delayed spares contract awards		-25,000
78	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	205,209	160,459
	Prior year funds available		-42,000
	LEMV sensors ahead of need		-2,750

P-1		Budget Request	Conference
92	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	14,600	14,600
99	COUNTERFIRE RADARS	54,585	54,585
102	FIRE SUPPORT C2 FAMILY	22,430	22,430
103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	2,400	2,400
112	MANEUVER CONTROL SYSTEM	6,400	6,400
113	SINGLE ARMY LOGISTICS ENTERPRISE	5,160	5,160
126	FAMILY OF NON-LETHAL EQUIPMENT	15,000	15,000
127	BASE DEFENSE SYSTEMS	66,100	66,100
135	EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT	3,565	3,565
143	FORCE PROVIDER	39,700	39,700
145	CARGO AERIAL DELIVERY AND PERSONNEL PARACHUTE SYSTEM	650	650
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	2,119	2,119
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	428	428
153	ITEMS LESS THAN $5M (MAINT EQ)	30	30
175	COMBAT TRAINING CENTERS SUPPORT	7,000	7,000
176	TRAINING DEVICES, NONSYSTEM	27,250	27,250
178	AVIATION COMBINED ARMS TACTICAL TRAINER	1,000	1,000
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	5,900	5,900
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	98,167	123,167
	Program increase for solar power units		25,000
	TOTAL, OTHER PROCUREMENT, ARMY	2,015,907	1,740,157

P-1		Budget Request	Conference
	AIRCRAFT PROCUREMENT, NAVY		
11	**UH-1Y/AH-1Z**	29,800	27,170
	AH-1Z pricing		-2,630
23	**KC-130J**	0	72,021
	Transfer from title III P,MC line 5 for one KC-130J		40,892
	Transfer from title IX P,MC line 5 for one KC-130J		31,129
30	**AV-8 SERIES**	42,238	38,138
	Installation equipment NRE growth		-1,500
	Litening pod other support cost growth		-2,600
32	**F-18 SERIES**	41,243	31,068
	IR Marker installation kit cost growth (OSIP 12-01)		-10,175
35	**H-53 SERIES**	15,870	11,870
	Other support funding growth (OSIP 008-06)		-4,000
38	**EP-3 SERIES**	13,030	13,030
43	**C-130 SERIES**	16,737	16,737
48	**SPECIAL PROJECT AIRCRAFT**	2,714	2,714
54	**COMMON AVIONICS CHANGES**	570	570
62	**COMMON GROUND EQUIPMENT**	2,380	2,380
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	164,582	215,698
	WEAPONS PROCUREMENT, NAVY		
9	**HELLFIRE**	17,000	17,000
10	**STAND OFF PRECISION GUIDED MUNITIONS**	6,500	5,500
	Support funding carryover		-1,000
	TOTAL, WEAPONS PROCUREMENT, NAVY	23,500	22,500

P-1		Budget Request	Conference
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
1	GENERAL PURPOSE BOMBS	18,000	18,000
2	AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
3	MACHINE GUN AMMUNITION	21,500	21,500
6	AIR EXPENDABLE COUNTERMEASURES	20,303	20,303
11	OTHER SHIP GUN AMMUNITION	532	532
12	SMALL ARMS & LANDING PARTY AMMO	2,643	2,643
13	PYROTECHNIC AND DEMOLITION	2,322	2,322
14	AMMUNITION LESS THAN $5 MILLION	6,308	6,308
15	SMALL ARMS AMMUNITION	10,948	10,948
16	LINEAR CHARGES, ALL TYPES	9,940	9,940
17	40 MM, ALL TYPES	5,963	5,963
20	120MM, ALL TYPES	11,605	11,605
21	CTG 25MM, ALL TYPES	2,831	1,534
	25MM TP-T linked LAP kits cost growth		-1,297
22	GRENADES, ALL TYPES	2,359	2,359
23	ROCKETS, ALL TYPES	3,051	3,051
24	ARTILLERY, ALL TYPES	54,886	54,886
25	DEMOLITION MUNITIONS, ALL TYPES	1,391	0
	Prior year funds available		-1,391
26	FUZE, ALL TYPES	30,945	30,945
27	NON LETHALS	8	8
29	ITEMS LESS THAN $5 MILLION	12	12
	TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	285,747	283,059

P-1		Budget Request	Conference
	OTHER PROCUREMENT, NAVY		
70	TACTICAL/MOBILE C4I SYSTEMS	3,603	3,603
97	EXPEDITIONARY AIRFIELDS	58,200	58,200
127	PASSENGER CARRYING VEHICLES	3,901	3,901
128	GENERAL PURPOSE TRUCKS	852	852
129	CONSTRUCTION & MAINTENANCE EQUIPMENT	2,436	2,436
130	FIRE FIGHTING EQUIPMENT	3,798	3,798
131	TACTICAL VEHICLES	13,394	13,394
134	ITEMS UNDER $5 MILLION	375	375
149	C4ISR EQUIPMENT	3,000	3,000
150	PHYSICAL SECURITY EQUIPMENT	9,323	9,323
	TOTAL, OTHER PROCUREMENT, NAVY	98,882	98,882
	PROCUREMENT, MARINE CORPS		
2	LAV PIP	10,000	10,000
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	108,860	77,731
	Marine Corps requested transfer to title IX AP,N line 23		-31,129
10	JAVELIN	29,158	28,658
	Unit cost efficiencies		-500
13	MODIFICATION KITS	41,602	41,602
15	REPAIR AND TEST EQUIPMENT	13,632	13,632
17	MODIFICATION KITS	2,831	2,831
19	AIR OPERATIONS C2 SYSTEMS	15,575	15,575
20	RADAR SYSTEMS	8,015	8,015
23	INTELLIGENCE SUPPORT EQUIPMENT	35,310	35,310
29	NIGHT VISION EQUIPMENT	652	652
30	COMMON COMPUTER RESOURCES	19,807	19,807
32	RADIO SYSTEMS	36,482	36,482
33	COMM SWITCHING & CONTROL SYSTEMS	41,295	41,295
39	MEDIUM TACTICAL VEHICLE REPLACEMENT	10,466	10,466
41	FAMILY OF TACTICAL TRAILERS	7,642	7,642

P-1		Budget Request	Conference
45	BULK LIQUID EQUIPMENT	18,239	18,239
46	TACTICAL FUEL SYSTEMS	51,359	51,359
47	POWER EQUIPMENT ASSORTED	20,247	20,247
49	EOD SYSTEMS	362,658	272,658
	JCREW 3.3 contract award delay		-90,000
50	PHYSICAL SECURITY EQUIPMENT	55,500	55,500
52	MATERIAL HANDLING EQUIPMENT	19,100	19,100
54	FIELD MEDICAL EQUIPMENT	15,751	15,751
55	TRAINING DEVICES	3,602	3,602
57	FAMILY OF CONSTRUCTION EQUIPMENT	15,900	15,900
	TOTAL, PROCUREMENT, MARINE CORPS	943,683	822,054
	AIRCRAFT PROCUREMENT, AIR FORCE		
35	LARGE AIRCRAFT INFRARED COUNTERMEASURES	139,800	139,800
55	U-2 MODS	46,800	46,800
63	C-130	11,400	11,400
67	COMPASS CALL MODS	14,000	14,000
68	RC-135	8,000	8,000
75	HC/MC-130 MODIFICATIONS	4,700	4,700
81	INITIAL SPARES/REPAIR PARTS	21,900	21,900
100	OTHER PRODUCTION CHARGES	59,000	59,000
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	305,600	305,600
	MISSILE PROCUREMENT, AIR FORCE		
5	PREDATOR HELLFIRE MISSILE	34,350	34,350
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	34,350	34,350
	PROCUREMENT OF AMMUNITION, AIR FORCE		
2	CARTRIDGES	13,592	13,592
4	GENERAL PURPOSE BOMBS	23,211	23,211
5	JOINT DIRECT ATTACK MUNITION	53,923	53,923
6	CAD/PAD	2,638	2,638

P-1		Budget Request	Conference
10	ITEMS LESS THAN $5 MILLION	2,600	2,600
11	FLARES	11,726	11,726
12	FUZES	8,513	8,513
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	116,203	116,203
	OTHER PROCUREMENT, AIR FORCE		
2	MEDIUM TACTICAL VEHICLE	2,010	2,010
4	ITEMS LESS THAN $5M (CARGO)	2,675	2,675
6	ITEMS LESS THAN $5M (SPECIAL)	2,557	2,557
8	ITEMS LESS THAN $5,000,000	4,329	4,329
9	RUNWAY SNOW REMOVAL AND CLEANING EQUIPMENT	984	984
10	ITEMS LESS THAN $5,000,000	9,120	9,120
22	WEATHER OBSERVATION FORECAST	5,600	5,600
27	GENERAL INFORMATION TECHNOLOGY	11,157	11,157
49	TACTICAL C-E EQUIPMENT	7,000	7,000
53	BASE COMM INFRASTRUCTURE	10,654	554
	Excess to need		-10,100
54	COMM ELECT MODS	8,000	8,000
55	NIGHT VISION GOGGLES	902	902
59	CONTINGENCY OPERATIONS	60,090	43,190
	JCREW LRIP delay		-16,900
62	MOBILITY EQUIPMENT	9,400	9,400
63	ITEMS LESS THAN $5 MILLION (BASES)	9,175	9,175
999	OTHER PROGRAMS	2,672,317	2,561,317
	Classified adjustment		-111,000
71	SPARES AND REPAIR PARTS	2,300	2,300
	TOTAL, OTHER PROCUREMENT, AIR FORCE	2,818,270	2,680,270

P-1		Budget Request	Conference
	PROCUREMENT, DEFENSE-WIDE		
15	TELEPORT PROGRAM	5,260	5,260
61	MQ-8 UAV	16,500	8,250
	Program adjustment		-8,250
68	COMMUNICATIONS EQUIPMENT & ELECTRONICS	151	151
69	SOF INTELLIGENCE SYSTEMS	30,528	30,528
77	TACTICAL VEHICLES	1,843	1,843
82	SOF AUTOMATION SYSTEMS	1,000	1,000
86	SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS	108	108
91	SOF OPERATIONAL ENHANCEMENTS	14,758	14,758
	OTHER PROGRAMS	126,201	126,201
	TOTAL, PROCUREMENT, DEFENSE-WIDE	196,349	188,099
	NATIONAL GUARD & RESERVE EQUIPMENT ACCOUNT		
	RESERVE EQUIPMENT		
	ARMY RESERVE	0	240,000
	MISCELLANEOUS EQUIPMENT (OCO)		240,000
	NAVY RESERVE	0	90,000
	MISCELLANEOUS EQUIPMENT (OCO)		90,000
	MARINE CORPS RESERVE	0	120,000
	MISCELLANEOUS EQUIPMENT (OCO)		120,000
	AIR FORCE RESERVE	0	130,000
	MISCELLANEOUS EQUIPMENT (OCO)		130,000
	NATIONAL GUARD EQUIPMENT		
	ARMY NATIONAL GUARD	0	460,000
	MISCELLANEOUS EQUIPMENT (OCO)		460,000
	AIR NATIONAL GUARD	0	460,000
	MISCELLANEOUS EQUIPMENT (OCO)		460,000
	TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT ACCOUNT	0	1,500,000
	TOTAL, PROCUREMENT	7,911,841	8,979,438

NATIONAL GUARD AND RESERVE EQUIPMENT

The conference agreement provides $1,500,000,000 for National Guard and Reserve Equipment. Of that amount, $460,000,000 is for the Army National Guard, $460,000,000 for the Air National Guard, $240,000,000 for the Army Reserve, $90,000,000 for the Navy Reserve, $120,000,000 for the Marine Corps Reserve, and $130,000,000 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 components 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: A–10 Situation Awareness Upgrade; ARC 210 Radios for ANG F–16s; Arctic Search and Rescue Packages; Armory-Based Individual and Unstabilized Gunnery Trainers; Batteries and Battery Support Equipment; Bradley Modifications; C–130 Crash-Resistant Loadmaster Seats; C–130 Secure Line-of-Sight [SLOS] Beyond Line-of-Sight [BLOS] Capability; C–130/KC–135 Real Time Information in Cockpit [RTIC] Data Link; CH–47 Door Gun Mounts; Combat Mobility Equipment; Combined Arms Virtual Trainers; F–15 AESA Radars; Field Engineering, Logistics, Maintenance, and Security Equipment; Force Protection Equipment; Generation 4 Advanced Targeting Pods; Green Laser Interdiction Systems; handheld laser trackers; HC–130 Forward Area Refueling Point; Helicopter Firefighting Equipment; Helmet-Mounted Cueing System; HMMWV Recapitalization; In-Flight Propeller Balancing System; Internal and External Auxiliary Fuel Tanks for Apaches and Chinooks; Joint Threat Emitters; Large Aircraft Infrared Countermeasures [LAIRCM]; Light Utility Helicopters; Modular Airborne Firefighting System II; Modular Small Arms Training Systems; MRAP Vehicle Virtual Trainers; Naval Construction Force Tactical Vehicles and Support Equipment; Reactive Skin Decontamination Lotion; SATCOM Ground Stations; Support Wide Area Network [SWAN] D V3/MRT Packages; Targeting Pod Upgrades; Thermal Imaging Systems; Ultra-Light Tactical Vehicles; Unit Maintenance Aerial Recovery Kits; Virtual Convoy Operations Trainers; and Virtual Door Gunner Trainers.

RESERVE COMPONENT SIMULATION TRAINING SYSTEMS

The use of simulation training systems has yielded a military that is better trained, more capable, and more confident as compared to units that do not have access to modern simulation training devices. Simulation training is a cost-effective means by which reserve units can improve tactical decision-making skills and ultimately save lives. It is anticipated that a portion of the funding in the National Guard and Reserve Equipment account will be used to procure a variety of simulation training systems. To ensure the most efficient and effective training programs, these systems should be a combination of both government owned and operated simulators, as well as simulation support from a dedicated commercial activity capable of providing frequent hardware and software updates.

NATIONAL GUARD AND RESERVE EQUIPMENT RESEARCH AND DEVELOPMENT

The conferees are concerned that the active Services are not providing the necessary research, development, test and evaluation funding for federal and domestic operations requirements as they relate to equipping the reserve components, especially equipment unique to the reserve component or legacy systems with limited active component investment. The conferees understand that the funding required is minimal, and therefore direct the Services, particularly the Air Force, to provide the necessary research, development, test and evaluation funds to ensure that modernizing equipment or legacy systems unique to the reserve component be given the required design, integration, test, and software efforts needed prior to procurement.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides $247,716,000 for Research, Development, Test and Evaluation, instead of $235,516,000 as proposed by the House and $260,413,000 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		
60	SOLDIER SUPPORT AND SURVIVABILITY	19,860	12,360
	Program adjustment		-7,500
79	AIRCRAFT AVIONICS	0	17,300
	Degraded visual environment - transfer from title IV		17,300
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	19,860	29,660
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY		
56	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	4,600	4,600
131	MEDICAL DEVELOPMENT	2,173	2,173
160	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,200	5,200
195	MARINE CORPS COMBAT SERVICES SUPPORT	6,762	6,762
221	RQ-7 UAV	7,600	0
	Undefined weapons capability		-7,600
999	OTHER PROGRAMS	33,784	33,784
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	60,119	52,519
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE		
999	OTHER PROGRAMS	53,150	53,150
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	53,150	53,150
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE		
239	MQ-8 UAV	5,000	5,000
999	OTHER PROGRAMS	107,387	107,387
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	112,387	112,387
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION	245,516	247,716

REVOLVING AND MANAGEMENT FUNDS

The conference agreement provides $243,600,000 for the Defense Working Capital Funds, instead of $293,600,000 as proposed by the House and $1,467,864,000 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
	WORKING CAPITAL FUND, ARMY		
Army	PREPOSITIONED WAR RESERVE STOCKS.	42,600	42,600
	TOTAL, WORKING CAPITAL FUND, ARMY.	42,600	42,600
	WORKING CAPITAL FUND, AIR FORCE		
AF	C–17 CLS ENGINE REPAIR.	230,400	0
	Transfer to OM,AF line 021M.		−230,400
	TRANSPORTATION OF FALLEN HEROES.	10,000	10,000
	TOTAL, WORKING CAPITAL FUND, AIR FORCE.	240,400	10,000
	WORKING CAPITAL FUND, DEFENSE-WIDE		
DLA	DEFENSE LOGISTICS AGENCY.	220,364	191,000
	Excess growth in OEF disposition operations.		−18,364
	Excess growth in OEF consolidated shipping costs.		−2,000
	Excess growth in DLA distributions in Kuwait for OEF.		−9,000
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE.	220,364	191,000
	TOTAL, DEFENSE WORKING CAPITAL FUND.	503,364	243,600

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The conference agreement provides $993,898,000 for the Defense Health Program as proposed by the Senate, instead of $1,003,898,000 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	993,898	993,898
IN-HOUSE CARE	483,326	483,326
PRIVATE SECTOR CARE	376,982	376,982
CONSOLIDATED HEALTH SUPPORT	111,675	111,675
INFORMATION MANAGEMENT	4,773	4,773
MANAGEMENT ACTIVITIES	660	660
EDUCATION AND TRAINING	15,370	15,370
BASE OPERATIONS AND COMMUNICATIONS	1,112	1,112

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides $469,025,000 for Drug Interdiction and Counter-Drug Activities, Defense, as proposed by both the House and the Senate.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

The conference agreement provides $1,622,614,000 for the Joint Improvised Explosive Device Defeat Fund, all in title IX, instead of $217,414,000 in title VI and $1,614,900,000 in title IX as proposed by the House, and $1,514,114,000, all in title IX, 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
1	ATTACK THE NETWORK.	950,500	807,500
	Biometric ID—transfer to OM,A line 432.		−22,000
	Falcon—transfer to OM,A line 135.		−48,000
	Sand Dragon—excess prior year carryover funding.		−40,000
	TEDAC—excess prior year carryover funding.		−33,000
2	DEFEAT THE DEVICE	400,000	393,300
	ALARM excess to need.		−4,700
	3-Band Long Wave infrared camera ahead of need.		−2,000
3	TRAIN THE FORCE	149,500	119,000
	ISR emulation and trainer ahead of need.		−28,500
	Dismounted virtual simulators—undefined unit cost increase.		−2,000
4	STAFF AND INFRASTRUCTURE.	175,400	302,814
	Staff and infrastructure—transfer from title VI.		227,414
	Forward financed from prior years.		−100,000
	TOTAL, JOINT IED DEFEAT FUND.	1,675,400	1,622,614

The conference agreement provides funding for the Joint Improvised Explosive Device Defeat Fund in title IX as such requirements are considered to be war related.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $10,766,000 for the Office of the Inspector General, as proposed by both the House and the Senate.

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 are as follows:

The conference agreement modifies a provision proposed by the House and the Senate which provides general transfer authority not to exceed $3,500,000,000.

The conference agreement retains a provision proposed by the Senate regarding funding and guidelines for the Commander's Emergency Response Program. The House bill contained a similar provision.

The conference agreement retains 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 modifies a provision proposed by the House concerning transition activities of the Office of Security Cooperation in Iraq and security assistance teams. The Senate bill contained a similar provision.

(RESCISSIONS)

The conference agreement modifies a provision proposed by the House and the Senate recommending rescissions. The provision provides for the rescission of $1,860,052,000 from the following programs:

2009 Appropriations:	
General Provisions:	
Retroactive stop loss special pay program	$127,200,000
2012 Appropriations:	
Afghanistan Security Forces Fund:	
Afghanistan Security Forces Fund	1,000,000,000
Other Procurement, Army:	
Gunshot detection system	10,100,000
Base support communications	5,000,000
Sense through the wall	10,000,000
Installation info infrastructure mod program	125,500,000
Knight family	42,000,000
Tactical bridging	15,000,000
Procurement of Ammunition, Navy and Marine Corps:	
60mm, all types	6,900,000
81mm, all types	22,276,000
Demolition munitions	3,000,000
Procurement, Marine Corps:	
Weapons under $5 million	2,776,000
Mine Resistant Ambush Protection Vehicle Fund:	
MRAP carryover	400,000,000
Research, Development, Test and Evaluation, Air Force:	
Endurance unmanned aerial vehicles—Blue Devil	50,000,000
Joint Improvised Explosive Device Defeat Fund:	
ALARM	19,300,000
Integrated supply chain	21,000,000

The conference agreement modifies a provision proposed by the House which makes Coalition Support Funds for Pakistan contingent on a certification by the Secretary of Defense, with concurrence from the Secretary of State, that certain conditions are met. The Senate bill contained no similar provision.

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army	43,298,409	40,777,844	40,199,263	−3,099,146	−578,581
Military Personnel, Navy	26,803,334	27,090,893	26,902,346	+99,012	−188,547
Military Personnel, Marine Corps	13,635,136	12,481,050	12,531,549	−1,103,587	+50,499
Military Personnel, Air Force	28,096,708	28,048,539	28,052,826	−43,882	+4,287
Reserve Personnel, Army	4,289,407	4,513,753	4,456,823	+167,416	−56,930

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Reserve Personnel, Navy	1,935,544	1,898,668	1,874,023	−61,521	−24,645
Reserve Personnel, Marine Corps	644,722	664,641	658,251	+13,529	−6,390
Reserve Personnel, Air Force	1,712,705	1,741,365	1,722,425	+9,720	−18,940
National Guard Personnel, Army	7,585,645	8,103,207	7,981,577	+395,932	−121,630
National Guard Personnel, Air Force	3,088,929	3,110,065	3,153,990	+65,061	+43,925
Total, Title I, Military Personnel	131,090,539	128,430,025	127,533,073	−3,557,466	−896,952
TITLE II					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army	31,072,902	36,608,592	35,409,260	+4,336,358	−1,199,332
Operation and Maintenance, Navy	38,120,821	41,606,943	41,614,453	+3,493,632	+7,510
Operation and Maintenance, Marine Corps	5,542,937	5,983,163	6,034,963	+492,026	+51,800
Operation and Maintenance, Air Force	34,985,486	35,435,360	34,780,406	−205,080	−654,954
Operation and Maintenance, Defense-Wide	30,152,008	31,993,013	31,862,980	+1,710,972	−130,033
Operation and Maintenance, Army Reserve	3,071,733	3,162,008	3,182,923	+111,190	+20,915
Operation and Maintenance, Navy Reserve	1,305,134	1,246,982	1,256,347	−48,787	+9,365
Operation and Maintenance, Marine Corps Reserve	271,443	272,285	277,377	+5,934	+5,092
Operation and Maintenance, Air Force Reserve	3,274,359	3,166,482	3,261,324	−13,035	+94,842
Operation and Maintenance, Army National Guard	6,924,932	7,108,612	7,154,161	+229,229	+45,549
Operation and Maintenance, Air National Guard	6,098,780	6,015,455	6,494,326	+395,546	+478,871
United States Court of Appeals for the Armed Forces	13,861	13,516	13,516	−345	
Environmental Restoration, Army	346,031	335,921	335,921	−10,110	
Environmental Restoration, Navy	308,668	310,594	310,594	+1,926	
Environmental Restoration, Air Force	525,453	529,263	529,263	+3,810	
Environmental Restoration, Defense-Wide	10,716	11,133	11,133	+417	
Environmental Restoration, Formerly Used Defense Sites	326,495	237,543	287,543	−38,952	+50,000
Overseas Humanitarian, Disaster, and Civic Aid	107,662	108,759	108,759	+1,097	
Cooperative Threat Reduction Account	508,219	519,111	519,111	+10,892	
Department of Defense Acquisition Workforce Development Fund	105,501	274,198	50,198	−55,303	−224,000
Total, Title II, Operation and maintenance	163,073,141	174,938,933	173,494,558	+10,421,417	−1,444,375
TITLE III					
Advanced Extremely High Frequency Communications Satellites, Advanced appropriation fiscal year 2014		833,500			−833,500
Advanced appropriation fiscal year 2015		763,900			−763,900
Advanced appropriation fiscal year 2016		708,400			−708,400
Advanced appropriation fiscal year 2017		1,107,200			−1,107,200
Advanced appropriation fiscal year 2018		1,013,700			−1,013,700
Total, Advanced appropriations		4,426,700			−4,426,700
Procurement of Ammunition, Air Force	499,185	599,194	594,694	+95,509	−4,500
Other Procurement, Air Force	17,403,564	16,720,848	17,082,508	−321,056	+361,660
Procurement, Defense-Wide	4,893,428	4,187,935	4,878,985	−14,443	+691,050
National Guard and Reserve Equipment					
Defense Production Act Purchases	169,964	89,189	223,531	+53,567	+134,342
Total, Title III, Procurement	104,579,701	101,621,377	100,350,714	−4,228,987	−1,270,663
Fiscal year 2013	(104,579,701)	(97,194,677)	(100,350,714)	(−4,228,987)	(+3,156,037)
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army	8,745,492	8,929,415	8,676,627	−68,865	−252,788
Research, Development, Test and Evaluation, Navy	17,753,940	16,882,877	16,963,398	−790,542	+80,521
Research, Development, Test and Evaluation, Air Force	26,535,996	25,428,046	25,432,738	−1,103,258	+4,692
Research, Development, Test and Evaluation, Defense-Wide	19,193,955	17,982,161	18,631,946	−562,009	+649,785
Operational Test and Evaluation, Defense	191,292	185,268	223,768	+32,476	+38,500
Total, Title IV, Research, Development, Test and Evaluation	72,420,675	69,407,767	69,928,477	−2,492,198	+520,710
TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds	1,575,010	1,516,184	1,516,184	−58,826	
National Defense Sealift Fund	1,100,519	608,136	697,840	−402,679	+89,704
Total, Title V, Revolving and Management Funds	2,675,529	2,124,320	2,214,024	−461,505	+89,704
TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program:					
Operation and maintenance	30,582,235	31,349,279	30,885,165	+302,930	−464,114
Procurement	632,518	506,462	521,762	−110,756	+15,300
Research, development, test and evaluation	1,267,306	672,977	1,308,377	+41,071	+635,400
Total, Defense Health Program [1]	32,482,059	32,528,718	32,715,304	+233,245	+186,586
Chemical Agents and Munitions Destruction, Defense:					
Operation and maintenance	1,147,691	635,843	635,843	−511,848	
Procurement		18,592	18,592	+18,592	
Research, development, test and evaluation	406,731	647,351	647,351	+240,620	
Total, Chemical Agents [2]	1,554,422	1,301,786	1,301,786	−252,636	
Drug Interdiction and Counter-Drug Activities, Defense	1,209,620	999,363	1,159,263	−50,357	+159,900
Joint Improvised Explosive Device Defeat Fund [2]		227,414			−227,414
Joint Urgent Operational Needs Fund		99,477			−99,477
Office of the Inspector General [1]	346,919	273,821	350,321	+3,402	+76,500
Total, Title VI, Other Department of Defense Programs	35,593,020	35,430,579	35,526,674	−66,346	+96,095
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund	513,700	514,000	514,000	+300	
Intelligence Community Management Account (ICMA)	547,891	540,252	534,421	−13,470	−5,831
Total, Title VII, Related agencies	1,061,591	1,054,252	1,048,421	−13,170	−5,831
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (Sec. 8005)	(3,750,000)	(5,000,000)	(4,000,000)	(+250,000)	(−1,000,000)

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Indian Financing Act incentives (Sec. 8019)	15,000		15,000		+15,000
FFRDC (Sec. 8023)	−150,245			+150,245	
Overseas Military Facility Invest Recovery (Sec. 8028)	1,000			−1,000	
Rescissions (Sec. 8041)	−2,575,217		−2,142,447	+432,770	−2,142,447
O&M, Defense-wide transfer authority (Sec. 8052)	(30,000)	(30,000)	(30,000)		
O&M, Army transfer authority (Sec. 8067)	(124,493)	(133,381)	(133,381)	(+8,888)	
Global Security Contingency Fund (O&M, Defense-wide transfer) (Sec. 8069)	(200,000)	(200,000)	(200,000)		
Fisher House Foundation (Sec. 8070)	4,000		4,000		+4,000
National grants (Sec. 8078)	44,000		44,000		+44,000
Shipbuilding & conversion funds, Navy (Sec. 8083)	8,000	8,000	8,000		
Working Capital Fund excess cash balances	−515,000			+515,000	
ICMA transfer authority (Sec. 8090)	(20,000)	(20,000)	(20,000)		
Excess Army Working Capital Fund carryover					
Fisher House transfer authority (Sec. 8095)	(11,000)	(11,000)	(11,000)		
Defense Health O&M transfer authority (Sec. 8100)	(135,631)	(139,204)	(139,204)	(+3,573)	
Alternative Energy Resources for Deployed Forces	10,000			−10,000	
Ship Modernization, Operations and Sustainment Fund (Sec. 8105)			2,382,100	+2,382,100	+2,382,100
Operation and Maintenance, Defense-Wide (Sec. 8110)	250,000		270,000	+20,000	+270,000
(transfer authority)		(51,000)			(−51,000)
MIP Transfer Fund	310,758			−310,758	
Eliminate civilian pay raise (Sec. 8123)			−72,718	−72,718	−72,718
Defense spending freeze (exclude Title I, Defense Health Program, and Title IX) (House)					
Total, Title VIII, General Provisions	−2,597,704	8,000	507,935	+3,105,639	+499,935
TITLE IX					
OVERSEAS CONTINGENCY OPERATIONS (OCO) [3]					
Military Personnel					
Military Personnel, Army (OCO)	7,195,335	9,165,082	9,790,082	+2,594,747	+625,000
Military Personnel, Navy (OCO)	1,259,234	874,625	774,225	−485,009	−100,400
Military Personnel, Marine Corps (OCO)	714,360	1,621,356	1,425,156	+710,796	−196,200
Military Personnel, Air Force (OCO)	1,492,381	1,286,783	1,286,783	−205,598	
Reserve Personnel, Army (OCO)	207,162	156,893	156,893	−50,269	
Reserve Personnel, Navy (OCO)	44,530	39,335	39,335	−5,195	
Reserve Personnel, Marine Corps (OCO)	25,421	24,722	24,722	−699	
Reserve Personnel, Air Force (OCO)	26,815	25,348	25,348	−1,467	
National Guard Personnel, Army (OCO)	664,579	583,804	583,804	−80,775	
National Guard Personnel, Air Force (OCO)	9,435	10,473	10,473	+1,038	
Total, Military Personnel	11,639,252	13,788,421	14,116,821	+2,477,569	+328,400
Operation and Maintenance					
Operation & Maintenance, Army (OCO)	44,794,156	28,591,441	28,452,018	−16,342,138	−139,423
Operation & Maintenance, Navy (OCO)	7,674,026	5,880,395	5,839,934	−1,834,092	−40,461
Coast Guard (by transfer) (OCO)		(254,461)			(−254,461)
Operation & Maintenance, Marine Corps (OCO)	3,935,210	4,066,340	4,116,340	+181,130	+50,000
Operation & Maintenance, Air Force (OCO)	10,879,347	9,241,613	9,249,736	−1,629,611	+8,123
Operation & Maintenance, Defense-Wide (OCO)	9,252,211	7,824,579	7,714,079	−1,538,132	−110,500
Coalition support funds (OCO)	(1,690,000)	(1,750,000)	(1,650,000)	(−40,000)	(−100,000)
Operation & Maintenance, Army Reserve (OCO)	217,500	154,537	157,887	−59,613	+3,350
Operation & Maintenance, Navy Reserve (OCO)	74,148	55,924	55,924	−18,224	
Operation & Maintenance, Marine Corps Reserve (OCO)	36,084	25,477	25,477	−10,607	
Operation & Maintenance, Air Force Reserve (OCO)	142,050	120,618	60,618	−81,432	−60,000
Operation & Maintenance, Army National Guard (OCO)	377,544	382,448	392,448	+14,904	+10,000
Operation & Maintenance, Air National Guard (OCO)	34,050	19,975	34,500	+450	+14,525
Overseas Contingency Operations Transfer Fund (OCO)			582,884	+582,884	+582,884
Subtotal, Operation and Maintenance	77,416,326	56,363,347	56,681,845	−20,734,481	+318,498
Afghanistan Infrastructure Fund (OCO)	400,000	400,000	325,000	−75,000	−75,000
Afghanistan Security Forces Fund (OCO)	11,200,000	5,749,167	5,124,167	−6,075,833	−625,000
Total, Operation and Maintenance	89,016,326	62,512,514	62,131,012	−26,885,314	−381,502
Procurement					
Aircraft Procurement, Army (OCO)	1,137,381	486,200	550,700	−586,681	+64,500
Missile Procurement, Army (OCO)	126,556	49,653	67,951	−58,605	+18,298
Procurement of Weapons and Tracked Combat Vehicles, Army (OCO)	37,117	15,422	15,422	−21,695	
Procurement of Ammunition, Army (OCO)	208,381	357,493	338,493	+130,112	−19,000
Other Procurement, Army (OCO)	1,334,345	2,015,907	1,740,157	+405,812	−275,750
Aircraft Procurement, Navy (OCO)	480,935	164,582	215,698	−265,237	+51,116
Weapons Procurement, Navy (OCO)	41,070	23,500	22,500	−18,570	−1,000
Procurement of Ammunition, Navy and Marine Corps (OCO)	317,100	285,747	283,059	−34,041	−2,688
Other Procurement, Navy (OCO)	236,125	98,882	98,882	−137,243	
Procurement, Marine Corps (OCO)	1,233,996	943,683	822,054	−411,942	−121,629
Aircraft Procurement, Air Force (OCO)	1,235,777	305,600	305,600	−930,177	
Missile Procurement, Air Force (OCO)	41,220	34,350	34,350	−6,870	
Procurement of Ammunition, Air Force (OCO)	109,010	116,203	116,203	+7,193	
Other Procurement, Air Force (OCO)	3,088,510	2,818,270	2,680,270	−408,240	−138,000
Procurement, Defense-Wide (OCO)	405,768	196,349	188,099	−217,669	−8,250
National Guard and Reserve Equipment (OCO)	1,000,000		1,500,000	+500,000	+1,500,000
Mine Resistant Ambush Protected Vehicle Fund (OCO)	2,600,170			−2,600,170	
Total, Procurement	13,633,461	7,911,841	8,979,438	−4,654,023	+1,067,597
Research, Development, Test and Evaluation					
Research, Development, Test & Evaluation, Army (OCO)	18,513	19,860	29,660	+11,147	+9,800
Research, Development, Test & Evaluation, Navy (OCO)	53,884	60,119	52,519	−1,365	−7,600
Research, Development, Test & Evaluation, Air Force (OCO)	259,600	53,150	53,150	−206,450	
Research, Development, Test and Evaluation, Defense-Wide (OCO)	194,361	112,387	112,387	−81,974	
Total, Research, Development, Test and Evaluation	526,358	245,516	247,716	−278,642	+2,200
Revolving and Management Funds					
Defense Working Capital Funds (OCO)	435,013	503,364	243,600	−191,413	−259,764
Total, Revolving and Management Funds	435,013	503,364	243,600	−191,413	−259,764
Other Department of Defense Programs					
Defense Health Program:					
Operation and maintenance (OCO)	1,228,288	993,898	993,898	−234,390	
Total, Defense Health Program [1]	1,228,288	993,898	993,898	−234,390	
Drug Interdiction and Counter-Drug Activities, Defense (OCO)	456,458	469,025	469,025	+12,567	
Joint IED Defeat Fund (OCO) [2]	2,441,984	1,675,400	1,622,614	−819,370	−52,786
Joint Urgent Operational Needs Fund (OCO)		100,000			−100,000

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Office of the Inspector General (OCO)	11,055	10,766	10,766	−289	
Total, Other Department of Defense Programs	4,137,785	3,249,089	3,096,303	−1,041,482	−152,786
TITLE IX General Provisions					
Additional transfer authority (OCO) (Sec. 9002)	(4,000,000)	(4,000,000)	(3,500,000)	(−500,000)	(−500,000)
Troop reduction (OCO)	−4,042,500			+4,042,500	
Rescissions (OCO) (Sec. 9013)	−380,060		−1,860,052	−1,479,992	−1,860,052
Total, General Provisions	−4,422,560		−1,860,052	+2,562,508	−1,860,052
Total, Title IX	114,965,635	88,210,745	86,954,838	−28,010,797	−1,255,907
DIVISION G					
Section 3001 (rescission) (Security)			−472,000	−472,000	−472,000
Total for the bill (net)	622,862,127	601,225,998	597,086,714	−25,775,413	−4,139,284
Less appropriations for subsequent years		−4,426,700			+4,426,700
Net grand total	622,862,127	596,799,298	597,086,714	−25,775,413	+287,416

[1] Included in Budget under Operation and Maintenance.
[2] Included in Budget under Procurement.
[3] Global War on Terrorism (GWOT).
[4] Contributions to Department of Defense Retiree Health Care Fund (Sec. 725, Public Law 108–375) (CBO est).

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

The following is an explanation of the effects of Division D, which makes appropriations for the Department of Homeland Security for fiscal year 2013. Unless otherwise noted, reference to the House and Senate reports are to House Report 112–492 and Senate Report 112–169, respectively. The language and allocations contained in House Report 112–492 and Senate Report 112–169 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 bill 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 April 3, 2013, unless otherwise directed. In cases where the explanatory statement directs a briefing, such briefing shall be provided to the Committees by April 3, 2013, 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; 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

The bill provides $130,000,000 for ''Office of the Secretary and Executive Management.'' Not to exceed $45,000 of this funding shall be for official reception and representation expenses, and the Department is directed to submit quarterly reports to the Committees on DHS reception and representation expenses, as specified in the Senate report. The amount provided under this heading does not include $370,000 as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. The bill also continues 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 for official costs associated with use of government aircraft by DHS personnel in support of official travel of the Secretary and Deputy Secretary. In addition, a new general provision is included in the bill withholding 20 percent of this appropriation from obligation until the Committees receive the reports and plans required in this Act to be submitted on or before May 1, 2013. New bill language also is included that mandates the submission of expenditure plans for the Office of Policy, Office of Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, and the Privacy Officer not later than 90 days after the date of enactment of this Act. This language supersedes reporting requirements set forth in the Senate report.

The amount provided for this appropriation by PPA is as follows:

Immediate Office of the Secretary	$4,286,000
Immediate Office of the Deputy Secretary	2,094,000
Office of the Chief of Staff	2,175,000
Executive Secretary	7,592,000
Office of Policy	43,750,000
Office of Public Affairs	5,475,000
Office of Legislative Affairs	5,800,000
Office of Intergovernmental Affairs	2,380,000
Office of General Counsel	21,158,000
Office for Civil Rights and Civil Liberties	21,640,000
Citizenship and Immigration Services Ombudsman	5,650,000
Privacy Officer	8,000,000
Total, Office of the Secretary and Executive Management	$130,000,000

Executive Aircraft Usage and Funding

Congress adopted a new proviso covering the funding of official travel on government aircraft as part of the fiscal year 2010 appropriation for the Office of the Secretary and Executive Management (OSEM), and that language has remained in effect. Congressional intent set forth in the explanatory statement of managers for that appropriation, and reaffirmed since, is that the OSEM appropriation is to be used to fund all official costs associated with the use of government aircraft by the Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary. This proviso was adopted to provide increased oversight of executive travel. The Committees understand, however, that the Department has narrowly interpreted the proviso by defining as ''direct'' costs those that are funded by the OSEM appropriation and as ''indirect'' costs those that are funded by the Coast Guard.

The Secretary is directed to provide a report no later than April 3, 2013, detailing all costs of official and nonofficial travel by the Secretary and the Deputy Secretary (both direct and indirect), delineated by each trip from fiscal year 2008 through the present within all DHS appropriations.

Office of Policy

The bill includes $43,750,000 for the Office of Policy. This funding should also cover the costs of the Office of International Affairs, Office of State and Local Law Enforcement, and the Private Sector Office. The Committees deny the request to fund those three offices as separate entities that report directly to the Secretary.

External Affairs

The Department is directed to brief the Committees no later than April 3, 2013, on the potential of establishing an external affairs office within OSEM, as discussed in the House report.

Office for Civil Rights and Civil Liberties

The bill includes $21,640,000 for the Office for Civil Rights and Civil Liberties (CRCL), reflecting programmatic increases proposed by the Department to ensure immigration enforcement efforts are carried out in a manner consistent with applicable law.

Appropriate Assistance to Stakeholders

Funds are available in a number of DHS offices and components, including CRCL, the

Citizenship and Immigration Services Ombudsman, U.S. Immigration and Customs Enforcement (ICE), and United States Citizenship and Immigration Services (USCIS) Customer Service and Public Engagement Directorate, to provide appropriate assistance and guidance to aliens and their advocates in order to facilitate adherence to U.S. laws and, where possible, avoid costly and needless litigation. These entities assist in communication between the Department and its various stakeholders. Frequently, this results in budgetary savings when the correct information is provided at the earliest stages of the immigration process. The Committees support these efforts.

User Fees

The Secretary is directed to submit to the Committees as soon as possible the contingency plan to address gaps between actual and budgeted collections of user fees mandated in the conference report accompanying Public Law 111–83, and submit a revised plan no later than 90 days after the date of enactment of this Act.

Quarterly Reports and Other Information Requirements

The Committees underscore the importance of timely submission of quarterly reports on operations, as outlined in the joint explanatory statement accompanying Public Law 112–74. DHS shall continue to submit the Border Security Status Reports, the Secure Communities Quarterly Reports, and the Detention and Removal Operations Quarterly Reports with the detailed information as required by such statement. In addition, the information on apprehensions and recidivism rates noted in the House report shall be included in the Border Security Status Reports for fiscal year 2013 and beyond.

The U.S. Customs and Border Protection (CBP) and ICE are to brief the Committees no later than April 3, 2013, on their tools to reduce recidivism, as required by the House report.

Further, the Office of Immigration Statistics, in conjunction with all the relevant DHS components, are to brief the Committees no later than April 3, 2013, regarding collection and reporting of complete immigration enforcement statistics, as required by the House report.

Weapons of Mass Destruction Policy and Program Management

Language in the House report regarding the need to elevate and streamline the Department's focus on efforts to address chemical, biological, radiological and nuclear threats and deter and counter weapons of mass destruction (WMD) is agreed to. In particular, DHS should ensure clear assignment of responsibilities and unrestricted lines of communication both within the Department and in DHS engagement with the interagency and intergovernmental community. In working towards this, DHS should eliminate duplication of efforts within and between Departmental components, both in terms of administrative resources and organization. The Department is therefore directed to undertake an in-depth review of its organization, operations, and communications in carrying out its WMD programs, to include an evaluation of potential improvements in performance and possible savings in costs that might be gained by consolidation of current organizations and missions, including the option of merging functions of the Domestic Nuclear Detection Office (DNDO) and the Office of Health Affairs (OHA). While evaluating this option, consideration should be given to realigning certain functions outside of the new office, as detailed in the House report. The review should encompass all current and authorized DHS program activity for WMD defense; examine options for improvements on a holistic, department-wide basis, for carrying out these functions and operations; and include specific recommendations, to include statutory, organizational, administrative and funding changes. The Secretary is directed to submit the results of this review not later than September 1, 2013. Submission of this review is in lieu of the direction contained in the House report to develop a consolidation plan to merge DNDO and OHA into an Office of Weapons of Mass Destruction Defense for fiscal year 2014.

Federally Funded Research and Development Centers

The Department is directed to submit a detailed report at the time it submits its fiscal year 2014 budget on its current and projected use of federally funded research and development centers (FFRDCs), identifying FFRDCs used by components and projects they are supporting, and detailing FFRDC by project and appropriation for fiscal years 2012 and projected for fiscal years 2013 and 2014.

TWIC Reader Rule

The Department, and in particular the Coast Guard and the Transportation Security Administration (TSA), is directed to take all necessary action to expedite the completion and publication of a final rule governing the Transportation Worker Identification Credential (TWIC) reader requirement.

Evolving Threats

DHS is directed to brief the Committees on how it is applying its resources to address evolving terrorist threats, as specified in the Senate report.

Chemical Security

Congress directed the Coast Guard and the National Protection and Programs Directorate to complete a planned Memorandum of Understanding (MOU) to harmonize chemical security responsibilities established by the Chemical Facilities Anti-Terrorism Standards (CFATS) regulations and Maritime Transportation Security Act (MTSA) regulatory programs no later than March 30, 2012, but the agreement has not been finalized. The MOU is to be completed expeditiously. The Deputy Secretary is also directed to continue semiannual reporting to the Committees on these matters as outlined in Senate Report 112–74.

Departmental Integrity Efforts

The Deputy Secretary, jointly with the OIG, CBP, and ICE, is directed to brief the Committees not later than 60 days after the date of enactment of this Act on steps for addressing corruption of DHS employees, as discussed in the Senate report.

Compact of Freely Associated States

The Department is directed to promulgate regulations for the admission and residency of Freely Associated States (FAS) migrants, and to continue its work within the National Security Council Interagency Policy Committee on Freely Associated State Affairs, as stated in the Senate report.

Overhead Costs

The Department is directed to submit a plan to reduce overhead costs within 60 days of the date of enactment of this Act, as specified in the Senate report.

Research and Development Portfolio Reviews

The Secretary is directed, through the Under Secretary for Science and Technology, to establish a review process for all research and development and related work within DHS, as specified in the Senate report, and to brief the Committees on this effort no later than 120 days after the date of enactment of this Act.

Port Security Training Program

The Department and Coast Guard are directed to move forward with issuing new national requirements for security training at marine terminals, as stated in the Senate report.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

The bill provides $218,511,000 for ''Office of the Under Secretary for Management.'' Not to exceed $2,250 of this funding shall be for official reception and representation expenses. The amount provided under this heading does not include $538,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

A new general provision is included withholding 20 percent of this appropriation from obligation until the Committees receive the reports and plans required in this Act to be submitted on or before May 1, 2013. In addition bill language is included requiring the Under Secretary for Management to submit to the Committees, at the same time the President's fiscal year 2014 budget is submitted, a Comprehensive Acquisition Status Report (CASR) including the information specified in the joint explanatory statement accompanying Public Law 112–74, and to provide quarterly updates thereafter.

Pursuant to a general provision in Title V of this Act, the bill provides $29,000,000 for ''Office of the Under Secretary for Management'' for costs associated with headquarters consolidation and mission support consolidation. The Under Secretary shall submit an expenditure plan no later than 90 days after the date of enactment of this Act detailing how this $29,000,000 in total funding 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	$3,100,000
Office of the Chief Security Officer	69,000,000
Office of the Chief Procurement Officer	72,000,000
Office of the Chief Human Capital Officer	
Salaries and Expenses	24,971,000
Human Resources Information Technology	9,680,000
Subtotal	34,651,000
Office of the Chief Administrative Officer	
Salaries and Expenses	34,312,000
Nebraska Avenue Complex	5,448,000
Subtotal	39,760,000
Total, Office of the Under Secretary for Management	$218,511,000

Insourcing and Balanced Workforce Strategy

The Department has been carrying out a program to balance its workforce between direct employees and contractor-held positions in the interest of achieving the optimal degree of Federal control of DHS work and to reduce overreliance on contractors. In order to assess the performance of this effort, and its relative costs and benefits, the Department is directed to include in the President's

annual budget request a detailed justification of any planned insourcing or outsourcing initiatives to include a net present value comparison of the life-cycle cost of a contracted position or task to the cost of a federalized FTE. In addition, the Department is directed to submit to the Committees not later than April 3, 2013, a detailed report on the performance of the Department's balanced workforce strategy, including numbers of insourcing or outsourcing decisions by component for each of fiscal years 2009–2012, associated savings or costs resulting from those decisions, and methodology and metrics used in the analysis.

Buy American Requirements

The Secretary is directed to submit, as part of the fiscal year 2014 budget request, a detailed analysis on how the Department could comply with Title VI of Section 604 of Public Law 111–5, as specified in the House report.

Front-End Technology Assessment

The Under Secretaries for Management and for Science and Technology are directed to develop a plan for a formal technology assessment of alternatives for all non-information technology acquisitions and to brief the Committees as stated in the Senate report.

OFFICE OF THE CHEIF FINANCIAL OFFICER

The bill provides $51,500,000 for ''Office of the Chief Financial Officer.'' Within this, $5,000,000 shall remain available until September 30, 2014, to support financial systems modernization efforts. The amount provided under this heading does not include $144,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. A new general provision in this Act withholding 20 percent of this appropriation from obligation until the Committees receive the reports and plans required in this Act to be submitted on or before May 1, 2013.

Financial Systems Modernization

The Chief Financial Officer is directed to continue providing briefings to the Committees at least semiannually on its financial systems modernization efforts, and to highlight any funding, schedule, or implementation issues relevant to continued progress. Because the Coast Guard and ICE are planning improvements for their core financial systems, the Office of the Chief Financial Officer, in tandem with the Coast Guard and ICE, are to brief the Committees on the preferred solutions before funds can be obligated to initiate improvement efforts. The briefing is to include total resource requirements by fiscal year and a timeline for implementation with discrete milestones.

Annual Budget Justifications

The Chief Financial Officer is directed to ensure that fiscal year 2014 budget justifications for classified and unclassified budgets of all Department components are submitted concurrent with the President's budget submission to Congress. The justifications shall include detailed information and explanations that reflect the requirements set forth under this heading in the Senate report. The Department is directed to submit a Future Years Homeland Security Program budget as specified in the House report. In addition, the Department is directed to inform the Committees of the base funding level of any activity for which the budget request proposes to increase or decrease funding for an activity within a PPA category—and not simply cite the total PPA funding level.

DHS Annual Financial Report

The Department is commended for achieving a significant milestone by presenting all five financial statements for audit for the first time in the Department's history and earning its first qualified audit opinion on a full-scope audit. The Committees will closely monitor the Department's progress moving forward in clearing remaining material weaknesses in Financial Reporting, Information Technology Controls and Financial System Functionality, Property, Plant, and Equipment, Environmental and other Liabilities, and Budgetary Accounting, and achieving full compliance with the Federal Managers' Financial Integrity Act of 1982 (FMFIA), the Federal Financial Management Improvement Act of 1996 (FFMIA), the Single Audit Act Amendments of 1996, and the Anti-deficiency Act (ADA).

Appropriations Liaisons

The DHS Budget Officer shall serve as the primary point of contact with the House and Senate Committees on Appropriations for Departmental and cross-cutting interagency issues related to budget formulation and execution, with component Chief Financial Officers and Budget Officers serving as primary points of contact for those components, as proposed in the House report.

Office of the Chief Information Officer

The bill provides $243,732,000 for ''Office of the Chief Information Officer.'' The amount provided under this heading does not include $200,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. Language is continued requiring the submission of a multi-year investment justification and management plan. This plan is intended to cover investments funded through this account as well as those overseen by the CIO through the Working Capital Fund (WCF). However, the plan should not include investments funded under other appropriations, as such information is provided in other reports. The CIO is not required to keep the Committees informed about developments in mitigating insider threats, as proposed by the House, as this matter is addressed elsewhere in the Department.

The amount provided for this appropriation by PPA is as follows:

Salaries and Expenses	$118,000,000
Information Technology Services	27,600,000
Infrastructure and Security Activities	56,000,000
Homeland Secure Data Network	42,132,000
Total, Office of the Chief Information Officer	$243,732,000

Data Center Migration

The bill provides $55,000,000 for data center migration under a general provision in Title V of this Act. The Department is directed to continue to brief the Committees quarterly on data center migration status and plans for further migration in fiscal year 2014.

HSPD-12/Trusted Internet Connection

Given the significant investment that will be required to transition the Department to logical access as required by Homeland Security Presidential Directive-12, the Department is directed to submit an implementation plan that includes estimated costs and deployment milestones by component no later than April 3, 2013. The Department is also directed to provide semiannual briefings to the Committees on its progress in developing trusted internet connections, in lieu of quarterly briefings on OneNet implementation and Networx migration proposed in the Senate report.

ANALYSTS AND OPERATIONS

A total of $322,280,000 is provided for ''Analysis and Operations,'' of which $94,359,000 shall remain available until September 30, 2014, and of which not to exceed $3,825 shall be for official reception and representation expenses. No additional funding is provided for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. The requested increase in executive service salaries for the Office of Operations Coordination and Planning is denied as is the requested increase in funding associated with the Air Domain Intelligence Integration Element. In addition, $1,800,000 of prior year balances is rescinded. Other funding details are included within the accompanying classified annex.

As detailed in the Senate report, the Chief Intelligence Officer is directed to submit an expenditure plan for fiscal year 2013 no later than 60 days after the date of enactment of this Act. Furthermore, the Office of Intelligence and Analysis is directed to continue to provide annual briefings on the State and Local Fusion Center Program, as specified in the Senate report.

OFFICE OF INSPECTOR GENERAL

The bill provides $145,164,000 for ''Office of Inspector General,'' including $121,164,000 for direct appropriations and $24,000,000 transferred from the Federal Emergency Management Agency ''Disaster Relief Fund'' (DRF) for audits and investigations related to that funding. The amount provided under this heading does not include $400,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. 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 and to include DRF transfers in the CFO's monthly budget execution reports submitted to the Committees, which shall satisfy the requirements for notification of DRF transfers under a general provision in Title V of this Act.

Integrity Investigations

Within the total provided, an increase of $3,000,000 is provided for integrity investigations. The fiscal year 2013 expenditure plan should identify the total funds dedicated to integrity investigations and their intended purpose.

GAO Review

The Committees are concerned that the current organization of the OIG may not allow for adequate independence of the OIG's inspections and evaluations function, and that current organizational reporting lines hinder the timely and complete delivery of information to OIG leadership. Recent developments at OIG that have left many senior positions occupied by acting heads have adversely affected OIG's ability to manage its growing workload, and raised questions about its effectiveness and reliability in conducting investigative operations for which it has been assigned unique jurisdiction within DHS. This has occurred at a time when the workload for OIG is growing, compounded by the need to address the potential of fraud associated with ever increasing disaster assistance and the highly sensitive issue of integrity investigations in the Department, particularly with regard to border security operations. GAO is directed to undertake a review of (1) the organizational structure of the OIG; (2) how OIG is organized to report the results of audits, investigations, and inspections and evaluations; and (3) whether these functions are properly placed within the organizational structure of OIG to ensure compliance with applicable independence standards. The review should be completed by December 1, 2013.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

A total of $8,293,351,000 is provided for ''Salaries and Expenses.'' The funding level reflects changes in the activities supported by this appropriation. In addition, the bill institutes a new PPA structure and distribution for greater accountability.

The bill provides $315,000,000 in appropriated funds to rectify CBP's salary shortfall, created by the flawed budget request that incorrectly assumed CBP access to fee revenues and demonstrated inexcusably poor budget development by CBP. Specifically, the President's budget request for fiscal year 2013 assumes that CBP has access to $110,000,000 in fee revenues pursuant to the Colombia Free Trade Agreement's elimination of certain exemptions to the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) fees. While the fees are being collected today from travelers entering the United States, the fees are not accessible to CBP. Further, the shortfall created by this inaccessibility persists annually until fiscal year 2022. The Department is directed, in coordination with the Office of Management and Budget (OMB), to include a means of access to these fees in the fiscal year 2014 budget request and beyond, with appropriate offsets. The gap cannot be filled by appropriated funds and trade-offs within CBP accounts into the future.

Compounding this deficit, CBP failed to adequately estimate its salary needs for its operational workforce resulting in an estimated $214,000,000 shortage in fiscal year 2013. After months of unanswered questions from OMB, DHS, and CBP, the House Appropriations Committee undertook an audit of CBP's budget development and execution processes that revealed significant weaknesses. The Department is directed to ensure the fiscal year 2014 request fully funds CBP's operational workforce and mission needs. Further, the Committees will continue to work with CBP in the coming months to ensure the weaknesses are addressed.

The CBP funding level reflects savings and deferments proposed by CBP to reduce the shortfall, including: $50,000,000 in rent savings and deferrals; $10,000,000 in project reprioritization and cancellations taken from Facilities Construction and Sustainment; and $35,889,000 from deferment of vehicle replacement. While the Committees are concerned about longer term deferment of vehicle replacement, CBP currently has a sufficient, well-maintained fleet for fiscal year 2013. CBP proposed other, internal offsets that were wholly unacceptable. No funds are included for the Joint Operations Division created by CBP in 2011.

The amount provided under this heading does not include the full amount requested for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. However, to avoid exacerbating CBP's pay shortfall, the bill provides $19,558,000 across the appropriate PPAs and in the ''Air and Marine Operations'' appropriation as a contingency for a potential pay raise to cover operational personnel. Should the President decide not to institute the pay raise, CBP shall apply those funds to other operational needs, in accordance with a general provision in Title V and with appropriate notification to the Committees.

The bill also restructures the Headquarters Management and Administration PPAs to provide greater visibility into CBP's expenditures, as outlined in the House report. The new PPA structure is provided in the table listed below. In the fiscal year 2014 budget request, CBP is directed to distribute the working capital fund expenditures among the PPAs as appropriate to reflect the actual costs to each CBP office rather than including a total in the Administration PPA.

Further, funds in existing PPAs across the ''Salaries and Expenses'' appropriation are redistributed to more closely align to offices, as outlined in the House report. For example, the Office of Information Technology (OIT) is funded for its activities in the Automated Targeting Systems (ATS) and Inspection and Detection Technology Investments PPAs, in addition to the funds in the ''Automation Modernization'' appropriation that now contains OIT's salaries and expenses.

Border Security Inspections and Trade Facilitation (Inspections) is funded at $3,206,458,000, including $215,000,000 to address part of the salary shortfall noted above; $5,747,000 for prior year annualization of CBP officer staffing enhancements; $14,076,000 for annualization of CBP officer staff for new ports of entry and enhanced operations; $10,000,000 as requested for enhancing intellectual property rights enforcement efforts; $13,032,000 to re-baseline the Container Security Initiative; realignment of funds to the Other International Programs PPA from International Cargo Screening; and consolidation of funds into the ATS and National Targeting Center PPAs to more fully display the costs of those activities. Other International Programs is reduced by $2,218,000, as recommended in the Senate report. As included in the House report, $12,284,000 is provided to the Office of Field Operations for its entry-exit policy and operations responsibilities. CBP is expected to maintain no less than 21,775 CBP officers, a number adjusted by CBP from prior year targets to account for all CBP officers as intended.

Border Security and Control between Ports of Entry is funded at $3,705,735,000, which reflects an $8,000,000 decrease to transfer responsibility for detainee medical costs to ICE, $11,500,000 in cost savings for detainee transportation, $100,000,000 to address part of the salary shortfall noted above, and full funding for the Office of Border Patrol and the Joint Field Command. This level continues to support a Border Patrol agent force of 21,370.

The Air and Marine Operations PPA is moved to the ''Air and Marine Operations'' appropriation and renamed the Salaries and Expenses PPA. As outlined in the House report, the PPA does not include funds for the Joint Operations Division and the Joint Field Command.

The Committees reject the proposal to move the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) from the National Protection and Programs Directorate (NPPD) to CBP. Instead, the bill realigns the policy and operational responsibilities of US-VISIT while retaining the information technology systems in a new Office of Biometric Identity Management (OBIM) in NPPD discussed later.

CBP has long been subject to limitations, terms and conditions on overtime funds that are carried in the Salaries and Expenses appropriation. Funds moved from the Salaries and Expenses appropriation into the ''Automation Modernization'' and ''Air and Marine Operations'' appropriations are still subject to those limitations, terms and conditions.

The amount provided for the ''Salaries and Expenses'' appropriation by PPA is as follows:

Headquarters, Management, and Administration:	
Commissioner	$17,415,000
Chief Counsel	43,078,000
Congressional Affairs	2,568,000
Internal Affairs	154,108,000
Public Affairs	12,563,000
Training and Development	77,721,000
Tech, Innovation, Acquisition	26,004,000
Intelligence/Investigative Liaison	68,156,000
Administration	414,674,000
Rent	564,871,000
Subtotal	1,381,158,000
Border Security Inspections and Trade Facilitation:	
Inspections, trade, and travel facilitation at ports of entry	2,718,654,000
Harbor maintenance fee collection (trust fund)	3,274,000
International cargo screening	71,487,000
Other international programs	14,799,000
Customs-Trade Partnership Against Terrorism (C-TPAT)	43,069,000
Trusted Traveler programs	10,811,000
Inspection and detection technology investments	117,565,000
Automated Targeting Systems	113,826,000
National Targeting Center	68.127,000
Training	34,846,000
Subtotal	3,206,458,000
Border Security and Control between Ports of Entry:	
Border security and control	3,631,796,000
Training	73,939,000
Subtotal	3,705,735,000
Total, Salaries and Expenses	$8,293,351,000

Financial Plan

CBP is directed to submit its fiscal year 2013 financial plan by office no later than 30 days after the date of enactment of this Act, consistent with the new distribution and PPAs. Additionally, CBP shall include the working capital fund estimates by office and PPA.

Management of User Fee Revenues

CBP has not demonstrated the ability to manage fluctuations in fee funding levels. Given that approximately 37 percent of CBP officers are funded by user fees, the failure to properly project and manage these fees has a significant operational impact—not only on CBP but on the traveling public and on our national security posture. To address these failures and to assist the Committees in their oversight, the Commissioner is directed to take the actions required by the House report on user fee management. In addition, as required by the Senate report, CBP shall brief on the use of APHIS fee revenues and report on steps to advance its relationship with port authorities on staffing.

Fee Balances

As directed in the House report, CBP shall report on the final determination regarding the availability of $639,400,000 in unobligated fee balances and the path for eliminating them from CBP's financial statements. Unfortunately, these funds are not accessible to CBP; however, the agency has not responded adequately to the question of availability raised by GAO.

Innovation and Facilitation

CBP is directed to continue considering and instituting innovations to more efficiently process legitimate travel and trade, such as those outlined in the House report. Further, the bill provides funds above the request toward this end, including $10,000,000 for preclearance operations and $2,500,000 for improved signage and information about the entry process, as recommended in the Senate report, and $4,500,000 for Global Entry expansion, kiosks, and promotion, as recommended in the House and Senate reports. No later than 60 days after the date of enactment of this Act, CBP shall brief the Committees in detail on its full fiscal year 2013 funding for these activities as well as the use of the increased funds.

Workload Staffing Model

The Department is directed to immediately submit the CBP workload staffing model for Field Operations required by the joint explanatory statement accompanying Public Law 112–74. This report, which has languished in a bureaucratic clearance ''do loop,'' is necessary for a responsible dialogue on CBP mission needs, including any demonstrated staffing needs.

Cargo Security Strategy

The bill provides an additional $3,000,000 for the Customs-Trade Partnership Against Terrorism (C-TPAT) program to ensure audits of participants are conducted as needed based on a risk determination. No later than 60 days after the date of enactment of this Act, CBP shall brief the Committees in detail on its full fiscal year 2013 funding for C-TPAT as well as the use of the increased funds.

Further, the Committees concur with the direction and concerns outlined in the House report regarding the cargo security strategy and look forward to seeing the Secretary develop and propose a meaningful alternative to 100 percent scanning.

Targeting

The bill provides an additional $3,000,000 for National Targeting Center (NTC) operations to cover pre-adjudication vetting of visa applicants. No later than 60 days after the date of enactment of this Act, CBP shall brief the Committees in detail on its full fiscal year 2013 funding for NTC as well as the use of the increased funds.

As required in the House report, CBP is directed to provide a detailed accounting of funds executed by the Targeting Analysis Systems Project Office no later than 30 days after the date of enactment of this Act. CBP shall also include an annual update of this information with the President's budget request.

Entry-Exit Policy and Operations

CBP is the DHS lead for entry-exit policy and operations, as recommended by the House. Responsibility for implementing a biometric exit program lies with CBP. Within 120 days after the date of enactment of this Act, CBP, in conjunction with OBIM and any other appropriate partners, such as the Science and Technology Directorate, shall report to the Senate Committees on Appropriations, the Judiciary, and Homeland Security and Governmental Affairs and the House Committees on Appropriations, the Judiciary, and Homeland Security on the Department's tangible progress in implementing an enhanced biographic exit system and biometric exit planning. The report shall include the results of the Canadian pilot programs and provide an update on the Mexican pilot program. The Committees on Appropriations shall be briefed semiannually on exit thereafter.

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 2014 shall include a plan detailing staffing and funding for the Northern Border. Further, CBP is prohibited from closing Border Patrol stations in Texas, as proposed in the budget request. CBP and ICE have not produced a transition plan to ensure the immigration enforcement needs of local sheriffs will be supported without a Border Patrol presence.

Joint Field Command Structure

While CBP allocated funds within its budget for the Joint Field Command (JFC), it is important to reassess the cost-benefit of operating the JFC, particularly as CBP considers other joint operation and coordination structures and confronts enormous budget challenges. The need for operational coordination within CBP is no less imperative than its coordination with ICE, Coast Guard, and other law enforcement agencies active in a particular area of responsibility. Therefore, CBP is directed to brief the Committees, no later than 60 days after the date of enactment of this Act, on all plans, milestones, and costs for establishing and operating joint field efforts, as required in the House report. In addition, the brief shall include the cost-benefit of operating the JFC.

Integrity Programs

The bill supports CBP efforts to reduce and prevent corruption, as well as ensure that its ethics, integrity, and conduct programs include training at all stages of an agent's or officer's career. Over the past five years, as the Federal law enforcement presence on the Nation's borders has increased due to major increases in hiring of Border Patrol agents and other law enforcement officers, Congress has provided resources above the Presidents' requests for the OIG, CBP, and ICE to ensure that a greater level of scrutiny is focused on preventing officer corruption and enhancing training on public integrity. Given these efforts, combined with the full implementation of the Anti-Border Corruption Act of 2011 (Public Law 111–338), sufficient funds were requested in the budget and are provided by this Act to continue rigorous attention to public integrity of DHS law enforcement personnel. CBP is expected to work with OIG and ICE to aggressively investigate reports of fraud and to provide continuous integrity training to current as well as new employees. CBP is directed to continue briefing the Committees on a semiannual basis on integrity efforts, per the House report. In addition, GAO is directed to report on CBP's integrity program no later than 120 days after the date of enactment of this Act, as required in the House report.

Workers' Compensation Plans

CBP is directed to brief the Committees on its progress in implementing the OIG recommendations and related issues, as required by the House report, no later than April 3, 2013.

Preventing Human Trafficking

The Committees strongly support DHS efforts to broaden human trafficking awareness, including through CBP's Blue Lightning Initiative. In lieu of the level recommended by the House, CBP shall fund its Blue Campaign efforts, as requested, and brief the Committees, as required by the House report.

Training

Per the House report, CBP is directed to brief the Committees on its corrective action plan and the status of implementation of recommendations contained in GAO-12–269, not later than April 3, 2013. In addition, GAO is directed to follow up on its findings one year after its release to identify progress that has been made and any remaining deficiencies.

AUTOMATION MODERNIZATION

A total of $719,866,000 is provided for ''Automation Modernization.'' Of that amount, $394,340,000 is for Information Technology, which includes salaries and expenses for OIT; $138,794,000 is for the Automated Commercial Environment (ACE); and $186,732,000, as requested, is for Current Operations Protection and Processing Support. As provided in a general provision in this Act, CBP is required to submit an updated multi-year investment and management plan for all funds executed by OIT that are now largely consolidated in ''Automation Modernization.''

The amount provided under this heading does not include the requested funding for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

Briefings

CBP is directed to continue briefing the Committees on a quarterly basis on ACE progress, including the information directed by the House and Senate reports. CBP and ICE are directed to jointly brief the Committees on the status of TECS modernization efforts, as required by the House and Senate reports, on a semiannual basis with the first briefing no later than 60 days after the date of enactment of this Act.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

A total of $324,099,000 is provided for ''Border Security Fencing, Infrastructure, and Technology'' (BSFIT). No funds are provided for further environmental mitigation efforts with the Department of Interior.

The Committees remain concerned about the lack of progress in deploying critical tools and technology that the Border Patrol clearly needs to secure the border. The schedule for awarding a contract for Integrated Fixed Towers (IFT) as well as to upgrade and purchase Remote Video Surveillance Systems (RVSS) continues to slip. In fact, CBP's schedule does not show full deployment of RVSS and IFT before fiscal years 2014 and 2016 respectively—years after the original timelines. Given these delays, CBP is directed to continue quarterly briefings and weekly notifications on procurement actions, as directed in the House report. In addition, CBP is currently evaluating proposals submitted for IFT, a process that shall include a demonstration evaluation. After the demonstration phase, CBP is directed to brief DHS leadership, OMB, and the Committees before a contract award for IFT that would specify the number and pace of deployments. The briefing is not intended to involve procurement-sensitive information; rather the focus is on understanding CBP's intention regarding the number and pace of deployments rather than vendor-specific information.

As of October 1, 2012, CBP has $400,000,000 in prior year unobligated balances in BSFIT in addition to the funds provided for fiscal year 2013. As a result, the bill includes a rescission of $73,232,000, to ensure that funds do not languish unused for years. As recommended in the House report, those funds are applied to CBP Air and Marine operations, supporting a significant increase in proposed flight hours. These funds will provide immediate border security operational benefit while enabling CBP to maintain its

IFT investments and deployments as currently planned.

AIR AND MARINE OPERATIONS

A total of $799,006,000 is provided for ''Air and Marine Operations.'' The funding includes $283,570,000 for a new Salaries and Expenses PPA moved from the CBP ''Salaries and Expenses'' appropriation; $397,399,000 for Operations and Maintenance to restore flight hours, including to restore unmanned aerial systems (UAS) flight hours above the fiscal year 2011 level; and $118,037,000 for Procurement. The procurement funds include an additional $21,500,000 for purchase of an additional multi-enforcement aircraft; $39,000,000 for the service life extension of the P–3 fleet; and $18,567,000 for enhanced sensor capabilities for UAS.

The amount provided under this heading does not include the full amount requested for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. However, to avoid exacerbating CBP's pay shortfall, the bill provides $870,000, as part of the total $19,558,000 provided to CBP, in the Salaries and Expenses PPA as a contingency to cover operational personnel. Should the President decide not to institute the pay raise, CBP shall apply those funds to other operational needs, in accordance with a general provision in Title V of this Act and with appropriate notification to the Committees.

U.S. Security Interests in the Caribbean

There are significant concerns about public safety and security in the Caribbean, as outlined in the House report, and it is excepted that the Secretary will allocate resources, assets, and personnel to Puerto Rico and the U.S. Virgin Islands in a manner and to a degree consistent with those concerns. Further, DHS is encouraged to work with the Department of Defense to address surveillance capabilities, as specified in the House report under a different heading.

CONSTRUCTION AND FACILITIES MANAGEMENT

A total of $233,563,000 is provided for ''Construction and Facilities Management.'' Of that amount, $176,214,000 is for Facilities Construction and Sustainment and $57,349,000 is for Program Oversight and Management. Per the Senate report, the Department is directed to encourage the use of small businesses, including the use of public-private partnerships, in all phases of the contracting process for construction and renovation of ports of entry.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

A total of $5,394,402,000 is provided for ''Salaries and Expenses'' to ensure robust enforcement of our Nation's immigration laws. Within this amount, the bill supports maintenance of no fewer than 34,000 detention beds and funds the 287(g) program at the fiscal year 2012 level of $68,321,000 across PPAs in this appropriation. Additionally, $138,249,000 is provided to complete nationwide deployment of the Secure Communities program. The bill includes the transfer of overstay analysis from US-VISIT to ICE and increase the amount proposed for transfer to Domestic Investigations by $2,307,000 for a total of $19,917,000. Further, the amount provided under this heading does not include $14,083,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The amount provided for this appropriation by PPA is as follows:

Headquarters Management and Administration:	
Personnel, compensation and benefits, services and other costs	$220,044,000
Headquarters managed IT investments	160,464,000
Subtotal, Headquarters Management and Administration	380,508,000
Legal Proceedings	207,041,000
Investigations:	
Domestic investigations	1,686,859,000
International Investigations:	
International operations	115,122,000
Visa Security Program	34,561,000
Subtotal, International Investigations	149,683,000
Subtotal, Investigations	1,836,542,000
Intelligence	78,452,000
Detention and Removal Operations:	
Custody operations	2,025,016,000
Fugitive operations	145,325,000
Criminal Alien Program	216,510,000
Alternatives to detention	96,557,000
Transportation and removal program	270,202,000
Subtotal, Detention and Removal Operations	2,753,610,000
Secure Communities	138,249,000
Total, Salaries and Expenses	$5,394,402,000

ICE Headquarters Management and Administration

The bill provides $380,508,000 for ICE Headquarters Management and Administration. ICE has failed to submit the multi-year investment and management plan required by Public Law 112–74 for funds executed by the Office of Information Technology. Submission of that plan is expected immediately. Timely submission of the update with the submission of the fiscal year 2014 budget request is also expected, as required by law.

Immigration Proceedings

The bill does not include the proposed transfer authority for $5,000,000 from ICE to the Executive Office for Immigration Review (EOIR) to bolster the Legal Orientation Program. However, given the extensive caseload pending before immigration courts and the paper-intensive process, the bill provides $3,000,000 in ICE ''Automation Modernization'' to improve case management and electronic communication between ICE and EOIR to achieve more efficient processing. Further, ICE is directed to formalize its internal policy to utilize digital records and provide a copy of the policy to the Committees no later than 30 days after the date of enactment of this Act.

As required in the House report under this heading, ICE is directed to report no later than April 3, 2013, on all corrective actions and controls instituted to prevent recurrence of the embezzlement and kick-back scheme uncovered last year in the Office of Intelligence.

ICE Domestic Investigations

A total of $1,686,859,000 is provided for Domestic Investigations, reflecting a reduction of $10,000,000 realigning responsibility for illegal aliens on parole and probation to Enforcement and Removal Operations (ERO).

Combatting Human Trafficking

The bill provides an additional $11,000,000 to support ICE's efforts in countering human trafficking and human smuggling. Of these funds, no less than $1,200,000 is provided to further the Hidden in Plain Sight public outreach campaign under the Blue Campaign umbrella. ICE is directed, no later than 90 days after the date of enactment of this Act, to brief the Committees in detail on its full fiscal year 2013 funding for efforts related to countering human smuggling and human trafficking as well as its plans for these additional funds.

Law Enforcement Support Center

The bill provides no less than $34,900,000, as requested, for the Law Enforcement Support Center.

Overstay Analysis

Of the total provided in Domestic Investigations, $19,917,000 is for overstay analysis activities previously performed by US–VISIT. ICE is the appropriate mission owner for visa-overstay investigations and operations. As required in the House report, ICE is directed to provide semiannual briefings on the overstay backlog elimination effort; to ensure that similar backlogs do not arise again in the future; and to update the Committees on its overstay enforcement strategy. Further, ICE shall brief the Committees no later than April 3, 2013, on the number of visa overstays in the United States by nationality and the actionable measures ICE will take to reduce the overstay population, as directed in the House report.

Worksite Enforcement

The bill provides $134,626,000 for worksite enforcement activities, as requested, and requires ICE to follow the direction in the House report under this heading.

Trade Compliance and Enforcement

The bill provides no less than $10,187,000 for the Intellectual Property Rights Coordination Center, as requested. As required by the Senate report, CBP and ICE are directed to jointly brief the Committees by May 1, 2013, on the ongoing efforts to improve commercial trade enforcement and intellectual property rights.

International Investigations

A total of $34,561,000 is provided for the Visa Security Program (VSP), including an additional $2,000,000 to support pre-adjudication vetting of visa applicants. ICE is directed to update the Committees no later than 90 days after the date of enactment of this Act on the VSP.

Of the amount provided to International Operations, no less than $8,000,000 shall be for ICE's vetted units. ICE is directed to specifically budget for these units in the fiscal year 2014 budget request.

Cooperation from Foreign Countries on Repatriation

The Committees remain concerned about the public safety impacts of the release of certain criminal aliens stemming from the decision in Zadvydas v. Davis, 533 U.S. 678, 121 S. Ct. 2491 (2001), as outlined in the House report. ICE shall provide a detailed report on this issue, as directed in the House report, no later than 90 days after the date of enactment of this Act.

Fugitive Operations

A total of $145,325,000 is provided for fugitive operations, as specified by the House.

Criminal Alien Program

A total of $216,510,000 is provided for the Criminal Alien Program, as pecified by the House.

Alternatives to Detention

A total of $96,557,000 is provided for Alternatives to Detention (ATD) programs. As required in the House report, ICE is directed to

address factors that may hamper program goals in its utilization of program funds; to expand the Fast Track pilot program working with EOIR; to identify and implement best practices for more effective processing of the non-detained docket; and to utilize the appropriate level of supervision warranted by the individual enrolled in ATD. As required in the Senate report, ICE is directed to brief the Committees quarterly on the Fast Track pilots and post on its website any contractor evaluations and OIG reports related to the ATD program.

Secure Communities

A total of $138,249,000 is provided to complete nationwide deployment of Secure Communities. ICE is directed to update the Committees no later than 30 days after the date of enactment of this Act on jurisdictions failing to honor ICE detainers, as required in the House report. Further, as directed in the House report, ICE shall update the Committees on its effort to digitize paper fingerprint cards from legacy immigration files, no later than April 3, 2013.

Detention Standards

As required by the House report, ICE is directed to consider the cost implications of changes to its detention standard requirements and budget accordingly.

U.S. Citizen Children of Removed Aliens

Within 30 days of the date of enactment of this Act, ICE is to brief the Committees on its capabilities to identify, track, and report on the status of unaccompanied alien children after the removal or departure of their parent or legal guardian and related issues, as directed in the Senate report.

AUTOMATION MODERNIZATION

(INCLUDING TRANSFER OF FUNDS)

A total of $33,500,000 is provided for ''Automation Modernization,'' as requested and including an increase of $3,000,000 above the request to improve case management and electronic communication between ICE and EOIR to achieve more efficient processing. Given the interdependencies in ICE and EOIR systems, ICE may transfer up to $1,000,000 to EOIR to further this effort.

CONSTRUCTION

A total of $5,000,000 is provided for ''Construction,'' as requested.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

A total of $5,052,620,000 is provided for ''Aviation Security.'' The amount does not include $13,823,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

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 $2,070,000,000 from aviation security fees, as authorized.

The amount provided for this appropriation by PPA is as follows:

Screening Operations:	
Screener Workforce:	
Privatized Screening	$147,690,000
Screener Personnel, Compensation, and Benefits	3,078,709,000
Subtotal, Screener Workforce	3,226,399,000
Screener Training and Other:	224,984,000
Checkpoint Support:....	115,204,000
EDS/ETD Systems:	
EDS Procurement and Installation	99,930,000
Screening Technology Maintenance and Utilitie.	309,000,000
Subtotal, EDS/ETD Systems	408,930,000
Subtotal, Screening Operations	3,975,517,000
Aviation Security Direction and Enforcement:	
Aviation Regulation and Other Enforcement	368,255,000
Airport Management and Support	562,349,000
Federal Flight Deck Officer and Flight Crew Training	24,730,000
Air Cargo.	121,769,000
Subtotal, Aviation Security Direction and Enforcement...	1,077,103,000
Total, Aviation Security ..	$5,052,620,000

Privatized Screening

The bill provides a total of $147,690,000 for the Screening Partnership Program (SPP), reflecting an increase of $4,500,000 to address increased costs for current participants and to provide some funding for airports that may request to join the program. TSA is directed to brief the Committees no later than 90 days after the date of enactment of this Act on how it is complying with the FAA reauthorization law (Public Law 112–95) provisions regarding evaluation of SPP applications, and the extent to which it is implementing GAO recommendations to compare cost and performance of SPP airports and non-SPP airports. The brief should also cover how TSA is addressing court rulings related to its administration of the SPP program. TSA is to provide the Committees quarterly reports on its execution of the SPP program and processing of applications for participation. In addition, as TSA implements new statutory requirements for privatized screening, TSA is expected to disapprove any new contract application where privatized screening does not currently exist if the annual cost of the contract exceeds the annual cost to TSA of providing Federal screening services.

Screener Personnel, Compensation, and Benefits

The provides $3,078,709,000 for Screener Personnel, Compensation, and Benefits. This reflects no funding for the fiscal year 2013 pay raise, as noted above, as well as reductions in costs due to delays in deployment of the advanced imaging technology (AIT), shifts in workload to SPP airports, and efficiencies from checkpoint and baggage processing streamlining. Some of these efficiencies may come in the form of behavior detection officers (BDOs) being used to execute the travel document checker function in some cases, which may increase efficiency and possibly reduce duplicative positions.

Checkpoint Support

A total of $115,204,000 is provided for Checkpoint Support. The reduction below the request is justified due to an identical amount in unobligated balances that have remained unspent for over five years.

Advanced Imaging Technology Study

As detailed in the Senate report, the Secretary is instructed to allocate resources for an independent study of the potential health risks associated with the use of AIT scanning machines at airport security checkpoints, including backscatter x-ray and millimeter wave technologies. The study is to be conducted by an independent laboratory selected by the Secretary. In addition, the Secretary shall convene an independent panel of experts to evaluate the results of this study to consider any risk posed by AIT from a public health perspective in addition to the risk to each airline passenger. Among other things, the study shall evaluate the possible malfunctions and fail-safe mechanisms of such machines as well as the radiation emissions of AIT. The independent panel should evaluate the results of the study and also review risks posed by AIT to certain, more vulnerable passengers screened or affected by such machines. Upon completion, the Secretary shall submit to Congress a report that contains the results of the study and evaluation. Further, the Secretary is directed to ensure that easily readable signs or equivalent electronic displays are placed at the front of airline passenger checkpoint queues where AIT scanning machines are used to alert passengers to the use of such technology and screening alternatives available.

Risk-Based Approaches to Passenger Screening

TSA is directed to brief the Committees on a semiannual basis, beginning no later than 90 days after the date of enactment of this Act, on progress in developing and applying trusted traveler approaches and any legal or budgetary impediments to their implementation. The briefing should also identify savings and efficiencies generated by these efforts. In addition, TSA is directed to include in the briefing: (1) its plans to expand Pre-Check to additional airlines and passengers who currently do not qualify for the program, including a timeline and milestones; (2) statistics detailing the incremental progress being made to increase the eligible population of passengers that have access to Pre-Check and expand the number of airport locations where Pre-Check is available; (3) key indicators of success such as passenger satisfaction data; (4) projected cost savings from Pre-Check and other risk-based screening initiatives; (5) a description of efforts to ensure the public is fully aware of the program; (6) wait times for Pre-Check and non-Pre-Check lanes; and (7) a description of security measures being implemented to ensure that eligible passengers in the Pre-Check program are truly low-risk. This last point is also addressed in the classified annex.

Passenger Complaints

As highlighted in the Senate report, concerns remain about the process TSA has established for resolving passenger complaints. As directed by the joint explanatory statement accompanying Public Law 112–74, GAO recently completed a review of TSA's policies and procedures for resolving passenger complaints and whether current resolution processes conform to independent standards. GAO made several recommendations to TSA as a result of its review, such as establishing: (1) a consistent policy for receiving complaints; (2) a process for systematically analyzing information on complaints from all mechanisms; (3) a policy for informing passengers about the screening complaint process; and (4) mechanisms to share information on best practices among airports. TSA is to brief the Committees no later than 60 days after the date of enactment of this Act on its efforts to address the recommendations in the GAO report. The Committee is also aware of efforts TSA has undertaken to ensure the complaint resolution process is independent, such as referring cases directly to its Ombudsman Division and training current employees to be passenger advocates. TSA is required to fund these efforts at a level that will enable them to respond fully to passengers seeking assistance.

Security Breaches

As detailed in the Senate report, the findings in the DHS OIG Investigation Report

entitled ''Transportation Security Administration's Efforts to Identify and Track Security Breaches at Our Nation's Airports'' are of concern, and the TSA Administrator is therefore directed to submit a report to the Committees not later than 60 days after the date of enactment of this Act as specified in the Senate report.

Explosives Detection Systems

The bill provides a total of $99,930,000 for Explosives Detection Systems (EDS) Procurement and Installation.

TSA is directed to brief the Committees no later than 60 days after the date of enactment of this Act on its plans to upgrade all EDS units procured and deployed with its 2010 detection standards, and how it will address the concerns highlighted in the GAO report (GAO–11–740). Statutory language is included under the ''Transportation Security Support'' appropriation withholding the obligation of $20,000,000 from headquarters administration until TSA submits to the Committees, no later than 60 days after the date of enactment of this Act, detailed expenditure plans for fiscal year 2013 for checkpoint security and EDS refurbishments, procurement, and installations on an airport-by-airport basis. The plans shall include: specific technologies for purchase; program schedules and major milestones; a schedule for obligation of the funds; recapitalization priorities; and a table detailing actual versus anticipated unobligated balances at the close of the fiscal year. Further, the plan shall include a new section providing details on passenger screening pilot programs that are in progress or being considered for implementation in fiscal year 2013, to include: a summary of the pilot program that describes what the program is attempting to achieve; potential capabilities and benefits of the program; the airports where the pilots will be operating; funding commitments; and plans for expansion. In addition, TSA is to provide quarterly EDS and checkpoint expenditures briefings to the Committees, including any deviations from the original plan.

Aviation Regulation and Other Enforcement

The bill provides a total of $368,255,000 for Aviation Regulation and Other Enforcement, including an increase of $3,000,000 to support an increase in canine teams for domestic inspections in the air cargo and aviation regulation environments. When combined with a similar increase in funding under the ''Surface Transportation Security'' appropriation, TSA will be able to field no fewer than 50 new canine teams overall. In addition, the agreement includes a reduction of $6,000,000 for visible intermodal protection and response (VIPR) teams, which have experienced significant delays in hiring. TSA is directed to brief the Committees on an updated VIPR expenditure plan for fiscal year 2013 within 60 days after the date of enactment of this Act and using the same format provided in the March 12, 2012, report to the Committees.

Foreign Repair Station Security Regulations

In 2003, Congress directed TSA to issue final regulations to ensure the security of foreign and domestic aircraft repair stations. A provision is not included affecting funding for the DHS Office of General Counsel that was proposed by the House, but TSA is directed to brief the Committees if the final rule is not approved and published in the fourth quarter of calendar year 2012, as anticipated.

Five-Year Strategic Plan for Investments

TSA is directed to submit a five-year budget estimate within its fiscal year 2014 congressional budget justification that includes projected funding levels for the next five fiscal years individually for all passenger screening technology acquisitions. The plan shall indicate the total cost and estimated completion date for each technology.

Use of Unclaimed Money for Assistance to Military Personnel and Dependents

Section 44945 of title 49, United States Code, enacted as part of the fiscal year 2005 DHS Appropriations Act, authorized and directed unclaimed money collected at airport security checkpoints to be used for civil aviation security. However, such collections have been little used, and Congress has thus rescinded unobligated balances. The Committees prefer that these funds be applied productively to an important public mission, and therefore the Department and TSA, in consultation with the Department of Defense, are directed to submit a report to the Committees on Appropriations and Armed Services of the House and the Senate, the House Committee on Homeland Security, and the Senate Committee on Commerce, Science and Transportation not later than 90 days after the date of enactment of this Act, which considers the feasibility of transferring the collections to nonprofit organizations that are selected on a competitive basis to operate airport centers in multiple locations throughout the United States to provide a place of rest and recuperation for members of the armed forces and their families. The report, which shall include any recommendations for new statutory language, cost estimates for TSA to manage such a program, and administrative action that may be required, shall also address ways to ensure small airports have a mechanism for transferring unclaimed money to TSA headquarters, which shall consolidate the collections.

SURFACE TRANSPORTATION SECURITY

The bill provides a total of $124,418,000 for ''Surface Transportation Security.'' The amount provided under this heading does not include $358,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. Within the amount appropriated, $36,353,000 is provided for staffing and operations and $88,065,000 for surface transportation security inspectors and canines. This reflects an increase of $2,000,000 for additional surface canine teams for passenger and cargo screening in the mass transit and maritime domain. In combination with increased funding provided under the ''Aviation Security'' appropriation, TSA will be able to field no fewer than 50 new canine teams overall. It also reflects a reduction of $1,500,000 for VIPR teams, which have experienced significant delays in hiring.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

A total of $272,144,000 is provided for ''Transportation Threat Assessment and Credentialing.'' The amount provided under this heading does not include $207,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. To facilitate oversight, TSA is directed to brief the Committees on the status of TTAC Infrastructure Modernization no later than 30 days after the date of enactment of this Act and quarterly thereafter, and to advise the Committees of any developments that might delay initial operating capacity in 2014 or to publish a Universal Fee Rule.

The amount provided for this appropriation by PPA is as follows:

Secure Flight	$106,935,000
Crew and Other Vetting Programs	85,489,000
Subtotal, Direct Appropriations	192,424,000
TWIC Fees	47,300,000
Hazardous Materials Fees	12,000,000
Alien Flight School Fees	5,000,000
Air Cargo/Certified Cargo Screening Program	7,200,000
Secure Identification Display Area Checks	8,000,000
Other Security Threat Assessments	120,000
General Aviation at DCA	100,000
Subtotal, Fee Collections	$79,720,000

TWIC Readers

The Coast Guard, the Department, and TSA are directed to take all necessary action to expedite the completion and publication of a final TWIC reader rule and to expand Universal Enrollment Centers that will result in no less than 50 percent expansion in the number of available TWIC enrollment sites.

TRANSPORTATION SECURITY SUPPORT

The bill provides a total of $954,277,000 for ''Transportation Security Support.'' The amount provided under this heading does not include $432,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. Bill language, proposed by the Senate, also is included to withhold $20,000,000 from obligation until the TSA Administrator submits detailed expenditure plans for air cargo security, checkpoint support, and EDS refurbishment, procurement and installation.

The amount provided for this appropriation by PPA is as follows:

Headquarters Administration	$276,122,000
Information Technology	417,196,000
Human Capital Services	215,829,000
Intelligence	45,130,000
Total, Transportation Security Support	$954,277,000

Account Structure and Availability of Appropriations

TSA is directed to include a proposal for account restructuring with the fiscal year 2014 budget request. The proposal should reflect the proposal set forth in the Senate report to establish a one-year appropriation for salaries and related expenses, and DHS is to continue to consult with the Committees on its development of this proposal.

Human Capital Services

The bill provides a total of $215,829,000 for Human Capital Services. The reduction may come from advisory and assistance services.

FEDERAL AIR MARSHALS

A total of $907,757,000 is provided for ''Federal Air Marshals'', including $793,786,000 for Management and Administration and $113,971,000 for Travel and Training. The amount provided under this heading does not include $2,743,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. The funding reduction reflects a readjustment in light of the multiple security enhancements in aviation security put in place since the Christmas Day 2009 bombing attempt. This level of funding is adequate to ensure coverage of all high-risk international and domestic flights, and provide additional discussion of this in the classified annex to this statement. TSA is directed to submit a report no later than 120 days after the date of enactment of this Act outlining the best options for leveraging the Federal

law enforcement population to supplement Federal Air Marshal Service (FAMS) resources, including a detailed description of what the Department is doing to develop such options beyond a notional phase. Further, TSA is directed to brief the Committees no later than 60 days after the date of enactment of this Act on its optimal mix of staff, the types and frequency of flights for which FAMS coverage should be provided, and any legislative or regulatory changes that might be required to improve FAMS operations and overall aviation security.

COAST GUARD

OPERATING EXPENSES

The bill provides a total of $7,074,782,000 for ''Operating Expenses,'' including $594,000,000 for defense activities, of which $254,000,000 is designated as being for overseas contingency operations (OCO) and the global war on terrorism (GWOT). Funds provided in support of GWOT and OCO under this heading may be allocated notwithstanding section 503 in Title V of this Act.

The amount provided for this appropriation includes the following reductions from the budget request: a decrease of $2,947,000 for civilian pay and a decrease of $5,000,000 for the Headquarters Directorate. None of the reductions shall come from small boat acquisitions. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The amount provided for this appropriation includes the following increases above the budget request: an additional $23,842,000 to reduce the backlog in critical depot level maintenance; $1,977,000 to prevent the decommissioning of three 110–foot patrol boats; $10,191,000 to reduce the operational gap created by the disestablishment of the high-tempo high-maintenance program; $8,413,000 to maintain one of the two High Endurance Cutters proposed for decommissioning; $5,200,000 for seasonal air facilities; and $3,115,000 for the annualization of marine environmental response positions.

The amount provided for this appropriation by PPA is as follows:

Military Pay and Allowances	$3,415,181,000
Civilian Pay and Benefits	786,580,000
Training and Recruiting	214,183,000
Operating Funds and Unit Level Maintenance	1,093,893,000
Centrally Managed Accounts	351,072,000
Intermediate and Depot Level Maintenance	959,873,000
Overseas contingency operations/global war on terrorism	254,000,000
Total, Operating Expenses	$7,074,782,000

Program Terminations and New Starts

The Coast Guard is directed to brief the Committees prior to starting the process of terminating programs that have been specifically requested in the budget and funded by Congress, such as the termination of the high tempo-high maintenance program and the H–60 radar program. Further, the Coast Guard is directed to comply with the general provisions in Title V of this Act with respect to the creation of programs not previously requested and justified or the elimination of programs previously requested and justified to Congress in the justification accompanying the President's budget.

Overseas Contingency Operations Funding and Global War on Terrorism

Funding is included for OCO/GWOT within the Coast Guard ''Operating Expenses'' appropriation instead of within funding provided to the Department of Defense. There is concern with the continued overreliance on OCO/GWOT funds to support activities that have become part of the Coast Guard's routine mission set. As activities overseas continue to draw down, it is expected that there will be a similar decrease in OCO/GWOT funding requested by the Administration for the Coast Guard. 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 OCO/GWOT during fiscal year 2013. Further, the Coast Guard is directed to include in the classified annex for fiscal year 2014 details of its current and future support to Central Command.

TWIC Readers

The Coast Guard, the Department, and TSA are directed to take all necessary action to expedite the completion and publication of a final TWIC reader rule.

Seasonal Air Facilities

The request to replace five H–65 helicopters in operation at Air Station Traverse City with three H–60 helicopters and to close two seasonal Air Facilities at Muskegon, Michigan and Waukegan, Illinois is denied. There also is concern that two of the H–60 aircraft proposed to be transferred to Air Station Traverse City would be taken from Operation Bahamas, Turks and Caicos, resulting in a significant loss of annual hours dedicated to drug and migrant interdiction and search and rescue in that area of responsibility.

Marine Environmental Response

The Coast Guard is expected to keep the Committees apprised of marine environmental response hiring efforts in fiscal year 2013 to achieve 718 positions, including 26 positions added in this Act, and to report to the Committees within 15 days if it deviates from this plan.

Support of Military Families

The Coast Guard is directed to submit a copy of its National Housing Assessment no later than 30 days after the date of enactment of this Act. The report shall prioritize short-term and long-term improvements needed, including resource requirements.

Infrastructure and Response Capabilities in the Arctic

The Coast Guard is directed to report to the Committees within 90 days after the date of enactment of this Act on the actions taken to reach international agreements on ensuring adequate maritime transportation infrastructure and response capabilities in the Arctic.

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 that directly supports fleet readiness. Sufficient industrial work should be assigned to the Yard to sustain this capability.

Sexual Harassment Reporting Requirements

The Coast Guard is directed to provide to the Committees the annual report required by Section 217 of the Coast Guard Authorization Act of 2010.

Command and Control Aircraft

The Coast Guard is directed to notify the Committees prior to making any changes in the type or number of the command and control aircraft.

Automation Modernization

A new appropriation for Automation Modernization is not included; however, the Coast Guard is directed to provide a report to the Committees no later than 90 days after the date of enactment of this Act detailing funding for fiscal year 2012, planned for fiscal year 2013, and requested for fiscal year 2014 by program, project and activity for new information technology investments and automation modernization.

Chemical Security

In House report 112–331, the Coast Guard and NPPD are directed to complete a planned Memorandum of Understanding (MOU) to harmonize chemical security responsibilities established by the CFATS regulations and MTSA regulatory programs no later than March 30, 2012, but the agreement has not been finalized. The MOU is to be completed expeditiously.

Funding for Minor Shore Infrastructure Improvements

The bill continues to allow funds from the ''Operating Expenses'' appropriation to be used for the sustainment, repair, replacement and maintenance of shore infrastructure, including projects to correct deficiencies for code compliance or that threaten life, health, or safety to an amount not exceeding 50 percent of a building's or structure's replacement value. Additionally, ''Operating Expenses'' funds are allowed to be used for contingent, emergent, or other unspecified minor construction projects, which includes new construction, procurement, development, conversion, rebuilding, improvement, or an extension of any facility not exceeding $1,000,000 in total costs at any location for planned or unplanned operational needs.

Minor construction projects funded from the ''Operating Expenses'' appropriation can be combined with depot level maintenance projects for the sake of administrative and economic efficiency. Such projects and any sustainment, repair, replacement or maintenance projects over $1,000,000 shall be detailed in a semiannual report to the Committees.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

The bill provides a total of $13,151,000 for ''Environmental Compliance and Restoration.'' The amount provided for this appropriation includes a decrease of $11,000 in civilian pay. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

RESERVE TRAINING

The bill provides a total of $132,528,000 for ''Reserve Training.'' The amount provided for this appropriation includes a decrease of $26,000 in civilian pay. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

The bill provides a total of $1,545,393,000 for ''Acquisition, Construction, and Improvements.''

The amount provided for this appropriation by PPA is as follows:

Vessels	
Survey and Design-Vessel and Boats	$2,500.000
Response Boat—Medium	8,000,000
National Security Cutter	679,300,000
Offshore Patrol Cutter	30,000,000
Fast Response Cutter	335,000,000
Cutter boats	4,000,000
Polar ice breaking vessel	8,000,000
Subtotal, Vessels	1,082,800,000
Aircraft	
Airframs Replacement (CGNR 6017)	14,000,000

Maritime Patrol Aircraft	55,000,000
Long range Surveillance Aircraft	90,000,000
H-65 conversion/sustainment projects	31,500,000
Subtotal, Aircraft	190,500,001
Other	
Program Oversight and Management	15,000,000
Systems Engineering and Integration	0
C4ISR	40,500,000
Coast Guard—Logistics Information Management System	2,500,000
Nationwide Automatic Identification System	6,000,000
Subtotal, Other Equipment	64,000,000
Shore Facilities and Aids to Navigation	
Major construction: Housing, ATON, and Survey & design	30,000,000
Minor Shore	5,000,000
Subtotal, Shore Facilities and Aids to Navigation	84,411,000
Military Housing	10,000,000
Personnel and Related Support	
Direct Personnel Costs	113,082,000
Core Acquisition Costs	600,000
Subtotal, Personnel and Related Support	113,682,000
Total, Acquisition, Construction, and Improvements	$1,545,393,000

Quarterly Reports on Acquisition Projects and Mission Emphasis

The Commandant is to continue to brief the Committees quarterly on all major acquisitions consistent with the direction in the joint explanatory statement accompanying Public Law 112–74. In addition to the information normally provided, these required briefings shall include: the top five risks for each acquisition, if applicable, and if these risks have future budget implications; 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 briefings shall also include a discussion of how the Coast Guard calculated the operational hours, and an explanation on risks to mission performance associated with any current shortfall, and the operational strategy to mitigate such risks. Finally, the briefings are to include a status chart on all shore construction projects that have not been completed, including the funding status, design status, and procurement and construction status.

Revised Budget Justification

The Coast Guard is directed to include a detailed budget justification for each PPA for which funding is requested, or funding is available from prior years. Further, as detailed on page 86 in the House report, the budget justification for aircraft and vessels in fiscal year 2014 shall include detailed cost information consistent with the appropriate work elements for the program, and standardized for similar type systems such as aircraft and vessels.

The budget justification for programs that are conversions or sustainment shall provide similar data and include types of modifications, quantity of kits, and planned installation schedule of modification kits.

The budget justification for Program Oversight and Management, Systems Engineering and Integration and C4ISR shall provide a breakout of funding by asset.

In the budget justification, the Coast Guard is directed to provide procurement history and planning for the prior year, current year, and budget year to include quantity and unit cost, contracting office location, contractor, contract method/type, award date, date of first delivery, and the availability of technical data package.

Additionally, to address continued deficiencies in the budget justification for Program Oversight and Management, the Coast Guard is directed to provide a detailed subdivision of funding requested for government program management in its justification materials accompanying the fiscal year 2014 budget submission. This includes providing funding associated with each subdivision.

Full Funding

Bill language is included that directs the funds provided in this Act be immediately available and allotted to contract for the production of the sixth National Security Cutter (NSC) notwithstanding the availability of post-delivery activity funding and long lead time materials, components, and designs of the seventh NSC notwithstanding the availability of production funds for the seventh NSC.

Further, a new general provision in Title V of this Act sets requirements related to funding availability and contract awards for long lead materials and production of Coast Guard cutters. In addition, the Secretary shall develop fiscal policy that prescribes Coast Guard budgetary policies, procedures and technical direction necessary to comply with statutory language in the general provision and consistent with the DoD Financial Management Regulations (Volume 2A Chapter 1, C. Procedures for Full Funding) directing the funding and allocation of funds for production contracts and long lead time material contracts. This policy shall include that (1) the costs of outfitting and post-delivery activities and spare or repair parts shall be requested not earlier than for the first fiscal year in which it is necessary to incur such costs to maintain a planned production schedule, which may be subsequent to the fiscal year for which production costs are requested; and (2) the costs of long lead time items shall be requested for the fiscal year in which it is necessary to incur such costs to maintain a planned production schedule, which may be in advance of the fiscal year for which production costs are requested.

Carry Over

The Coast Guard is directed, to the maximum extent possible, to budget for programs, assets, modifications, and installations that it will execute in the budget request year so as not to accumulate excessive carryover.

National Security Cutter

A total of $679,300,000 is provided for the National Security Cutter (NSC) program. Of this amount, $557,000,000, as requested, is for the production of NSC–6 and $77,000,000 is to acquire long lead time materials for the production of NSC–7.

Fast Response Cutter

A total of $335,000,000 is provided for the acquisition of six Fast Response Cutters (FRCs) instead of two FRCs, as requested. This funding will allow the Coast Guard to acquire FRC hulls (19–24). Procuring six Fast Response Cutters in fiscal year 2013 will maximize the production line and generate cost savings of $5,000,000 per hull for a total savings to the taxpayers of $30,000,000.

Offshore Patrol Cutter

A total of $30,000,000 is provided for the Offshore Patrol Cutter (OPC). The Coast Guard is directed to update the Committees on changes or updates in the Operation Requirements Documents.

Medium Endurance Cutter Sustainment

A total of $16,000,000 is provided for the Medium Endurance Cutter (WMEC) Sustainment, to include $3,000,000 above the amount requested to be used to conduct a WMEC condition survey to address potential service life extension requirements, as described in the House report.

Polar Icebreaker

As requested, $8,000,000 is provided to initiate survey and design activities for a new Coast Guard polar icebreaker. The Coast Guard is directed to provide the Committees with its Mission Needs Statement no later than 30 days after it receives Departmental approval and to brief the Committees on its timeline for completing a concept of operations, market research, specification development, and other acquisition milestones leading to a request for proposal and contract award.

Response Boat-Medium

A total of $8,000,000 is provided for the Response Boat-Medium (RB–M) acquisition.

These funds will allow the Coast Guard to purchase 4 RB–Ms in fiscal year 2013, bringing the total funded for the Coast Guard to 170 boats.

H–60 Helicopter

A total of $14,000,000 is provided for aircraft replacement of one H–60 helicopter, an increase of $14,000,000 above the amount requested.

HC–130J Aircraft

A total of $90,000,000 is provided for one HC–130J aircraft.

Maritime Patrol Aircraft

A total of $55,000,000 is provided for the Maritime Patrol Aircraft (MPA), $12,000,000 above the amount requested. This fully funds one MPA, including funding to acquire a Mission System Pallet and spares, which were not included in the fiscal year 2013 request.

Unmanned Aircraft Systems

As described in the Senate report, the Coast Guard is directed to keep the Committees informed of its efforts to pursue a small Unmanned Aircraft System (UAS) as an interim capability for the NSC and to keep the Committees apprised of its efforts for both cutter-based and land-based UAS development.

Program Oversight and Management

A total of $15,000,000 is provided for Program Oversight and Management.

Systems Engineering and Integration

All funding for Systems Engineering and Integration is denied, a reduction of $2,500,000 from the amount requested, because of high carryover from prior appropriations.

Major Shore Construction, Housing, Aids to Navigation, and Survey and Design

A total of $30,000,000 is provided for Major Shore Construction, Housing, Aids to Navigation, and Survey and Design. The Coast Guard is directed to submit an expenditure plan for these funds to the Committees no later than 30 days after the date of enactment of this Act, including a prioritized list of all backlogged projects and the Coast Guard's plan to address them. In addition, the Coast Guard is directed to include a detailed description of any changes from the fiscal year 2013 budget justification for major acquisition systems infrastructure.

Coast Guard Military Housing

A total of $10,000,000 is provided for the recapitalization, improvement, and acquisition of housing to support military families. Of this amount, $6,828,691 is derived from the Coast Guard Housing Fund. The Coast Guard shall provide an expenditure plan to the Committees for these funds in the shore facilities report required to be submitted no later than 45 days after the date of enactment of this Act.

Acquisition Personnel

A total of $113,682,000 is provided for direct costs of acquisition personnel. The amount provided includes a decrease of $216,000 in civilian pay and a decrease of $3,500,000 for efficiencies. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

Fleet Requirements

The Secretary and the Commandant are directed to comply with Senate language with respect to developing a working group to examine available studies on Coast Guard fleet requirements.

Unfunded Priorities

The Commandant is directed to provide to the Committees, at the time of the President's budget submission, a list of approved but unfunded Coast Guard priorities and the funds needed for each.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

The bill provides a total of $19,690,000 for ''Research, Development, Test, and Evaluation''. The amount provided for this appropriation includes a decrease of $38,000 in civilian pay. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The Commandant is directed to provide a detailed prioritized listing of planned activities relative to stated mission requirements in the justification materials accompanying the fiscal year 2014 budget submission. Further, the Commandant is directed to comply with the Senate direction to study the viability and applicability of persistent unmanned maritime vehicles and other cost-saving maritime technologies through a competitive process.

RETIRED PAY

The bill provides a total of $1,423,000,000 for ''Retired Pay''. The Coast Guard's ''Retired Pay'' appropriation is a mandatory budget activity.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

The bill provides $1,555,913,000 for ''Salaries and Expenses'', of which not to exceed $19,125 shall be for official reception and representation expenses. The amount provided under this heading does not include $4,058,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The amount provided for this appropriation by PPA is as follows:

Protection:	
Protection of persons and facilities	$855,236,000
Protective intelligence activities	68,125,000
Presidential candidate nominee protection	57,960,000
National Special Security Event fund	4,500,000
Subtotal, Protection:	985,821,000
Investigations:	
Domestic field operations	299,690,000
International field office administration, operations and training	30,971,000
Support for missing and exploited children	8,366,000
Subtotal, Investigations:	339,027,000
Headquarters, Management and Administration	174,334,000
Rowley Training Center	55,598,000
Information Integration and Technology Transformation	1,133,000
Total, Salaries and Expenses	$1,555,913,000

Salaries and Expenses Account Structure

The current account structure for Programs, Projects, and Activities (PPAs) is retained, with the following consolidations requested in the budget: White House mail screening now is funded within the Protection of Persons and Facilities PPA, and the Electronic Crimes Special Agent Program (ECSAP) and Electronic Crimes Task Forces are now funded within Domestic Field Operations.

The Committees do not agree with the proposal to reduce the number of PPAs to five, with single PPAs for pay and benefits, protection, and investigations as requested in the budget. The Secret Service has stated that because current PPA structure spreads pay and expenses across many programs, it is constantly challenged by having to balance shifting demands between protection and investigations, and as a result, must either submit formal reprogramming, or employ inefficient and conservative financial management to avoid them. The Committees understand this argument, particularly as it applies to the Secret Service field office organization, where the same agents may be involved in both protective operations and a variety of investigations efforts. While the bill maintains the current PPA structure some flexibility has been provided in statute to the Secret Service to reprogram $15,000,000 or 10 percent, whichever is lower, between the Protection of Persons and Facilities PPA and the Domestic Field Operations PPA.

The Secret Service is developing a financial reporting system that it asserts will enable it to report enterprise-wide labor costs on a timelier basis and the Secret Service is invited to provide such evidence to the Committees for consideration during the 2014 appropriations process.

International Operations

The tempo of international investigative operations has increased for the Secret Service, with notable successes in investigating and halting counterfeiting and other forms of electronic and financial crime through its overseas field operations, including its new locations in Beijing, China and Lima, Peru. The Secret Service is directed to brief the Committees not later than April 3, 2013, on the status of its overseas investigative operations, including staffing and funding for its field offices.

Domestic Field Operations and Electronic Crimes Investigations

The partial consolidation provided in the bill includes incorporation of the previously separate PPA for Electronic Crimes Special Agent Program (ECSAP) and Electronic Crimes Task Forces (ECTF) into the Domestic Field Operations PPA. This consolidation does not reflect any dissatisfaction with the ECSAP or ECTF programs; on the contrary, those activities have proven highly productive and deserve strong support. Therefore, the bill includes an increase of $3,500,000 within the PPA to be distributed between the ECSAP/ECTF programs and other high priority domestic investigative efforts. While ECSAP/ECTF will no longer have a separate reporting and reprogramming line, the Committees expect: (1) to receive periodic briefings on the status of investigations; (2) to see the funding and programmatic efforts sustained; and (3) the funding and personnel resources for them continue to be identified in future budgets.

In addition, as a step to aligning the program and funding for electronic crimes investigation support, the bill includes $4,000,000 within the Domestic Field Operations PPA for grant assistance for electronic crime investigation and forensic training for State and local law enforcement agencies, which the Secret Service has been providing to date at the National Computer Forensics Institute, previously funded through the National Protection and Programs Directorate (NPPD). The Secret Service is directed to coordinate with NPPD as the subject matter experts to ensure the curriculum is sound and consistent with current risk and threat, and to avoid duplication and ensure efficiency.

Support for Missing and Exploited Children

The bill provides $8,366,000 to fund grant assistance and investigative support for investigations related to missing and exploited children as proposed by the House.

Professionalism Reinforcement Working Group

The Secret Service is directed to provide quarterly briefings to the Committees on the status of the Professionalism Reinforcement Working Group and its review of Secret Service professional standards of conduct, and their relationship to training, policy and procedures.

National Special Security Events

The bill provides $4,500,000, as requested, to defray costs specific to Secret Service execution of its statutory responsibilities to direct the planning and coordination of National Special Security Events (NSSEs). Some federal agencies have sought reimbursement from the Secret Service for participation in and support of prior NSSEs, despite the fact the Secret Service, as a matter of policy and practice, has sought and accepted such support only on the explicit understanding that such support is provided on a voluntary and non-reimbursable basis. Further, when other agencies and departments elect to participate in NSSEs, they are fulfilling their responsibilities set forth in Homeland Security Presidential Directive 15 and National Security Presidential Directive 46, and their authority to fund such participation derives from those Directives. Based on this understanding, and to clarify the expectation that participating agencies should budget for and fund their own costs, a new general provision is included in the Act that provides that none of the funds in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

To resolve ongoing disputes over prior funding responsibilities, determine whether any agency participation in past NSSEs should be eligible for reimbursement, and dispel ambiguity about how participating agencies will be funded for future NSSEs, the Administration must either propose a change in current law or issue clear administrative guidance.

The Department and the Office of Management and Budget are directed to jointly resolve this issue, address the appropriate assignment of budgeting and funding responsibilities for the costs of agency participation in NSSEs, and submit a specific plan to accomplish this, including proposed statutory remedies if necessary, not later than April 3, 2013.

In addition, the USSS is directed to provide periodic updates on NSSEs planned for fiscal year 2013 prior to and following the event, instead of quarterly briefings as proposed by the Senate.

Technology Activities

The bill includes $1,133,000 for information integration and technology transformation activities of the Secret Service, and direct the Secret Service to provide greater detail in its annual budget justification accompanying the fiscal year 2014 budget request on all USSS information technology activities, to include the multi-year investment plan called for in statutory language for the acquisition account.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

The bill provides a total of $56,750,000 for ''Acquisition, Construction, Improvements, and Related Expenses.'' This funding covers the acquisition, construction, improvements and related expenses for the Rowley Training Center and investments in Information Integration and Technology Transformation (IITT) programs. Bill language is included requiring the Director to submit a multi-year IITT investment plan along with the budget request for fiscal year 2014, as proposed by the House.

TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

A total of $50,220,000 is provided for ''Management and Administration'' of the National Protection and Programs Directorate (NPPD), of which no more than $3,825 is for official reception and representation expenses. The amount provided under this heading does not include $101,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

A total of $1,157,529,000 is provided for ''Infrastructure Protection and Information Security'' (IPIS), of which $200,000,000 is available until September 30, 2014. The amount provided under this heading does not include $590,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The amount provided for this appropriation by PPA is as follows:

Infrastructure Protection:	
Infrastructure Analysis & Planning	$58,969,000
Sector Management & Governance	67,061,000
Regional Field Operations	56,418,000
Infrastructure Security Compliance	77,945,000
Subtotal, Infrastructure Protection	260,393,000
Cybersecurity and Communications:	
Cybersecurity:	
Cybersecurity Coordination	3,986,000
US Computer Emergency Readiness Team (US—CERT) Operations	92,927,000
Federal Network Security	235,992,000
Network Security Deployment	329,009,000
Global Cybersecurity Management	25,955,000
Critical Infrastructure Cyber Protection & Awareness	62,748,000
Business Operations	6,211,000
Subtotal, Cybersecurity	756,828,000
Communications:	
Office of Emergency Communications	38,654,000
Priority Telecommunications Services	53,265,000
Next Generation Networks	24,499,000
Programs to Study and Enhance Telecommunications	12,930,000
Critical Infrastructure Protection Programs	10,960,000
Subtotal, Communications	140,308,000
Subtotal, Cybersecurity and Communications	897,136,000
Total, Infrastructure Protection and Information Security	$1,157,529,000

The NPPD Office of Chief Financial Officer is directed to brief the Committees on the entire year expenditure plan not later than 45 days after the date of enactment of this Act.

NPPD is directed to fund the Multi-State Information Sharing and Analysis Center at the same level as fiscal year 2012. Of the total provided, $13,551,000 is for the Office of Bombing Prevention, and the Office is encouraged to work with the National Guard and the Department of Defense as discussed in the Senate report; $20,588,000 is for vulnerability assessments and NPPD is encouraged to share information regionally; and $16,876,000 is for cybersecurity education. Funding for the National Computer Forensics Institute has been provided under the heading United States Secret Service, ''Salaries and Expenses.'' No funds are provided under this heading for such activity.

Of the total provided, $77,945,000 is for Infrastructure Security Compliance to implement the Chemical Facility Anti-Terrorism Standards (CFATS) program, of which $20,000,000 is not available for obligation until the Under Secretary for NPPD submits to the Committees an expenditure plan for the CFATS program for fiscal year 2013, including the number of facilities covered, inspectors on-board, inspections pending, and inspections projected to be completed by September 30, 2013. NPPD is directed to brief the Committees on the findings of recent GAO testimony summarizing the DHS actions to better manage its chemical security program (GAO–12–1044T), including progress in addressing the recommendations and in implementing the action plan.

In lieu of language in House report 112–492, directing a review by NPPD, in conjunction with the Coast Guard, GAO is directed to continue its ongoing effort to examine the extent to which DHS has made progress and encountered challenges in developing a viable CFATS program. Once the CFATS program begins performing and completing a sufficient number of compliance inspections, GAO shall review how compliance inspections are performed, whether inspectors are properly trained and have the right skill sets to perform compliance inspections and if the CFATS program faces any barriers or challenges in managing the compliance inspection process. GAO shall complete this review in consultation with the Committees.

NPPD is not required to provide the report on the CFATS action plan as required in Senate report 112–169, since the information has been provided. NPPD is directed to provide a report regarding CFATS semiannual data as required in Senate report 112–169, and a briefing, instead of a report, regarding alternative security programs as required in the House report 112–492. NPPD is expected to continue to increase its on-board FTEs to reach the fiscal year 2013 requested level, to include the hiring of the appropriate level of inspectors to meet mission requirements, and is directed to include in the aforementioned report, with semiannual data, any variation to the level of inspectors requested with a justification for the change. NPPD is directed to brief the Committees regularly on the status of any proposed personnel surety information collection requests and include in the briefings how addressing industry concerns with respect to notifying industry of denials are being addressed.

NPPD is directed to brief the Committees on the progress toward implementing the recommendations included in the recent GAO report entitled ''DHS Could Better Manage Security Surveys and Vulnerability Assessments'' (GAO–12–378).

Within the total amount provided, $202,000,000 shall be used to deploy technology to improve the information security on Federal computer systems in accordance with a new general provision contained in Title V of this Act. The Under Secretary is directed to provide an expenditure plan, in the same format as the plan submitted to fulfill the requirement in section 137 (b) of Public Law 112–175, for the entire fiscal year 2013 amount.

Within the total amount provided, $329,009,000 is for Network Security Deployment, which fully funds the amount that will be obligated in fiscal year 2013 for the Einstein program and related activities.

Within the total amount provided, $24,499,000 is provided for Next Generation Networks to prevent delays in deploying priority communications services capability.

The Under Secretary is directed to provide a report detailing all fiscal year 2013 NPPD grant programs including the justification, strategy, and future funding requirements for the grants, as well as the determinations and findings to justify sole source awards.

FEDERAL PROTECTIVE SERVICE

A total of $1,301,824,000 is provided for the ''Federal Protective Service'' (FPS), as requested, for fiscal year 2013. This amount is fully offset by collections of security fees. A provision is included requiring the Secretary and the Director of the OMB to certify, no later than May 1, 2013, 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 NPPD Office of Chief Financial Officer is directed to brief the Committees on the entire year expenditure plan for funds provided in this Act not later than 45 days after the date of enactment of this Act.

FPS is directed to brief the Committees on progress in implementing the recommendations made in a recent GAO report, ''DHS Needs to Refocus Its Efforts to Lead the Government Facilities Sector'' (GAO–12–852), not later than 45 days after the date of enactment of this Act, including a specific timeframe for publishing an action plan.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

A total of $232,422,000 is provided for the ''Office of Biometric Identity Management.''

This level includes: $40,546,000 for Salaries and Expenses (S&E); $15,980,000 for Systems Engineering; $155,840,000 for Operations and Maintenance (O&M), to include $65,500,000 for IDENT; and $20,056,000 for Identity Management and Screening Services. Funding is not provided for the Office of Biometric Identity Management (OBIM) to continue US—VISIT's staff rotations to international partner agencies. As provided in bill language, the S&E and half of the O&M funds have an availability of one year. The bill provides $19,917,000 to ICE in order to fully fund overstay analysis previously performed by US—VISIT, to include the Data Integrity Group. The bill also provides $12,284,000 to CBP related to entry-exit policy and operations. Statutory language is included ensuring that the appropriate successor account is charged for amounts obligated under US-VISIT. Further, the amount provided under this heading does not include funds requested for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

As outlined in the House report, OBIM is the lead entity within DHS responsible for biometric identity management services through its management of the Automated Biometric Identification System, or IDENT. OBIM assumes the most significant and cross-cutting responsibility from what was known as US-VISIT—namely to serve customers across DHS, at other Federal agencies, in State and local law enforcement, and overseas through storage of biometric identities, recurrent matching against derogatory information, and other biometric expertise and services. OBIM is expected to reconstitute what is now known as the US-VISIT Executive Stakeholder Board to ensure strong coordination with DHS and interagency partners.

OBIM is encouraged to identify efficiencies under this new structure through reassessing its staffing, travel, and contractor support requirements.

Operations and Maintenance

OBIM retains budget and responsibility for the Arrival Departure Information System (ADIS) as well as IDENT. OBIM is directed to undertake a rigorous review of its Information Technology costs, as well as IDENT and ADIS modernization needs, and develop proposals for efficiencies and cost savings, including considering managed service options with the CBP Office of Information Technology and examining contractor services. OBIM is encouraged to apply efficiencies and cost savings to continue the Unique Identity program and modernize IDENT. All modernization activities should be outlined in OBIM's investment and management plan.

As directed in the House report, OBIM shall continue its data sharing and connectivity improvement efforts with the Intelligence Community. OBIM also is directed to brief the Committees on a semiannual basis on its workload and service levels, staffing, modernization efforts, and other operations.

Unique Identity

OBIM and its counterparts at the Justice, State, and Defense Departments as well as its stakeholders within DHS are directed to continue providing semiannual briefings on the progress in implementing system interoperability, as required by the House and Senate reports.

Exit

CBP is the DHS lead for entry-exit policy and operations. Responsibility for implementing a biometric exit program lies with CBP. As a transitional matter, OBIM is directed to ensure that the entry data exchange program with Canada, as referenced in the Senate report, is fully funded in fiscal year 2013. Within 120 days after the date of enactment of this Act, CBP, in conjunction with OBIM and any other appropriate partners, such as the Science and Technology Directorate, shall report to the Senate Committees on Appropriations, the Judiciary, and Homeland Security and Governmental Affairs and the House Committees on Appropriations, the Judiciary, and Homeland Security on the Department's tangible progress in implementing an enhanced biographic exit system and biometric exit planning. The report shall include the results of the Canadian pilot programs and provide an update on the Mexican pilot program. The Committees on Appropriations shall be briefed semiannually on exit thereafter.

OFFICE OF HEALTH AFFAIRS

A total of $132,499,000 is provided for the ''Office of Health Affairs'' (OHA). The amount provided under this heading does not include $55,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

Of the total amount provided, $2,000,000 is for the Chemical Defense Program, $1,500,000 above the request for two additional demonstration projects, to be awarded through a competitive process; $13,000,000 is for the National Bio-Surveillance Integration System, $5,000,000 above the request to sustain existing activities and support new pilots, to be awarded through a competitive process; and $5,407,000 is for Planning and Coordination, $500,000 above the request to support programs that address the wellness and resiliency of the DHS workforce and the needs of the Food, Agriculture, and Veterinary Defense Division.

Of the total amount provided, $26,702,000 is for salaries and expenses. The decrease below the request is due to continued under execution of on-board FTE and lapsed balances.

Of the total amount provided, $85,390,000 is for BioWatch, $39,900,000 below the request which was intended for BioWatch Generation 3 testing and evaluation. The Committees have consistently demonstrated strong support for the development of an early warning network to detect biological agents to speed response and recovery from a terrorist attack. While the Committees support OHA's ongoing efforts to improve the Nation's biological detection capabilities, serious concerns have been raised about the Biowatch Generation 3 program, to include scientific validity and delays in execution that have created large carryover balances. The Department is encouraged to continue with Phase II, Stage I activities, as currently planned with available carryover funding, to ensure candidate systems meet entry criteria through performance testing. However, prior to entering Phase II, Stage 2 that includes down-selection for a single solution and entering operational testing and evaluation, the Secretary shall certify to the Committees that the science used to develop the technology is proven and warrants operational testing and evaluation.

The OHA Chief Financial Officer is directed to brief the Committees on the entire year expenditure plan for funds provided in this Act not later than 45 days after the date of enactment of this Act.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

A total of $973,118,000 is provided for ''Salaries and Expenses.'' The following programs are funded, within the total, at last year's levels as listed in Senate report 112–169: the National Hurricane Program, the National Earthquake Hazards Reduction Program and the National Dam Safety Program. Of the amounts provided, no less than $35,180,000 is for the Urban Search and Rescue Response System and $2,000,000 is for the Emergency Management Assistance Compact. An additional $5,000,000 for automation modernization and $5,000,000 for national training center infrastructure improvements is provided. The amount provided under this heading does not include funds, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

Of the total amount provided, $4,293,000 is included for the Office of National Capital Region Coordination (ONCRC), which is a reduction of $806,000 below the request. ONCRC is directed to work expeditiously on its highest priority activities in fiscal year 2013.

The grant management and administration costs associated with ''State and Local Programs'', ''Firefighters Assistance Grants'', and ''Emergency Management Performance Grants'' are fully funded within the ''Salaries and Expenses'' appropriation instead of through transfers as has been done in previous years.

The amount provided for this appropriation by PPA is as follows:

Administrative and regional offices	$257,409,000
Office of National Capital Region Coordination.	(4,293,000)
Preparedness and protection	179,047,000
Response	179,428,000
Urban search and rescue response system	(35,180,000)
Recovery	55,299,000
Mitigation.	29,814,000
Mission support	157,534,000
Centrally managed accounts	114,587,000
Total, Salaries and Expenses	$973,118,000

A provision is continued and made permanent a provision directing the inclusion of West Virginia and Pennsylvania to be incorporated into efforts to integrate the activities of Federal, State, and local government in the National Capital Region.

FEMA is directed to brief the Committees on an expenditure plan, within 90 days of the date of enactment of this Act, detailed by PPA and by office, which shall include: funding levels for the prior year, the current year, and deviations between the two years. 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, to include transfers from other appropriations, shall also be included. FEMA shall include fiscal year 2014 budget detail for each FEMA office and region by: object classification, FTEs on-board, FTE vacancies, and the appropriation accounts used to support the office and its programs. Further, FEMA is directed to present the fiscal year 2014 budget in the same account and PPA structure as provided in this Act and statement. Should FEMA determine that changes to the funding structure facilitate better resource management and transparency in spending, changes shall be presented in an addendum to the Congressional Justification with a clear justification.

FEMA is directed to maintain the Children's Coordinator position within the Office of the Administrator and sustain the on-

going efforts of the working group to address children's disaster-related needs.

FEMA is directed to provide an expenditure plan for capital improvement for the Mount Weather facility for fiscal year 2013 no later than 30 days after the date of the enactment of this Act and for fiscal years 2013 through 2018 no later than May 1, 2013.

A new appropriation for ''Automation Modernization'' is not included. Instead, $5,000,000 above the request is provided for automation modernization within ''Salaries and Expenses.'' This amount is to continue the effort begun by the Committees in fiscal year 2012 to update FEMA's technological capabilities in order to better meet its mission. No funds were identified in the fiscal year 2013 budget request for this effort; however, should there be funds intended for this purpose, the $5,000,000 provided is in addition to that amount. FEMA is directed to provide a report 90 days after the date of enactment of this Act detailing funding for fiscal year 2012, planned for fiscal year 2013, and requested for fiscal year 2014 by program, project, and activity for new information technology investments and automation modernization. FEMA is directed to work with the Committees in developing the presentation of this information.

STATE AND LOCAL PROGRAMS

A total of $1,466,082,000 is provided for ''State and Local Programs.'' The amount provided for this appropriation by PPA is as follows:

Discretionary State and Local Grants	$188,932,000
State Homeland Security Grant Program	346,600,000
Operation Stonegarden	(46,600,000)
Urban Area Security Initiative	500,376,000
Nonprofit security grants.	(10,000,000)
Public transportation security assistance and railroad security assistance.	97,500,000
Amtrak security.	(10,000,000)
Port Security Grants	97,500,000
Education, Training, and Exercises	
Emergency Management Institute.	17,805,000
Center for Domestic Preparedness.	64,991,000
National Domestic Preparedness Consortium	93,000,000
National Exercise Program.	32,378,000
Continuing Training	27,000,000
Subtotal, Education, Training, and Exercises.	235,174,000
Total, State and Local Programs.	$1,466,082,000

The National Preparedness Grant Program, as proposed in the budget request is rejected due to a lack of justification, and a new general provision is included in Title V of this Act that prohibits the obligation of funds for such program or any successor program unless explicitly authorized by Congress. Instead, the bill provides no less than the amounts distributed in fiscal year 2012 for the State Homeland Security Grant Program, Operation Stonegarden, the Urban Area Security Initiative, Nonprofit Security Grants, Public Transportation Security Assistance and Railroad Security Assistance Grants to include grants to Amtrak security, and Port Security Grants. Within the total amount provided, $188,932,000 is to be allocated by the Secretary according to threat, vulnerability, and consequence to assist in preventing, preparing for, protecting against, and responding to acts of terrorism.

Several provisions are included related to grant administration. Grant guidance shall be issued within 60 days after the date of enactment of this Act, applicants shall apply within 80 days of receiving guidance, and award decisions shall be made within 65 days of the receipt of applications. 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 and made permanent allowing the Center for Domestic Preparedness to train, and be reimbursed for such training, certain emergency personnel provided it does not interfere with the primary mission to train state and local emergency response providers.

The Secretary and the Administrator are directed to refine the grant reform proposal and include enough detail for the appropriate committees of jurisdiction, potential grantees, and the general public to understand how such reform will further the safety and security of the Nation and its citizens.

The Committees believe that the UASI program should be further focused on the areas under the greatest threat and at the greatest risk, providing funding to a maximum of 25 regions. FEMA is directed to clearly identify the specific criteria that will be used to determine the risk to urban areas in a briefing to the Committees prior to grant guidance being issued, and to justify the reason for final determinations in a clear and transparent manner to the Committees five days prior to the announcement of awards, in accordance with a general provision in Title V of this Act.

Within the total amount provided, $27,000,000 is for Continuing Training Grants, of which no less than $3,000,000 may be awarded through a competitive process to provide and deliver FEMA-certified training to rural first responders.

FEMA is directed to brief the Committees on its progress toward resolving the recommendations of the June 2012 OIG report, ''Requirements for Reporting Homeland Security Grant Program Achievements'' (OIG–12–92), not later than 45 days after the date of enactment of this Act.

The Regional Catastrophic Preparedness Grant Program Progress Report, required by the joint explanatory statement accompanying Public Law 112–74, which was received on August 14, 2012, details the challenges regional catastrophic planning presents and the results of the grant program in overcoming those challenges. The comprehensive report completed by grant recipients, which was included as part of the FEMA report, in particular highlights specific progress. FEMA is directed to continue its technical assistance to areas at greatest risk of a catastrophic event and to promote regional planning for on-going and emerging needs.

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. In lieu of providing a report as directed in House report 112–492, FEMA is directed to brief the Committees semiannually on efforts to hire veterans.

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 $44,000,000 is provided for the ''United States Fire Administration.'' The amount provided does not include funds, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

In 2050, the number of elderly in America is projected to be 88.5 million, more than double the 40.2 million in 2010. This shift in our demographics will have a dramatic impact on services provided by the fire service and emergency medical personnel. The FEMA Administrator, in consultation with the USFA Administrator, is directed to submit to the Committees no later than May 1, 2013, a report describing the need for educational outreach to the elderly on prevention, improved training and equipment for fire service and emergency medical personnel on how to assist the elderly, and where appropriate, model laws, regulations, or guidelines to prevent injury or loss of life.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

A total of $7,007,926,000 is provided for the ''Disaster Relief Fund,'' of which $6,400,000,000 is designated as being for disaster relief for major disasters pursuant to 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985. This level of funding is an increase of $919,000,000 above the President's request, due to the impact of Hurricane Sandy which made landfall on October 29, 2012, and other designated disasters. A provision is included transferring $24,000,000 to the OIG for audits and investigations related to all disasters. Several provisions directing FEMA to submit reports are included.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

A total of $95,329,000 is provided for ''Flood Hazard Mapping and Risk Analysis Program.'' The amount provided does not include funds, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

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. The Committees note that eliminating severe repetitive loss properties results in the greatest savings to the National Flood Insurance Fund, and FEMA is encouraged to continue to prioritize reducing the number of such properties. FEMA is directed to report to the relevant committees of jurisdiction as required by Senate report 112–169 and including the House Committee on Financial Services, on efforts to improve levee analysis and mapping procedures.

NATIONAL PREDISASTER MITIGATION FUND

A total of $25,000,000 is provided for ''National Predisaster Mitigation Fund.''

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 $111,924,000 is provided in discretionary appropriations for USCIS for E-

Verify. The amount provided under this heading does not include funds requested for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing funds for fiscal year 2013.

Military Naturalizations

The cost of military naturalizations is to be paid for by the Department of Defense through the execution of an annual Inter-Agency Agreement (IAA) for reimbursement. Therefore, no USCIS funds are provided for military naturalizations, and USCIS is directed to ensure that IAAs are executed in a timely manner each year.

Electronic Access to Immigration Information

USCIS shall work with ICE and EOIR to maximize the sharing of digital records and ultimately minimize the cost of shipping and managing cumbersome paper files. Funds are specified to support efforts to that end in ICE Automation Modernization; USCIS is encouraged to participate in and support these efforts as well. USCIS is also directed to provide no less than $29,000,000 to continue conversion of immigration records to digital format.

Electronic I-94

As required by the House report, USCIS and CBP are directed to brief the Committees quarterly on their progress toward elimination of the paper I-94. Before the Department implements interim changes, extensive outreach should be undertaken to ensure that those affected understand the interim process of obtaining the valid I-94 number.

E-Verify

The Director of USCIS is expected to submit a report to the Committees identifying the costs of expanding the use of E-Verify no later than 90 days after the date of enactment of this Act, as required by the Senate report.

Stateless Persons

As directed by the House report, USCIS, with other DHS components as appropriate, shall brief the Committees on its efforts to quantify the number of stateless persons in the country.

Immigrant Integration Grants

A general provision in Title V of this Act is included providing $2,500,000 in appropriated funds and $7,500,000 from fee revenue for immigrant integration grants. None of the appropriated funds may be used to administer the program.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

A total of $228,467,000 is provided for ''Salaries and Expenses.'' Within the funds provided, $29,163,000 is for Management and Administration and $1,300,000 for the Federal Law Enforcement Training Accreditation Board. The amount provided under this heading does not include $472,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

Support of the DHS Office of the Chief Human Capital Officer

The Department informed and briefed the Committees that beginning in fiscal year 2012, it planned to partner with the Federal Law Enforcement Training Center (FLETC) through an IAA to fulfill its human resource service requirements, with FLETC being fully reimbursed through the Working Capital Fund. The Department assured the Committees that this partnership would result in reduced costs for human resources service needs for headquarters components and deliver these services in a more efficient manner. Since the initial announcement, the Chief Human Capital Officer has decided to modify the execution plan, potentially moving some functions back to DHS Headquarters. There is no objection to this arrangement as long as it does not adversely impact FLETC's mission requirements. As such, the Office of the Chief Human Capital Officer and FLETC are directed to brief the Committees no later than 90 days after the date of enactment of this Act on the current plan to deliver human resource services.

Full Utilization of FLETC Training Facilities

In the current fiscal environment, law enforcement agencies are not hiring at the rate that has been experienced in the past ten years. For that reason, FLETC is experiencing lower demand for basic training and has greater capacity to support advanced training and potentially other activities. FLETC is encouraged to ensure that its facilities and assets are fully utilized to support the needs of its customers. For example, if training does not fully utilize firing ranges, FLETC should consider use of firing ranges for law enforcement qualification requirements. FLETC is directed to brief the Committees within 60 days of the date of enactment of this Act on its utilization rates.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

A total of $28,385,000 is provided for ''Acquisitions, Construction, Improvements, and Related Expenses.''

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

The bill provides $132,000,000 for ''Management and Administration,'' including not to exceed $7,650 for official reception and representation expenses. The amount provided includes a reduction of $228,000 for the pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

The bill provides $703,471,000 for ''Research, Development, Acquisition, and Operations.''

The amount provided for this appropriation by PPA is as follows:

Research, Development, and Innovation	$450,555,000
Laboratory Facilities	164,932,000
Acquisition and Operations Support	47,984,000
University Programs	40,000,000
Total, Research, Development, Acquisition and Operations	$703,471,000

Research, Development, and Innovation

The bill includes $450,555,000 for Research, Development, and Innovation (RDI). This funding is expected to permit the Science and Technology Directorate (S&T) to restart and sustain its efforts in its top priority areas, to include biological defense, cybersecurity, border security, and first responder technologies. However, the Committees do not support having RDI as an undifferentiated PPA for this activity, breakouts by research thrust areas are preferred. At the same time, since funding is below the request, some adjustment will be made to prioritize the funding. S&T is directed, as was done in the joint explanatory statement accompanying Public Law 112–74, to provide to the Committees a detailed breakout of funding levels proposed for each of its research thrust areas within the RDI PPA, and submit this no later than 30 days after the date of enactment of this Act. These revised allocations by thrust area shall subsequently serve as PPAs and control levels for fiscal year 2013 for purposes of reprogramming notification and approval, governed by the requirements of the general provisions in Title V of this Act. This funding plan shall also include project-level detail on how S&T intends to fund individual research initiatives within each thrust area PPA.

Portfolio Reviews

S&T is directed to brief the Committees on the results of any portfolio reviews conducted in fiscal year 2013 no later than 30 days after completion of the review and assessment of its results. As required by the House report, the briefing shall include an assessment of the most promising projects, an appraisal of those that scored poorly, any plans to modify or reallocate funding from underperforming initiatives, as well as a detailed overview of how S&T measures and scrutinizes the cost and schedule of its research projects.

Customer Engagement

S&T is directed to brief the Committees no later than 60 days after the date of enactment of this Act on the process for determining each customer's research and development needs; for prioritizing S&T work for them; and for assessing customer satisfaction with S&T's work. The briefing shall also describe the extent to which S&T customers are involved in the Directorate's portfolio reviews.

Apex Projects

S&T and its partner components are directed to brief the Committees no later than 60 days after the date of enactment of this Act, and periodically thereafter on funding, schedule, and progress of Apex projects. S&T is also directed to notify the Committees at least 14 days before initiating a new Apex project.

National Bio- and Agro-defense Facility

The bill provides $37,500,000 within the Laboratory Facilities PPA for the National Bio- and Agro-defense Facility (NBAF). This funding shall be applied, in conjunction with $90,000,000 in previous appropriations, to the construction of the new biological security level facility needed to handle large animal research into infectious animal and zoonotic diseases. If additional funds are to be considered for NBAF in fiscal year 2014, or any fiscal year thereafter, such funds must be in addition to the Department's enacted budget, thereby not displacing resources for Departmental programs. S&T is directed to submit a detailed update of its fiscal year 2013 NBAF construction plan and schedule no later than 60 days after the date of enactment of this Act.

Plum Island Animal Disease Center

S&T is directed to provide with the fiscal year 2014 budget an updated and detailed report on projected costs required to keep Plum Island Animal Disease Center sustainable in the short- and medium-term, and update periodically as estimates change. The report shall include cost estimates and plans for repair as a result of damage caused by Hurricane Sandy.

Cyber Security Research

The Committees support increased funding for cyber security research. The Department is encouraged to fund multi-disciplinary programs of study and research that focus on addressing cyber security problems on a global scale, as specified in the Senate report. In addition, S&T is encouraged to pursue cyber security programs that will assist

the U.S. financial industry, as required in the Senate report. While a specific level of funding is not directed, as proposed by the House, S&T is expected to take advantage of, and leverage, the expertise of existing governmental organizations to improve DHS cyber security capabilities, to include the use of competitively awarded research and development projects.

S&T is also directed to submit a report no later than 90 days after the date of enactment of this Act on the expenditure of funds for financial sector cyber attack simulations and outcomes, as required by the Senate report.

Reporting Requirements

S&T is directed to provide in conjunction with the President's fiscal year 2014 budget request, the results of its research and development for the prior fiscal year, and a report on the amounts de-obligated from projects during the prior fiscal year and to what projects those funds were subsequently obligated. S&T shall also provide quarterly briefings to the Committees on the test and evaluation status of all level 1 acquisitions. In addition, no later than April 3, 2013, S&T shall brief the Committee on progress in implementing its new strategic initiatives, as specified in the Senate report.

Disaster Communications

In lieu of direction in the House report, the Department of Homeland Security, the Federal Communications Commission, and the National Institute of Standards and Technology are encouraged to explore existing methods and technologies to sustain communications during disasters, and to brief the Committees on its findings within 180 days of the date of enactment of this Act.

Disaster Resilience

Within the funds provided for disaster resilience research, S&T is encouraged to work with appropriate universities and existing Federal research centers, as discussed in the Senate report.

Canines

As discussed in both the House and Senate reports, the Department is encouraged to strongly consider the development of standards, protocols and certifications for the breeding, training, and deployment of explosives-detection canines.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

The bill provides a total of $39,650,000 for ''Management and Administration.'' The amount provided includes a reduction of $43,000 for the pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

RESEARCH, DEVELOPMENT, AND OPERATIONS

The bill provides a total of $226,830,000 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	28,000,000
Transformational Research and Development	74,766,000
Assessments	33,000,000
Operations Support	35,500,000
National Technical Nuclear Forensics Center	25,564,000
Total, Research, Development, and Operations	$226,830,000

Semiannual Briefings

As specified in the House and Senate reports, DNDO is directed to brief the Committees semiannually on program updates and to provide periodic updates on new threats, research, and studies and assessments related to the Global Nuclear Detection Architecture (GNDA). Semiannual briefings should also cover DNDO's core programs and initiatives by means of a pathway-by-pathway assessment for radiological and nuclear threats, beginning with the areas of greatest risk. In addition, DNDO is directed to brief the Committees semiannually on major Transformational and Applied Research initiatives and its red-teaming efforts.

Systems Development

DNDO is directed to provide, at the time the President submits the fiscal year 2014 budget request, a report on its Commercial First approach, including any resulting successful partnerships with industry.

Rail Detection SolutionS

As described in the Senate report, DNDO is directed to brief the Committees on the results of rail detection solutions no later than 30 days after the date of enactment of this Act. If the results of this testing prove successful and result in a priority shift in funding needs to support the GNDA, DNDO is directed to maintain the possibility of restarting these efforts with funding provided for Systems Development.

Test and Evaluation

DNDO is directed to provide a report to the Committees no later than 120 days after the date of enactment of this Act on the status of systems being researched, under development, or being tested to improve the Nation's ability to prevent shielded and unshielded special nuclear material from entering into the United States.

SYSTEMS ACQUISITION

The bill provides a total of $51,455,000 for ''Systems Acquisition.''

The amount provided for this appropriation by PPA is as follows:

Radiation Portal Monitor Program	$1,355,000
Securing the Cities	22,000,000
Human Portable Radiation Detection Systems	28,100,000
Total, Systems Acquisition	$51,455,000

Securing the Cities

The bill provides $22,000,000 for the Securing the Cities (STC) Program, as requested, to fund efforts in New York City and Los Angeles. DNDO is directed to provide performance updates based on pre-established measures for each STC location during semiannual briefings and to include the STC program in its annual strategic investment plan.

Human Portable Radiation Detection Systems

The bill provides $28,100,000 for Human Portable Radiation Detection Systems (HPRDS), as requested. DNDO is directed to provide periodic updates on efforts to better leverage certain HPRDS investments with new technology to virtually connect individual detectors. In addition, DNDO is directed to provide the Committees at the time the fiscal year 2014 budget is submitted a multiyear procurement forecast and deployment schedule.

TITLE V—GENERAL PROVISIONS

Section 501. A provision is continued that no part of any appropriation shall remain available for obligation beyond the current year unless expressly provided.

Section 502. A provision 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 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. 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 statement 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.

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 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 2013 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 is continued that not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2013 from appropriations made for salaries and expenses shall remain available through fiscal year 2014 subject to section 503 reprogramming guidelines.

Section 506. A provision is continued that funds for intelligence activities are deemed to be specifically authorized during fiscal year 2013 until the enactment of an Act authorizing intelligence activities for fiscal year 2013.

Section 507. A provision is continued and modified requiring notification of the Committees three days before grant allocations,

grant awards, contract awards, other transactional agreements, letters of intent, a task or delivery order on a multiple contract award totaling $1,000,000 or more, a task or delivery order greater than $10,000,000 from multi-year funds, or sole-source grant awards, are 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 is continued that no agency shall purchase, construct, or lease additional facilities for Federal law enforcement training without advance approval of the Committees.

Section 509. A provision is continued that none of the funds may be used for any construction, repair, alteration, or 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 is continued 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 is continued that none of the funds may be used in contravention of the Buy American Act.

Section 512. A provision is continued on reporting requirements of the privacy officer.

Section 513. A provision is continued regarding the oath of allegiance required by section 337 of the Immigration and Nationality Act.

Section 514. A provision 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 is included 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.

Section 516. A provision is included regarding the competitive sourcing for United States Citizenship and Immigration Services.

Section 517. A provision is continued for fiscal year 2013 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 is continued for fiscal year 2013 relating to undercover investigative operations authority of the U.S. Secret Service.

Section 519. A provision 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 is continued prohibiting the obligation of funds by 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 is included that prohibits funding pertaining to the Principal Federal Official during a Stafford Act declared disaster or emergency, with certain exceptions.

Section 522. A provision 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 the Committees believe should be acted on legislatively by the relevant Congressional committees of jurisdiction.

Section 523. A provision is included 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.

Section 524. A provision is continued that prohibits funding to grant an immigration benefit to any individual unless the results of the background checks required in statute, to be completed prior to the grant of the benefit, have been received by DHS.

Section 525. A provision is included extending other transactional authority for DHS through fiscal year 2013.

Section 526. A provision is continued requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 527. A provision is included regarding waivers of the Jones Act.

Section 528. A provision is continued 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 529. A provision is included prohibiting funds from being used to reduce the Coast Guard's Operations Systems Center mission or its government-employed or contract staff.

Section 530. A provision is continued related to prescription drugs.

Section 531. A provision is included 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.

Section 532. A provision 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 Treasury Forfeiture Fund to any agency within DHS. No funds may be obligated until the Committees approve the proposed transfers.

Section 533. A provision is continued prohibiting funds for planning, testing, piloting, or developing a national identification card.

Section 534. A provision is included requiring the TSA Administrator to certify that no security risks will result if an airport does not participate in the E-Verify program.

Section 535. A provision is included 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 536. A provision is continued directing that any official required by this Act to report or to certify to the Committees on Appropriations may not delegate any such authority unless expressly authorized to do so in this Act.

Section 537. A provision is continued extending risk-based security standards for chemical facilities cited in section 550 of Public Law 109–295, as amended, for one year.

Section 538. A provision is continued prohibiting the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

Section 539. A provision is continued prohibiting funds in this Act to be used for first-class travel.

Section 540. A provision is continued and made permanent 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 541. A provision 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 542. A provision is continued and modified relating to the proper disposal of personal information collected through the Registered Traveler program.

Section 543. A provision 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 544. A provision is continued and modified that requires the TSA Administrator to submit semiannual 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.

Section 545. A provision 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 546. A provision is included that allocates $7,500,000 of deposits into the Immigration Examinations Fee Account to United States Citizenship and Immigration Services for the purposes of providing immigrant integration grants and provides an additional $2,500,000 in appropriated funds for the same purpose in fiscal year 2013. The grants shall be used to provide services to individuals who have been lawfully admitted into the U.S. for permanent residence.

Section 547. A provision is included providing $5,000,000 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.

Section 548. A provision is included providing some flexibility to the Department for financing a response to an immigration emergency, subject to notification.

Section 549. A provision 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.

Section 550. A provision is included providing $55,000,000 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.

Section 551. A provision is included 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.

Section 552. A provision is included providing a total of $29,000,000 for consolidation of the new DHS headquarters at St. Elizabeths and consolidation of mission support activities.

Section 553. A provision is included providing the Secretary discretion to waive certain provisions of law related to requirements for Staffing for Adequate Fire and Emergency Response (SAFER) grants.

Section 554. A provision is included prohibiting availability of funds in this Act for the Association of Community Organizations for Reform Now (ACORN) and its affiliated organizations.

Section 555. A provision is included directing CBP and ICE to submit multi-year investment and management plans for multiple accounts.

Section 556. A provision is continued stating that the Secretary shall ensure enforcement of immigration laws.

Section 557. A provision is included that reforms Coast Guard acquisition processes and definitions, and directs the Coast Guard to develop fiscal guidance when submitting costs related to acquisitions.

Section 558. A provision is included regarding Federal network security.

Section 559. A provision is included regarding restrictions on electronic access to pornography, except for law enforcement purposes.

Section 560. A provision is included authorizing CBP to enter into not more than five reimbursable agreements for the provision of CBP services and other costs incurred by CBP relating to such services. Only payment of overtime can be reimbursed at existing air facilities. Current statutory limitations on CBP's authority to receive outside funding, except in narrowly defined instances, have prevented CBP from receiving reimbursement from private sector and international, State, and local partners. Funds collected pursuant to this section shall be deposited in a newly established account as offsetting collections and remain available until expended, without fiscal year limitation.

Section 561. A provision is included regarding the transfer of firearms by Federal law enforcement personnel.

Section 562. A provision is included that withholds 20 percent of funds available 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 until all statutorily required expenditure plans, investment plans, and acquisition plans due on or before May 1, 2013, are submitted to the Committees.

Section 563. A provision is included authorizing collection of a $30 fee for a petition to compete for consideration of a visa under 8 U.S.C. 1153(c), effective October 1, 2013. Such petitions are submitted through an electronic entry form completed on-line and submitted via an Internet website established by the Secretary for the purpose of receiving such petitions. In order to address any issues regarding possible fraud within such program, the Department of State, in consultation with DHS, is directed to report to the Committees no later than 90 days after the date of enactment of this Act on the steps being taken to implement the recommendations of GAO report (GAO–07–1174).

Section 564. A provision is included related to community disaster loans.

Section 565. A provision is included regarding an OIG review and arbitration of disaster assistance.

Section 566. A provision is included prohibiting any funds from this or any other Act to be used for creation of the National Preparedness Grant Program or any successor grant programs unless explicitly authorized by Congress.

Section 567. A provision is included prohibiting funds for the ICE public advocate position.

Section 568. A provision is included that prohibits funds made available by this Act to reimburse any Federal department or agency for its participation in a NSSE. Additional explanation on this section is included in this statement under the heading United States Secret Service, ''Salaries and Expenses''.

Section 569. A provision is included regarding funding restrictions and reporting requirements regarding conferences occurring outside of the United States.

RESCISSIONS

Section 570. A provision is included rescinding $254,307,311 in unobligated balances of prior year appropriations in multiple appropriations across the Department.

RESCISSION

Section 571. A provision is included rescinding $12,000,000 of the unobligated prior year balances available for FEMA ''National Predisaster Mitigation Fund''.

RESCISSIONS

Section 572. A provision is included rescinding unobligated balances made available to the Department when it was created in 2003.

RESCISSIONS

Section 573. A provision is included rescinding lapsed balances made available pursuant to section 505 of this Act.

FUNDING RECOMMENDATIONS

Detailed funding recommendations, specified by program, project, and activity level, are contained in the table listed below.

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
DEPARTMENT OF HOMELAND SECURITY					
TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS					
Departmental Operations					
Office of the Secretary and Executive Management:					
Immediate Office of the Secretary	5,000	4,295	4,286	−714	−9
Immediate Office of the Deputy Secretary	1,918	2,387	2,094	+176	−293
Office of the Chief of Staff	2,300	2,498	2,175	−125	−323
Office of Counternarcotics Enforcement	1,800			−1,800	
Executive Secretary	8,100	7,993	7,592	−508	−401
Office of Policy	40,000	33,678	43,750	+3,750	+10,072
Office of Public Affairs	5,800	5,966	5,475	−325	−491
Office of Legislative Affairs	6,000	6,041	5,800	−200	−241
Office of Intergovernmental Affairs	2,650	2,648	2,380	−270	−268
Office of General Counsel	22,400	21,947	21,158	−1,242	−789
Office for Civil Rights and Civil Liberties	22,500	21,716	21,640	−860	−76
Citizenship and Immigration Services Ombudsman	6,200	5,950	5,650	−550	−300
Privacy Officer	8,491	8,387	8,000	−491	−387
Office of International Affairs		8,001			−8,001
Office of State and Local Law Enforcement		892			−892
Private Sector Office		1,751			−1,751
Subtotal	133,159	134,150	130,000	−3,159	−4,150
Office of the Under Secretary for Management:					
Immediate Office of the Under Secretary for Management	2,550	3,112	3,100	+550	−12
Office of the Chief Security Officer	70,000	69,258	69,000	−1,000	−258
Office of the Chief Procurement Officer	78,000	73,176	72,000	−6,000	−1,176
Subtotal	150,550	145,546	144,100	−6,450	−1,446
Office of the Chief Human Capital Officer:					
Salaries and expenses	25,165	25,971	24,971	−194	−1,000
Human resources information technology	14,172	9,689	9,680	−4,492	−9
Subtotal	39,337	35,660	34,651	−4,686	−1,009
Office of the Chief Administrative Officer:					
Salaries and expenses	40,700	35,117	34,312	−6,388	−805
Nebraska Avenue Complex [NAC]	5,000	5,448	5,448	+448	
Subtotal	45,700	40,565	39,760	−5,940	−805
Subtotal, Office of the Under Secretary for Management	235,587	221,771	218,511	−17,076	−3,260
DHS Consolidated Headquarters Project		89,000			−89,000
Office of the Chief Financial Officer	50,860	55,414	51,500	+640	−3,914

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Office of the Chief Information Officer:					
Salaries and expenses	105,500	120,670	118,000	+12,500	−2,670
Information technology services	38,800	28,002	27,600	−11,200	−402
Infrastructure and security activities	69,000	121,839	56,000	−13,000	−65,839
Homeland Secure Data Network	44,000	42,132	42,132	−1,868	
Subtotal	257,300	312,643	243,732	−13,568	−68,911
Analysis and Operations	338,068	321,982	322,280	−15,788	+298
Total, Departmental Operations	1,014,974	1,134,960	966,023	−48,951	−168,937
Office of Inspector General:					
Operating expenses	117,000	143,664	121,164	+4,164	−22,500
(by transfer from Disaster Relief)	(24,000)		(24,000)		(+24,000)
Total, Office of Inspector General	141,000	143,664	145,164	+4,164	+1,500
Total, title I, Departmental Management and Operations	1,131,974	1,278,624	1,087,187	−44,787	−191,437
(by transfer)	(24,000)		(24,000)		(+24,000)
TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
U.S. Customs and Border Protection					
Salaries and Expenses:					
Headquarters, Management, and Administration:					
Commissioner			17,415	+17,415	+17,415
Chief Counsel			43,078	+43,078	+43,078
Congressional Affairs			2,568	+2,568	+2,568
Internal Affairs			154,108	+154,108	+154,108
Public Affairs			12,563	+12,563	+12,563
Training and Development			77,721	+77,721	+77,721
Tech, Innovation, Acquisition			26,004	+26,004	+26,004
Intelligence/Investigative Liaison			68,156	+68,156	+68,156
Administration			414,674	+414,674	+414,674
Rent	483,749	614,871	564,871	+81,122	−50,000
Management and administration, border security inspections and trade facilitation	667,794	601,414		−667,794	−601,414
Management and administration, border security and control between ports of entry	717,309	665,646		−717,309	−665,646
Subtotal	1,868,852	1,881,931	1,381,158	−487,694	−500,773
Border Security Inspections and Trade Facilitation:					
Inspections, trade, and travel facilitation at ports of entry	2,484,235	2,480,674	2,718,654	+234,419	+237,980
Harbor maintenance fee collection (trust fund)	3,274	3,285	3,274		−11
International cargo screening	74,557	71,534	71,487	−3,070	−47
Other international programs	10,684	27,084	24,799	+14,115	−2,285
Customs-Trade Partnership Against Terrorism [C-TPAT]	44,979	40,082	43,069	−1,910	+2,987
Trusted Traveler programs	6,311	6,311	10,811	+4,500	+4,500
Inspection and detection technology investments	148,537	117,575	117,565	−30,972	−10
Automated Targeting Systems	41,400	113,826	113,826	+72,426	
National Targeting Center	51,950	65,127	68,127	+16,177	+3,000
Training	37,834	34,860	34,846	−2,988	−14
Subtotal	2,903,761	2,960,358	3,206,458	+302,697	+246,100
Border Security and Control Between Ports of Entry:					
Border security and control	3,530,994	3,551,840	3,631,796	+100,802	+79,956
Training	88,610	74,110	73,939	−14,671	−171
Subtotal	3,619,604	3,625,950	3,705,735	+86,131	+79,785
Air and Marine Operations	287,901	280,819		−287,901	−280,819
US-VISIT		261,523			−261,523
Subtotal, Salaries and expenses	8,680,118	9,010,581	8,293,351	−386,767	−717,230
Appropriations	(8,676,844)	(9,007,296)	(8,290,077)	(−386,767)	(−717,219)
Harbor maintenance trust fund	(3,274)	(3,285)	(3,274)		(−11)
Automation Modernization:					
Information Technology			394,340	+394,340	+394,340
Automated Commercial Environment/International Trade Data System [ITDS]	140,000	140,794	138,794	−1,206	−2,000
Current operations protection and processing support [COPPS]	194,275	186,732	186,732	−7,543	
Subtotal	334,275	327,526	719,866	+385,591	+392,340
Border Security Fencing, Infrastructure, and Technology [BSFIT]:					
Development and deployment	212,377	188,816	188,816	−23,561	
Operations and maintenance	133,248	138,283	135,283	+2,035	−3,000
Program management	54,375			−54,375	
Subtotal	400,000	327,099	324,099	−75,901	−3,000
Air and Marine Operations:					
Salaries and Expenses			283,570	+283,570	+283,570
Operations and maintenance	365,087	368,799	397,399	+32,312	+28,600
Procurement	138,879	66,970	118,037	−20,842	+51,067
Subtotal	503,966	435,769	799,006	+295,040	+363,237
Construction and Facilities Management:					
Facilities construction and sustainment	182,500	186,214	176,214	−6,286	−10,000
Program oversight and management	54,096	57,452	57,349	+3,253	−103
Subtotal	236,596	243,666	233,563	−3,033	−10,103
Total, U.S. Customs and Border Protection direct appropriations	10,154,955	10,344,641	10,369,885	+214,930	+25,244
Fee Accounts:					
Immigration inspection user fee	(527,629)	(568,790)	(568,790)	(+41,161)	
Immigration enforcement fines	(1,041)	(1,093)	(1,093)	(+52)	
Electronic System for Travel Authorization fee	(44,524)	(46,318)	(46,318)	(+1,794)	
Land border inspection fee	(28,909)	(35,935)	(35,935)	(+7,026)	
COBRA passenger inspection fee	(468,521)	(529,352)	(419,352)	(−49,169)	(−110,000)
APHIS inspection fee	(323,000)	(329,000)	(329,000)	(+6,000)	
Global Entry user fee	(2,615)	(13,743)	(13,743)	(+11,128)	
Puerto Rico collections	(91,779)	(96,367)	(96,367)	(+4,588)	
Small airport user fee	(8,167)	(8,318)	(8,318)	(+151)	
Subtotal, fee accounts	(1,496,185)	(1,628,916)	(1,518,916)	(+22,731)	(−110,000)

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Total, U.S. Customs and Border Protection	11,651,140	11,973,557	11,888,801	+237,661	−84,756
Appropriations	(10,154,955)	(10,344,641)	(10,369,885)	(+214,930)	(+25,244)
Fee accounts	(1,496,185)	(1,628,916)	(1,518,916)	(+22,731)	(−110,000)
U.S. Immigration and Customs Enforcement					
Salaries and Expenses:					
Headquarters Management and Administration:					
Personnel compensation and benefits, services and other costs	233,251	220,122	220,044	−13,207	−78
Headquarters managed IT investment	184,227	157,188	160,464	−23,763	+3,276
Subtotal	417,478	377,310	380,508	−36,970	+3,198
Legal Proceedings	215,935	207,580	207,041	−8,894	−539
Investigations:					
Domestic investigations	1,725,234	1,672,526	1,686,859	−38,375	+14,333
International Investigations:					
International operations	114,928	110,370	115,122	+194	+4,752
Visa Security Program	33,889	32,616	34,561	+672	+1,945
Subtotal	148,817	142,986	149,683	+866	+6,697
Subtotal, Investigations	1,874,051	1,815,512	1,836,542	−37,509	+21,030
Intelligence	81,503	78,748	78,452	−3,051	−296
Detention and Removal Operations:					
Custody operations	2,050,545	1,959,363	2,025,016	−25,529	+65,653
Fugitive operations	154,597	132,925	145,325	−9,272	+12,400
Criminal alien program	196,696	216,724	216,510	+19,814	−214
Alternatives to detention	72,373	111,590	96,557	+24,184	−15,033
(transfer out to Department of Justice)		(−5,000)			(+5,000)
Transportation and removal program	276,632	258,227	270,202	−6,430	+11,975
Subtotal	2,750,843	2,678,829	2,753,610	+2,767	+74,781
Secure Communities	189,064	138,713	138,249	−50,815	−464
Subtotal, Salaries and expenses	5,528,874	5,296,692	5,394,402	−134,472	+97,710
Automation Modernization:					
Automation modernization	21,710			−21,710	
TECS modernization		23,000	23,000	+23,000	
Detention and removals modernization		4,000	7,000	+7,000	+3,000
Electronic health records		3,500	3,500	+3,500	
Subtotal	21,710	30,500	33,500	+11,790	+3,000
Construction		5,000	5,000	+5,000	
Total, U.S. Immigration and Customs Enforcement direct appropriations	5,550,584	5,332,192	5,432,902	−117,682	+100,710
Fee Accounts:					
Immigration inspection user fee	(116,869)	(116,869)	(116,869)		
Breached bond/detention fund	(75,000)	(75,000)	(75,000)		
Student exchange and visitor fee	(120,000)	(120,000)	(120,000)		
Subtotal	311,869	311,869	311,869		
Total, U.S. Immigration and Customs Enforcement	5,862,453	5,644,061	5,744,771	−117,682	+100,710
Appropriations	(5,550,584)	(5,332,192)	(5,432,902)	(−117,682)	(+100,710)
Fee accounts	(311,869)	(311,869)	(311,869)		
(Transfer out)		(−5,000)			(+5,000)
Transportation Security Administration					
Aviation Security:					
Screening Operations:					
Screener workforce:					
Privatized screening	144,193	143,190	147,690	+3,497	+4,500
Screener personnel, compensation, and benefits	3,025,771	3,107,649	3,078,709	+52,938	−28,940
Subtotal	3,169,964	3,250,839	3,226,399	+56,435	−24,440
Screener training and other	249,796	225,012	224,984	−24,812	−28
Checkpoint support	204,768	120,239	115,204	−89,564	−5,035
EDS/ETD Systems:					
EDS procurement and installation	222,738	117,349	99,930	−122,808	−17,419
Screening technology maintenance, utilities	320,365	309,000	309,000	−11,365	
Subtotal	543,103	426,349	408,930	−134,173	−17,419
Subtotal, Screening operations	4,167,631	4,022,439	3,975,517	−192,114	−46,922
Aviation Security Direction and Enforcement:					
Aviation regulation and other enforcement	369,984	371,989	368,255	−1,729	−3,734
Airport management and support	570,226	569,615	562,349	−7,877	−7,266
Federal flight deck officer and flight crew training	25,461	12,500	24,730	−731	+12,230
Air cargo	120,654	122,096	121,769	+1,115	−327
Subtotal	1,086,325	1,076,200	1,077,103	−9,222	+903
Aviation Security Capital Fund (mandatory)	(250,000)	(250,000)	(250,000)		
Total, Aviation security (gross)	5,253,956	5,098,639	5,052,620	−201,336	−46,019
Aviation security fees (offsetting collections)	−2,030,000	−2,070,000	−2,070,000	−40,000	
Additional offsetting collections (leg. proposal)		−115,000			+115,000
Total, Aviation security (net, discretionary)	3,223,956	2,913,639	2,982,620	−241,336	+68,981
Surface Transportation Security:					
Staffing and operations	38,514	36,711	36,353	−2,161	−358
Surface transportation security inspectors and canines	96,234	87,565	88,065	−8,169	+500
Subtotal	134,748	124,276	124,418	−10,330	+142
Transportation Threat Assessment and Credentialing:					
Secure Flight	92,414	107,074	106,935	+14,521	−139
Crew and other vetting programs	71,540	85,557	85,489	+13,949	−68
TWIC fees	(8,300)	(47,300)	(47,300)	(+39,000)	
Hazardous materials fees	(12,000)	(12,000)	(12,000)		
Alien Flight School fees (by transfer from DOJ)	(4,000)	(5,000)	(5,000)	(+1,000)	
Air Cargo/Certified cargo screening program	(5,200)	(7,200)	(7,200)	(+2,000)	
Large aircraft security program	(1,200)			(−1,200)	

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Commercial aviation and airports/Secure identification display area checks	(8,000)	(8,000)	(8,000)		
Other security threat assessments	(100)	(120)	(120)	(+20)	
General aviation at DCA	(100)	(100)	(100)		
Indirect air cargo	(1,400)			(−1,400)	
Sensitive security information [SSI] fees	(20)			(−20)	
Subtotal	204,274	272,351	272,144	+67,870	−207
Direct appropriations	(163,954)	(192,631)	(192,424)	(+28,470)	(−207)
Fee funded programs	(40,320)	(79,720)	(79,720)	(+39,400)	
Transportation Security Support:					
Headquarters administration	292,334	281,554	276,122	−16,212	−5,432
Information technology	447,200	417,196	417,196	−30,004	
Human capital services	249,400	225,829	215,829	−33,571	−10,000
Intelligence	42,992	45,130	45,130	+2,138	
Subtotal	1,031,926	969,709	954,277	−77,649	−15,432
Federal Air Marshals:					
Management and administration	842,500	815,639	793,786	−48,714	−21,853
Travel and training	123,615	113,971	113,971	−9,644	
Subtotal	966,115	929,610	907,757	−58,358	−21,853
Total, Transportation Security Administration	7,841,019	7,644,585	7,561,216	−279,803	−83,369
Offsetting collections	(−2,030,000)	(−2,185,000)	(−2,070,000)	(−40,000)	(+115,000)
Aviation Security Capital Fund (mandatory)	(250,000)	(250,000)	(250,000)		
Fee funded programs	(40,320)	(79,720)	(79,720)	(+39,400)	
Total, Transportation Security Administration (net)	5,520,699	5,129,865	5,161,496	−359,203	+31,631
Coast Guard					
Operating Expenses:					
Military pay and allowances	3,413,061	3,415,595	3,415,181	+2,120	−414
Civilian pay and benefits	784,256	790,130	786,580	+2,324	−3,550
Training and recruiting	213,321	212,761	214,183	+862	+1,422
Operating funds and unit level maintenance	1,109,623	1,092,419	1,093,893	−15,730	+1,474
Centrally managed accounts	336,653	350,178	351,072	+14,419	+894
Intermediate and depot level maintenance	936,140	930,095	959,873	+23,733	+29,778
Overseas contingency operations/Global war on terrorism	258,000		254,000	−4,000	+254,000
(Permissive transfer from Navy O&M)		(254,461)			(−254,461)
Subtotal	7,051,054	6,791,178	7,074,782	+23,728	+283,604
(Defense)	(598,000)	(339,000)	(594,000)	(−4,000)	(+255,000)
(Nondefense)	(6,453,054)	(6,452,178)	(6,480,782)	(+27,728)	(+28,604)
Environmental Compliance and Restoration	13,500	13,162	13,151	−349	−11
Reserve Training	134,278	132,554	132,528	−1,750	−26
Acquisition, Construction, and Improvements:					
Vessels:					
Survey and design-vessel and boats	6,000	2,500	2,500	−3,500	
Response boat-medium	110,000		8,000	−102,000	+8,000
In-service vessel sustainment	14,000			−14,000	
National security cutter	77,000	683,000	679,300	+602,300	−3,700
Offshore patrol cutter	25,000	30,000	30,000	+5,000	
Fast response cutter	358,000	139,000	335,000	−23,000	+196,000
Cutter small boats	5,000	4,000	4,000	−1,000	
Medium endurance cutter sustainment	47,000	13,000	16,000	−31,000	+3,000
Polar ice breaking vessel		8,000	8,000	+8,000	
Subtotal	642,000	879,500	1,082,800	+440,800	+203,300
Aircraft:					
Airframe replacement (CGNR 6017)	18,300		14,000	−4,300	+14,000
Maritime patrol aircraft	129,500	43,000	55,000	−74,500	+12,000
HH–60 conversion projects	56,100			−56,100	
Long range surveillance aircraft	62,000		90,000	+28,000	+90,000
(DOD transfer for C–130J) (Public Law 112–74)	(63,500)			(−63,500)	
HH–65 conversion/sustainment projects	24,000	31,500	31,500	+7,500	
Subtotal	289,900	74,500	190,500	−99,400	+116,000
Other Acquisition Programs:					
Program oversight and management	26,000	25,000	15,000	−11,000	−10,000
Systems engineering and integration	17,140	2,500		−17,140	−2,500
C4ISR	38,500	40,500	40,500	+2,000	
CG–Logistics Information Management System	6,500	2,500	2,500	−4,000	
Nationwide automatic identification system	5,000	6,000	6,000	+1,000	
Rescue 21	65,000			−65,000	
Interagency operations centers	3,000			−3,000	
Subtotal	161,140	76,500	64,000	−97,140	−12,500
Shore Facilities and Aids to Navigation:					
Major construction; Housing; ATON; and Survey and design	92,900	15,000	30,000	−62,900	+15,000
Major acquisition systems infrastructure	81,500	49,411	49,411	−32,089	
Minor shore	6,292	5,000	5,000	−1,292	
Subtotal	180,692	69,411	84,411	−96,281	+15,000
Military Housing	20,000		10,000	−10,000	+10,000
Personnel and Related Support:					
Direct personnel costs	109,592	116,798	113,082	+3,490	−3,716
Core acquisition costs	600	600	600		
Subtotal	110,192	117,398	113,682	+3,490	−3,716
Rescission of unexpended balances (Public Law 111–83)		−25,000			+25,000
Subtotal, Acquisition, Construction, and Improvements	1,403,924	1,192,309	1,545,393	+141,469	+353,084
(By transfer)	(63,500)			(−63,500)	
Research, Development, Test, and Evaluation	27,779	19,728	19,690	−8,089	−38
Health care fund contribution (permanent indefinite discretionary appropriation)	261,871	203,000	203,000	−58,871	
Retired Pay (mandatory)	1,440,157	1,423,000	1,423,000	−17,157	
Total, Coast Guard	10,332,563	9,774,931	10,411,544	+78,981	+636,613
Appropriations	(10,074,563)	(9,799,931)	(10,157,544)	(+82,981)	(+357,613)

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Rescissions		(−25,000)			(+25,000)
Overseas contingency operations/Global war on terrorism	(258,000)		(254,000)	(−4,000)	(+254,000)
(By transfer)	(63,500)			(−63,500)	
(mandatory)	(1,440,157)	(1,423,000)	(1,423,000)	(−17,157)	
(discretionary)	(8,892,406)	(8,351,931)	(8,988,544)	(+96,138)	(+636,613)
United States Secret Service					
Salaries and Expenses:					
Protection:					
Protection of persons and facilities	832,463	837,646	855,236	+22,773	+17,590
Protective intelligence activities	68,125	68,373	68,125		−248
Presidential candidate nominee protection	113,462	57,960	57,960	−55,502	
National special security event fund	19,307	4,500	4,500	−14,807	
White House mail screening	18,472	19,855		−18,472	−19,855
Subtotal	1,051,829	988,334	985,821	−66,008	−2,513
Investigations:					
Domestic field operations	223,991	238,553	299,690	+75,699	+61,137
International field office administration, operations and training	32,971	31,016	30,971	−2,000	−45
Electronic crimes special agent program and electronic crimes task forces	53,051	54,655		−53,051	−54,655
Support for missing and exploited children	8,366		8,366		+8,366
Subtotal	318,379	324,224	339,027	+20,648	+14,803
Headquarters, Management and Administration	191,588	174,669	174,334	−17,254	−335
Rowley Training Center	55,598	55,749	55,598		−151
Information Integration and Technology Transformation	43,843	1,137	1,133	−42,710	−4
Subtotal, Salaries and Expenses	1,661,237	1,544,113	1,555,913	−105,324	+11,800
Acquisition, Construction, Improvements, and Related Expenses	5,380			−5,380	
Facilities		4,430	4,430	+4,430	
Information Integration and Technology Transformation		52,320	52,320	+52,320	
Subtotal	5,380	56,750	56,750	+51,370	
Total, United States Secret Service	1,666,617	1,600,863	1,612,663	−53,954	+11,800
Total, title II, Security, Enforcement, and Investigations	33,225,418	32,182,492	32,988,490	−236,928	+805,998
Appropriations	(32,967,418)	(32,207,492)	(32,734,490)	(−232,928)	(+526,998)
Rescissions		(−25,000)			(+25,000)
Overseas contingency operations/Global war on terrorism	(258,000)		(254,000)	(−4,000)	(+254,000)
(By transfer)	(63,500)			(−63,500)	
(Transfer out)		(−5,000)			(+5,000)
(Fee Accounts)	(1,848,374)	(2,020,505)	(1,910,505)	(+62,131)	(−110,000)
TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
National Protection and Programs Directorate					
Management and Administration:					
Administrative activities	46,454	50,321	50,220	+3,766	−101
Risk management and analysis	4,241			−4,241	
Subtotal	50,695	50,321	50,220	−475	−101
Infrastructure Protection and Information Security:					
Infrastructure Protection:					
Infrastructure analysis and planning	70,518	56,909	58,969	−11,549	+2,060
Sector management and governance	74,219	67,132	67,061	−7,158	−71
Regional field operations	57,367	56,497	56,418	−949	−79
Infrastructure security compliance	93,348	74,544	77,945	−15,403	+3,401
Subtotal, Infrastructure protection	295,452	255,082	260,393	−35,059	+5,311
Cybersecurity and Communications:					
Cybersecurity:					
Cybersecurity coordination	4,500	3,995	3,986	−514	−9
US Computer Emergency Readiness Team [US–CERT] Operations	79,116	93,002	92,927	+13,811	−75
Federal Network Security	35,000	236,014	235,992	+200,992	−22
Network Security Deployment	229,000	345,046	329,009	+100,009	−16,037
Global Cybersecurity Management	23,992	21,957	25,955	+1,963	+3,998
Critical Infrastructure Cyber Protection and Awareness	60,000	62,763	62,748	+2,748	−15
Business Operations	11,568	6,227	6,211	−5,357	−16
Subtotal, Cybersecurity	443,176	769,004	756,828	+313,652	−12,176
Communications:					
Office of Emergency Communications	43,495	38,689	38,654	−4,841	−35
Priority telecommunications services	56,074	53,286	53,265	−2,809	−21
Next generation networks	25,253	20,000	24,499	−754	+4,499
Programs to study and enhance telecommunications	13,441	19,594	12,930	−511	−6,664
Critical infrastructure protection programs	11,352	10,978	10,960	−392	−18
Subtotal, Communications	149,615	142,547	140,308	−9,307	−2,239
Subtotal, Cybersecurity and Communications	592,791	911,551	897,136	+304,345	−14,415
Subtotal, Infrastructure Protection and Information Security	888,243	1,166,633	1,157,529	+269,286	−9,104
Federal Protective Service:					
Basic security	247,478	271,540	271,540	+24,062	
Building-specific security	501,039	509,056	509,056	+8,017	
Reimbursable Security Fees (contract guard services)	513,020	521,228	521,228	+8,208	
Subtotal, Federal Protective Service	1,261,537	1,301,824	1,301,824	+40,287	
Offsetting collections	−1,261,537	−1,301,824	−1,301,824	−40,287	
U.S. Visitor and Immigrant Status Indicator Technology	306,802			−306,802	
Office of Biometric Identity Management			232,422	+232,422	+232,422
Total, National Protection and Programs Directorate (gross)	2,507,277	2,518,778	2,741,995	+234,718	+223,217
Offsetting collections	(−1,261,537)	(−1,301,824)	(−1,301,824)	(−40,287)	
Total, National Protection and Programs Directorate (net)	1,245,740	1,216,954	1,440,171	+194,431	+223,217
Office of Health Affairs					
BioWatch	114,164	125,294	85,390	−28,774	−39,904
National Biosurveillance Integration Center	12,013	8,000	13,000	+987	+5,000
Chemical Defense Program	5,439	500	2,000	−3,439	+1,500

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Planning and Coordination	6,162	4,907	5,407	−755	+500
Salaries and Expenses	29,671	27,757	26,702	−2,969	−1,055
Total, Office of Health Affairs	167,449	166,458	132,499	−34,950	−33,959
Federal Emergency Management Agency					
Salaries and Expenses:					
Administrative and regional offices	110,495	214,603	257,409	+146,914	+42,806
Office of National Capital Region Coordination	(5,493)	(5,099)	(4,293)	(−1,200)	(−806)
Preparedness and protection	109,873	73,153	179,047	+69,174	+105,894
Response	226,228	171,897	179,428	−46,800	+7,531
Urban search and rescue response system	(41,250)	(27,513)	(35,180)	(−6,070)	(+7,667)
Recovery	78,373	55,423	55,299	−23,074	−124
Mitigation	43,675	27,110	29,814	−13,861	+2,704
Mission support	219,433	152,806	157,534	−61,899	+4,728
Centrally managed accounts	107,273	94,180	114,587	+7,314	+20,407
Subtotal, Salaries and Expenses	895,350	789,172	973,118	+77,768	+183,946
(Defense)	(99,099)	(58,000)	(58,000)	(−41,099)	
(Nondefense)	(796,251)	(731,172)	(915,118)	(+118,867)	(+183,946)
(by transfer from State and Local Programs)	(91,778)	(279,304)		(−91,778)	(−279,304)
(available from Firefighter Assistance Grants)	(33,750)			(−33,750)	
(available from Emergency Management Performance Grants)	(10,500)			(−10,500)	
Subtotal, Salaries and Expenses (net)	1,031,378	1,068,476	973,118	−58,260	−95,358
Grants and Training:					
State and Local Programs:					
Discretionary State and local grants	1,118,000		188,932	−929,068	+188,932
State Homeland Security Grant Program			346,600	+346,600	+346,600
Operation Stonegarden	(50,000)		(46,600)	(−3,400)	(+46,600)
Urban area security initiative			500,376	+500,376	+500,376
Nonprofit security grants			(10,000)	(+10,000)	(+10,000)
Public transportation security assistance and railroad security assistance			97,500	+97,500	+97,500
Amtrak security			(10,000)	(+10,000)	(+10,000)
Port Security Grants			97,500	+97,500	+97,500
Education, Training, and Exercises:					
Emergency Management Institute	16,181		17,805	+1,624	+17,805
Center for Domestic Preparedness	62,500		64,991	+2,491	+64,991
National Domestic Preparedness Consortium	93,000		93,000		+93,000
National Exercise Program	34,000		32,378	−1,622	+32,378
Continuing training	26,000		27,000	+1,000	+27,000
Subtotal	231,681		235,174	+3,493	+235,174
National Preparedness Grant Program		1,540,908			−1,540,908
First Responder Assistance Program:					
Emergency Management Performance Grants		350,000			−350,000
Fire Grants		335,000			−335,000
Staffing for Adequate Fire and Emergency Response [SAFER] Act Grants		335,000			−335,000
Training Partnership Grants		60,000			−60,000
Subtotal, First Responder Assistance Program		1,080,000			−1,080,000
Management and Administration		279,304			−279,304
Subtotal, State and Local Programs	1,349,681	2,900,212	1,466,082	+116,401	−1,434,130
(Defense)	(50,000)		(46,600)	(−3,400)	(+46,600)
(Nondefense)	(1,299,681)	(2,900,212)	(1,419,482)	(+119,801)	(−1,480,730)
(transfer out to Salaries and Expenses)	(−91,778)	(−279,304)		(+91,778)	(+279,304)
Subtotal, State and Local Programs (net)	1,257,903	2,620,908	1,466,082	+208,179	−1,154,826
Firefighter Assistance Grants:					
Fire grants	337,500		337,500		+337,500
Staffing for Adequate Fire and Emergency Response [SAFER] Act grants	337,500		337,500		+337,500
Subtotal	675,000		675,000		+675,000
(available to Salaries and Expenses)	(−33,750)			(+33,750)	
Subtotal, Firefighter Assistance Grants(net)	641,250		675,000	+33,750	+675,000
Emergency Management Performance Grants	350,000		350,000		+350,000
(available to Salaries and Expenses)	(−10,500)			(+10,500)	
Subtotal, Emergency Management Performance Grants (net)	339,500		350,000	+10,500	+350,000
Subtotal, Grants and Training	2,374,681	2,900,212	2,491,082	+116,401	−409,130
(transfer out/available to Salaries and Expenses)	−136,028	−279,304		+136,028	+279,304
Subtotal, Grants and Training (net)	2,238,653	2,620,908	2,491,082	+252,429	−129,826
Radiological Emergency Preparedness Program	−896	−1,443	−1,443	−547	
United States Fire Administration	44,038	42,520	44,000	−38	+1,480
Disaster Relief Fund:					
Base disaster relief	700,000	607,926	607,926	−92,074	
Disaster relief category	6,400,000	5,481,000	6,400,000		+919,000
Subtotal, Disaster Relief Fund	7,100,000	6,088,926	7,007,926	−92,074	+919,000
(transfer out to Inspector General)	(−24,000)		(−24,000)		(−24,000)
Subtotal, Disaster Relief Fund (net)	7,076,000	6,088,926	6,983,926	−92,074	+895,000
Disaster Assistance Direct Loan Program Account:					
(Limitation on direct loans)	(25,000)	(25,000)		(−25,000)	(−25,000)
Direct loan subsidy	295			−295	
Flood Hazard Mapping and Risk Analysis Program	97,712	89,329	95,329	−2,383	+6,000
National Flood Insurance Fund:					
Salaries and expenses	22,000	22,000	22,000		
Flood plain management and mapping	149,000	149,000	149,000		
Subtotal	171,000	171,000	171,000		
Offsetting fee collections	−171,000	−171,000	−171,000		
National Predisaster Mitigation Fund	35,500		25,000	−10,500	+25,000

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Emergency Food and Shelter	120,000	100,000	120,000		+20,000
Total, Federal Emergency Management Agency	10,666,680	10,008,716	10,755,012	+88,332	+746,296
(Appropriations)	(4,266,680)	(4,527,716)	(4,355,012)	(+88,332)	(−172,704)
(Disaster relief category)	(6,400,000)	(5,481,000)	(6,400,000)		(+919,000)
(By transfer)	(91,778)	(279,304)		(−91,778)	(−279,304)
(Transfer out)	(−115,778)	(−279,304)	(−24,000)	(+91,778)	(+255,304)
(Limitation on direct loans)	(25,000)	(25,000)		(−25,000)	(−25,000)
Total, title III, Protection, Preparedness, Response and Recovery Directorate	12,079,869	11,392,128	12,327,682	+247,813	+935,554
Appropriations	(5,679,869)	(5,911,128)	(5,927,682)	(+247,813)	(+16,554)
Disaster relief category	(6,400,000)	(5,481,000)	(6,400,000)		(+919,000)
(By transfer)	(91,778)	(279,304)		(−91,778)	(−279,304)
(Transfer out)	(−115,778)	(−279,304)	(−24,000)	(+91,778)	(+255,304)
(Limitation on direct loans)	(25,000)	(25,000)		(−25,000)	(−25,000)
TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES					
United States Citizenship and Immigration Services					
Appropriations:					
Systematic Alien Verification for Entitlements		20,048			−20,048
E-Verify program	102,424	111,924	111,924	+9,500	
Immigrant integration programs		11,002			−11,002
Subtotal	102,424	142,974	111,924	+9,500	−31,050
Fee Accounts:					
Adjudication Services:					
District operations	(1,315,570)	(1,283,771)	(1,313,702)	(−1,868)	(+29,931)
(Immigrant Integration Grants)	(10,000)		(7,500)	(−2,500)	(+7,500)
Service center operations	(532,414)	(507,479)	(524,788)	(−7,626)	(+17,309)
Asylum, refugee and international operations	(196,877)	(196,274)	(196,584)	(−293)	(+310)
Records operations	(86,631)	(86,774)	(86,774)	(+143)	
Business transformation	(344,055)	(269,216)	(269,216)	(−74,839)	
(Digitization program)	(29,000)		(29,000)		(+29,000)
Subtotal	2,475,547	2,343,514	2,391,064	−84,483	+47,550
Information and Customer Services:					
Operating expenses	(88,891)	(89,011)	(89,011)	(+120)	
Administration:					
Operating expenses	(381,666)	(382,334)	(382,334)	(+668)	
Systematic Alien Verification for Entitlements [SAVE]	(29,937)		(20,048)	(−9,889)	(+20,048)
Subtotal, Fee accounts	2,976,041	2,814,859	2,882,457	−93,584	+67,598
H1–B Visa Fee Account:					
Adjudication Services:					
Service center operations		(12,550)			(−12,550)
H1–B and L Fraud Prevention Fee Account:					
Adjudication Services:					
District operations		(35,000)			(−35,000)
Total, Fee accounts	2,976,041	2,862,409	2,882,457	−93,584	+20,048
Total, United States Citizenship and Immigration Services	(3,078,465)	(3,005,383)	(2,994,381)	(−84,084)	(−11,002)
Appropriations	(102,424)	(142,974)	(111,924)	(+9,500)	(−31,050)
Fee accounts	(2,976,041)	(2,862,409)	(2,882,457)	(−93,584)	(+20,048)
(Immigration Examination Fee Account)	(2,923,845)	(2,814,859)	(2,882,457)	(−41,388)	(+67,598)
(H1–B Visa Fee Account)	(13,000)	(12,550)		(−13,000)	(−12,550)
(H1–B and L Fraud Prevention Fee Account)	(39,196)	(35,000)		(−39,196)	(−35,000)
Federal Law Enforcement Training Center					
Salaries and Expenses:					
Law enforcement training	207,937	198,375	198,004	−9,933	−371
Management and administration	29,716	29,261	29,163	−553	−98
Accreditation	1,304	1,303	1,300	−4	−3
Subtotal	238,957	228,939	228,467	−10,490	−472
Acquisitions, Construction, Improvements, and Related Expenses	32,456	29,385	28,385	−4,071	−1,000
Total, Federal Law Enforcement Training Center	271,413	258,324	256,852	−14,561	−1,472
Science and Technology					
Management and Administration	135,000	138,008	132,000	−3,000	−6,008
Research, Development, Acquisition, and Operations:					
Research, development, and innovation	265,783	478,048	450,555	+184,772	−27,493
Laboratory facilities	176,500	127,432	164,932	−11,568	+37,500
Acquisition and operations support	54,154	47,984	47,984	−6,170	
University programs	36,563	40,000	40,000	+3,437	
Subtotal	533,000	693,464	703,471	+170,471	+10,007
Total, Science and Technology	668,000	831,472	835,471	+167,471	+3,999
Domestic Nuclear Detection Office					
Management and Administration	38,000	39,692	39,650	+1,650	−42
Research, Development, and Operations:					
Systems engineering and architecture	30,000	30,091	30,000		−91
Systems development	51,000	28,401	28,000	−23,000	−401
Transformational research and development	40,000	83,897	74,766	+34,766	−9,131
Assessments	38,000	33,198	33,000	−5,000	−198
Operations support	33,000	35,679	35,500	+2,500	−179
National Technical Nuclear Forensics Center	23,000	25,564	25,564	+2,564	
Subtotal	215,000	236,830	226,830	+11,830	−10,000
Systems Acquisition:					
Radiation portal monitor program	7,000	1,355	1,355	−5,645	
Securing the Cities	22,000	22,000	22,000		
Human portable radiation detection systems	8,000	28,100	28,100	+20,100	
Subtotal	37,000	51,455	51,455	+14,455	
Total, Domestic Nuclear Detection Office	290,000	327,977	317,935	+27,935	−10,042

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Total, title IV, Research and Development, Training, and Services	1,331,837	1,560,747	1,522,182	+190,345	−38,565
(Fee Accounts)	(2,976,041)	(2,862,409)	(2,882,457)	(−93,584)	(+20,048)
TITLE V—GENERAL PROVISIONS					
USCIS Immigrant Integration Grants			2,500	+2,500	+2,500
NSSE reimbursement fund	7,500		5,000	−2,500	+5,000
Data center migration	70,000		55,000	−15,000	+55,000
DHS Consolidated Headquarters Project	55,979		29,000	−26,979	+29,000
Community disaster loans			13,000	+13,000	+13,000
ICE Salaries and expenses (rescission)	−10,000			+10,000	
ICE Automation Modernization (rescission)	−10,000			+10,000	
CBP Automation Modernization (rescission)	−5,000			+5,000	
USCG AC&I Great Lakes Icebreaker (rescission)	−2,427			+2,427	
TASC (rescission)	−5,000			+5,000	
US-VISIT (rescission)	−27,400			+27,400	
Analysis and Operations (rescission)			−1,800	−1,800	−1,800
CBP BSFIT (rescission)	−7,000		−73,232	−66,232	−73,232
ICE Construction (rescission)			−3,108	−3,108	−3,108
TSA Surface Transportation (rescission)	−71,300		−21,667	+49,633	−21,667
Rescission of NSC #5 fiscal year 2011 funding			−43,500	−43,500	−43,500
Rescission of NSC #4 fiscal year 2010 funding			−25,000	−25,000	−25,000
Rescission of NSC			−25,000	−25,000	−25,000
USCG AC&I (rescission)			−15,000	−15,000	−15,000
USCG AC&I (rescission)			−15,000	−15,000	−15,000
Patrol boats (fiscal year 2010)(rescission)			−8,000	−8,000	−8,000
H–60 (fiscal year 2012)(rescission)			−5,000	−5,000	−5,000
H–60 (rescission)			−3,000	−3,000	−3,000
Program Management (rescission)			−5,000	−5,000	−5,000
H–65 (rescission)			−10,000	−10,000	−10,000
Predisaster Mitigation Fund (rescission)			−12,000	−12,000	−12,000
Rescission of legacy funds	−20,654		−7,680	+12,974	−7,680
Rescission of unobligated balances	−45,411		−33,011	+12,400	−33,011
Total, title V, General Provisions	−70,713		−202,498	−131,785	−202,498
Appropriations	(133,479)		(104,500)	(−28,979)	(+104,500)
Rescissions	(−204,192)		(−306,998)	(−102,806)	(−306,998)
DIVISION G					
Section 3001 (rescission) (Security)			−37,000	−37,000	−37,000
Grand total	47,698,385	46,413,991	47,686,043	−12,342	+1,272,052
Appropriations	(41,244,577)	(40,957,991)	(41,376,041)	(+131,464)	(+418,050)
Rescissions	(−204,192)	(−25,000)	(−343,998)	(−139,806)	(−318,998)
Overseas contingency operations/Global war on terrorism	(258,000)		(254,000)	(−4,000)	(+254,000)
Disaster relief category	(6,400,000)	(5,481,000)	(6,400,000)		(+919,000)
(Fee funded programs)	(4,824,415)	(4,882,914)	(4,792,962)	(−31,453)	(−89,952)
(Limitation on direct loans)	(25,000)	(25,000)		(−25,000)	(−25,000)
(by transfer)	(179,278)	(279,304)	(24,000)	(−155,278)	(−255,304)
(transfer out)	(−115,778)	(−284,304)	(−24,000)	(+91,778)	(+260,304)

DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 112–491 and Senate Report 112–168 should be complied with unless specifically addressed to the contrary in 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 this Act 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.

Department of Defense and Veterans Affairs Joint Collaboration on Medical Facility Construction.—Having the Department of Defense (DOD) and Department of Veterans Affairs (VA) medical facility construction accounts in the same bill allows the Committees to review coordinated efforts and efficiencies within the two systems. An overarching concern of the Committees has been to facilitate the seamless transition from active duty service member to veteran, including the transition from DOD to VA medical facilities. There have been multiple instances in which DOD and the VA have failed to coordinate medical facility construction efforts, in particular, where the VA is currently collocated with an existing DOD medical facility, but hospital replacement facilities are planned and budgeted in the military construction budget without coordination or consultation with the VA. Better coordination between the two Departments on construction activities, where appropriate, has the potential to save money by reducing duplicative construction costs, and provides a unique opportunity for creating more efficient use of medical equipment once the hospitals or outpatient clinics become operational. The TRICARE Management Activity and the Veterans Health Administration are therefore directed to report to the congressional defense committees no later than 180 days after enactment of this Act on the current construction coordination between the two agencies. The report should include a comparison by fiscal year of the TRICARE Management Activity and the Veterans Health Administration's future year construction plans for new facilities that currently are collocated as well as any potential new collocation sites.

Hiring of veterans.—The unemployment rates among the Nation's veterans, particularly for those who have recently left active duty, continue to be of concern. With impending force reductions, this problem is likely to worsen. The Department of Veterans Affairs (VA), as well as the Department of Defense and the domestic agencies funded in title III of this division, are urged to redouble their efforts to hire returning veterans and to exceed where possible statutory requirements for veterans hiring preferences. In recognizing the skills and specialty certifications veterans have received through their military training, these agencies will gain a superior workforce and at the same time demonstrate the Government's appreciation for our veterans' service.

TITLE I

DEPARTMENT OF DEFENSE

ITEMS OF GENERAL INTEREST

Incrementally Funded Projects.—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. In general, the Committees support full funding for military construction projects. In some cases, however, incremental funding makes fiscal and programmatic sense. The bill therefore incrementally funds the following projects: Ambulatory Care Center Phase 3, Joint Base San Antonio, Texas; STRATCOM Replacement Facility, Increment 2, Offutt AFB, Nebraska; U.S. Military Academy Cadet Barracks, West Point, New York; and Aegis Ashore Missile Defense Complex, Deveselu, Romania.

MILITARY CONSTRUCTION, ARMY

The bill appropriates $1,684,323,000 for Military Construction, Army. Within this amount, the bill provides $80,173,000 for study, planning, design, architect and engineer services, and host nation support.

Arlington Cemetery.—The budget request proposed to fund Arlington National Cemetery through three accounts: $25,000,000 to be provided through Operation and Maintenance, Army, $103,000,000 to be provided through Military Construction, Army, and $45,800,000 to be provided through Cemeterial Expenses, Army for a total of $173,800,000. Instead of including the $103,000,000 in title I as requested, the funds are provided in title III of Division E under Cemeterial Expenses, Army.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The bill appropriates $1,549,164,000 for Military Construction, Navy and Marine Corps. Within this amount, the bill provides $102,619,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, AIR FORCE

The bill appropriates $322,543,000 for Military Construction, Air Force. Within this amount, the bill provides $18,635,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

The bill appropriates $3,582,423,000 for Military Construction, Defense-Wide. Within this amount, the bill provides $315,562,000 for study, planning, design, architect and engineer services.

Energy Conservation Investment Program (ECIP).—The bill provides $150,000,000 for ECIP. Additionally, the bill provides $10,000,000 in dedicated funding for ECIP planning and design. The Committees strongly support 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 Department is urged to use the dedicated planning and design funds to invest in innovative renewable energy projects as well as projects that enhance energy security at military installations. The Department is also encouraged to request dedicated planning and design funding for ECIP in future budget submissions.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The bill appropriates $613,799,000 for Military Construction, Army National Guard. Within this amount, the bill provides $26,622,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The bill appropriates $42,386,000 for Military Construction, Air National Guard. Within this amount, the bill provides $4,000,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, ARMY RESERVE

The bill appropriates $305,846,000 for Military Construction, Army Reserve. Within this amount, the bill provides $15,951,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, NAVY RESERVE

The bill appropriates $49,532,000 for Military Construction, Navy Reserve. Within this amount, the bill provides $2,118,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

The bill appropriates $10,979,000 for Military Construction, Air Force Reserve. Within this amount, the bill provides $2,879,000 for study, planning, design, architect and engineer services.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

The bill appropriates $254,163,000 for the North Atlantic Treaty Organization Security Investment Program.

FAMILY HOUSING CONSTRUCTION, ARMY

The bill appropriates $4,641,000 for Family Housing Construction, Army.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

The bill appropriates $530,051,000 for Family Housing Operation and Maintenance, Army.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

The bill appropriates $102,182,000 for Family Housing Construction, Navy and Marine Corps.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

The bill appropriates $378,230,000 for Family Housing Operation and Maintenance, Navy and Marine Corps.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

The bill appropriates $83,824,000 for Family Housing Construction, Air Force.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

The bill appropriates $497,829,000 for Family Housing Operation and Maintenance, Air Force.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

The bill appropriates $52,238,000 for Family Housing Operation and Maintenance, Defense-Wide.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

The bill appropriates $1,786,000 for the Department of Defense Family Housing Improvement Fund.

DEPARTMENT OF DEFENSE HOMEOWNERS ASSISTANCE FUND

The bill provides no appropriation for the Department of Defense Homeowners Assistance Fund in fiscal year 2013, the same as the budget request.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

The bill appropriates $151,000,000 for Chemical Demilitarization Construction, Defense-Wide.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

The bill appropriates $409,396,000 for the Department of Defense Base Closure Account 1990. This amount is $60,000,000 above the budget request to accelerate the pace of environmental cleanup at closed or realigned military installations. Based on requirements identified by the services, of the additional funding provided, $30,000,000 shall be made available for the Army, and $30,000,000 for the Navy. These funds are to be allocated at the discretion of the services to meet the most pressing unfunded environmental cleanup requirements at closed or realigned bases.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

The bill appropriates $126,697,000 for the Department of Defense Base Closure Account 2005. 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 these savings should be used to offset current BRAC 2005 requirements. The bill therefore rescinds $132,513,000 from previous BRAC 2005 appropriations (Sec. 131 of Administrative Provisions) to offset the fiscal year 2013 request.

BRAC 133.—In an effort to mitigate traffic congestion surrounding the Mark Center site, the bill includes a limitation on the number of parking spaces the Department may utilize at the Mark Center to no more than 2,500, 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.

ADMINISTRATIVE PROVISIONS

(Including Transfers and Rescissions of Funds)

The bill includes section 101 limiting the use of funds under a cost-plus-a-fixed-fee contract.

The bill includes section 102 allowing the use of construction funds in this title for hire of passenger motor vehicles.

The bill includes section 103 allowing the use of construction funds in this title for advances to the Federal Highway Administration for the construction of access roads.

The bill includes section 104 prohibiting construction of new bases in the United States without a specific appropriation.

The bill includes section 105 limiting the use of funds for the purchase of land or land easements that exceed 100 percent of the value.

The bill includes section 106 prohibiting the use of funds, except funds appropriated in this title for that purpose, for family housing.

The bill includes section 107 limiting the use of minor construction funds to transfer or relocate activities.

The bill includes section 108 prohibiting the procurement of steel unless American producers, fabricators, and manufacturers have been allowed to compete.

The bill includes section 109 prohibiting the use of construction or family housing funds to pay real property taxes in any foreign nation.

The bill includes section 110 prohibiting the use of funds to initiate a new installation overseas without prior notification.

The bill includes section 111 establishing a preference for American architectural and engineering services for overseas projects.

The bill includes section 112 establishing a preference for American contractors in certain locations.

The bill includes section 113 requiring congressional notification of military exercises when construction costs exceed $100,000.

The bill includes section 114 allowing funds appropriated in prior years for new projects authorized during the current session of Congress.

The bill includes section 115 limiting obligations in the last two months of the fiscal year.

The bill includes section 116 allowing the use of expired or lapsed funds to pay the cost of supervision for any project being completed with lapsed funds.

The bill includes section 117 allowing military construction funds to be available for five years.

The bill includes section 118 allowing the transfer of proceeds between BRAC accounts.

The bill includes section 119 allowing the transfer of funds from Family Housing Construction accounts to the Family Housing Improvement Fund.

The bill includes section 120 allowing transfers to the Homeowners Assistance Fund.

The bill includes section 121 limiting the source of operation and maintenance funds for flag and general officer quarters and allowing for notification by electronic medium.

The bill includes section 122 extending the availability of funds in the Ford Island Improvement Account.

The bill includes section 123 placing limitations on the expenditure of funds for projects impacted by BRAC 2005.

The bill includes section 124 allowing the transfer of expired funds to the Foreign Currency Fluctuations, Construction, Defense account.

The bill includes section 125 which limits parking at BRAC 133 to 2,500 spaces and includes other requirements and exemptions.

The bill includes section 126 prohibiting the use of funds for any action related to the expansion of Pinon Canyon Maneuver Site, Colorado.

The bill includes section 127 allowing for the reprogramming of construction funds among projects and activities subject to certain criteria.

The bill includes section 128 restricting the obligation of funds for relocating an Army unit that performs a testing mission.

The bill includes section 129 prohibiting the obligation or expenditure of funds provided to the Department of Defense for military construction for projects at Arlington National Cemetery.

The bill includes section 130 rescinding unobligated balances from the contingency construction account in Military Construction, Defense-Wide.

The bill includes section 131 rescinding unobligated balances from the Department of Defense Base Closure Account 2005.

The bill includes section 132 allowing the transfer of funds to the Secretary of the Navy from the Defense Family Housing Improvement Fund.

MILITARY CONSTRUCTION

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
ALABAMA			
ARMY NATIONAL GUARD:			
FORT MC CLELLAN:			
LIVE FIRE SHOOT HOUSE	5,400	5,400	
ALASKA			
ARMY:			
FORT WAINWRIGHT:			
MODIFIED RECORD FIRE RANGE	10,400	10,400	
JOINT BASE ELMENDORF-RICHARDSON:			
MODIFIED RECORD FIRE RANGE	7,900	7,900	
ARIZONA			
NAVY:			
YUMA:			
COMBAT AIRCRAFT LOADING APRON	15,985	15,985	
SECURITY OPERATIONS COMPLEX	13,300	13,300	
DEFENSE-WIDE:			
MARANA:			
SOF PARACHUTE TRAINING FACILITY	6,477	6,477	
YUMA:			
TRUCK UNLOAD FACILITY	1,300	1,300	
NAVY RESERVE:			
YUMA:			
RESERVE TRAINING FACILITY—YUMA AZ	5,379	5,379	

MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
ARKANSAS			
AIR FORCE:			
LITTLE ROCK AFB:			
C–130J FLIGHT SIMULATOR ADDITION	4,178	4,178	
C–130J FUEL SYSTEMS MAINTENANCE HANGAR	26,000	26,000	
ARMY NATIONAL GUARD:			
SEARCY:			
FIELD MAINTENANCE SHOP	6,800	6,800	
CALIFORNIA			
ARMY:			
CONCORD:			
ENGINEERING/HOUSING MAINTENANCE SHOP	3,100	3,100	
LIGHTNING PROTECTION SYSTEM	5,800	5,800	
NAVY:			
CAMP PENDLETON:			
COMM INFORMATION SYSTEMS OPS COMPLEX	78,897	78,897	
MV22 AVIATION SIMULATOR BUILDING	4,139	4,139	
SAN JACINTO ROAD EXTENSION	5,074	5,074	
CORONADO:			
BACHELOR QUARTERS	76,063	76,063	
H–60S SIMULATOR TRAINING FACILITY	2,478	2,478	
VENTURA COUNTY:			
BAMS MAINTENANCE TRAINING FACILITY	14,843	12,790	−2,053
MIRAMAR:			
HANGAR 5 RENOVATIONS & ADDITION	27,897	27,897	
SAN DIEGO:			
ENTRY CONTROL POINT (GATE FIVE)	11,752	11,752	
LCS TRAINING FACILITY	59,436	59,436	
SEAL BEACH:			
STRATEGIC SYSTEMS WEAPONS EVAL TEST LAB	30,594	30,594	
TWENTYNINE PALMS:			
LAND EXPANSION PHASE 2	47,270	47,270	
DEFENSE-WIDE:			
CORONADO:			
SOF CLOSE QUARTERS COMBAT/DYNAMIC SHOOT FAC	13,969	13,969	
SOF INDOOR DYNAMIC SHOOTING FACILITY	31,170	31,170	
SOF MOBILE COMM DETACHMENT SUPPORT FACILITY	10,120	10,120	
DEF FUEL SUPPORT POINT—SAN DIEGO:			
REPLACE FUEL PIER	91,563	91,563	
EDWARDS AIR FORCE BASE:			
REPLACE FUEL STORAGE	27,500	27,500	
TWENTYNINE PALMS:			
MEDICAL CLINIC REPLACEMENT	27,400	27,400	
ARMY NATIONAL GUARD:			
FORT IRWIN:			
MANEUVER AREA TRAINING & EQUIPMENT SITE PH3	25,000	25,000	
AIR NATIONAL GUARD:			
FRESNO YOSEMITE IAP ANG:			
F–15 CONVERSION	11,000	11,000	
ARMY RESERVE:			
FORT HUNTER LIGGETT:			
ORTC	64,000	64,000	
UPH BARRACKS	4,300	4,300	
TUSTIN:			
ARMY RESERVE CENTER	27,000	27,000	
COLORADO			
ARMY:			
FORT CARSON:			
DIGITAL MULTIPURPOSE TRAINING RANGE	18,000	18,000	
DEFENSE-WIDE:			
BUCKLEY AIR FORCE BASE:			
DENVER POWER HOUSE	30,000	30,000	
FORT CARSON:			
SOF BATTALION OPERATIONS COMPLEX	56,673	56,673	
PIKES PEAK:			
HIGH ALTITUDE MEDICAL RESEARCH LAB	3,600	3,600	
PUEBLO DEPOT			
AMMUNITION DEMILITARIZATION FACILITY, PH XIV	36,000	36,000	
CONNECTICUT			
ARMY NATIONAL GUARD:			
CAMP HARTELL:			
COMBINED SUPPORT MAINTENANCE SHOP	32,000	32,000	
DELAWARE			
DEFENSE-WIDE:			
DOVER AFB:			
REPLACE TRUCK OFF-LOAD FACILITY	2,000	2,000	
ARMY NATIONAL GUARD:			
BETHANY BEACH:			
REGIONAL TRAINING INSTITUTE PH1	5,500	5,500	
DISTRICT OF COLUMBIA			
ARMY:			
FORT MCNAIR:			
VEHICLE STORAGE BUILDING, INSTALLATION	7,200	7,200	
FLORIDA			
NAVY:			
JACKSONVILLE:			
BAMS MISSION CONTROL COMPLEX	21,980	21,980	
AIR FORCE:			
TYNDALL AFB:			
F–22 ADAL HANGAR FOR LOW OBSERVABLE/COMPOSITE	14,750	14,750	
DEFENSE-WIDE:			
EGLIN AFB:			
SOF AVFID OPS AND MAINTENANCE FACILITIES	41,695	41,695	
HURLBURT FIELD:			
CONSTRUCT FUEL STORAGE FACILITY	16,000	16,000	
MACDILL AFB:			
SOF JOINT SPECIAL OPS UNIVERSITY FAC (JSOU)	34,409	34,409	
ARMY NATIONAL GUARD:			
CAMP BLANDING:			
COMBINED ARMS COLLECTIVE TRAINING FAC	9,000	9,000	

MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
MIRAMAR:			
READINESS CENTER	20,000	20,000	
GEORGIA			
ARMY:			
FORT BENNING:			
GROUND SOURCE HEAT TRANSFER SYSTEM	16,000	16,000	
FORT GORDON:			
GROUND SOURCE HEAT TRANSFER SYSTEM	12,200	12,200	
MODIFIED RECORD FIRE RANGE	4,000	4,000	
MULTIPURPOSE MACHINE GUN RANGE	7,100	7,100	
FORT STEWART:			
AUTOMATED COMBAT PISTOL QUAL CRSE	3,650	3,650	
DIGITAL MULTIPURPOSE TRAINING RANGE	22,000	22,000	
UNMANNED AERIAL VEHICLE COMPLEX	24,000	24,000	
AIR FORCE:			
FORT STEWART:			
AIR SUPPORT OPERATIONS CENTER (ASOC)	7,250	7,250	
MOODY AFB:			
HC–130J SIMULATOR FACILITY	8,500	8,500	
HAWAII			
ARMY:			
POHAKULOA TRAINING AREA:			
AUTOMATED INFANTRY PLATOON BATTLE COURSE	29,000	29,000	
SCHOFIELD BARRACKS:			
BARRACKS	41,000	41,000	
BARRACKS	55,000	55,000	
WHEELER ARMY AIR FIELD:			
COMBAT AVIATION BRIGADE BARRACKS	85,000	85,000	
NAVY:			
KANEOHE BAY:			
AIRCRAFT STAGING AREA	14,680	14,680	
MV–22 HANGAR AND INFRASTRUCTURE	82,630	82,630	
DEFENSE-WIDE:			
JOINT BASE PEARL HARBOR—HICKAM:			
SOF SDVT–1 WATERFRONT OPERATIONS FACILITY	24,289	24,289	
ARMY NATIONAL GUARD:			
KAPOLEI:			
ARMY AVIATION SUPPORT FACILITY PH1	28,000	28,000	
AIR NATIONAL GUARD:			
JOINT BASE PEARL HARBOR—HICKAM:			
TFI—F–22 COMBAT APRON ADDITION	6,500	6,500	
IDAHO			
ARMY NATIONAL GUARD:			
ORCHARD TRAINIG AREA:			
ORTC (BARRACKS) PH2	40,000	40,000	
ILLINOIS			
DEFENSE-WIDE:			
GREAT LAKES:			
DRUG LABORATORY REPLACEMENT	28,700	28,700	
SCOTT AFB:			
DISA FACILITY UPGRADES	84,111	84,111	
MEDICAL LOGISTICS WAREHOUSE	2,600	2,600	
ARMY RESERVE:			
FORT SHERIDAN:			
ARMY RESERVE CENTER	28,000	28,000	
INDIANA			
DEFENSE-WIDE:			
GRISSOM ARB:			
REPLACE HYDRANT FUEL SYSTEM	26,800	26,800	
ARMY NATIONAL GUARD:			
SOUTH BEND:			
ARMED FORCES RESERVE CENTER ADD/ALT	21,000	21,000	
TERRE HAUTE:			
FIELD MAINTENANCE SHOP	9,000	9,000	
IOWA			
ARMY NATIONAL GUARD:			
CAMP DODGE:			
URBAN ASSAULT COURSE	3,000	3,000	
NAVY RESERVE:			
FORT DES MOINES:			
JOINT RESERVE CENTER—DES MOINES IA	19,162	19,162	
KANSAS			
ARMY:			
FORT RILEY:			
UNMANNED AERIAL VEHICLE COMPLEX	12,200	12,200	
ARMY NATIONAL GUARD:			
TOPEKA:			
TAXIWAY, RAMP & HANGAR ALTERATIONS	9,500	9,500	
KENTUCKY			
ARMY:			
FORT CAMPBELL:			
BATTALION HEADQUARTERS COMPLEX	55,000	55,000	
LIVE FIRE EXERCISE SHOOTHOUSE	3,800	3,800	
UNMANNED AERIAL VEHICLE COMPLEX	23,000	23,000	
FORT KNOX:			
AUTOMATED INFANTRY SQUAD BATTLE COURSE	6,000	6,000	
DEFENSE-WIDE:			
BLUE GRASS ARMY DEPOT:			
AMMUNITION DEMILITARIZATION PH XIII	115,000	115,000	
FORT CAMPBELL:			
REPLACE BARKLEY ELEMENTARY SCHOOL	41,767	41,767	
SOF GROUND SUPPORT BATTALION	26,313	26,313	
SOF LANDGRAF HANGAR EXTENSION	3,559	3,559	
ARMY NATIONAL GUARD:			
FRANKFORT:			
ARMY AVIATION SUPPORT FACILITY	32,000	32,000	

MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
LOUISIANA			
DEFENSE-WIDE			
BARKSDALE AFB:			
UPGRADE PUMPHOUSE	11,700	11,700	
NAVY RESERVE:			
NEW ORLEANS:			
TRANSIENT QUARTERS	7,187	7,187	
MARYLAND			
DEFENSE-WIDE:			
ANNAPOLIS:			
HEALTH CLINIC REPLACEMENT	66,500	66,500	
BETHESDA NAVAL HOSPITAL:			
BASE INSTALLATION ACCESS./APPEARANCE PLAN	7,000	7,000	
ELECTRICAL CAPACITY AND COOLING TOWERS	35,600	35,600	
TEMPORARY MEDICAL FACILITIES	26,600	26,600	
FORT DETRICK:			
USAMRIID STAGE I, INCR 7	19,000	19,000	
FORT MEADE:			
HIGH PERFORMANCE COMPUTING CENTER INC 2	300,521	300,521	
NSAW RECAPITALIZE BUILDING #1/SITE M INC 1	25,000	25,000	
ARMY RESERVE:			
ABERDEEN PROVING GROUND:			
ARMY RESERVE CENTER	21,000	21,000	
BALTIMORE:			
ADD/ALT ARMY RESERVE CENTER	10,000	10,000	
MASSACHUSETTS			
ARMY NATIONAL GUARD:			
CAMP EDWARDS:			
UNIT TRAINING EQUIPMENT SITE	22,000	22,000	
ARMY RESERVE:			
DEVENS RESERVE FORCES TRAINING AREA:			
AUTOMATIC RECORD FIRE RANGE	4,800	4,800	
COMBAT PISTOL/MP FIREARMS QUALIFICATION	3,700	3,700	
MINNESOTA			
ARMY NATIONAL GUARD:			
CAMP RIPLEY:			
SCOUT RECONNAISANCE RANGE	17,000	17,000	
ARDEN HILLS:			
READINESS CENTER	17,000	17,000	
MISSISSIPPI			
NAVY:			
MERIDIAN:			
DINING FACILITY	10,926	10,926	
MISSOURI			
ARMY			
FORT LEONARD WOOD:			
BATTALION COMPLEX FACILITIES	26,000	26,000	
TRAINEE BARRACKS COMPLEX 3, PH 2	58,000	58,000	
VEHICLE MAINTENANCE SHOP	39,000	39,000	
DEFENSE-WIDE:			
FORT LEONARD WOOD:			
DENTAL CLINIC	18,100	18,100	
ARMY NATIONAL GUARD:			
FORT LEONARD WOOD:			
REGIONAL TRAINING INSTITUTE	18,000	18,000	
KANSAS CITY:			
READINESS CENTER ADD/ALT	1,900	1,900	
MONETT:			
READINESS CENTER ADD/ALT	820	820	
PERRYVILLE:			
READINESS CENTER ADD/ALT	700	700	
MONTANA			
ARMY NATIONAL GUARD:			
MILES CITY:			
READINESS CENTER	11,000	11,000	
NEBRASKA			
AIR FORCE:			
OFFUTT AFB:			
US STRATCOM REPLACEMENT FACILITY, INCR 2	161,000	128,000	−33,000
NEVADA			
ARMY RESERVE:			
LAS VEGAS:			
ARMY RESERVE CENTER/AMSA	21,000	21,000	
NEW JERSEY			
ARMY:			
JOINT BASE MCGUIRE-DIX-LAKEHURST:			
FLIGHT EQUIPMENT COMPLEX	47,000	47,000	
PICATINNY ARSENAL:			
BALLISTIC EVALUATION CENTER	10,200	10,200	
NAVY:			
EARLE:			
COMBAT SYSTEM ENGINEERING BUILDING ADDITION	33,498	33,498	
ARMY NATIONAL GUARD:			
SEA GIRT:			
REGIONAL TRAINING INSTITUTE	34,000	34,000	
ARMY RESERVE:			
JOINT BASE MCGUIRE-DIX-LAKEHURST:			
AUTOMATED INFANTRY SQUAD BATTLE COURSE	7,400	7,400	
NEW MEXICO			
AIR FORCE:			
HOLLOMAN AFB:			
MQ–9 MAINTENANCE HANGAR	25,000	25,000	
DEFENSE-WIDE:			
CANNON AFB:			
MEDICAL/DENTAL CLINIC REPALCEMENT	71,023	71,023	

MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
SOF AC–130J COMBAT PARKING APRON	22,062	22,062	
AIR NATIONAL GUARD:			
KIRTLAND AFB:			
ALTER TARGET INTELLIGENCE FACILITY	8,500	8,500	
NEW YORK			
ARMY:			
FORT DRUM:			
AIRCRAFT MAINTENANCE HANGAR	95,000	95,000	
U.S MILITARY ACADEMY:			
CADET BARRACKS	192,000	86,000	−106,000
DEFENSE-WIDE:			
FORT DRUM:			
IDT COMPLEX	25,900	25,900	
SOLDIER SPECIALTY CARE CLINIC	17,300	17,300	
ARMY NATIONAL GUARD:			
STORMVILLE:			
COMBINED SUPPORT MAINT SHOP PH1	24,000	24,000	
NAVY RESERVE:			
BROOKLYN:			
VEHICLE MAINT FAC—BROOKLYN NY	4,430	4,430	
AIR FORCE RESERVE:			
NIAGARA FALLS IAP:			
FLIGHT SIMULATOR FACILITY	6,100	6,100	
NORTH CAROLINA			
ARMY:			
FORT BRAGG:			
AERIAL GUNNERY RANGE	42,000	42,000	
INFRASTRUCTURE	30,000		−30,000
UNMANNED AERIAL VEHICLE COMPLEX	26,000	26,000	
NAVY:			
CAMP LEJEUNE:			
BASE ACCESS AND ROAD—PHASE 3	40,904	40,904	
STAFF NCO ACADEMY FACILITIES	28,986	28,986	
CHERRY POINT MARINE CORPS AIR STATION:			
ARMORY	11,581	11,581	
MARINE AIR SUPPORT SQUADRON COMPOUND	34,310	34,310	
NEW RIVER:			
PERSONNEL ADMINISTRATION CENTER	8,525	8,525	
DEFENSE-WIDE			
CAMP LEJEUNE:			
MEDICAL CLINIC REPLACEMENT	21,200	21,200	
SOF MARINE BATTALION COMPANY/TEAM FACILITIES	53,399	53,399	
SOF SURVIVAL EVASION RESIST ESCAPE TNG FAC	5,465	5,465	
FORT BRAGG:			
SOF BATTALION OPERATIONS FACILITY	40,481	70,481	+30,000
SOF CIVIL AFFAIRS BATTALION COMPLEX	31,373	31,373	
SOF SUPPORT ADDITION	3,875	3,875	
SOF SUSTAINMENT BRIGADE COMPLEX	24,693	24,693	
SEYMOUR JOHNSON AFB:			
MEDICAL CLINIC REPLACEMENT	53,600	53,600	
REPLACE PIPELINE	1,850	1,850	
NORTH DAKOTA			
AIR FORCE:			
MINOT AFB:			
B–52 ADD/ALTER MUNITIONS AGE FACILITY	4,600	4,600	
OHIO			
ARMY NATIONAL GUARD:			
CHILLICOTHE:			
FIELD MAINTENANCE SHOP ADD/ALT	3,100	3,100	
DELAWARE:			
READINESS CENTER	12,000	12,000	
OKLAHOMA			
ARMY:			
FORT SILL:			
MODIFIED RECORD FIRE RANGE	4,900	4,900	
ARMY NATIONAL GUARD:			
CAMP GRUBER:			
OPERATIONS READINESS TRAINING COMPLEX	25,000	25,000	
PENNSYLVANIA			
DEFENSE-WIDE:			
DEF DISTRIBUTION DEPOT NEW CUMBERLAND:			
REPLACE COMMUNICATIONS BUILDING	6,800	6,800	
REPLACE RESERVOIR	4,300	4,300	
REPLACE SEWAGE TREATMENT PLANT	6,300	6,300	
SOUTH CAROLINA			
ARMY:			
FORT JACKSON:			
TRAINEE BARRACKS COMPLEX 2, PH 2	24,000	24,000	
NAVY:			
BEAUFORT:			
AIRCRAFT MAINTENANCE HANGAR	42,010	42,010	
AIRFIELD SECURITY UPGRADES	13,675	13,675	
GROUND SUPPORT EQUIPMENT SHOP	9,465	9,465	
RECYCLING/HAZARDOUS WASTE FACILITY	3,743	3,743	
SIMULATED LHD FLIGHT DECK	12,887	12,887	
PARRIS ISLAND:			
FRONT GATE ATFP IMPROVEMENTS	10,135	10,135	
DEFENSE-WIDE:			
SHAW AFB:			
MEDICAL CLINIC REPLACEMENT	57,200	57,200	
TEXAS			
ARMY:			
CORPUS CHRISTI:			
AIRCRAFT COMPONENT MAINTENANCE SHOP	13,200	13,200	
AIRCRAFT PAINT SHOP	24,000	24,000	
FORT BLISS:			
MULTIPURPOSE MACHINE GUN RANGE	7,200	7,200	
FORT HOOD:			
MODIFIED RECORD FIRE RANGE	4,200	4,200	

MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
TRAINING AIDS CENTER	25,000	25,000	
UNMANNED AERIAL VEHICLE COMPLEX	22,000	22,000	
JOINT BASE SAN ANTONIO:			
BARRACKS	21,000	21,000	
AIR FORCE:			
JOINT BASE SAN ANTONIO:			
DORMITORY (144 RM)	18,000	18,000	
DEFENSE-WIDE:			
FORT BLISS:			
HOSPITAL REPLACEMENT INCR 4	207,400	207,400	
JOINT BASE SAN ANTONIO:			
AMBULATORY CARE CENTER PHASE 3 INCR	80,700	26,400	−54,300
RED RIVER ARMY DEPOT:			
DFAS FACILITY	16,715	16,715	
NAVY RESERVE:			
FORT WORTH:			
COMMERCIAL VEHICLE INSPECTION SITE	11,256	11,256	
UTAH			
AIR FORCE:			
HILL AFB:			
F–35 ADAL BUILDING 118 FOR FLIGHT SIMULATOR	4,000	4,000	
F–35 ADAL HANGAR 45W/AMU	7,250	7,250	
F–35 MODULAR STORAGE MAGAZINES	2,280	2,280	
DEFENSE-WIDE:			
CAMP WILLIAMS:			
IC CNCI DATA CENTER 1 INC 4	191,414	191,414	
ARMY NATIONAL GUARD:			
CAMP WILLIAMS:			
BEQ FACILITY (REGIONAL TRAINING INSTITUTE)	15,000	15,000	
REGIONAL TRAINING INSTITUTE PH2	21,000	21,000	
VIRGINIA			
ARMY:			
ARLINGTON:			
CEMETERY EXPANSION MILLENNIUM SITE	84,000		−84,000
FORT BELVOIR:			
SECURE ADMIN/OPERATIONS FACILITY	94,000	94,000	
FORT LEE:			
ADV INDIVIDUAL TRAINING BARRACKS CPLX, PH2	81,000	81,000	
NAVY:			
DAHLGREN:			
CRUISER/DESTROYER UPGRADE TRAINING FACILITY	16,494	16,494	
PHYSICAL FITNESS CENTER	11,734	11,734	
OCEANA NAVAL AIR STATION:			
A SCHOOL BARRACKS	39,086	39,086	
PORTSMOUTH:			
DRYDOCK 8 ELECTRICAL DISTRIBUTION UPGRADE	32,706	32,706	
QUANTICO:			
INFRASTRUTURE—WIDEN RUSSELL ROAD	14,826	14,826	
THE BASIC SCHOOL STUDENT QUARTERS—PHASE 7	31,012	31,012	
WEAPONS TRAINING BATTALION MESS HALL	12,876	12,876	
YORKTOWN:			
ARMORY	4,259	4,259	
BACHELOR ENLISTED QUARTERS	18,422	18,422	
MOTOR TRANSPORTATION FACILITY	6,188	6,188	
REGIMENTAL HEADQUARTERS	11,015	11,015	
SUPPLY WAREHOUSE FACILITY	8,939	8,939	
DEFENSE-WIDE:			
JOINT EXPEDITIONARY BASE LITTLE CREEK—STORY:			
SOF COMBAT SERVICES SUPPORT FACILITY—EAST	11,132	11,132	
NORFOLK:			
VETERINARY FACILITY REPLACEMENT	8,500	8,500	
WASHINGTON			
ARMY:			
JOINT BASE LEWIS-MCCHORD:			
BATTALION COMPLEX	73,000	73,000	
WASTE WATER TREATMENT PLANT	91,000	91,000	
YAKIMA:			
CONVOY LIVE FIRE RANGE	5,100	5,100	
NAVY:			
KITSAP:			
EXPLOSIVES HANDLING WHARF #2 (INC)	280,041	280,041	
WHIDBEY ISLAND:			
EA–18G FLIGHT SIMULATOR FACILITY	6,272	6,272	
DEFENSE-WIDE:			
FORT LEWIS:			
SOF BATTALION OPERATIONS FACILITY	46,553	46,553	
SOF MILITARY WORKING DOG KENNEL	3,967	3,967	
ARMY NATIONAL GUARD:			
FORT LEWIS:			
READINESS CENTER	35,000	35,000	
ARMY RESERVE:			
JOINT BASE LEWIS-MCCHORD:			
ARMY RESERVE CENTER	40,000	40,000	
WEST VIRGINIA			
ARMY NATIONAL GUARD:			
LOGAN:			
READINESS CENTER	14,200	14,200	
WISCONSIN			
ARMY NATIONAL GUARD:			
WAUSAU:			
FIELD MAINTENANCE SHOP	10,000	10,000	
ARMY RESERVE:			
FORT MCCOY:			
CENTRAL ISSUE FACILITY	12,200	12,200	
DINING FACILITY	8,600	8,600	
ECS TACTICAL EQUIP MAINT FACILTY (TEMF)	27,000	27,000	
WYOMING			
AIR NATIONAL GUARD:			
CHEYENNE MAP:			
C–130 FLIGHT SIMULATOR TRAINING FACILITY	6,486	6,486	

MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
BAHRAIN ISLAND			
NAVY:			
SW ASIA:			
COMBINED DINING FACILITY	9,819		−9,819
TRANSIENT QUARTERS	41,529		−41,529
BELGIUM			
DEFENSE-WIDE:			
BRUSSELS:			
NATO HEADQUARTERS FACILITY	26,969	26,969	
DIEGO GARCIA			
NAVY:			
DIEGO GARCIA:			
COMMUNICATIONS INFRASTRUCTURE	1,691	1,691	
DJIBOUTI			
NAVY:			
CAMP LEMONIER:			
CONTAINERIZED LIVING AND WORK UNITS	7,510		−7,510
FITNESS CENTER	26,960		−26,960
GALLEY ADDITION AND WAREHOUSE	22,220		−22,220
JOINT HQ/JOINT OPERATIONS CENTER FACILITY	42,730		−42,730
GERMANY			
DEFENSE-WIDE:			
RHINE ORDNANCE BARRACKS:			
MEDICAL CENTER REPLACEMENT INCR 2	127,000	127,000	
STUTTGART—PATCH BARRACKS:			
DISA EUROPE FACILITY UPGRADES	2,413	2,413	
VOGELWEH:			
REPLACE VOGELWEH ELEMENTARY SCHOOL	61,415	61,415	
WIESBADEN:			
WIESBADEN HIGH SCHOOL ADDITION	52,178	52,178	
GREECE			
NAVY:			
SOUDA BAY:			
AIRCRAFT PARKING APRON EXPANSION	20,493	20,493	
INTERMODAL ACCESS ROAD	4,630	4,630	
GREENLAND			
AIR FORCE:			
THULE AB:			
DORMITORY (48 PN)	24,500	24,500	
GUAM			
NAVY:			
JOINT REGION MARIANAS:			
NORTH RAMP PARKING (ANDERSEN AFB)—INC 2	25,904	25,904	
DEFENSE-WIDE:			
ANDERSEN AFB:			
UPGRADE FUEL PIPELINE	67,500	67,500	
ARMY NATIONAL GUARD:			
BARRIGADA:			
JFHQ PH4	8,500	8,500	
GUANTANAMO BAY, CUBA			
DEFENSE-WIDE:			
GUANTANAMO BAY:			
REPLACE FUEL PIER	37,600	37,600	
REPLACE TRUCK LOAD FACILITY	2,600	2,600	
ITALY			
ARMY:			
CAMP EDERLE:			
BARRACKS	36,000	36,000	
VICENZA:			
SIMULATIONS CENTER	32,000	32,000	
AIR FORCE:			
AVIANO AB:			
F–16 MISSION TRAINING CENTER	9,400	9,400	
JAPAN			
ARMY:			
OKINAWA:			
SATELLITE COMMUNICATIONS FACILITY	78,000	78,000	
SAGAMI:			
VEHICLE MAINTENANCE SHOP	18,000	18,000	
NAVY:			
IWAKUNI:			
MAINTENANCE HANGAR IMPROVEMENTS	5,722	5,722	
VERTICAL TAKE-OFF AND LANDING PAD NORTH	7,416	7,416	
OKINAWA:			
BACHELOR QUARTERS	8,206	8,206	
DEFENSE-WIDE:			
CAMP ZAMA:			
RENOVATE ZAMA HIGH SCHOOL	13,273	13,273	
KADENA AB:			
REPLACE ELEMENTARY SCHOOL	71,772	71,772	
REPLACE STEARLEY HEIGHTS ELEMENTARY SCHOOL	71,773	71,773	
SASEBO:			
REPLACE SASEBO ELEMENTARY SCHOOL	35,733	35,733	
ZUKERAN:			
REPLACE ZUKERAN ELEMENTARY SCHOOL	79,036	79,036	
KOREA			
ARMY:			
CAMP HUMPHREYS:			
BATTALION HEADQUARTERS COMPLEX	45,000	45,000	
DEFENSE-WIDE:			
KUNSAN AIR BASE:			
MEDICAL/DENTAL CLINIC ADDITION	13,000	13,000	
OSAN AFB:			
HOSPITAL ADDITION/ALTERATION	34,600	34,600	

MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
REPLACE OSAN ELEMENTARY SCHOOL	42,692	42,692	
PORTUGAL			
AIR FORCE:			
LAJES AFB:			
SANITARY SEWER LIFT/PUMP STATION		2,000	+2,000
PUERTO RICO			
ARMY NATIONAL GUARD:			
CAMP SANTIAGO			
READINESS CENTER	3,800	3,800	
CEIBA:			
REFILL STATION BUILDING	2,200	2,200	
GUAYNABO:			
READINESS CENTER (JFHQ)	15,000	15,000	
GURABO:			
READINESS CENTER	14,700	14,700	
ROMANIA			
NAVY:			
DEVESELU, ROMANIA:			
AEGIS ASHORE MISSILE DEFENSE COMPLEX	45,205	45,205	
DEFENSE-WIDE:			
DEVESELU, ROMANIA:			
AEGIS ASHORE MISSILE DEFENSE SYSTEM COMPLEX	157,900	120,000	−37,900
SPAIN			
NAVY:			
ROTA:			
GENERAL PURPOSE WAREHOUSE	3,378	3,378	
HIGH EXPLOSIVE MAGAZINE	13,837	13,837	
AIR FORCE:			
ROTA:			
TRANSIENT CONTINGENCY DORMITORY			
TRANSIENT AIRCRAFT HANGARS			
UNITED KINGDOM			
DEFENSE-WIDE:			
MENWITH HILL STATION:			
MHS UTILITIES AND ROADS	3,795	3,795	
REPLACE MENWITH HILL ELEMENTARY/HIGH SCHOOL	46,488	46,488	
RAF FELTWELL:			
FELTWELL ELEMENTARY SCHOOL ADDITION	30,811	30,811	
RAF MILDENHALL:			
SOF CV–22 SIMULATOR FACILITY	6,490	6,490	
NATO SECURITY INVESTMENT PROGRAM	254,163	254,163	
WORLDWIDE UNSPECIFIED			
ARMY:			
HOST NATION SUPPORT	34,000	34,000	
MINOR CONSTRUCTION	25,000	25,000	
PLANNING AND DESIGN	65,173	46,173	−19,000
NAVY:			
PLANNING AND DESIGN	102,619	102,619	
MINOR CONSTRUCTION	16,535	16,535	
BAMS OPERATIONAL FACILITIES	34,048	34,048	
AIR FORCE:			
PLANNING AND DESIGN	18,635	18,635	
MINOR CONSTRUCTION	18,200	18,200	
SANITARY SEWER LIFT/PUMP STATION	2,000		−2,000
TRANSIENT CONTINGENCY DORMITORY	17,625		−17,625
TRANSIENT AIRCRAFT HANGARS	15,032		−15,032
DEFENSE-WIDE:			
CONTINGENCY CONSTRUCTION	10,000		−10,000
RESCISSION		−20,000	−20,000
ENERGY CONSERVATION INVESTMENT PROGRAM	150,000	150,000	
PLANNING AND DESIGN:			
DEFENSE LEVEL ACTIVITIES	47,978	37,978	−10,000
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION	105,569	105,569	
ENERGY CONSERVATION INVESTMENT PROGRAM		10,000	+10,000
NATIONAL SECURITY AGENCY	8,300	8,300	
SPECIAL OPERATIONS COMMAND	27,620	27,620	
TRICARE MANAGEMENT ACTIVITY	105,700	105,700	
WASHINGTON HEADQUARTERS SERVICE	7,928	7,928	
MISSILE DEFENSE AGENCY	4,548	4,548	
DEFENSE INTELLIGENCE AGENCY	2,919	2,919	
DEFENSE LOGISTICS AGENCY	5,000	5,000	
SUBTOTAL, PLANNING AND DESIGN	315,562	315,562	
UNSPECIFIED MINOR CONSTRUCTION:			
DEFENSE LOGISTICS AGENCY	7,254	7,254	
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION	4,091	4,091	
NATIONAL SECURITY AGENCY	3,000	3,000	
JOINT CHIEFS OF STAFF	6,440	6,440	
SPECIAL OPERATIONS COMMAND	10,000	10,000	
TRICARE MANAGEMENT ACTIVITY	5,000	5,000	
DEFENSE LEVEL ACTIVITIES	3,000	3,000	
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION	38,785	38,785	
ARMY NATIONAL GUARD:			
PLANNING AND DESIGN	26,622	26,622	
MINOR CONSTRUCTION	15,057	15,057	
AIR NATIONAL GUARD:			
PLANNING AND DESIGN	4,000	4,000	
MINOR CONSTRUCTION	5,900	5,900	
ARMY RESERVE:			
PLANNING AND DESIGN	15,951	15,951	
MINOR CONSTRUCTION	10,895	10,895	
NAVY RESERVE:			
PLANNING AND DESIGN	2,118	2,118	
AIR FORCE RESERVE:			
PLANNING AND DESIGN	2,879	2,879	
MINOR CONSTRUCTION	2,000	2,000	
FAMILY HOUSING, ARMY			
PLANNING AND DESIGN	4,641	4,641	

MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
SUBTOTAL, CONSTRUCTION	4,641	4,641	
OPERATION AND MAINTENANCE:			
UTILITIES ACCOUNT	88,112	88,112	
SERVICES ACCOUNT	13,487	13,487	
MANAGEMENT ACCOUNT	56,970	56,970	
MISCELLANEOUS ACCOUNT	620	620	
FURNISHINGS ACCOUNT	31,785	31,785	
LEASING	203,533	203,533	
MAINTENANCE OF REAL PROPERTY	109,534	109,534	
PRIVATIZATION SUPPORT COSTS	26,010	26,010	
SUBTOTAL, OPERATION AND MAINTENANCE	530,051	530,051	
FAMILY HOUSING, NAVY AND MARINE CORPS			
CONSTRUCTION IMPROVEMENTS	97,655	97,655	
PLANNING AND DESIGN	4,527	4,527	
SUBTOTAL, CONSTRUCTION	102,182	102,182	
OPERATION AND MAINTENANCE:			
UTILITIES ACCOUNT	80,860	80,860	
SERVICES ACCOUNT	19,615	19,615	
MANAGEMENT ACCOUNT	62,741	62,741	
MISCELLANEOUS ACCOUNT	491	491	
FURNISHINGS ACCOUNT	17,697	17,697	
LEASING	83,774	83,774	
MAINTENANCE OF REAL PROPERTY	85,254	85,254	
PRIVATIZATION SUPPORT COSTS	27,798	27,798	
SUBTOTAL, OPERATION AND MAINTENANCE	378,230	378,230	
FAMILY HOUSING, AIR FORCE			
CONSTRUCTION IMPROVEMENTS	79,571	79,571	
PLANNING AND DESIGN	4,253	4,253	
SUBTOTAL, CONSTRUCTION	83,824	83,824	
OPERATION AND MAINTENANCE:			
UTILITIES ACCOUNT	75,662	75,662	
MANAGEMENT ACCOUNT	55,002	55,002	
SERVICES ACCOUNT	16,550	16,550	
FURNISHINGS ACCOUNT	37,878	37,878	
MISCELLANEOUS ACCOUNT	1,943	1,943	
LEASING	62,730	62,730	
MAINTENANCE	201,937	201,937	
PRIVATIZATION SUPPORT COSTS	46,127	46,127	
SUBTOTAL, OPERATION AND MAINTENANCE	497,829	497,829	
FAMILY HOUSING, DEFENSE-WIDE			
OPERATION AND MAINTENANCE:			
NATIONAL SECURITY AGENCY:			
UTILITIES	12	12	
FURNISHING	66	66	
LEASING	10,822	10,822	
MAINTENANCE OF REAL PROPERTY	73	73	
DEFENSE INTELLIGENCE AGENCY:			
FURNISHINGS	4,660	4,660	
LEASING	35,333	35,333	
DEFENSE LOGISTICS AGENCY:			
UTILITIES	283	283	
FURNISHINGS	422	422	
MAINTENANCE OF REAL PROPERTY	567	567	
SUBTOTAL, OPERATION AND MAINTENANCE	52,238	52,238	
DOD FAMILY HOUSING IMPROVEMENT FUND	1,786	1,786	
BASE REALIGNMENT AND CLOSURE			
BASE REALIGNMENT AND CLOSURE ACCOUNT, 1990	349,396	409,396	+60,000
BASE REALIGNMENT AND CLOSURE ACCOUNT, 2005	126,697	126,697	
RESCISSION BASE REALIGNMENT AND CLOSURE, 2005		−132,513	−132,513
SUBTOTAL, BRAC	476,093	403,580	−72,513
NAVY LAND TRANSFER (SEC 132)		11,000	+11,000
RECAP			
ARMY	1,923,323	1,684,323	−239,000
NAVY AND MARINE CORPS	1,701,985	1,549,164	−152,821
AIR FORCE	388,200	322,543	−65,657
DEFENSE-WIDE	3,654,623	3,582,423	−72,200
RESCISSION		−20,000	−20,000
ARMY NATIONAL GUARD	613,799	613,799	
AIR NATIONAL GUARD	42,386	42,386	
ARMY RESERVE	305,846	305,846	
NAVY RESERVE	49,532	49,532	
AIR FORCE RESERVE	10,979	10,979	
NATO	254,163	254,163	
CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE	151,000	151,000	
DOD FAMILY HOUSING IMPROVEMENT FUND	1,786	1,786	
FAMILY HOUSING, ARMY	534,692	534,692	
FAMILY HOUSING, NAVY AND MARINE CORP	480,412	480,412	
FAMILY HOUSING, AIR FORCE	581,653	581,653	
FAMILY HOUSING, DEFENSE-WIDE	52,238	52,238	
BRAC	476,093	536,093	+60,000
RESCISSION		−132,513	−132,513
CIVILIAN PAY RAISE REDUCTION			
NAVY LAND TRANSFER (SEC 132)		11,000	+11,000
GRAND TOTAL	11,222,710	10,611,519	−611,191

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

Budget justification requirements.—Both the House and Senate Committees on Appropriations believe that the Department of Veterans Affairs (VA) must strengthen its presentation of budget justification materials in several areas. There is agreement with the direction of the Senate regarding the budget detail for components of the Veterans Health Administration (VHA) such as the VHA central office, Veterans Integrated Service Network (VISN) staff offices and centralized field support offices. The VA is requested to provide more detailed information about the Board of Veterans Appeals staffing and claims workloads and is required to provide the data requested in the House report pertaining to full-time equivalents and funding within administrative line items. The VA is also required to provide a breakout of all reimbursable or cost sharing arrangements exceeding $5,000,000 in value that are in place for crosscutting efforts across the Department.

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

The bill appropriates $60,599,855,000 for Compensation and Pensions. The bill reflects new estimates provided in the Administration's mid-session review. Of the amount provided, not more than $9,204,000 is to be transferred to General Operating Expenses, Veterans Benefits Administration and Information Technology Systems, for reimbursement of necessary expenses in implementing provisions of title 38.

READJUSTMENT BENEFITS

The bill appropriates $12,023,458,000 for Readjustment Benefits. The bill reflects new estimates provided in the Administration's mid-session review. The bill provides full funding for the Veterans Retraining Assistance Program (VRAP), for which the Department of Veterans Affairs (VA) estimates it will obligate more than $1,100,000,000 in fiscal year 2013.

VETERANS INSURANCE AND INDEMNITIES

The bill appropriates $104,600,000 for Veterans Insurance and Indemnities.

VETERANS HOUSING BENEFIT PROGRAM FUND

The bill appropriates such sums as may be necessary for costs associated with direct and guaranteed loans for the Veterans Housing Benefit Program Fund. The bill limits obligations for direct loans to not more than $500,000 and provides that $157,814,000 shall be available for administrative expenses.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

The bill appropriates $19,000 for the cost of direct loans from the Vocational Rehabilitation Loans Program Account, plus $346,000 to be paid to the appropriation for General Operating Expenses, Veterans Benefits Administration. The bill provides for a direct loan limitation of $2,729,000.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

The bill appropriates $1,089,000 for administrative expenses of the Native American Veteran Housing Loan Program Account.

VETERANS HEALTH ADMINISTRATION

AREAS OF INTEREST

Advance appropriation budgeting.—It is incumbent upon the Department to provide more detailed explanations within its budget justification so the Committees on Appropriations of the House of Representatives and the Senate (''Committees'') will have an accurate and complete view of how its advance funding requests were determined. There is agreement with the data requirements for advance funding described in the Senate report.

Reprogramming for medical care initiatives.—The bill includes an administrative provision requiring the Department to submit a reprogramming request whenever funding allocated in the fiscal year 2013 expenditure plan for a medical care initiative differs by more than $25,000,000 from the allocation shown in the 2013 congressional budget justification. Due to the nature of advance appropriations, the Department submits its budget request almost seven full fiscal year quarters before the funding becomes available for obligation. Medical care funding is dynamic in nature, and this length of time between budget submission and obligation creates a situation in which funding priorities and needs may change. This has limited the Committees' ability to provide proper budget oversight of initiatives which are budgeted outside of the actuarial model. Therefore, reprogramming requests submitted throughout the year should identify current year estimates whenever the Department intends to make significant funding shifts within these initiatives. The term ''medical care initiative'' in the bill language refers only to the initiatives, not legislative proposals, in the ''Initiatives/Legislative Proposals'' section of the VA Medical Care Obligations by Program display on page 1A–5 of Volume 2 of the fiscal year 2013 budget justification. The bill language does not refer to special purpose funds allocated outside the Veterans Equitable Resource Allocation model. The Committees request that reprogrammings be identified only in the aggregate and not by specific project or location.

There is agreement with the Senate direction regarding life cycle costs as it relates to the acquisition of batteries. The Department is directed to submit the reporting requirement contained in the Senate report no later than 180 days after enactment of this Act.

MEDICAL SERVICES

The bill appropriates $43,557,000,000 in advance for fiscal year 2014 for Medical Services. The bill also provides $155,000,000 for fiscal year 2013 in addition to the advance appropriation provided last year. The bill includes language citing new authority for services for those affected by drinking water contamination at Camp Lejeune, NC. Additional fiscal year 2013 funding is provided for hiring mental health providers and offsetting a projected decline in revenues.

The bill provides $1,351,851,000 in fiscal year 2014 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 addition, the bill provides $4,816,132,000 for homeless veteran treatment costs in fiscal year 2014.

The bill provides the full fiscal year 2014 request of $6,453,027,000 for mental health programs, including $443,332,000 for post-traumatic stress disorder (PTSD), $246,400,000 for traumatic brain injury, and $75,605,000 for suicide prevention.

The Committees support the VA effort to hire an additional 1,600 mental health clinicians and 300 support staff as part of an ongoing review of mental health operations. The VA is directed to provide the Committees, no later than 60 days after enactment of this Act, a detailed staffing plan and timeline to add these additional personnel.

The bill provides $250,000,000 for the Office of Rural Health. The VA is making substantial efforts to improve access and quality of care for rural areas, but there is concern that significant gaps remain. To address the ongoing challenges in recruiting and retaining highly qualified healthcare professionals in rural areas, the VA is urged to consider innovative ways to rotate practitioners through rural areas, including the approaches suggested in the Senate report. Secondly, the VA is urged to move expeditiously in its implementation of the grant program that will allow veterans service organizations to provide better transportation options for rural veterans seeking care at VA facilities. Finally, the VA is urged to thoroughly test the approach for providing non-VA care in rural facilities that is being demonstrated in the Access Received Closer to Home program (Project ARCH) and consider expanding Project ARCH's reach.

There is agreement with the direction of the House regarding an annual report detailing the distribution of medical services funding among the VISNs, central headquarters, and medical centers.

The time period for the Office of Management and Budget's (OMB) review of the regulation establishing VA participation in State prescription drug monitoring boards has expired. OMB is urged to facilitate publication of the regulation so that the program may be implemented before the end of the calendar year.

The VA is urged to work in conjunction with the Department of Justice's veterans treatment courts program to provide collaborative, rehabilitative approaches for continuing judicial supervision over offenders who are veterans.

MEDICAL SUPPORT AND COMPLIANCE

The bill appropriates $6,033,000,000 in advance for fiscal year 2014 for Medical Support and Compliance.

MEDICAL FACILITIES

The bill appropriates $4,872,000,000 in advance for fiscal year 2014 for Medical Facilities.

In March of 2012, the Committees were notified that contracting errors were made in the Solicitation for Offers to build the Community Based Outpatient Clinics (CBOCs) in Southwest Louisiana. These errors have resulted in delays in the opening of the Lake Charles CBOC and the expansion of the Lafayette CBOC. The Department is directed to continue to provide the Committees regular updates on the progress being made to correct the errors and to complete these CBOCs in an expeditious manner.

MEDICAL AND PROSTHETIC RESEARCH

The bill appropriates $582,674,000 for Medical and Prosthetic Research.

NATIONAL CEMETERY ADMINISTRATION

The bill appropriates $258,284,000 for the National Cemetery Administration (NCA). Of the amount provided, $25,828,000 is available until September 30, 2014.

There is concern that the NCA is not adequately serving the Nation's veterans in rural areas. While the strategy to serve rural veterans outlined in the fiscal year 2013 budget request is a partial step, it fails to offer a long-term strategy for addressing this underserved veteran population. There is concern that the NCA places undue emphasis on major urban areas whereas the NCA's effort toward rural areas appears to be a lower priority. As a result, the bill includes language requiring the Secretary to provide a report to the Committees within 180 days of enactment of this Act outlining a strategy to address the shortcomings identified in House Report 112–491, with proposed policies and an implementation timeframe. In addition, the bill requires the Government Accountability Office to conduct a review of this strategy and submit it to the Committees not later than 180 days after the Committees receive the strategy.

The bill includes language directing the Secretary to issue guidelines on committal

services at VA national cemeteries to ensure that veterans' families may hold committal services with any religious or secular content they desire and invite the participation of an honor guard and veterans service organizations, subject to VA security, safety, and law enforcement regulations. The bill also restricts VA from editing or controlling the content of speeches at events at national cemeteries, subject to VA authorities provided in section 2413 of title 38, United States Code.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

The bill appropriates $424,737,000 for General Administration. Of the amount provided, $20,837,000 is available for obligation until September 30, 2014. The bill includes language permitting the transfer of funds from this account to ''General Operating Expenses, Veterans Benefits Administration.''

The bill includes language designating that not less than $86,006,000 is provided for the Board of Veterans Appeals. The Department is directed to provide to the Committees within 30 days of enactment of this Act a fiscal year 2013 staffing plan and detailed strategic plan to address wait time and backlogs at the Board of Veterans Appeals.

The bill includes language indicating that such sums as may be necessary are provided so that the Department may comply with the energy management requirements under the National Energy Conservation Policy Act.

The bill includes the following funding levels:

(IN THOUSANDS OF DOLLARS)

Office	Amount
Office of the Secretary	10,085
Board of Veterans Appeals	86,006
Office of General Counsel	83,099
Office of Management	45,598
Office of Human Resources	70,379
Office of Policy and Planning	26,015
Office of Operations, Security and Preparedness	18,510
Office of Public and Intergovernmental Affairs	23,037
Office of Congressional Affairs and Legislative Affairs	6,302
Office of Acquisition, Logistics and Construction	55,706
Total	424,737

There is agreement with the House language for the Major Construction account regarding a report on the contract audit program for construction projects and the periodic reporting done by building contractors. The report should be provided by the VA central office. There is also agreement with the Senate language for the General Administration account requesting a report outlining processes that are in place to ensure proper oversight of construction, including which components of central oversight are performed outside of the various VA administrations and whether spot audits are performed in the field.

There is agreement with House language regarding the VA budget office being the primary communication source within the VA to the Committees and their Members.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

The bill appropriates $2,164,074,000 for General Operating Expenses, Veterans Benefits Administration. The bill makes available not to exceed $113,000,000 of this funding until the end of fiscal year 2014.

The lengthy wait time and persistent backlog of claims at the Veterans Benefits Administration (VBA) continue to impose an unacceptable burden on disabled veterans. The Department has set 2015 as the date by which it plans to achieve a significant reduction in the backlog of claims and to increase the accuracy rate at all regional offices to 98 percent. There is agreement with direction and reporting requirements in the Senate report, and the Department is directed to submit one report 90 days after enactment of this Act containing: (1) the metrics developed for evaluating the success in reducing the backlog of claims and the average adjudication time by utilizing external vendors in specific areas of collecting claims materials; (2) the wait times, accuracy rates, and backlog of disability claims decisions at all 57 regional offices; (3) how the quality-review teams and the quality initiatives at each regional office have affected the performance, wait times, and rates at each location; and (4) the specific metrics the VBA uses in determining personnel performance.

The Department is directed to provide quarterly reports on the implementation of the Veterans Benefits Management System (VBMS) and how the implementation has increased the efficiency and timeliness of VBA claims processing, with the quarterly reports including the number and location of the regional offices that have adopted the paperless claims processing system and the rollout of the individual improved business processes.

Recent findings by the Department of Veterans Affairs Office of Inspector General that the Oakland, Los Angeles and San Diego, California VA Regional Offices have high error rates and claims processing times compared to other regional offices across the Nation is unacceptable. For example, the Inspector General found that 80 percent of claims reviewed in the Los Angeles office were unnecessarily delayed and that in one case a claim in Oakland had been pending for 8 years. The Department is directed to submit a report to the Committees no later than 90 days after enactment of this Act detailing how the Inspector General's recommendations are being implemented at these Regional Offices. The report shall also include an explanation about why the Los Angeles office is currently operating in what is referred to as ''safe mode,'' which means that staff is not held accountable to VA standards.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

The bill appropriates $3,327,444,000 for Information Technology (IT) Systems. The bill identifies separately the funding available for pay ($1,021,000,000); operations and maintenance ($1,812,045,000); and systems development, modernization, and enhancement ($494,399,000). The bill makes $30,630,000 of pay funding available until the end of fiscal year 2014; $126,000,000 of operations and maintenance funding available until the end of fiscal year 2014; and all IT systems development, modernization and enhancement funding available until the end of fiscal year 2014.

The bill includes language 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 bill includes language 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 bill includes language providing that funding may be transferred between development projects or to new projects subject to the Committees' approval.

The bill includes language restricting the amount of funding that may be obligated to develop the integrated Department of Defense/Department of Veterans Affairs (DOD-VA) integrated electronic health record (iEHR) to 25 percent of the funding provided until the DOD-VA Interagency Program Office (IPO) provides the Committees an expenditure plan including elements such as a long-term roadmap for the life of the project, with annual and total spending for each Department and quarterly milestones. The expenditure plan should also be submitted to the Government Accountability Office (GAO) for review. The Department of Defense Appropriations Act has comparable bill language.

There is concern that after four years of working to establish a joint framework to collaborate and develop an integrated electronic health record, the two Departments still seem to be operating as separate entities. The Committees support the creation of the IPO and recognize this office as the single point of accountability for the development and implementation of the integrated electronic health record for both Departments. Unfortunately, since the creation of the IPO and the naming of a director, there has been little evidence of the benefit from establishing this office, since both Departments still appear to operate as separate entities. Despite repeated inquiries, neither of the Departments nor the IPO has been able to provide Congress with a firm total cost of the integrated system. There is concern that the IPO is unable to maintain focus on its defined goals, provide effective governance, manage and maintain accountability on behalf of both Departments, and provide Congress with detailed expenditure plans as well as information regarding progress and future plans for this project.

As a result, the IPO is directed to deliver to the congressional defense committees, the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies, and to the GAO a quarterly report that includes a detailed, plain English narrative explanation of the cost and schedule of the iEHR development, to include milestones, knowledge points, and acquisition timelines as it impacts both Departments, as well as quarterly obligation reports. The IPO is also directed to continue briefing the Committees on a quarterly basis. The GAO is directed to review these quarterly reports and provide an annual report to the congressional defense committees and the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies on the cost and schedule of the iEHR.

As part of the VA's modernization effort, the Department plans to replace its current automated appointment scheduling system with a modern application. The Committees support this effort; however, there is concern that the VA has not developed a clear strategy aimed at replacing this system. Therefore the Department is directed to submit a report to the Committees detailing the timeline, cost estimate, and implementation strategy for replacing the scheduling system.

Bill language is included 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	Amount
Access to Healthcare IT Development	40,313
Surgical Quality and Workflow Management Development	27,503
Healthcare Efficiency IT Development	4,659
Homelessness IT Development	3,075
Integrated Electronic Health Record (iEHR)	104,000
Mental Health IT Development	8,818
New Models of Care IT Development	35,724
Veterans Benefits Management System (VBMS)	38,525
Virtual Lifetime Electronic Record (VLER)	49,939
Veterans Relationship Management (VRM)	96,218
Health Management Platform Development	7,500
International Classification of Diseases-10 Development	11,500
VHA Research IT Support Development	18,521
Human Capital Development	9,100

Information Technology Development Projects—Continued

[In thousands of dollars]

Project	Amount
Integrated Operating Model	14,100
VA Learning Management Systems Development	5,540
Other IT Development	19,364
Total All Development	494,399

This table is intended to serve as the Department's approved list of development projects; any requested changes are subject to reprogramming guidelines.

The bill directs the Department to submit an expenditure plan to the Committees within 30 days of enactment of this Act. This plan should be in the same format as the table above.

OFFICE OF INSPECTOR GENERAL

The bill appropriates $115,000,000 for the Office of Inspector General. Of the amount provided, $6,000,000 is available for obligation until September 30, 2014. The increase above the budget request is intended to be used for review of VA spending on conferences, the NCA rural cemetery strategy, and VHA audit and field review activities.

CONSTRUCTION, MAJOR PROJECTS

The bill appropriates $532,470,000 for Construction, Major Projects. The bill makes this funding available for five years, except that $30,000,000 is made available until expended.

The Department is commended for beginning the process of transitioning major construction to a five-year funding cycle. During this implementation period, extended availability is provided for a small amount of the funding while the VA reaches the requirement that project design be 35 percent complete prior to requesting construction funding. The extended availability will protect VA investment if unanticipated circumstances mandate expenditures beyond the five-year project window.

The bill funds the following items as requested in the budget submission:

Project	*Amount*
Veterans Health Admin (VHA):	
St. Louis, MO medical facility improvements	$130,300,000
Palo Alto, CA polytrauma/ambulatory care building	177,823,000
Seattle, WA mental health building	55,000,000
Dallas, TX spinal cord injury building	33,500,000
Advance Planning Fund	70,000,000
Asbestos	8,000,000
Major Construction Staff	24,000,000
Claims Analysis	2,000,000
Facility Security	7,200,000
Hazardous Waste	5,000,000
Judgment Fund	5,000,000
Total VHA	517,823,000
National Cemetery Admin (NCA):	
Advance Planning Fund	2,647,000
NCA Land Acquisition Fund	7,000,000
Total NCA	9,647,000
General Admin staff offices advance planning fund	5,000,000
Major construction total	532,470,000

The VA is directed 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 timeline 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.

CONSTRUCTION, MINOR PROJECTS

The bill appropriates $607,530,000 for Construction, Minor Projects. The bill makes this funding available for five years. The bill provides $506,332,000 for the Veterans Health Administration; $58,100,000 for the National Cemetery Administration; $13,405,000 for the General Administration—Staff Offices; and $29,693,000 for the Veterans Benefits Administration.

The Department is directed to provide to the Committees an expenditure plan for this account within 30 days of enactment of this Act.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

The bill appropriates $85,000,000 for Grants for Construction of State Extended Care Facilities.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

The bill appropriates $46,000,000 for Grants for Construction of Veterans Cemeteries.

ADMINISTRATIVE PROVISIONS

(Including Transfers and Rescissions of Funds)

The bill includes section 201 allowing for transfers among the three mandatory accounts.

The bill includes section 202 allowing for the transfer of funds among the three medical accounts.

The bill includes section 203 allowing salaries and expenses funds to be used for related authorized purposes.

The bill includes section 204 restricting the use of funds for the acquisition of land.

The bill includes section 205 limiting the use of funds in the Medical Services account only for entitled beneficiaries unless reimbursement is made to the Department.

The bill includes section 206 allowing for the use of certain mandatory appropriations accounts for payment of prior year accrued obligations for those accounts.

The bill includes section 207 allowing the use of appropriations available in this title to pay prior year obligations.

The bill includes section 208 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 bill includes section 209 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 bill includes section 210 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 bill includes section 211 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.

The bill includes section 212 requiring the Department to collect third-party payer information for persons treated for a non-service connected disability.

The bill includes section 213 allowing for the use of enhanced-use leasing revenues for Construction, Major Projects and Construction, Minor Projects.

The bill includes section 214 outlining authorized uses for medical services funds.

The bill includes section 215 allowing for funds deposited into the Medical Care Collections Fund to be transferred to the Medical Services account.

The bill includes section 216 which allows Alaskan veterans to use medical facilities of the Indian Health Service or tribal organizations.

The bill includes section 217 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 bill includes section 218 prohibiting the use of funds for any policy prohibiting the use of outreach or marketing to enroll new veterans.

The bill includes section 219 requiring the Secretary to submit quarterly reports on the financial status of the Veterans Health Administration.

The bill includes section 220 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 bill includes section 221 prohibiting any funds to be used to contract out any function performed by more than ten employees without a fair competition process.

The bill includes section 222 limiting the obligation of non-recurring maintenance funds during the last two months of the fiscal year.

The bill includes section 223 providing up to $247,356,000 for transfer to the joint DOD–VA Medical Facility Demonstration Fund.

The bill includes section 224 which authorizes transfers from the Medical Care Collections Fund to the joint DOD–VA Demonstration Fund.

The bill includes section 225 which transfers at least $15,000,000 from VA medical accounts to the DOD-VA health care sharing incentive fund.

The bill includes section 226 which rescinds fiscal year 2013 medical account funding and re-appropriates it to be available for two years. The provision rescinds and re-appropriates $1,500,000,000 for Medical Services, $200,000,000 for Medical Support and Compliance, and $250,000,000 for Medical Facilities.

The bill includes section 227 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 bill includes section 228 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 bill includes section 229 requiring the Secretary to report to the Committees each quarter about any single national outreach and awareness marketing campaign exceeding $2,000,000.

The bill includes section 230 requiring the VA to submit a reprogramming request whenever funding allocated in the expenditure plan for a Medical Care initiative differs by more than $25,000,000 from the allocation shown in the 2013 congressional budget justification.

The bill includes section 231 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 bill includes section 232 clarifying that Medical Services funds appropriated in advance for fiscal year 2013 may be used for newly authorized services for those affected by drinking water contamination at Camp Lejeune, NC.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

The bill includes $62,929,000 for Salaries and Expenses of the American Battle Monuments Commission. The bill provides an additional $4,529,000 above the budget request to be used for additional engineering and maintenance projects and interpretive activities.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

The bill includes such sums as necessary, estimated at $15,200,000, for the Foreign Currency Fluctuations Account.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

The bill includes $32,481,000 for Salaries and Expenses.

Pro Bono Program.—The Veterans Consortium Pro Bono program is directed to provide an annual report to the Committees that includes the expenditure plan for funds provided by this bill not later than 60 days after the enactment of this Act.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

The budget request proposed to fund Arlington National Cemetery through three accounts: $25,000,000 to be provided through Operation and Maintenance, Army, $103,000,000 to be provided through Military Construction, Army, and $45,800,000 to be provided through Cemeterial Expenses, Army for a total of $173,800,000. The bill provides $65,800,000 for Salaries and Expenses, which includes $20,000,000 to address the maintenance and infrastructure repairs proposed for funding through Operation and Maintenance, Army. Language is included to make $27,000,000 available until September 30, 2015 instead of providing all funds as available until expended. The bill also establishes a new construction account.

CONSTRUCTION

The bill provides $103,000,000 for construction, and language has been included to make these funds available until September 30, 2017. The budget request proposed to fund these projects through Military Construction, Army.

ARMED FORCES RETIREMENT HOME TRUST FUND

The bill includes $67,590,000 for the Armed Forces Retirement Home, to be derived from the Trust Fund.

ADMINISTRATIVE PROVISION

The bill includes section 301 permitting funds to be provided to Arlington County, Virginia for the relocation of a water main located on the Arlington National Cemetery property.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

The bill includes title IV, Overseas Contingency Operations. Title IV provides funding for certain military construction projects in the Central Command and Africa Command Areas of Responsibility that were requested in title I, Military Construction, in the budget submission. 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, NAVY AND MARINE CORPS

The bill appropriates $150,768,000 for Military Construction, Navy and Marine Corps.

ADMINISTRATIVE PROVISION

(Including Rescission of Funds)

The bill includes section 401 rescinding unobligated balances from section 2005 in title X, of Public Law 112–10 and division H in title IV, of Public Law 112–74 in the specific amount of $150,768,000.

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
TITLE IV			
FISCAL YEAR 2013 OVERSEAS CONTINGENCY OPERATIONS			
BAHRAIN ISLAND			
NAVY:			
SW ASIA:			
COMBINED DINING FACILITY		9,819	+9,819
TRANSIENT QUARTERS		41,529	+41,529
DJIBOUTI			
NAVY:			
CAMP LEMONIER:			
CONTAINERIZED LIVING AND WORK UNITS		7,510	+7,510
FITNESS CENTER		26,960	+26,960
GALLEY ADDITION AND WAREHOUSE		22,220	+22,220
JOINT HQ/JOINT OPERATIONS CENTER FACILITY		42,730	+42,730
RESCISSION FROM SECTION 2005 IN TITLE X OF PUBLIC LAW 112–10 AND TITLE IV OF DIVISION H PUBLIC LAW 112–74		−150,768	−150,768
TOTAL			

Note: Funding for these projects was requested and is displayed in title I, Military Construction. The recommendation provides the level of funding for these projects in title IV.

TITLE V
GENERAL PROVISIONS

The bill includes section 501 prohibiting the obligation of funds in this Act beyond the current fiscal year unless expressly so provided.

The bill includes section 502 prohibiting 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.

The bill includes section 503 prohibiting the use of funds in this Act to support or defeat legislation pending before Congress.

The bill includes section 504 encouraging all Departments to expand their use of ''E-Commerce''.

The bill includes section 505 specifying the Congressional Committees that are to receive all reports and notifications.

The bill includes section 506 prohibiting the transfer of funds to any instrumentality of the United States Government without authority from an appropriations Act.

The bill includes section 507 prohibiting 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.

The bill includes section 508 requiring all reports submitted to the Congress to be posted on official websites of the submitting agency.

The bill includes section 509 prohibiting 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.

The bill includes section 510 prohibiting funds in this Act for the Association of Community Organizations for Reform Now or its subsidiaries or successors.

The bill includes section 511 prohibiting 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.

The bill includes section 512 prohibiting the use of funds for the payment of first-class travel by an employee of the executive branch.

The bill includes section 513 prohibiting the use of funds in this Act for any contract where the contractor has not complied with E-Verify requirements.

The bill includes section 514 prohibiting 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 bill includes section 515 prohibiting the use of funds in this Act for any contract, memorandum of understanding, or cooperative agreement with any corporation with an unpaid tax liability.

The bill includes section 516 requiring pay raises to be absorbed within the levels appropriated in the Act.

The bill includes section 517 prohibiting the use of funds to pay for attendance of more than 50 employees at any single conference outside the United States.

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
TITLE I—DEPARTMENT OF DEFENSE					
Military construction, Army	3,006,491	1,923,323	1,684,323	−1,322,168	−239,000
Military construction, Navy and Marine Corps	2,112,823	1,701,985	1,549,164	−563,659	−152,821
Military construction, Air Force	1,227,058	388,200	322,543	−904,515	−65,657
Military construction, Defense-Wide	3,431,957	3,654,623	3,582,423	+150,466	−72,200
Total, Active components	9,778,329	7,668,131	7,138,453	−2,639,876	−529,678
Military construction, Army National Guard	773,592	613,799	613,799	−159,793	
Military construction, Air National Guard	116,246	42,386	42,386	−73,860	
Military construction, Army Reserve	280,549	305,846	305,846	+25,297	
Military construction, Navy Reserve	26,299	49,532	49,532	+23,233	
Military construction, Air Force Reserve	33,620	10,979	10,979	−22,641	
Total, Reserve components	1,230,306	1,022,542	1,022,542	−207,764	
Total, Military construction	11,008,635	8,690,673	8,160,995	−2,847,640	−529,678
North Atlantic Treaty Organization Security Investment Program	247,611	254,163	254,163	+6,552	
Family housing construction, Army	176,897	4,641	4,641	−172,256	
Family housing operation and maintenance, Army	493,458	530,051	530,051	+36,593	
Family housing construction, Navy and Marine Corps	100,972	102,182	102,182	+1,210	
Family housing operation and maintenance, Navy and Marine Corps	367,863	378,230	378,230	+10,367	
Family housing construction, Air Force	60,042	83,824	83,824	+23,782	
Family housing operation and maintenance, Air Force	429,523	497,829	497,829	+68,306	
Family housing operation and maintenance, Defense-Wide	50,723	52,238	52,238	+1,515	
Department of Defense Family Housing Improvement Fund	2,184	1,786	1,786	−398	
Homeowners assistance fund	1,284			−1,284	
Total, Family housing	1,682,946	1,650,781	1,650,781	−32,165	
Chemical demilitarization construction, Defense-Wide	75,312	151,000	151,000	+75,688	
Base realignment and closure:					
Base realignment and closure account, 1990	323,543	349,396	409,396	+85,853	+60,000
Base realignment and closure account, 2005	258,776	126,697	126,697	−132,079	
Total, Base realignment and closure	582,319	476,093	536,093	−46,226	+60,000

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Rescission (Sec. 130):					
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		−20,000	+111,400	−20,000
Rescission (Sec. 131):					
Base Realignment and Closure, 2005	−258,776		−132,513	+126,263	−132,513
Rescission (Sec. 129):					
Civilian pay raise reduction					
Navy Land Transfer (Sec. 132)			11,000	+11,000	+11,000
Total, title I, Department of Defense	13,049,647	11,222,710	10,611,519	−2,438,128	−611,191
Appropriations	(13,596,823)	(11,222,710)	(10,764,032)	(−2,832,791)	(−458,678)
Rescissions	(−547,176)		(−152,513)	(+394,663)	(−152,513)
TITLE II—DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions	51,237,567	61,741,232	60,599,855	+9,362,288	−1,141,377
Readjustment benefits	12,108,488	12,607,476	12,023,458	−85,030	−584,018
Veterans insurance and indemnities	100,252	104,600	104,600	+4,348	
Veterans housing benefit program fund (indefinite)	318,612	184,859	184,859	−133,753	
(Limitation on direct loans)	(500)	(500)	(500)		
Administrative expenses	154,698	157,814	157,814	+3,116	
Vocational rehabilitation loans program account	19	19	19		
(Limitation on direct loans)	(3,019)	(2,729)	(2,729)	(−290)	
Administrative expenses	343	346	346	+3	
Native American veteran housing loan program account	1,116	1,089	1,089	−27	
Total, Veterans Benefits Administration	63,921,095	74,797,435	73,072,040	+9,150,945	−1,725,395
Veterans Health Administration					
Medical services:					
Advance from prior year	(39,649,985)	(41,354,000)	(41,354,000)	(+1,704,015)	
Current year request		165,000	155,000	+155,000	−10,000
Advance appropriation, fiscal year 2014	41,354,000	43,557,000	43,557,000	+2,203,000	
Subtotal	41,354,000	43,722,000	43,712,000	+2,358,000	−10,000
Medical support and compliance:					
Advance from prior year	(5,535,000)	(5,746,000)	(5,746,000)	(+211,000)	
Advance appropriation, fiscal year 2014	5,746,000	6,033,000	6,033,000	+287,000	
Medical facilities:					
Advance from prior year	(5,426,000)	(5,441,000)	(5,441,000)	(+15,000)	
Advance appropriation, fiscal year 2014	5,441,000	4,872,000	4,872,000	−569,000	
Medical and prosthetic research	581,000	582,674	582,674	+1,674	
Medical care cost recovery collections:					
Offsetting collections	−3,326,000	−2,527,000	−2,527,000	+799,000	
Appropriations (indefinite)	3,326,000	2,527,000	2,527,000	−799,000	
DoD–VA Joint Medical Funds (transfers out)		(−280,000)	(−280,000)	(−280,000)	
DoD–VA Joint Medical Funds (by transfer)		(280,000)	(280,000)	(+280,000)	
Total, Veterans Health Administration	53,122,000	55,209,674	55,199,674	+2,077,674	−10,000
Appropriations	(581,000)	(747,674)	(737,674)	(+156,674)	(−10,000)
Advance appropriations, fiscal year 2014	(52,541,000)	(54,462,000)	(54,462,000)	(+1,921,000)	
Advances from prior year appropriations	(50,610,985)	(52,541,000)	(52,541,000)	(+1,930,015)	
National Cemetery Administration					
National Cemetery Administration	250,934	258,284	258,284	+7,350	
Departmental Administration					
General administration	416,737	416,737	424,737	+8,000	+8,000
General operating expenses, VBA	2,018,764	2,164,074	2,164,074	+145,310	
Information technology systems	3,111,376	3,327,444	3,327,444	+216,068	
Office of Inspector General	112,391	113,000	115,000	+2,609	+2,000
Construction, major projects	589,604	532,470	532,470	−57,134	
Construction, minor projects	482,386	607,530	607,530	+125,144	
Grants for construction of State extended care facilities	85,000	85,000	85,000		
Grants for the construction of veterans cemeteries	46,000	46,000	46,000		
Total, Departmental Administration	6,862,258	7,292,255	7,302,255	+439,997	+10,000
Administrative Provisions					
Medical services			1,500,000	+1,500,000	+1,500,000
(Rescission)			−1,500,000	−1,500,000	−1,500,000
Medical support and compliance			200,000	+200,000	+200,000
(Rescission)			−200,000	−200,000	−200,000
Medical facilities			250,000	+250,000	+250,000
(Rescission)			−250,000	−250,000	−250,000
Total, Administrative Provisions					
Total, title II	124,156,287	137,557,648	135,832,253	+11,675,966	−1,725,395
Appropriations	(71,615,287)	(83,095,648)	(83,320,253)	(+11,704,966)	(+224,605)
Rescissions			(−1,950,000)	(−1,950,000)	(−1,950,000)
Advance appropriations, fiscal year 2014	(52,541,000)	(54,462,000)	(54,462,000)	(+1,921,000)	
Discretionary	(60,391,368)	(62,919,481)	(62,919,481)	(+2,528,113)	
Mandatory	(63,764,919)	(74,638,167)	(72,912,772)	(+9,147,853)	(−1,725,395)
Advances from prior year appropriations	(50,610,985)	(52,541,000)	(52,541,000)	(+1,930,015)	
(Limitation on direct loans)	(3,519)	(3,229)	(3,229)	(−290)	
TITLE III—RELATED AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	61,100	58,400	62,929	+1,829	+4,529
Foreign currency fluctuations account	16,000	15,200	15,200	−800	
Total, American Battle Monuments Commission	77,100	73,600	78,129	+1,029	+4,529
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses	30,770	32,481	32,481	+1,711	

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Department of Defense—Civil					
Cemeterial Expenses, Army					
Salaries and expenses	45,800	45,800	65,800	+20,000	+20,000
Construction program			103,000	+103,000	+103,000
Total, Cemeterial Expenses, Army	45,800	45,800	168,800	+123,000	+123,000
Armed Forces Retirement Home—Trust Fund					
Operation and maintenance	65,700	65,590	65,590	−110	
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	82,330	67,590	67,590	−14,740	
Total, title III	236,000	219,471	347,000	+111,000	+127,529
TITLE IV—OVERSEAS CONTINGENCY OPERATIONS					
Military Construction, Army	80,000			−80,000	
Military Construction, Navy and Marine Corps	189,703		150,768	−38,935	+150,768
Rescission (Public Law 112–10 and Public Law 112–74)	−269,703		−150,768	+118,935	−150,768
Total, title IV					
DIVISION G					
Section 3001:					
(Rescission) (Security)			−66,000	−66,000	−66,000
(Rescission) (Non-security)			−8,000	−8,000	−8,000
Total, Division G			−74,000	−74,000	−74,000
Grand total	137,441,934	148,999,829	146,716,772	+9,274,838	−2,283,057
Appropriations	(85,448,110)	(94,537,829)	(94,431,285)	(+8,983,175)	(−106,544)
Rescissions	(−547,176)		(−2,176,513)	(−1,629,337)	(−2,176,513)
Advance appropriations, fiscal year 2014	(52,541,000)	(54,462,000)	(54,462,000)	(+1,921,000)	
Overseas contingency operations					
Advances from prior year appropriations	(50,610,985)	(52,541,000)	(52,541,000)	(+1,930,015)	
(By transfer)		(280,000)	(280,000)	(+280,000)	
(Transfer out)		(−280,000)	(−280,000)	(−280,000)	
(Limitation on direct loans)	(3,519)	(3,229)	(3,229)	(−290)	

DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

TITLE I—GENERAL PROVISIONS

Sec. 1101. Provides continuing appropriations for the remainder of fiscal year under the authority and conditions provided in applicable appropriations Acts for fiscal year 2012, for projects, programs, and activities in the following bills: Energy and Water Development and Related Agencies Appropriations Act; Financial Services and General Government Appropriations Act; Department of the Interior, Environment, and Related Agencies Appropriations Act; Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act; Legislative Branch Appropriations Act; Department of State, Foreign Operations, and Related Programs Appropriations Act; and Transportation and Housing and Urban Development, and Related Agencies Appropriations Act.

Sec. 1102. Specifies that funds in section 1101 shall be available to the extent and in the manner that would be provided in the pertinent appropriations Act.

Sec. 1103. Provides that funds in this division will have comparable terms of availability, for multi-year and no year funds, as would be provided in the pertinent appropriations Act.

Sec. 1104. Provides for no new starts in this division.

Sec. 1105. Continues all authorities requirements and limitations through September 30, 2013.

Sec. 1106. Set the expiration of the division as September 30, 2013.

Sec. 1107. Provides that expenditures pursuant to the previous continuing resolution for activities funded in this division be charged to the relevant account funded in this division.

Sec. 1108. Provides waiver authority routinely carried in appropriations Acts for the expenditure of funds in the absence of certain authorizations.

Sec. 1109. Provides funding for entitlements and other mandatory spending, and makes advance appropriations for those entitlements that received advances in last year's bill.

Sec. 1110. Provides for the designation as Overseas Contingency Operations (OCO) for those funds made available by reference that previously had an OCO designation.

Sec. 1111. Provides for advance appropriations at current levels.

Sec. 1112. Continues the prohibition of automatic statutory pay increases for the remainder of calendar year 2013.

Sec. 1113. Requires submission within 30 days of a spending or operating plan from the agencies funded in this division.

Sec. 1114. Requires submission of a monthly obligation reports by the agencies funded in this division.

DIVISION G—OTHER MATTERS

Sec. 3001. Provides for across-the-board reductions to the five bills contained in divisions A through E, to assure compliance with the statutory caps under Congressional Budget Office scoring.

Sec. 3002. Provides language affirming that nothing in the bill changes current law with respect to sequestration.

Sec. 3003. Provides government-wide restriction on conferences.

Sec. 3004. Provides for across-the-board reductions to the fiscal year 2013 discretionary appropriations to assure compliance with the statutory caps under Office of Management and Budget scoring.

TRIBUTE TO DOUG WHITLOCK

Mr. MCCONNELL. Madam President, I rise today to pay tribute to a good friend of mine and a friend to the Commonwealth of Kentucky who has served his State and his community for decades. I was saddened to hear that Doug Whitlock, the president of Eastern Kentucky University since 2007, will retire from that position this summer. In his 6 years at the helm, he has led Eastern Kentucky University to new growth and success, including the establishment of the EKU Center for the Arts, the New Science Building, the Noel Studio for Academic Creativity, the Center for Renewable and Alternative Fuel Technologies, and much more.

Doug is EKU's 11th president. Like his predecessors, his mission has been to uphold the rich tradition of EKU while guiding the school to even greater excellence. Of course, this came naturally to Doug, as EKU is his own alma mater. Doug earned two degrees from EKU as a first-generation graduate—his bachelor's degree in history and social science in 1965, followed by a master's degree in history in 1966. Doug also earned a doctoral degree in higher education from the University of Kentucky in 1981.

Doug's been with EKU since 1968, when he became the school's director of publications. From 1971 to 1976, he served as director of public information; then as executive assistant to the president from 1976 to 1998, and vice president for administrative affairs from 1998 to 2003. From 2003 to 2006, he returned to the classroom, teaching computer science.

Perhaps Doug's greatest strength is that he understands the power of collaboration. He knows how to lead others to see great goals accomplished. Aside from the progress he has brought to EKU, he has served with the Madison County Schools Board of Education, the Richmond Chamber of Commerce Board of Directors, Commerce Lexington's Central Kentucky Public Policy Council, the Bluegrass Tomorrow Board of Directors, the International Town and Gown Association, the Southern Growth Policies Board, and the American Association of State Colleges and Universities.

Under Doug's tenure, EKU produced its first Truman, Goldwater, and Fulbright Scholars and added several new Ph.D. programs. The 16,000-student school also gained several national distinctions, including recognition by both Forbes and U.S. News & World Report as ranking among America's best colleges; recognition by the Carnegie Foundation for the Advancement of Teaching as a community-engaged university; and recognition by the Chronicle of Higher Education as one of America's ''Great Colleges to Work For.''

Thanks to Doug's leadership, EKU also was honored as a veterans-friendly campus by G.I. Jobs magazine and earned the No. 1 ranking in the Nation for 2 of the last 3 years from Military Times EDGE magazine for being the university that is ''Best for Vets.''

As much as Doug will be missed by EKU's students, staff, and faculty, I am sure his family will appreciate seeing more of him in his retirement—including his wife, Joanne, and his granddaughters. I also understand Doug intends to spend a little more time on his hobbies, photography and electronics.

Whatever endeavors are next for EKU President Doug Whitlock, I know my colleagues in the U.S. Senate join me in wishing him all the best and congratulating him for his decades of service to Eastern Kentucky University and to the Commonwealth. He has advanced the cause of higher education in his tenure, and he will be missed by the many who have had the pleasure of working with him, including this Senator.

RECOGNIZING SOUTH LAUREL MIDDLE SCHOOL DANCE TEAM

Mr. MCCONNELL. Madam President, I would like to recognize the South Laurel Middle School Dance Team, a group of young ladies from Laurel County in eastern Kentucky who have recently achieved national success. South Laurel Middle's dance team won a Universal Dance Association national title, marking the first time any dance team from South Laurel has won such an accolade.

Head coach Bettina Rogers recounts that ''they danced with all their hearts'' and gratefully recognized the support of the school and the friends, family, and community that surrounds these exceptional young ladies. The girls embody the Kentucky spirit of hard work and dedication, practicing up to 4 hours a day, 5 days a week, in preparation for their competition. The team, which formed in March, won a plethora of other titles this year, and it is clear that their hours of practice have paid off.

At this time, I would like to applaud and recognize the South Laurel Middle School Dance Team for their national title win and all their recent accomplishments, and I ask unanimous consent that an article extolling the team's achievements from a Laurel County-area newspaper, the Sentinel Echo, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Sentinel Echo, February 6, 2013]

CHAMPS! SLMS DANCE TEAM WINS NATIONAL TITLE

(By Magen McCrarey)

LAUREL COUNTY, KY.—South Laurel Middle's Dance Team broke a Laurel County record last week and won a Universal Dance Association (UDA) national title. The girls rode into school on Tuesday morning on a City of London fire truck as the entire school cheered them on as the Junior High Kick National Champions.

''This is the first time in Laurel County that any dance team has won UDA nationals,'' said Bettina Rogers, head coach for the team.

Rogers has been coaching the team for eight years and said she couldn't be more

proud of her girls. South Laurel Middle's Dance Team has not only won nationals this year, but also gained the title of Kentucky Dance Coaches Organization Overall Middle School Grand Champions, took first place in the Pom Division as well as first place in the Open Division, JAMfest Dance Grand Champions, and were the 2013 Big Blue Cheer and Dance Challenge Grand Champions.

''I believe that they danced with all their hearts and souls on that stage, and I'm thankful for the support from our school, administration and their parents,'' Rogers said.

''Their dance was perfection, it was just incredible . . . it was flawless,'' added Assistant Coach Jo Anna Sizemore.

The team of six eighth-graders, seven seventh-graders and one sixth-grader took form in March following try-outs. The girls practiced for the national competition five days a week for approximately three hours, and sometimes four, Sizemore said.

''It means the world to me to get to spend five days a week with my dance sisters, not only my sisters in dance, but my sisters in Christ,'' said Megan Ford, an eighth-grade dance team member.

''I feel that our win was deserved, for all the hard work we've done. But I also have to give all the glory to God for keeping us safe as we go. I'm so thankful for all of these girls for how we've been spending our time together and how we've stuck together as a team—and not just as a team, but as a family,'' said Hannah Sears, an eighth-grade dance team member.

Six eighth-graders will be moving on to high school next year, vacating their spots on the award-winning dance team. Coach Rogers says try-outs will begin this March.

FREEDOM FOR BOB LEVINSON

Mr. NELSON. Madam President, I rise today to remind this body of the plight of a missing person and the suffering of his family.

On March 8, 2007, retired FBI agent Bob Levinson traveled to the Iranian island of Kish on a business trip. From what we know, he checked into his hotel, checked out on March 9, got into a taxi, and then disappeared.

This week marks the sixth year of his disappearance, making Bob one of the longest held or missing Americans in history.

And for Bob's wife Christine and their seven children, it's been 6 years of excruciating suffering. Bob's safe return remains their highest priority—as it must for the U.S. Government as well.

With the assistance of the U.S. Department of State, we continue to receive word that Bob is alive and remains in captivity somewhere in Southwest Asia.

Yet the Government of Iran continues to provide next to nothing in terms of real assistance. Given Iran's resources and capabilities in the region, they could be doing so much more to help reunite Bob with his family.

I remain convinced that our two countries share the same goal: finally putting to rest all the speculation behind Bob's disappearance by safely getting him back to Florida where he belongs.

Today I rise to implore all parties to view this as a humanitarian case that transcends the differences between the United States and Iran. We must all redouble our efforts to bring Bob home.

LEAD EXPOSURE REDUCTION AMENDMENTS ACT

Mr. INHOFE. Madam President, I want to thank Senator WICKER for being an original supporter of S. 484, a bill aiming to improve EPA's lead paint rule. He has been a tremendous help throughout the long effort we have had to address this onerous and frustrating regulation. He and I firmly believe that this rule can be implemented in a way that both protects the health of children and pregnant women without unnecessarily raising the cost of construction projects when there exists only a negligible risk of harm. That is what our bill aims to do, and I want to thank him for being in lockstep with us from the beginning.

THE PUBLIC LIBRARY OF MOUNT VERNON AND KNOX COUNTY

Mr. PORTMAN. Madam President, today I wish to honor the 125th anniversary of The Public Library of Mount Vernon and Knox County and its service to the community.

The library opened on February 16, 1888, to serve residents of Mount Vernon. In 1924, services were expanded throughout the Mount Vernon school district and in 1985, the library was officially renamed, The Public Library of Mount Vernon and Knox County.

Promoting education and cultural awareness, the public library is a valuable resource to the Knox County community. Volunteers have been delivering books to hospital patients and residents of nursing facilities since in 1948. The library delivers books today through its outreach service department, serving hospitals, nursing homes, the local jail, Amish schools, and daycare facilities. More than 35,000 citizens of Knox County benefit from the public library system.

I extend my sincere congratulations to The Public Library of Mount Vernon and Knox County on 125 years of dedicated service to the community.

ADDITIONAL STATEMENTS

TRIBUTE TO DAVE HOFFMAN

• Mr. BEGICH. Madam President, today I would like to recognize retired LTC Dave Hoffman for his outstanding service to the United States Air Force as a search and rescue helicopter pilot. Mr. Hoffman journeyed to Alaska in the 1970s to fly helicopters in the 71st Aerospace Rescue and Recovery Squadron, ARRS, an Air Force Unit that performed search and rescue for both civilians and military members in remote Alaska.

At that time, a United States Air Force air rescue unit was considered top notch if they logged two or more ''saves'' in a year. The 71st ARRS that Dave Hoffman flew for logged over 90 saves in 1978. With temperatures dipping to 30 degrees below zero, the pilots of the 71st were often on their own in the Alaskan wilderness for days, putting their own lives at risk to save the lives of others.

After his service in the USAF, Dave joined the Alaska Army National Guard, assisting his unit in countless saves. When the Air Force decided to deactivate the 71st ARRS, legislation was introduced that created the 210th Rescue Squadron, RQS, in the Alaska Air National Guard at Kulis Air National Guard Base in Anchorage, AK. Initially, as a cadre instructor pilot and later as first commander of Detachment 1, Dave Hoffman continued the tradition of greatness. By 1996, the 210th RQS had saved a record 310 lives and held the record for both the highest altitude rescue, 14,400 ft., and the furthest rescue, 2037 miles, in an HH–60G helicopter.

In the fall of 1991, then Major Hoffman participated in a rescue effort less than 400 nautical miles from the North Pole where a Canadian C–130 crashed. Flying night and day for over 3 days, Dave Hoffman's ability to persevere under the worst conditions resulted in saving 13 lives while managing to return all rescuers and assets unharmed. This mission earned him the Air Medal.

In 1993, he was involved in the first military exercise teaming Russian and American forces on Russian soil. Lieutenant Colonel Hoffman flew with such precision during an aerial refueling that Russian General Kalugin was convinced an automated mechanism had performed the feat. When it was proven that Dave Hoffman had, in fact, piloted the helicopter, the Russian general presented him with a medal for ''superior airmanship.''

Although Dave Hoffman is one of the best rescue and recovery pilots, his personality outshines his technical ability. After a rough landing, Dave is known to flash his famous smile and say, ''You know, my dashing young lieutenant, if you aren't so hard on the equipment it'll last longer.'' His loyalty to the guard and to the men and women he served with has touched all who know him.

Many recall a man who is always calm, sincere, honest, and has a great joy for life. Those who had the pleasure of flying with Dave, affectionately called ''Hoff-person'' and ''King Biscuit,'' are not shy about the respect, admiration and love that they have for the man. Whether he was saving lives or sharing in them, he left a lasting glow within the recipients. On this day, I would like to honor Mr. Dave Hoffman and thank him for his service to this country, to Alaska, and to so many who are lucky enough to know him.•

TRIBUTE TO LYAL HANSON

• Mr. BEGICH. Madam President, today I wish to honor Mr. Lyal Hanson, who is entering his 50th year of service to the United States Postal Service. The State of Alaska had only been a State for 5 years when Mr. Hanson began delivering mail.

In Alaska, mail delivery is not just a convenience; it is a necessity. For interior villages, towns on the coast, and residents who live in the Bush, the mail is a lifeline and often the only method of regular communication. In Alaska's urban and rural areas, the mail is a critical part of our communications infrastructure which allows small businesses to transport goods.

Today, Mr. Hanson delivers mail in South Anchorage near Tudor Road. Residents on his delivery route know him and appreciate his public service. Letter carriers like Lyal Hanson helped Alaska in the early stages of statehood and his work ties our communities together as we continue to grow.

Our State's economy has developed tremendously since Lyal Hanson began delivering mail, and the public service of people like him is part of our success story. At this time, I would like to recognize and thank Mr. Hanson for his many years of service to the United States Postal Service. We are fortunate to have someone as dedicated and committed to delivering mail in our communities.•

TRIBUTE TO LIEUTENANT COLONEL GLENN JOHNSON

• Mr. BEGICH. Madam President, I rise today to congratulate LTC Glenn Johnson for his outstanding service to our Nation on the occasion of his retirement. His dedicated service to the citizens of our Nation is both admirable and commendable.

Lieutenant Colonel Johnson enlisted in the Army National Guard and Army Reserve directly out of high school, and then was commissioned as a Field Artillery Officer upon graduation from the University of South Carolina in December 1991. He has served in units in the United States, Germany, Korea, Egypt, Saudi Arabia, Kuwait and Qatar, and has supported Operations Desert Shield, Desert Storm, Enduring Freedom, and Iraqi Freedom.

Over the course of his distinguished career, he has served at all levels of the Army, from platoon leader to Chief of the Exercise and Training Branch, U.S. Force Korea, to legislative liaison in the Army Legislative Affairs division. I was honored to have Lieutenant Colonel Johnson serve as a military fellow in my office in 2010.

I would like to extend my deepest thanks to Lieutenant Colonel Johnson for his many years of service to our Nation. I wish the absolute best to him, his wife Bernadette, and their son Brent as they begin this next stage in their lives.•

REMEMBERING ROBERT TEXTOR PH.D

• Mr. WYDEN. Madam President, earlier this year my home state of Oregon lost one of its most visionary citizens, Dr. Robert Bayard Textor. Today I wish to join his friends, family, colleagues, and I hope the rest of the country, in mourning the loss of this thoughtful and uniquely accomplished man, who would have turned 90 this week.

Linguists tell us that the term ''citizen'' is synonymous with an inhabitant of a city or community. Bob was all of that and much more.

Bob began his studies at Antioch College before joining the U.S. Army in 1943. After the war he volunteered to use newly acquired language skills to aid in the reconstruction of post-war Japan. Like our late colleague former Senator Mark Hatfield, his experiences in that war-ravaged country proved to be a turning point in his life. When he left Japan in 1948, Bob resumed his formal education and focused his Ph.D. studies at Cornell on what would be his lifelong passion—cultural anthropology—and committed himself to a career of seeking better ways to handle human problems.

Amid the Cold War and the arms race, Bob's drive to reduce intercultural misunderstanding led him to study first in Vienna, Austria, and late in Asia where he studied four different Asian languages.

Upon his return to the U.S., Bob advised the then-nascent Peace Corps in 1961–1962. During that time, he helped train the first cohort of Peace Corps Volunteers to be deployed in Thailand and wrote a memo to Peace Corps Director Sargent Shriver titled ''In-Up-Out.'' That concept, specifying how the Peace Corps would benefit by staying youthful and vigorous, guides the agency to this day.

Bob joined the faculty of Stanford University in 1964. When he retired in 1990, he served as a Courtesy Professor of International Studies at the University of Oregon, bringing his rare gifts to Oregonians and visiting students alike.

While he researched, taught and studied at Harvard, Stanford, Oregon, and Cornell, above all, Dr. Textor was an anthropologist and an important innovator in the use of quantitative methods in comparative global analysis. He remains a force in what is now known as anticipatory anthropology and his work in this field lives on through the Textor Family Prize for Excellence in Anticipatory Anthropology.

He wrote a comprehensive book on the legendary Margaret Mead titled ''The World Ahead,'' and, at the request of Motorola, co-authored an analysis of its corporate culture titled ''Uncompromising Integrity: Motorola's Global Challenge.''

While Dr. Textor will be remembered by his peers for his academic and governmental achievements, Bob Textor's legacy is much more personal. In Portland, Bob served on the Metro Future Vision Commission and helped craft a report which still guides the Portland Metro area's development.

In 1998, Bob's ''thirst'' for knowledge prompted him to found a policy salon that lives today: The Thirsters. Convened every Thursday except Thanksgiving, the Thirsters bring together policy experts, diplomats, business people and academicians to thrash out issues of technology, politics, social justice, ethics, sustainability and culture, all done amicably over glasses of Oregon's famous home-grown beverages.

To quote his fellow Thirster, Lewis and Clark College Professor Emeritus Roger Paget: ''He leaves a significant legacy, not only in several professional fields and the community of Thirsters, but above all in Marisa and Alex, his children, both of whom imbibed his love of making sense out of being in different cultures.''

On behalf of his colleagues, the millions who have benefitted from their experience with the Peace Corps and my constituents in the Thirsters, I want to express my appreciation for Bob Textor's life and service to his country and the world.•

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 505. A bill to prohibit the use of drones to kill citizens of the United States within the United States.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–728. A communication from the Chairman of the Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's Buy American Act Report for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–729. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–479, ''Compassionate Release Authorization Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–730. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–649, ''Schedule H Property Tax Relief Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–731. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–651, ''State Board of Education Personnel Authority Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–732. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 19–652, ''Israel Senior Residences Tax Exemption Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–733. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–653, ''Washington Metropolitan Area Transit Authority Board of Directors Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–734. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–654, ''Council Notification on Enforcement of Laws Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–735. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–655, ''Retail Incentive Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–736. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–656, ''Sign Regulation Authorization Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–737. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–657, ''Re-entry Facilitation Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–738. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–658, ''Motorized Bicycle Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–739. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–659, ''Service Animals Access Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–740. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–660, ''Bloomingdale and LeDroit Park Backwater Valve and Sandbag Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–741. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–661, ''District of Columbia Flood Assistance Fund Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–742. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–662, ''Construction and Demolition Waste Recycling Accountability Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–743. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–663, ''Administrative Disposition for Weapons Offenses Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–744. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–664, ''United House of Prayer for All People Real Property Tax Exemption Technical Temporary Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–745. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–665, ''Beulah Baptist Church Real Property Equitable Tax Relief Temporary Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–746. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–666, ''Bad Actor Debarment and Suspension Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–747. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–667, ''Uniform Commercial Code Revision Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–748. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–668, ''Workplace Fraud Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–749. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–650, ''Equity in Survivor Benefits Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–750. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–669, ''Uniform Commercial Code Article 9 Amendments Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–751. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–670, ''Pharmacy Technician Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–752. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–671, ''Interstate Compact on Educational Opportunity for Military Children Establishment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–753. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–672, ''Benefit Corporation Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–754. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–673, ''Portable Electronics Insurance Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–755. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–674, ''Safety-Based Traffic Enforcement Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–756. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–675, ''Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Act of 1998 Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–757. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–676, ''Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Act of 1998 Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–758. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–677, ''Omnibus Criminal Code Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–759. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–678, ''Omnibus Alcoholic Beverage Regulation Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–760. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–679, ''Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–761. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–680, ''Retirement of Public-School Teachers Omnibus Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–762. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–681, ''Retirement of Public-School Teachers Omnibus Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–763. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–682, ''Police and Firefighter's Retirement and Disability Omnibus Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–764. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–13, ''Medical Marijuana Cultivation Center Temporary Amendment Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–765. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General George J. Flynn, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–766. A communication from the Assistant Secretary of the Navy (Financial Management and Comptroller), Department of Defense, transmitting, pursuant to law, a report relative to meals sold by messes for United States Navy and Naval Auxiliary vessels; to the Committee on Armed Services.

EC–767. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to potential civilian furloughs within the Department of Defense; to the Committee on Armed Services.

EC–768. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of Certain Persons to the Entity List'' (RIN0694–AF85) received in the Office of the President of the Senate on March 5, 2013; to

the Committee on Banking, Housing, and Urban Affairs.

EC–769. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–770. A communication from the Deputy Director for Management, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''OMB Report to the Congress on the Joint Committee Sequestration for Fiscal Year 2013''; to the Committee on the Budget.

EC–771. A communication from the Director of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision of NRC Enforcement Policy'' (NRC–2013–0014) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Environment and Public Works.

EC–772. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Tennessee; 110(a) (1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards'' (FRL No. 9787–6) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Environment and Public Works.

EC–773. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Kentucky; 110(a) (1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards'' (FRL No. 9788–6) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 54. A bill to increase public safety by punishing and deterring firearms trafficking.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. LANDRIEU:

S. 511. A bill to amend the Small Business Investment Act of 1958 to enhance the Small Business Investment Company Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. GRASSLEY (for himself, Ms. MIKULSKI, and Mr. CASEY):

S. 512. A bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented and high-ability learners by empowering the Nation's teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE:

S. 513. A bill to clarify the role of the Cherokee Nation of Oklahoma regarding the maintenance of the W.D. Mayo Lock and Dam in the State of Oklahoma; to the Committee on Indian Affairs.

By Mr. BROWN:

S. 514. A bill to amend title 38, United States Code, to provide additional educational assistance under Post-9/11 Educational Assistance to veterans pursuing a degree in science, technology, engineering, math, or an area that leads to employment in a high-demand occupation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN:

S. 515. A bill to amend title 38, United States Code, to extend the Yellow Ribbon G.I. Education Enhancement Program to cover recipients of Marine Gunnery Sergeant John David Fry scholarship, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself and Mr. BLUNT):

S. 516. A bill to reduce disparities and improve access to effective and cost efficient diagnosis and treatment of prostate cancer through advances in testing, research, and education, including through telehealth, comparative effectiveness research, and identification of best practices in patient education and outreach particularly with respect to underserved racial, ethnic and rural populations and men with a family history of prostate cancer, to establish a directive on what constitutes clinically appropriate prostate cancer imaging, and to create a prostate cancer scientific advisory board for the Office of the Chief Scientist at the Food and Drug Administration to accelerate real-time sharing of the latest research and accelerate movement of new medicines to patients; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. HATCH, Mr. LEE, and Ms. KLOBUCHAR):

S. 517. A bill to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes; to the Committee on the Judiciary.

By Mr. BEGICH:

S. 518. A bill to authorize the issuance of H2O nonimmigrant visas for aliens temporarily performing labor in the seafood processing industry; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mr. BEGICH, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. JOHNSON of South Dakota, Mr. LAUTENBERG, Mrs. MURRAY, Mr. SCHATZ, Mr. SCHUMER, and Mr. WYDEN):

S. 519. A bill to amend the Elementary and Secondary Education Act of 1965 to improve early education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself and Mrs. BOXER):

S. 520. A bill to strengthen Federal consumer protection and product traceability with respect to commercially marketed seafood, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, and Mr. HARKIN):

S. 521. A bill to require the Secretary of Defense to award grants to fund research on orthotics and prosthetics; to the Committee on Armed Services.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, and Mr. HARKIN):

S. 522. A bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree or doctoral degree programs in orthotics and prosthetics, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mrs. BOXER, Mr. BEGICH, Mr. CARDIN, Mr. CASEY, Mr. DURBIN, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SCHATZ, and Mr. WHITEHOUSE):

S. Res. 74. A resolution supporting the goals of International Women's Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 54

At the request of Mr. LEAHY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 54, a bill to increase public safety by punishing and deterring firearms trafficking.

S. 123

At the request of Mrs. GILLIBRAND, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 123, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 141

At the request of Mr. BAUCUS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 195

At the request of Mr. FRANKEN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 210

At the request of Mr. HELLER, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Nevada (Mr. REID), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Idaho (Mr. CRAPO) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S.

210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 234

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 289

At the request of Ms. LANDRIEU, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 289, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 294

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 296

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 310

At the request of Mr. MORAN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 310, a bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 370

At the request of Mr. COCHRAN, the names of the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 375

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 392

At the request of Mr. UDALL of New Mexico, the names of the Senator from Colorado (Mr. UDALL) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 392, a bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education.

S. 445

At the request of Mr. FRANKEN, the names of the Senator from Maine (Mr. KING) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 445, a bill to improve security at State and local courthouses.

S. 460

At the request of Mr. HARKIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 460, a bill to provide for an increase in the Federal minimum wage.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Michigan (Ms. STABENOW), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 463

At the request of Mr. PRYOR, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term ''biobased product'' .

S. 464

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 464, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 469

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 469, a bill to assist the Secretary of Housing and Urban Development in stabilizing the Home Equity Conversion Mortgage program.

S. 470

At the request of Mr. TESTER, the names of the Senator from Indiana (Mr. DONNELLY), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Michigan (Ms. STABENOW), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 478

At the request of Mr. GRASSLEY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 478, a bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review.

S. 485

At the request of Mr. ROBERTS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 485, a bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel.

S. 492

At the request of Mr. BURR, the name of the Senator from Florida (Mr. RUBIO) was withdrawn as a cosponsor of S. 492, a bill to amend title 38, United States Code, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes.

S. 495

At the request of Mr. BURR, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 495, a bill to amend title 38, United States Code, to require Federal agencies to hire veterans, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes.

S. 500

At the request of Mr. SANDERS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 500, a bill to amend the

Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of $250,000.

S. 504

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 504, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 505

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 505, a bill to prohibit the use of drones to kill citizens of the United States within the United States.

S.J. RES. 10

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S.J. Res. 10, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 4

At the request of Mr. UDALL of New Mexico, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. Res. 4, a resolution to limit certain uses of the filibuster in the Senate to improve the legislative process.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Virginia (Mr. WARNER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from South Dakota (Mr. JOHNSON), the Senator from South Carolina (Mr. SCOTT), the Senator from Arizona (Mr. FLAKE), the Senator from Washington (Mrs. MURRAY), the Senator from Virginia (Mr. KAINE) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. LANDRIEU:

S. 511. A bill to amend the Small Business Investment Act of 1958 to enhance the Small Business Investment Company Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, I come to the floor today to introduce the Expanding Access to Capital for Entrepreneurial Leaders Act, or the EXCEL Act. This legislation will enhance the already successful Small Business Investment Company, SBIC, program at the Small Business Administration, SBA, that has helped over 100,000 small businesses. The best part of this bill is that the EXCEL Act should not cost the taxpayer anything.

The SBA runs a venture capital program by guaranteeing money borrowed by qualified investment funds who invest in small businesses. The qualified funds, or Small Business Investment Companies, SBICs, are privately owned and operated, but licensed and regulated by the SBA. Using a combination of private investments and the loans guaranteed by the SBA, typically at a ratio of $2 in guaranteed funds for every $1 of private capital, SBICs make longterm investments in American small businesses. In order to participate in the program, funds pay licensing fees which serve to cover all SBIC program costs. As a result, the core SBIC program, Debenture SBICs, not only boasts a strong success rate, but also incurs no cost to the U.S. government. Since the program's inception, over $50 billion has been invested in over 100,000 small businesses.

In the last Congress, the former Ranking Member of the Small Business Committee, Senator Olympia Snowe, and I conducted a roundtable with 14 participants from the SBA, SBICs, SBIC investors, and small businesses to elicit suggestions on enhancing the program. Out of that was born the EXCEL Act.

The EXCEL Act is a bipartisan effort encompassing much-needed changes that will allow the SBIC program to meet growing demand and will make improvements so that more small businesses can access capital.

First, the EXCEL Act raises the SBIC program authorization level from $3 billion to $4 billion and pegs it to inflation. This change is long overdue—the ceiling has been at $3 billion for some time, despite inflation and the impressive growth in the SBIC program. To illustrate: the program grew 50 percent in fiscal year 2011 alone. In order to meet demand, we need to give the program room to grow.

Secondly, the EXCEL Act will encourage successful investors by raising the limit on ''families of funds.'' Family of funds refers to a team of SBIC fund managers who operate several funds. These are currently limited to $225 million of SBA-guaranteed debt. However, SBIC fund managers who manage more than one fund generally see better investment results. The EXCEL Act will encourage that kind of success by giving families of funds a higher limit of $350 million, which will be indexed to inflation.

Next, the EXCEL Act improves transparency and accountability in the program. The legislation requires that the SBA make public how effective individual SBICs are in their small business investments, guaranteeing that SBA-backed money is being used responsibly.

Finally, the EXCEL Act promotes outreach, thereby ensuring that the maximum possible number of small businesses can benefit from the SBIC program. The legislation encourages outreach to community banks and other lenders, states and municipalities, and asks the SBA to make their SBIC website more user-friendly.

The EXCEL Act contains a number of commonsense provisions that have had support across the aisle. It enhances a program with proven success in providing capital to small businesses, and does so with the expectation that it will not add a dime to the deficit. Let us get this bill passed. Let us help small businesses excel.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. HATCH, Mr. LEE, and Ms. KLOBUCHAR):

S. 517. A bill to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am introducing bipartisan legislation that will help promote competition in the wireless industry and restore consumer choice. From 2006 until last year, an exemption to the Digital Millennium Copyright Act, DMCA, permitted cell phone users to ''unlock'' their cell phones when their contract expired, allowing them to change wireless providers and thereby promoting consumer choice. This exemption has enhanced competition in the cell phone market, but it was allowed to expire last year.

Over the past few weeks and months, consumers have spoken clearly—they want to retain the right to transfer their cell phones between wireless providers, if they so choose, when their contracts expire. I agree, which is why today I am pleased to introduce the Unlocking Consumer Choice and Wireless Competition Act, along with Senator GRASSLEY, Senator HATCH, Senator LEE and Senator FRANKEN, who chairs the Judiciary Committee's Subcommittee on Privacy, Technology and the Law. We are working closely with Chairman GOODLATTE and members of the House Judiciary Committee to pass commonsense legislation and provide consumers with better choice.

The Unlocking Consumer Choice and Wireless Competition Act reestablishes the Library of Congress's rule permitting cell phone unlocking. It also directs the Library to undertake a new proceeding to consider whether to broaden this exemption to allow unlocking of other wireless devices such as tablets. At a time when the line between phone and tablet is beginning to blur, it makes sense for the Library to consider extending this exemption to those devices as well.

The DMCA maintains an important balance between protecting copyright owners and users. It was designed to be sufficiently flexible to meet the challenges of an ever-evolving digital copyright world. Every 3 years, the Library of Congress conducts its public review of the exemptions permitted under the DMCA to help promote that flexibility. Unfortunately, in its most recent proceeding, there was not a sufficient record for the Library to continue the cell phone exemption, despite the strong merits of the rule. Our legislation restores the important exemption that had been in effect in previous years. Although Congress has stepped in in this instance to restore an important policy objective, I urge parties in future rulemakings to provide a more full record so that the rulemaking process can proceed as it was designed.

When I wrote the DMCA, the law was intended to allow choice and protect consumers. This straightforward restoring bill furthers that objective. When consumers finish the terms of their contract, they should be able to keep their phones and make their own decision about which wireless provider to use. They should not be forced to stay with their original provider due to software that restricts a phone to only one network. I am pleased that many wireless providers already sell unlocked phones, or will unlock phones for consumers once contracts expire, but that does not mean that consumers should face penalties under the DMCA for taking those same steps on their own. This bill will protect and promote competition in the wireless market by allowing consumers to bring their phones with them to the provider that best suits their needs.

I urge all Senators to support this narrow, commonsense legislation to protect consumers and promote competition.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 517

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Unlocking Consumer Choice and Wireless Competition Act''.

SEC. 2. REPEAL OF EXISTING RULE AND ADDITIONAL RULEMAKING BY LIBRARIAN OF CONGRESS.

(a) REPEAL AND REPLACE.—Paragraph (3) of section 201.40(b) of title 37, Code of Federal Regulations, as amended and revised by the Librarian of Congress on October 28, 2012, pursuant to his authority under section 1201(a) of title 17, United States Code, shall have no force and effect, and such paragraph shall read, and shall be in effect, as such paragraph was in effect on July 27, 2010.

(b) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Librarian of Congress, upon the recommendation of the Register of Copyrights, who shall consult with the Assistant Secretary for Communications and Information of the Department of Commerce and report and comment on his or her views in making such recommendation, shall determine, consistent with the requirements set forth under section 1201(a)(1) of title 17, United States Code, whether to extend the exemption for the class of works described in section 201.40(b)(3) of title 37, Code of Federal Regulations, as amended by subsection (a), to include any other category of wireless devices in addition to wireless telephone handsets.

(c) RULE OF CONSTRUCTION.—Nothing in this Act alters, or shall be construed to alter, the authority of the Librarian of Congress under section 1201(a)(1) of title 17, United States Code.

By Ms. HIRONO (for herself, Mr. BEGICH, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. JOHNSON of South Dakota, Mr. LAUTENBERG, Mrs. MURRAY, Mr. SCHATZ, Mr. SCHUMER, and Mr. WYDEN):

S. 519. A bill to amend the Elementary and Secondary Education Act of 1965 to improve early education; to the Committee on Health, Education, Labor, and Pensions.

Ms. HIRONO. Mr. President, I rise today to introduce the Providing Resources Early for Kids Act of 2013—the PRE-K Act.

Research shows that quality early education is foundational for success in school and in life.

The PRE-K Act will help more children enter school ready to succeed. It creates a new federal-state partnership to provide better preschool opportunities for our country's children. High quality preschool makes the biggest difference, so this bill focuses on quality.

The PRE-K Act would provide Federal grants to States to strengthen quality. States could use the funding to increase the number of highly trained early educators in preschool classrooms.

The bill would improve the student-to-teacher ratios in preschools; provide vital comprehensive services such as health screenings and nutritional assistance.

The bill would increase the hours per day and weeks per year families have access to high quality early education programs; and improve programs for our youngest children, from birth to three years old.

States would need to coordinate with existing Head Start providers and their State Advisory Councils.

The PRE-K Act recognizes that not all states have a high-quality state preschool program in place yet. This bill meets states where they are. States that already have a high-quality program could apply as ''Qualified States'' and get money improve quality and expand to serve more children. Other States, like Hawaii, could apply as ''Selected States,'' earning Federal grants to establish a high-quality preschool program within two years.

In Hawaii, Governor Abercrombie is leading the fight to build a State preschool program for low-income families. The PRE-K Act could support Hawaii's efforts through Federal partnership grants.

Decades of research show that high quality early education programs can help kids enter kindergarten ready to learn and avoid falling behind. Later in life, kids who have high-quality preschool are more likely to avoid crime or teen pregnancy, graduate high school and college, earn more income, pay taxes, and need fewer public services.

The studies have found that investing $1 in quality early learning can bring a return on investment of between $2 and $17 down the line. A University of Hawaii/Good Beginnings Alliance study of a theoretical Hawaii program found we'd get $4.20 for every $1 invested. In this tight fiscal environment, wise Federal spending is key. High quality early learning is one of the best investments we can make.

That is why business and financial leaders, from the Hawaii Business Roundtable to Federal Reserve Chairman Ben Bernanke, agree that quality early education is critically important in providing the tools children need for success in school and in adulthood.

Law enforcement officials know that quality early learning helps prevent kids from falling behind, dropping out of high school, or getting involved in crime. High-ranking military leaders have also stressed the importance of quality early education as a national security issue. Today 75 percent of Americans age 17 to 24 are ineligible for military service due to poor education, physical un-fitness, or involvement with crime. Quality early learning helps kids get on the right path—before they fall behind.

Parents know the high cost of child care is difficult to afford. If parents can't find child care, they can't go to work. Parents also want more than just supervision for their children. They want to know their children are being engaged by effective teachers who are preparing them academically, socially, and emotionally for success in school.

Teachers and school administrators know firsthand that their students who come to kindergarten with quality preschool are more likely to succeed. Special education professionals and advocates for students with disabilities know that quality early learning can identify disabilities early and bring intervention to get kids on track with their peers.

Education is the great equalizer, and starting children on an early path to success is critical. I have been working to strengthen quality early education for over a decade. As Lieutenant Governor, I helped establish Hawaii's Pre-Plus program, which constructed preschool classrooms for use by nonprofit, private, or public preschools. In the U.S. House of Representatives, I first introduced the PRE-K Act in 2007. The

bill passed through the House Education and Labor Committee with a bipartisan vote. President Obama has made quality early learning a key part of his education platform. I helped lead a coalition of over 100 bipartisan House members to enact and fund President Obama's Early Learning Challenge. We also fought for increases in Head Start and Child Care subsidies to serve more children and families.

In his 2013 State of the Union address, President Obama called for new Federal support for high-quality state preschool. This is the first time in a generation that a president has used the State of the Union address to call for expanding preschool access. The PRE-K Act answers this call.

The time is right. I look forward to working with my colleagues in the House and Senate to move this forward.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, and Mr. HARKIN):

S. 521. A bill to require the Secretary of Defense to award grants to fund research on orthotics and prosthetics; to the Committee on Armed Services.

Mr. DURBIN. Mr. President, I want to tell you about a wounded warrior.

He was fitted with a prosthetic leg that fit reasonably well and he was able to carry on with his life. But from time to time his leg would give out.

He would fall, but he carried on.

Then he and his wife were blessed with their first child. He was immensely happy to be a father. But he was terrified to hold his baby.

He was afraid that his leg would give out and he would fall and hurt his baby.

Can you imagine going to war to make the world safe for your children and then being afraid to hold your own child?

One day this young father mentioned his fear to a prosthetics practitioner, who began researching other prosthetic legs and was able to find a leg that fit him better and was more stable.

Finally, that new father was able to hold his baby without fear.

Most Americans will never need for a prosthetic limb. But many do. They include people who suffer catastrophic injuries in battle and accidents and others who lose limbs to illnesses such as cancer and diabetes.

For these people, proper-fitting, advanced prosthetics and orthotics fitted by highly trained, experienced clinicians can mean the difference between constant pain and discomfort—and a certain amount of anxiety, or living a happier, healthier and more productive life.

Let me tell you about another veteran who lives in Illinois.

He lost a leg in Vietnam.

He was fitted with a prosthetic leg that included a hydraulic knee unit. That was the state of the art decades ago.

Several times a year he would fall. Many of the falls resulted in broken bones and other injuries.

This veteran was also overweight, with high blood pressure.

About 6 years ago, he was fitted with his first computer-controlled knee.

He had more stability and more range of motion. He moved with more confidence.

With his new, advanced knee, he was able to exercise. He lost weight.

His health improved and he was able to stop taking multiple medications. He is living a happier, healthier life.

Finding the right prosthetic is more than luck or guess work. It requires a great deal of education, training and experience. There are many talented prosthetic clinicians working today in Veterans Administration Hospitals and other hospitals and rehabilitation clinics.

But we have a problem. Just as the need for these health professionals is increasing, many are retiring.

Wounded warriors deserve the best medical care our grateful Nation has to offer.

Today, with Senators BLUMENTHAL and HARKIN, I am introducing two bills to help ensure that service members and veterans who need prosthetics receive the care and equipment they deserve.

The first bill, the Wounded Warrior Workforce Enhancement Act, will establish a competitive grant program at the Department of Veterans Affairs to train more health professionals in the fields of orthotics and prosthetics.

These grants can be used to create new degree programs or expand existing programs in these fields.

Our bill will also require the VA to establish a Center of Excellence in Prosthetic and Orthotic Education to research and share information about the knowledge, skills, and training clinical professionals in the field need the most.

The work at the Center would add to higher education's clinical expertise to train the students going into prosthetics and orthotics.

The second bill we are introducing today, the Wounded Warrior Research Enhancement Act, directs the Secretary of Defense to establish an ongoing program of research and best practices in orthotics and prosthetics care.

We ask OD to then make sure clinical professionals serving service members and veterans are kept up to date on innovations in technology and care.

In the wars in both Iraq and Afghanistan, tens of thousands of our service members have been wounded by roadside bombs, rocket propelled grenades and small arms fire.

As our involvement in these wars winds down, many returning veterans are living with complex wounds that require sophisticated prosthetics and orthotics.

We can build on the breakthrough advances made by researchers at the Rehabilitation Institute of Chicago and by private providers such as Scheck & Siress, founded in Oak Park, IL.

Northwestern University in Evanston, Illinois, is home to the largest and oldest prosthetics and orthotics program in the Western Hemisphere.

It offers first-rate master's level education and training and graduates 50 clinicians every year.

Northwestern can be a model for other universities around the country to meet the needs of veteran amputees.

New technologies are improving the quality of life for amputees. We need to make sure that clinicians in the field have the skills and training to help veterans take advantage of these advances.

Recently the standard for entry-level qualifications for clinicians in prosthetics was changed to require a master's degree.

That makes sense. There is a lot to know. But right now there are not enough master's degree programs in our universities to meet the current demands for prosthetics and orthotics technicians.

Many experienced clinicians are nearing retirement age.

Veterans are not the only people who benefit when we train more clinicians in the fields of prosthetics and orthotics.

As America's population ages and rates of diabetes and cardiovascular disease increase, more Americans find themselves in need of prosthetics and orthotics. They, too, will benefit from this investment in research and training.

When we ask our service members to risk their lives for us, they don't say, ''Ask me later.'' They go.

If they come home needing a new limb, we shouldn't tell them, ''Ask me later.''

We know that the VA is facing a critical and impending shortage of clinicians who are trained in prosthetics and orthotics.

By working together now, we can prevent that shortage and help America's wounded warriors live the fullest lives possible. I hope my colleagues will join me in this effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 521

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Wounded Warrior Research Enhancement Act''.

SEC. 2. ORTHOTIC AND PROSTHETIC RESEARCH.

(a) PURPOSE.—The purpose of the grants described in this section is to advance orthotic and prosthetic clinical care for members of the Armed Forces, veterans, and civilians who have undergone amputation, traumatic brain injury, and other serious physical injury as a result of combat or military experience.

(b) GRANTS FOR RESEARCH ON PATIENT OUTCOMES.—The Secretary of Defense shall award grants to persons to carry out research on the following:

(1) The actions that can be taken to prevent amputation of limbs.

(2) The point in the course of patient treatment during which orthotic and prosthetic intervention is most effective.

(3) The orthotic interventions that are most effective in treating the physical effects of traumatic brain injury.

(4) The patients that benefit most from particular orthotic and prosthetic technologies.

(5) The orthotic and prosthetic services that best facilitate the return to active duty of members of the Armed Forces.

(6) The effect of the aging process on the use of prosthetics, including—

(A) increased skin breakdown;

(B) loss of balance;

(C) falls; and

(D) other issues that arise during the aging process.

(c) GRANTS ON MATERIALS RESEARCH.—The Secretary shall award grants to persons to carry out research on the following:

(1) The improvement of existing materials used in orthotics and prosthetics for the purpose of improving quality of life and health outcomes for individuals with limb loss.

(2) The development of new materials used in orthotics and prosthetics for the purpose of improving quality of life and health outcomes for individuals with limb loss.

(d) GRANTS ON TECHNOLOGY RESEARCH.—The Secretary shall award grants to persons to carry out research on the following:

(1) The improvement of existing orthotic and prosthetic technology and devices for the purpose of improving quality of life and health outcomes for individuals with limb loss.

(2) The development of new orthotic and prosthetic technology and devices for the purpose of improving quality of life and health outcomes for individuals with limb loss.

(e) REQUEST FOR PROPOSALS.—A person seeking the award of a grant under this section shall submit to the Secretary an application therefore in the form and accompanied by such information as the Secretary shall require.

(f) AWARD REQUIREMENTS.—

(1) PEER-REVIEWED PROPOSALS.—Grants under this section may be awarded only for research that is peer-reviewed.

(2) COMPETITIVE PROCEDURES.—Grants under this section shall be awarded through competitive procedures.

(g) GRANT USE.—A person awarded a grant under subsection (b), (c), or (d) shall use the grant amount to carry out the research described in the applicable subsection.

(h) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, veterans, community-based clinicians, and expert researchers in the field of orthotics and prosthetics, submit to Congress a report setting forth the following:

(1) An agenda for orthotic and prosthetic research that identifies and prioritizes the most significant unanswered orthotic and prosthetic research questions pertinent to the provision of evidence-based clinical care to members of the Armed Forces, veterans, and civilians.

(2) For each report after the initial report under this subsection—

(A) a summary of how the grants awarded under subsection (b) are addressing the most significant orthotic and prosthetic needs; and

(B) the progress made towards resolving orthotic and prosthetic challenges facing members of the Armed Forces and veterans.

(i) VETERAN DEFINED.—In this section, the term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2014 for the Department of Defense for the Defense Health Program, $30,000,000 to carry out this section.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, and Mr. HARKIN):

S. 522. A bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree or doctoral degree programs in orthotics and prosthetics, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 522

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Wounded Warrior Workforce Enhancement Act''.

SEC. 2. ORTHOTICS AND PROSTHETICS EDUCATION IMPROVEMENT.

(a) GRANTS REQUIRED.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall award grants to eligible institutions to enable the eligible institutions—

(A) to establish a master's degree or doctoral degree program in orthotics and prosthetics; or

(B) to expand upon an existing master's degree program in orthotics and prosthetics, including by admitting more students, further training faculty, expanding facilities, or increasing cooperation with the Department of Veterans Affairs and the Department of Defense.

(2) PRIORITY.—The Secretary shall give priority in the award of grants under this section to eligible institutions that have entered into a partnership with a medical center or clinic administered by the Department of Veterans Affairs or a facility administered by the Department of Defense, including by providing clinical rotations at such medical center, clinic, or facility.

(3) GRANT AMOUNTS.—Grants awarded under this section shall be in amounts of not less than $1,000,000 and not more than $1,500,000.

(b) REQUESTS FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for two years, the Secretary shall issue a request for proposals from eligible institutions for grants under this section.

(2) PROPOSALS.—An eligible institution that seeks the award of a grant under this section shall submit an application therefor to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require, including—

(A) demonstration of a willingness and ability to participate in a partnership described in subsection (a)(2); and

(B) a commitment, and demonstration of an ability, to maintain an accredited orthotics and prosthetics education program after the end of the grant period.

(c) GRANT USES.—

(1) IN GENERAL.—An eligible institution awarded a grant under this section shall use grant amounts to carry out any of the following:

(A) Building new or expanding existing orthotics and prosthetics master's or doctoral programs.

(B) Training doctoral candidates in fields related to orthotics and prosthetics to prepare them to instruct in orthotics and prosthetics programs.

(C) Training faculty in orthotics and prosthetics education or related fields for the purpose of instruction in orthotics and prosthetics programs.

(D) Salary supplementation for faculty in orthotics and prosthetics education.

(E) Financial aid that allows eligible institutions to admit additional students to study orthotics and prosthetics.

(F) Funding faculty research projects or faculty time to undertake research in the areas of orthotics and prosthetics for the purpose of furthering their teaching abilities.

(G) Renovation of buildings or minor construction to house orthotics and prosthetics education programs.

(H) Purchasing equipment for orthotics and prosthetics education.

(2) LIMITATION ON CONSTRUCTION.—An eligible institution awarded a grant under this section may use not more than 50 percent of the grant amount to carry out paragraph (1)(G).

(3) ADMISSIONS PREFERENCE.—An eligible institution awarded a grant under this section shall give preference in admission to the orthotics and prosthetics master's or doctoral programs to veterans, to the extent practicable.

(4) PERIOD OF USE OF FUNDS.—An eligible institution awarded a grant under this section may use the grant funds for a period of three years after the award of the grant.

(d) DEFINITIONS.—In this section:

(1) The term ''eligible institution'' means an educational institution that offers an orthotics and prosthetics education program that—

(A) is accredited by the National Commission on Orthotic and Prosthetic Education in cooperation with the Commission on Accreditation of Allied Health Education Programs (referred to in this section as the ''National Commission''); or

(B) demonstrates an ability to meet the accreditation requirements for orthotic and prosthetic education from the National Commission if the institution receives a grant under this section.

(2) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated for fiscal year 2014 for the Department of Veterans Affairs, $15,000,000 to carry out this section. The amount so authorized to be appropriated shall remain available for obligation until September 30, 2016.

(2) UNOBLIGATED AMOUNTS TO BE RETURNED TO THE TREASURY.—Any amounts authorized to be appropriated by paragraph (1) that are not obligated by the Secretary as of September 30, 2016, shall be returned to the Treasury of the United States.

SEC. 3. CENTER OF EXCELLENCE IN ORTHOTIC AND PROSTHETIC EDUCATION.

(a) GRANT FOR ESTABLISHMENT OF CENTER.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall award a grant to an eligible institution to enable the eligible institution to—

(A) establish the Center of Excellence in Orthotic and Prosthetic Education (hereafter in this section referred to as the ''Center''); and

(B) enable the eligible institution to improve orthotic and prosthetic outcomes for veterans, members of the Armed Forces, and civilians by conducting evidence-based research on—

(i) the knowledge, skills, and training most needed by clinical professionals in the field of orthotics and prosthetics; and

(ii) how to most effectively prepare clinical professionals to provide effective, high-quality orthotic and prosthetic care.

(2) PRIORITY.—The Secretary shall give priority in the award of a grant under this section to an eligible institution that has in force, or demonstrates the willingness and ability to enter into, a memoranda of understanding with the Department of Veterans Affairs, Department of Defense, or other appropriate Government agency, or a cooperative agreement with an appropriate private sector entity, which memorandum of understanding or cooperative agreement provides for either, or both, of the following:

(A) The provision of resources, whether in cash or in kind, to the Center.

(B) To assist the Center in research and the dissemination of the results of such research.

(3) GRANT AMOUNT.—The grant awarded under this section shall be in the amount of $5,000,000.

(b) REQUESTS FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals from eligible institutions for a grant under this section.

(2) PROPOSALS.—An eligible institution that seeks the award of the grant under this section shall submit an application therefor to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(c) GRANT USES.—

(1) IN GENERAL.—The eligible institution awarded the grant under this section shall use the grant amount for purposes as follows:

(A) To develop an agenda for orthotics and prosthetics education research.

(B) To fund research in the area of orthotics and prosthetics education.

(C) To publish or otherwise disseminate research findings relating to orthotics and prosthetics education.

(2) PERIOD OF USE OF FUNDS.—The eligible institution awarded the grant under this section may use the grant amount for a period of five years after the award of the grant.

(d) DEFINITIONS.—In this section:

(1) The term ''eligible institution'' means an educational institution that—

(A) has a robust research program;

(B) offers an orthotics and prosthetics education program that is accredited by the National Commission on Orthotic and Prosthetic Education in cooperation with the Commission on Accreditation of Allied Health Education Programs;

(C) is well recognized in the field of orthotics and prosthetics education; and

(D) has an established association with—

(i) a medical center or clinic of the Department of Veterans Affairs; and

(ii) a local rehabilitation hospital.

(2) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2014 for the Department of Veterans Affairs, $5,000,000 to carry out this section.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 74—SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mrs. SHAHEEN (for herself, Ms. COLLINS, Mrs. BOXER, Mr. BEGICH, Mr. CARDIN, Mr. CASEY, Mr. DURBIN, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SCHATZ, and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 74

Whereas there are more than 3,300,000,000 women in the world today;

Whereas women around the world participate in the political, social, and economic life of their communities, play a critical role in providing and caring for their families, contribute substantially to the growth of economies, and, as both farmers and caregivers, play an important role in advancing food security for their communities;

Whereas the advancement of women around the world is a foreign policy priority for the United States;

Whereas, on January 30, 2013, President Barack Obama signed a presidential memorandum recognizing the need for ''dedicated professionals with . . . expertise and stature'' to sustain advances in the status of women and girls worldwide and directing the Secretary of State to ensure that an Ambassador-at-Large continues to lead the Office of Global Women's Issues;

Whereas, on December 19, 2011, the Obama Administration launched the first-ever United States National Action Plan on Women, Peace, and Security that included a comprehensive set of national commitments to advance the active participation of women in decision making relating to matters of war and peace;

Whereas President Obama said, ''[o]ur common prosperity will be advanced by allowing all humanity—men and women—to reach their full potential'';

Whereas, on August 10, 2012, President Obama announced the first interagency Strategy to Prevent and Respond to Gender-based Violence Globally;

Whereas the ability of women to realize their full potential is critical to the ability of a country to achieve strong and lasting economic growth and political and social stability;

Whereas, according to the International Monetary Fund, ''focusing on the needs and empowerment of women is one of the keys to human development'';

Whereas, according to the 2012 World Economic Forum Global Gender Gap Report, ''reducing gender inequality enhances productivity and economic growth'';

Whereas, according to the World Bank 2012 World Development Report: Gender Equality and Development, ''greater gender equality is also smart economics, enhancing productivity and improving other development outcomes, including prospects for the next generation and for the quality of societal policies and institutions'';

Whereas, although strides have been made in recent decades, women around the world continue to face significant obstacles in all aspects of their lives, including underrepresentation in all aspects of public life, denial of basic human rights, and discrimination;

Whereas, despite some achievements by individual women leaders, women around the world are still vastly underrepresented in high level positions and in national and local legislatures and governments and, according to the Inter-Parliamentary Union, women account for only 20.3 percent of national parliamentarians;

Whereas women remain underrepresented in conflict prevention and conflict resolution efforts, despite proven successes by women in conflict-affected regions in moderating violent extremism, resolving disputes through non-violent mediation and negotiation, and stabilizing their societies by improving access to peace and security services, institutions, and decision-making venues;

Whereas, according to the United Nations, 1 in 3 women around the world has experienced some form of gender-based violence and 1 in 4 women has been abused during pregnancy;

Whereas, according to the World Health Organization, as many as 1 in 5 women report being sexually abused before the age of 15;

Whereas, according to UNESCO, women account for 64 percent of the 796,000,000 adults worldwide who lack basic literacy skills;

Whereas, according to the United Nations Population Fund, 1 in 9 girls in developing countries (excluding the People's Republic of China) will be married before the age of 15;

Whereas, according to Save the Children, pregnancy-related complications are a leading cause of death among girls between the ages of 15 and 19 in developing countries;

Whereas, according to the Food and Agriculture Organization, the majority of women living in rural areas of the developing world are heavily engaged in agricultural labor, yet they receive less credit, land, agricultural inputs, and training than their male counterparts;

Whereas it is imperative to alleviate violence and discrimination against women and afford them every opportunity to be full and productive members of their communities; and

Whereas March 8 is recognized each year as International Women's Day, a global day to celebrate the economic, political, and social achievements of women past, present, and future, and a day to recognize the obstacles that women still face in the struggle for equal rights and opportunities: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of International Women's Day;

(2) recognizes that the empowerment of women is inextricably linked to the potential of countries to generate economic growth, sustainable democracy, and inclusive security;

(3) recognizes and honors the women in the United States and around the world who have worked throughout history to ensure that women are guaranteed equality and basic human rights;

(4) reaffirms its commitment to ending discrimination and violence against women and girls, to ensuring the safety and welfare of women and girls, and to pursuing policies that guarantee the basic human rights of women and girls worldwide; and

(5) encourages the people of the United States to observe International Women's Day with appropriate programs and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 26. Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 26. Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment

intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause, and insert in lieu thereof:

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2013, and for other purposes, namely:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consolidated and Further Continuing Appropriations Act, 2013''.

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. Explanatory statement.
Sec. 5. Availabilty of funds.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Title I—Agricultural Programs
Title II—Conservation Programs
Title III—Rural Development Programs
Title IV—Domestic Food Programs
Title V—Foreign Assistance and Related Programs
Title VI—Food and Drug Administration and Farm Credit Administration
Title VII—General provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Title I—Department of Commerce
Title II—Department of Justice
Title III—Science
Title IV—Related agencies
Title V—General provisions

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

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 D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

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—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

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 F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

Title I—General Provisions
Title II—Energy and Water Development
Title III—Financial Services and General Government
Title IV—Interior, Environment, and Related Agencies
Title V—Labor, Health and Human Services, and Education, and Related Agencies
Title VI—Legislative Branch
Title VII—State, Foreign Operations, and Related Programs
Title VIII—Transportation and Housing and Urban Development, and Related Agencies

DIVISION G—OTHER MATTERS

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' contained in division A, B, C, D, or E of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act printed in the Senate section of the Congressional Record on or about March 11, 2013, by the Chairwoman of the Committee on Appropriations of the Senate shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

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.

SEN. APPRO.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $46,388,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary; not to exceed $498,000 shall be available for the Office of Tribal Relations; not to exceed $1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed $1,422,000 shall be available for the Office of Advocacy and Outreach; not to exceed $25,046,000 shall be available for the Office of the Assistant Secretary for Administration, of which $24,242,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $9,006,000 shall be available for the Office of Communications: *Provided*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $16,008,000, of which $4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155 and shall be obligated within 90 days of the enactment of this Act.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $14,225,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,049,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $44,031,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,247,000: *Provided*, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $893,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $22,692,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and

other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $271,336,000, to remain available until expended, of which $175,694,000 shall be available for payments to the General Services Administration for rent; of which $13,473,000 is for payments to the Department of Homeland Security for building security activities; and of which $82,169,000 is for buildings operations and maintenance expenses: *Provided*, That the Secretary may use unobligated prior year balances of an agency or office that are no longer available for new obligation to cover shortfalls incurred in prior year rental payments for such agency or office: *Provided further*, That the Secretary is authorized to transfer funds from a Departmental agency to this account to recover the full cost of the space and security expenses of that agency that are funded by this account when the actual costs exceed the agency estimate which will be available for the activities and payments described herein.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $3,992,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $89,016,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $45,074,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, $3,405,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education and Economics, $893,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $77,397,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $179,477,000, of which up to $62,500,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,101,853,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That section 732(b) of division A of Public Law 112–55 (125 Stat. 587) is amended by adding at the end the following new sentence: ''The conveyance authority provided by this subsection expires September 30, 2013, and all conveyances under this subsection must be completed by that date.'': *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $738,638,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Research and Education Activities'' in the report accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, Critical Agricultural Materials Act, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further*, That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further*, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further*, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $475,854,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Extension Activities'' in the report accompanying this Act: *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further*, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $21,482,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Integrated Activities'' in the report accompanying this Act: *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2014.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $893,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $821,851,000, of which $1,500,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (''contingency fund'') to the extent necessary to meet emergency conditions; of which $15,970,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $36,858,000, to remain available until expended, shall be for Animal Health Technical Services; of which $696,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $52,000,000, to remain available until expended, shall be used to support avian health; of which $4,335,000, to remain available until expended, shall be for information technology infrastructure; of which $153,950,000, to remain available until expended, shall be for specialty crop pests; of which, $9,068,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $56,638,000, to

remain available until expended, shall be for tree and wood pests; of which $2,750,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $1,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,971,000 shall remain available until expended: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2013, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $78,863,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $62,592,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $20,056,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,331,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, $40,261,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $50,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $811,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,001,427,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2013 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, $893,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,208,290,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $4,369,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $5,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $1,500,000,000 for guaranteed farm ownership loans and $475,000,000 for farm ownership direct loans; $1,500,000,000 for unsubsidized guaranteed operating loans and $1,050,090,000 for direct operating loans; emergency loans, $34,658,000; Indian tribe land acquisition loans, $2,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $100,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the

purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership, $20,140,000 for direct loans; farm operating loans, $58,490,000 for direct operating loans, $17,850,000 for unsubsidized guaranteed operating loans, emergency loans, $1,317,000, to remain available until expended; and Indian highly fractionated land loans, $173,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $312,897,000, of which $304,977,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For necessary expenses of the Risk Management Agency, $74,900,000: *Provided*, That the funds made available under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for the Common Information Management System: *Provided further*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make 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 programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

SEN. APPRO.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $893,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $830,998,000, to remain available until September 30, 2014: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $14,700,000 is provided.

SEN. APPRO.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, $893,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $206,857,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business—Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $900,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $27,952,000 for section 504 housing repair loans; $31,277,000 for section 515 rental housing; $150,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; and $5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $53,730,000 shall be for direct loans; section 504 housing repair loans, $3,821,000; and repair, rehabilitation, and new construction of section 515 rental housing, $11,000,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the total amount appropriated in this paragraph, the amount equal to the amount of Rural Housing Insurance Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2013.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $16,526,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $410,627,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $907,128,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount not less than $3,000,000 is available for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a 1-year period: *Provided further*, That any unexpended

balances remaining at the end of such 1-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2013 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $27,782,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $10,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $17,782,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $30,000,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Mutual and Self-Help Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $33,136,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Housing Assistance Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,200,000,000 for direct loans and $57,481,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $3,880,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $28,428,000, to remain available until expended: *Provided*, That $6,121,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,938,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $3,369,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Community Facilities Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by sections 306 and 310B and described in subsections (f) and (g) of section 310B and section 381E(d)(3) of the Consolidated Farm and Rural Development Act, $85,904,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $1,000,000 shall be made available for two grants to qualified national organizations to provide technical assistance for rural transportation in order to promote economic development and $3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Business Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural business and cooperative development programs described in section 381E(d)(3) of the Consolidated Farm and Rural Development Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $18,889,000.

For the cost of direct loans, $6,052,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $900,000 shall be available through June 30, 2013, for Federally Recognized Native American

Tribes; and of which $2,000,000 shall be available through June 30, 2013, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *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 of the total amount appropriated under this heading, the amount equal to the amount of Rural Development Loan Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $4,438,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $180,000,000 shall not be obligated and $180,000,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $27,706,000, of which $2,250,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,456,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $15,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $3,400,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $524,466,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That $66,500,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally recognized Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $5,750,000 shall be made available for a grant to a qualified non-profit multi-state regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $15,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed $3,400,000 shall be for solid waste management grants: *Provided further*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Water and Waste Disposal Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act: *Provided further*, That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

For gross obligations for the principal amount of direct loans as authorized by section 1006a of title 16 of the United States Code, except for the limitations contained in the last sentence of such section, for projects whose features include agricultural water supply benefits, groundwater protection, environmental enhancement and flood control, $40,000,000: *Provided*, That such loans shall be made by the Rural Utilities Service.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: 5 percent rural electrification loans, $100,000,000; loans made pursuant to section 306 of that Act, rural electric, $6,500,000,000; guaranteed underwriting loans pursuant to section 313A, $500,000,000; cost of money rural telecommunications loans, $690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $34,467,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $42,239,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $24,950,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section: *Provided further*, That $3,000,000 shall be made available to those noncommercial educational television broadcast stations that serve rural areas and are qualified for Community Service Grants by the Corporation for Public Broadcasting under section 396(k) of the Communications Act of 1934, including associated translators and repeaters, regardless of the location of their main transmitter, studio-to-transmitter links, and equipment to allow local control over digital content and programming through the use of high-definition broadcast, multi-casting and datacasting technologies.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $4,000,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $10,372,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

SEN. APPRO.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services, $811,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21,

and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $19,916,436,000, to remain available through September 30, 2014, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $16,504,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, $35,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $7,046,000,000, to remain available through September 30, 2014: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, $14,000,000 shall be used for infrastructure, and $35,000,000 shall be used for management information systems: *Provided further*, That funds made available for the purposes specified in section 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall only be made available upon a determination by the Secretary that funds are available to meet caseload requirements without the use of funds in the contingency reserve that are without fiscal year limitation: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $77,290,160,000, of which $3,000,000,000, to remain available through September 30, 2014, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to state agencies and Federally recognized tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, notwithstanding section 16(h)(1) of the Food and Nutrition Act of 2008: *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $253,952,000, to remain available through September 30, 2014: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2013 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2014: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $143,505,000: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

SEN. APPRO.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $176,789,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $2,806,000, shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses'': *Provided*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480, as amended), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,435,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $184,000,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $6,806,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,452,000 shall be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $354,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

SEN. APPRO.

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $4,223,295,000: *Provided*, That of the amount provided under this heading, $718,669,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended, and shall not include any fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2014 but collected in fiscal year 2013; $97,722,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $299,000,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $20,242,000 shall be

derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $23,848,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $6,031,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $505,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended; $12,925,000 shall be derived from food and feed recall fees authorized by 21 U.S.C. 379j–31, and shall be credited to this account and remain available until expended; $15,367,000 shall be derived from food reinspection fees authorized by 21 U.S.C. 379j–31, and shall be credited to this account and remain available until expended; and amounts derived from voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, and shall be credited to this account and remain available until expended: *Provided further*, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2013 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, animal drug, and animal generic drug assessments for fiscal year 2013 received during fiscal year 2013, including any such fees assessed prior to fiscal year 2013 but credited for fiscal year 2013, shall be subject to the fiscal year 2013 limitations: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $887,162,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,261,369,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $329,708,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $167,576,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $393,988,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $59,429,000 shall be for the National Center for Toxicological Research; (7) $482,398,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $168,971,000 shall be for Rent and Related activities, of which $61,713,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $213,352,000 shall be for payments to the General Services Administration for rent; and (10) $259,342,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That the Secretary may, prior to the due date for such fees, accept payment of prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees and animal generic drug user fees authorized for fiscal year 2014, and that amounts of such fees assessed for fiscal year 2014 for which the Secretary accepts payment in fiscal year 2013 shall not be included in amounts provided under this heading: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $5,320,000, to remain available until expended.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $63,300,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

SEN. APPRO.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 204 passenger motor vehicles of which 170 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances of the Department of Agriculture that are remaining available at the end of the fiscal year, to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 726 of this Act: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. 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. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. Funds made available by this Act under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator of the U.S. Agency for International Development, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 707. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information

technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 708. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 and section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 709. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 710. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act may be used to prohibit the provision of in-kind support from non-Federal sources under section 412(e)(3) of such Act in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SEC. 711. Except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2014, for information technology expenses.

SEC. 712. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of liquid infant formula specified in 7 CFR 246.10 when issuing liquid infant formula to participants.

SEC. 713. None of the funds appropriated or otherwise made available by 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. 714. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), other than by title I or subtitle A of title III of such Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 715. Notwithstanding any other provision of law, the requirements pursuant to 7 U.S.C. 1736f(e)(1) may be waived for any amounts higher than those specified under this authority for fiscal year 2009.

SEC. 716. None of the funds made available in fiscal year 2013 or preceding fiscal years for programs authorized under the Food for Peace Act (7 U.S.C. 1691 et seq.) in excess of $20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): *Provided*, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 717. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 718. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 719. For an additional amount for ''Food and Drug Administration, Salaries and Expenses'', $50,000,000, to remain available until expended, of which $40,000,000 is for one-time activities directly related to implementation of the Food Safety Modernization Act, and of which $10,000,000 is for one-time activities directly related to improving the safety of the human drug supply.

SEC. 720. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 721. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Watershed Rehabilitation program authorized by section 14(h) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h));

(2) The Environmental Quality Incentives Program as authorized by sections 1240–1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa–8) in excess of $1,400,000,000;

(3) The Wildlife Habitat Incentives Act authorized by section 1240N of the Food Security Act of 1985, as amended (16 U.S.C. 3839bb–1)) in excess of $73,000,000; and

(4) Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524) in excess of $2,500,000 for the Natural Resources Conservation Service.

SEC. 722. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(v) of section 14222 of Public Law 110–246 in excess of $981,000,000, as follows: Child Nutrition Programs Entitlement Commodities—$465,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 in excess of $41,000,000, including the transfer of funds under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2013: *Provided further*, That $117,000,000 made available on October 1, 2013, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 shall be excluded from the limitation described in subsection (b)(2)(A)(vi) of section 14222 of Public Law 110–246: *Provided further*, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74–320, 7 U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: *Provided further*, That of the available unobligated balances under (b)(2)(A)(v) of section 14222 of Public Law 110–246, $150,000,000 are hereby rescinded.

SEC. 723. Subject to authorizing legislation by the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry, the Secretary may reserve, through April 1, 2013, up to 5 percent of the funding available for the following items for projects in areas that are engaged in strategic regional development planning as defined by the Secretary: business and industry guaranteed loans; rural development loan fund; rural business enterprise grants; rural business opportunity grants; rural economic development program; rural microenterprise program; biorefinery assistance program; rural energy for America program; value-added producer grants; broadband program; water and waste program; and rural community facilities program.

SEC. 724. There is hereby appropriated $600,000 for the purposes of section 727 of division A of Public Law 112–55.

SEC. 725. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2014 appropriations Act.

SEC. 726. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, 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, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section

702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), 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 offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 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 from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify in writing the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 727. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 728. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 729. Unless otherwise authorized by existing law, none of the funds provided in this 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. 730. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 731. Notwithstanding any other provision of law, any area eligible for rural housing programs of the Rural Housing Service on September 30, 2012, shall remain eligible for such programs until September 30, 2013.

SEC. 732. 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 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, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 733. 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. 734. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section 1201 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731).

SEC. 735. In the event that a determination of non-regulated status made pursuant to section 411 of the Plant Protection Act is or has been invalidated or vacated, the Secretary of Agriculture shall, notwithstanding any other provision of law, upon request by a farmer, grower, farm operator, or producer, immediately grant temporary permit(s) or temporary deregulation in part, subject to necessary and appropriate conditions consistent with section 411(a) or 412(c) of the Plant Protection Act, which interim conditions shall authorize the movement, introduction, continued cultivation, commercialization and other specifically enumerated activities and requirements, including measures designed to mitigate or minimize potential adverse environmental effects, if any, relevant to the Secretary's evaluation of the petition for non-regulated status, while ensuring that growers or other users are able to move, plant, cultivate, introduce into commerce and carry out other authorized activities in a timely manner: *Provided*, That all such conditions shall be applicable only for the interim period necessary for the Secretary to complete any required analyses or consultations related to the petition for non-regulated status: *Provided further*, That nothing in this section shall be construed as limiting the Secretary's authority under section 411, 412 and 414 of the Plant Protection Act.

SEC. 736. None of the funds made available by this or any other Act may be used to pay for mitigation associated with the removal of Federal Energy Regulatory Commission Project number 2342.

SEC. 737. Of the unobligated balance of funds available to the Department of Agriculture for the cost of broadband loans under the heading ''Rural Development Programs—Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program'' in prior appropriation Acts, $25,320,000 is rescinded.

SEC. 738. Of the unobligated balances provided pursuant to section 9004(d)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104), $28,045,000 are hereby rescinded.

SEC. 739. Funds received by the Secretary of Agriculture in the global settlement of any Federal litigation concerning Federal mortgage loans during fiscal year 2012 may be expended, in addition to any other available funds, by the Rural Housing Service to pay for costs associated with servicing single family housing loans guaranteed by the Rural Housing Service and such funds shall remain available until expended.

SEC. 740. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan by program, project, and activity for the funds made available under this Act.

SEC. 741. There is hereby appropriated for the ''Emergency Conservation Program'', $11,100,000, to remain available until expended; for the ''Emergency Forestry Restoration Program'', $14,200,000, to remain available until expended; and for the ''Emergency Watershed Protection Program'', $65,454,000, to remain available until expended: *Provided*, That not less than $48,257,000 made available for the Emergency Watershed Protection Program under this general provision are provided for necessary expenses for a major disaster declaration issued under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.).

SEC. 742. None of the funds made available by this or any other Act may be used to write, prepare, or publish a final rule or an interim final rule in furtherance of, or otherwise to implement, ''Implementation of Regulations Required Under Title XI, of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act'' (75 Fed. Reg. 35338 (June 22, 2010)) unless the combined annual cost to the economy of such rules does not exceed $100,000,000 or such rules have already been published in compliance with Section 721 of the Consolidated and Further Continuing Appropriations Act, 2012, Public Law 112-55: *Provided*, That no funds made available by this or any other Act be used to publish a final or interim final rule in furtherance of, or otherwise to implement, proposed sections 201.2(l),

201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213, or 201.214 of ''Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act'' (75 Fed. Reg. 35338 (June 22, 2010)): *Provided further*, That none of the funds made available by this or any other Act may be used to implement such rules until 60 days from the publication date of such rules: *Provided further*, That none of the funds made available by this Act may be used to enforce or to take regulatory action based on or in furtherance of sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations, as they exist at the time this Act is passed, or to write, prepare, or publish a final or interim final rule in furtherance of, or otherwise to implement, the definitions or criteria embodied in these sections: *Provided further*, That the Secretary of Agriculture shall, within 60 days, rescind sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations.

This division may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013''.

SEN. APPRO.

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $482,538,000, to remain available until September 30, 2014, of which $11,360,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $101,796,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for the cost of loan guarantees authorized by section 26 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3721), and for grants, and for the cost of loan guarantees authorized by section 27 (15 U.S.C. 3722) of such Act, $187,300,000, to remain available until expended; of which $5,000,000 shall be for projects to facilitate the relocation, to the United States, of a source of employment located outside the United States; of which $5,000,000 shall be for loan guarantees under section 26; and of which up to $5,000,000 shall be for loan guarantees under section 27: *Provided*, That the costs for loan guarantees, 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 for loan guarantees under such sections 26 and 27 combined are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $70,000,000.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $37,500,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $28,689,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $100,228,000, to remain available until September 30, 2014.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $256,255,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs, provided for by law, $667,953,000, to remain available until September 30, 2014: *Provided*, That $649,953,000 is appropriated from the general fund and $18,000,000 is derived from available unobligated balances from the Census Working Capital Fund: *Provided further*, That from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $1,000,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the Bureau of the Census.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $45,994,000, to remain available until September 30, 2014: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $2,933,241,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2013, so as to result in a fiscal year 2013 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2013, should the total amount of such offsetting collections be less than $2,933,241,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $2,933,241,000 in fiscal year 2013 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2013 for official reception and representation expenses: *Provided further*, That in fiscal year 2013 from the amounts made available for ''Salaries and Expenses'' for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts appropriated, $2,000,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology (NIST), $621,173,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the ''Working Capital Fund'': *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses: *Provided further*, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, $143,000,000, to remain available until expended, of which $128,500,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $14,500,000 shall be for the Advanced Manufacturing Technology Consortia.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $60,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,112,614,000, to remain available until September 30, 2014, except that funds provided for cooperative enforcement shall remain available until September 30, 2015: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $119,064,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', which shall only be used for fishery activities related to Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: *Provided further*, That of the $3,246,678,000 provided for in direct obligations under this heading $3,112,614,000 is appropriated from the general fund, $119,064,000 is provided by transfer and $15,000,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $212,664,000: *Provided further*, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in allocating grants under sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, no coastal State shall receive more than 5 percent or less than 1 percent of increased funds appropriated over the previous fiscal year: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,926,036,000, to remain available until September 30, 2015, except that funds provided for construction of facilities shall remain available until expended: *Provided*, That of the $1,941,036,000 provided for in direct obligations under this heading, $1,926,036,000 is appropriated from the general fund and $15,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That, within the amounts appropriated, $1,000,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2014: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*,

That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2013, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed $59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: *Provided*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $56,000,000: *Provided*, That the Secretary of Commerce shall maintain a task force on job repatriation and manufacturing growth and shall produce an annual report on related incentive strategies, implementation plans and program results.

RENOVATION AND MODERNIZATION

For expenses necessary for the renovation and modernization of Department of Commerce facilities, $2,040,000, to remain available until expended.

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.), $28,753,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 105. (a) Section 105(f) of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55) is amended—

(1) by striking ''paragraph (2)'' and inserting ''subsection (e)(2)''; and

(2) by striking ''this subsection'' and inserting ''subsection (e)''.

(b) The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by subsection (a) of this section, are hereby adopted by reference.

SEC. 106. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 107. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 108. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 109. The Department of Commerce shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of the U.S. Department of Commerce, including the purpose of such travel.

SEC. 110. Section 113(b)(3) of division B of Public Law 112–55 is amended by striking ''2012'' and inserting ''2013''.

This title may be cited as the ''Department of Commerce Appropriations Act, 2013''.

SEN. APPRO.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $110,822,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $33,426,000, to remain available until expended.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $313,438,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the ''Immigration Examinations Fee'' account.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $85,985,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $12,772,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $881,000,000, of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses

associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $162,170,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, 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 (and estimated to be $115,000,000 in fiscal year 2013), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the general fund estimated at $47,170,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, $1,969,687,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking: *Provided further*, That of the total amount appropriated, $10,000,000 shall only be available after the Attorney General certifies that each United States Attorney is participating in a United States Attorney-led task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $223,258,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That not less than $1,500,000 shall be for debtor audits: *Provided further*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, $223,258,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,000,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $10,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $12,036,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, $20,948,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,196,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $10,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,647,383,000, to remain available until expended: *Provided*, That not to exceed $20,000,000 shall be considered ''funds appropriated for State and local law enforcement assistance'' pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That any unobligated balances available from funds appropriated under the heading ''General Administration, Detention Trustee'' shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, $90,039,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $521,793,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $8,185,007,000, of which not to exceed $216,900,000 shall remain available until expended: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses: *Provided further*, That $500,000 shall be for a comprehensive review of the implementation of the recommendations related to the Federal Bureau of Investigation that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $80,982,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,050,904,000; of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives,

for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,153,345,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $15,000,000 shall remain available until expended: *Provided*, That, in the current fiscal year and any fiscal year thereafter, no funds appropriated under this or any other Act shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to section 478.118 of title 27, Code of Federal Regulations, or to change the definition of ''Curios or relics'' in section 478.11 of title 27, Code of Federal Regulations, or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 835, of which 808 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $6,820,217,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2014: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities: *Provided further*, That of the amount provided under this heading, not less than $99,496,000 shall be for activation of newly constructed prisons in Berlin, New Hampshire, Aliceville, Alabama, Yazoo City, Mississippi, and Hazelton, West Virginia, as requested in the Department's fiscal year 2013 budget.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $90,000,000, to remain available until expended, of which not less than $66,965,000 shall be available only for modernization, maintenance and repair, and of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the 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 program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) (''the 2000 Act''); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); and for related victims services, $416,500,000, to remain available until expended: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) $189,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $25,000,000 is for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $3,500,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which may be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

(4) $10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $25,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $36,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) $9,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $41,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $4,250,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $15,500,000 is for a grant program to support families in the justice system, including for the purposes described in the safe havens for children program, as authorized by section 1301 of the 2000 Act, and the court training and improvements program, as authorized by section 41002 of the 1994 Act;

(12) $5,750,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act, which may be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs; and

(15) $500,000 is for the Office on Violence Against Women to establish a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); and other programs, $127,000,000, to remain available until expended, of which—

(1) $48,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act, of which $36,000,000 is for the administration and redesign of the National Crime Victimization Survey;

(2) $43,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act: *Provided,* That of the amounts provided under this paragraph, $5,000,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards from the National Institute of Justice for research, testing and evaluation programs;

(3) $1,000,000 is for an evaluation clearinghouse program; and

(4) $35,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); and other programs, $1,140,418,000, to remain available until expended as follows—

(1) $392,418,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $2,000,000 is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, $4,000,000 is for a State, local, and tribal assistance help desk and diagnostic center program, $5,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), $6,000,000 is for a criminal justice reform and recidivism reduction program, and $4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention;

(2) $255,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided,* That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $5,000,000 for a border prosecutor initiative to reimburse State, county, parish, tribal, or municipal governments for costs associated with the prosecution of criminal cases declined by local offices of the United States Attorneys;

(4) $19,000,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);

(5) $13,500,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, and for programs authorized under Public Law 109–164;

(6) $41,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(7) $9,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(8) $12,500,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(9) $3,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review;

(10) $9,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403;

(11) $4,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315;

(12) $20,000,000 for implementation of the Adam Walsh Act and related activities;

(13) $13,000,000 for an initiative relating to children exposed to violence;

(14) $18,000,000 for an Edward Byrne Memorial criminal justice innovation program;

(15) $21,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided,* That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(16) $1,000,000 for the National Sex Offender Public Website;

(17) $5,000,000 for competitive and evidence-based programs to reduce gun crime and gang violence;

(18) $12,000,000 for grants to assist State and tribal governments and related activities, as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110–180);

(19) $6,000,000 for the National Criminal History Improvement Program for grants to upgrade criminal records;

(20) $12,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(21) $125,000,000 for DNA-related and forensic programs and activities, of which—

(A) $117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (the Debbie Smith DNA Backlog Grant Program): *Provided,* That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program Grants, including as authorized by section 304 of Public Law 108–405;

(22) $6,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(23) $38,000,000 for assistance to Indian tribes;

(24) $68,750,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), of which not to exceed $5,000,000 is for a program to improve State, local, and tribal probation supervision efforts and strategies;

(25) $4,000,000 for a veterans treatment courts program;

(26) $1,000,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(27) $7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(28) $12,500,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79);

(29) $3,500,000 for emergency law enforcement assistance, as authorized by section 609M of the Justice Assistance Act of 1984 (42 U.S.C. 10513; Public Law 98–473); and

(30) $2,750,000 to establish and operate a National Center for Campus Public Safety:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); and other juvenile justice programs, $279,500,000, to remain available until expended as follows—

(1) $44,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: *Provided*, That of the amounts provided under this paragraph, $500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) $90,000,000 for youth mentoring grants;

(3) $20,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $10,000,000 shall be for the Tribal Youth Program;

(B) $5,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities; and

(C) $5,000,000 shall be for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, for prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(4) $19,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $25,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of title I of the 1968 Act and Guam shall be considered a State;

(6) $11,000,000 for community-based violence prevention initiatives;

(7) $67,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act);

(8) $1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act; and

(9) $2,000,000 for grants and technical assistance in support of the National Forum on Youth Violence Prevention:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (6), (8) and (9) may be used for training and technical assistance: *Provided further*, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act.

PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to ''Public Safety Officer Benefits'' from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''), $222,500,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided—

(1) $12,500,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) $20,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities; and

(3) $190,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd–3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further*, That within the amounts appropriated, $15,000,000 shall be transferred to the Tribal Resources Grant Program: *Provided further*, That of the amounts appropriated under this paragraph, $10,000,000 is for community policing development activities in furtherance of the purposes in section 1701.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in 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: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2014, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107–296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered.

SEC. 207. Notwithstanding any other provision of law, during the current fiscal year and any fiscal year thereafter, section 102(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (Public Law 102–395) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply with respect to any undercover investigative operation by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for

inmate training, religious, or educational programs.

SEC. 210. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 211. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 213. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 214. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings ''Research, Evaluation and Statistics'', ''State and Local Law Enforcement Assistance'', and ''Juvenile Justice Programs''—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation or statistical purposes, without regard to the authorizations for such grant or reimbursement programs, and of such amounts, $1,300,000 shall be transferred to the Bureau of Prisons for Federal inmate research and evaluation purposes.

SEC. 215. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated by this or any other Act making appropriations for fiscal years 2010 through 2013 for the following programs, waive the following requirements:

(1) For the Adult and Juvenile Offender State and Local Reentry Demonstration Projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and Local Reentry Courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w–2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the Prosecution Drug Treatment Alternatives to Prison Program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q–3), the requirements under section 2904 of such part.

(4) For Grants to Protect Inmates and Safeguard Communities under the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 216. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 217. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 218. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2013.

(b) Not to exceed $30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed $10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(d) Of amounts available in the Assets Forfeiture Fund in fiscal year 2013, $154,700,000 shall be for payments associated with joint law enforcement operations as authorized by section 524(c)(1)(I) of title 28, United States Code.

(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 45 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2013.

(f) Subsections (a) through (d) of this section shall sunset on September 30, 2013.

This title may be cited as the ''Department of Justice Appropriations Act, 2013''.

SEN. APPRO.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,850,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $5,144,000,000, to remain available until September 30, 2014, of which up to $14,500,000 shall be available for a reimbursable agreement with the Department of Energy for the purpose of re-establishing facilities to produce fuel required for radioisotope thermoelectric generators to enable future missions: *Provided*, That $75,000,000 shall be for pre-formulation and/or formulation activities for a mission that meets the science goals outlined for the Jupiter Europa mission in the most recent planetary science decadal survey: *Provided further*, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed $8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $570,000,000, to remain available until September 30, 2014.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space research and technology development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $642,000,000, to remain available until September 30, 2014.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $3,887,000,000, to remain available until September 30, 2014: *Provided*, That not less than $1,197,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $1,857,000,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 tons and which shall have an upper stage and other core elements developed simultaneously: *Provided further*, That of the funds made available for the Space Launch System, $1,454,200,000 shall be for launch vehicle development and $402,800,000 shall be for exploration ground systems: *Provided further*, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the ''Construction and Environmental Compliance and Restoration'' heading: *Provided further*, That $525,000,000 shall be for commercial spaceflight activities: *Provided further*, That $308,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $3,953,000,000, to remain available until September 30, 2014.

EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $125,000,000, to remain available until September 30, 2014, of which $18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $40,000,000 shall be for the National Space Grant College program.

CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,823,000,000, to remain available until September 30, 2014: *Provided*, That not less than $39,100,000 shall be available for independent verification and validation activities.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $680,000,000, to remain available until September 30, 2018: *Provided*, That hereafter, notwithstanding section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145), all proceeds from leases entered into under that section shall be deposited into this account: *Provided further*, That such proceeds shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the two preceding provisos shall be available for obligation for fiscal year 2013 in an amount not to exceed $3,791,000: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $38,000,000, of which $500,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISIONS

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in 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. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 30102(c) of title 51, United States Code, is amended—

(1) in paragraph (2) by striking ''and'' at the end;

(2) in paragraph (3) by striking the period at the end inserting ''; and''; and

(3) by adding at the end the following:

''(4) refunds or rebates received on an ongoing basis from a credit card services provider under the National Aeronautics and Space Administration's credit card programs.''.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,983,280,000, to remain available until September 30, 2014, of which not to exceed $500,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That not less than $158,190,000 shall be available for activities authorized by section 7002(c)(2)(A)(iv) of Public Law 110–69.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $196,170,000, to remain available until expended: *Provided*, That none of the funds may be used to reimburse the Judgment Fund established under section 1304 of title 31, United States Code.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $895,610,000, to remain available until September 30, 2014: *Provided*, That not less than $54,890,000 shall be available until expended for activities authorized by section 7030 of Public Law 110–69.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $299,400,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2013 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,440,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $14,200,000, of which $400,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 15 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the ''Science Appropriations Act, 2013''.

SEN. APPRO.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,400,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a): *Provided further*, That there shall be an Inspector General at the Commission on Civil Rights who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978: *Provided further*, That an individual appointed to the position of Inspector General of the Government Accountability Office (GAO) shall, by virtue of such appointment, also hold the position of Inspector General of the Commission on Civil Rights: *Provided further*, That the Inspector General of the Commission on Civil Rights shall utilize personnel of the Office of Inspector General of GAO in performing the duties of the Inspector General of the Commission on Civil Rights, and shall not appoint any individuals to positions within the Commission on Civil Rights: *Provided further*, That the Inspector General may waive any statutorily required reporting requirement (with the exception of the semiannual report required by section 5 of the Inspector General Act of 1978) upon a certification to the Committees on Appropriations of the House of Representatives and the Senate that such report is not necessary for effective oversight of the Commission: *Provided further*, That of the amounts made available in this paragraph, $450,000 shall be transferred directly to the Office of Inspector General of GAO upon enactment of this Act for salaries and expenses necessary to carry out the duties of the Inspector General of the Commission on Civil Rights.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $370,000,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $83,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $365,000,000, of which $339,400,000 is for basic field programs and required independent audits; $4,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $17,000,000 is for management and grants oversight; $3,400,000 is for client self-help and information technology; and $1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this division, and section 3003 of division G, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively.

Section 501(a)(2)(A) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104–134) is amended by striking ''on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code'' and inserting ''triennially by the Bureau of the Census, except that, with respect to fiscal year 2013, the change in allocation resulting from the amendment made to this subparagraph by the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 shall only be half of the change which would otherwise result from that amendment in order to phase in the change over a 2 year period''.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,081,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $51,251,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $111,600 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) $5,121,000, of which $500,000 shall remain available until September 30, 2014: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

SEN. APPRO.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

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. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 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 pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. (a) Subject to subsections (b) and (c), 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 2013, 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 or initiates a new program, project or activity; (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, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act to any agency of the Department of Justice, or provided under previous appropriations Acts to any agency of the Department of Justice that remain available for obligation or expenditure in fiscal year 2013, 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 or initiates a new program, project or activity; (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, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 45 days in advance of such reprogramming of funds.

(c) Subsection (b) of this section shall sunset on September 30, 2013.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories, or its possessions.

(2) The term ''promotional items'' has the meaning given the term in OMB Circular A–87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of the first quarter of fiscal year 2013, and subsequent reports shall be submitted within 30 days of the end of each quarter thereafter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601) in any fiscal year in excess of $730,000,000 shall not be available for obligation until the following fiscal year.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 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 appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) For fiscal year 2013 and thereafter, the Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

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

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 515. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from

the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 516. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire an information technology system unless the head of the entity involved, in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, has made an assessment of any associated risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire an information technology system described in an assessment required by subsection (a) and produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China unless the head of the assessing entity described in subsection (a) determines, and reports that determination to the Committees on Appropriations of the House of Representatives and the Senate, that the acquisition of such system is in the national interest of the United States.

SEC. 517. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 518. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 519. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 520. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 521. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 522. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 523. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for 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 2013 until the enactment of the Intelligence Authorization Act for fiscal year 2013.

SEC. 524. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 525. 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 three 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.

(RESCISSIONS)

SEC. 526. (a) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2013, from the following accounts in the specified amounts—

(1) ''Working Capital Fund'', $26,000,000;

(2) ''Legal Activities, Assets Forfeiture Fund'', $722,697,000;

(3) ''Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Reduction Program'', $1,028,000;

(4) ''Federal Prison System, Buildings and Facilities'', $64,700,000;

(5) ''State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs'', $12,000,000;

(6) ''State and Local Law Enforcement Activities, Office of Justice Programs'', $43,000,000; and

(7) ''State and Local Law Enforcement Activities, Community Oriented Policing Services'', $12,200,000.

(b) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2013, specifying the amount of each rescission made pursuant to subsection (a).

SEC. 527. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 528. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 529. 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 from a Federal department or agency at any single conference occurring outside the United States, unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 530. 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. 531. (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. 532. 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.

SEC. 533. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are ''Energy Star'' qualified or have the ''Federal Energy Management Program'' designation.

SEC. 534. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States Government receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 535. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) The limitation in subsection (a) shall also apply to any funds used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 536. None of the funds made available in this Act may be used to relocate the Bureau of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President.

SEC. 537. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 538. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 539. (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. 540. 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 an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 541. 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 an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 542. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

This division may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013''.

SEN. APPRO.

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

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, $40,199,263,000.

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, $26,902,346,000.

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, $12,531,549,000.

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, $28,052,826,000.

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, $4,456,823,000.

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, $1,874,023,000.

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, $658,251,000.

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, $1,722,425,000.

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, $7,981,577,000.

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, $3,153,990,000.

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, $35,409,260,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized 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, $41,614,453,000.

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, $6,034,963,000.

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, $34,780,406,000.

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, $31,862,980,000: *Provided*, That not more than $30,000,000 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 $36,480,000 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 $8,563,000, 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 authority 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, $3,182,923,000.

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, $1,256,347,000.

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, $277,377,000.

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, $3,261,324,000.

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), $7,154,161,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related 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, $6,494,326,000.

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, $13,516,000, 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, $335,921,000, 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, $310,594,000, 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, $529,263,000, 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, $11,133,000, 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, $287,543,000, 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), $108,759,000, to remain available until September 30, 2014.

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, $519,111,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $50,198,000.

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, $6,028,754,000, to remain available for obligation until September 30, 2015.

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, $1,535,433,000, to remain available for obligation until September 30, 2015.

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, $1,857,823,000, to remain available for obligation until September 30, 2015.

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, $1,641,306,000, to remain available for obligation until September 30, 2015.

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, $5,741,664,000, to remain available for obligation until September 30, 2015.

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, $17,382,152,000, to remain available for obligation until September 30, 2015.

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, $3,036,871,000, to remain available for obligation until September 30, 2015.

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, $659,897,000, to remain available for obligation until September 30, 2015.

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, $565,371,000;

Virginia Class Submarine, $3,217,601,000;

Virginia Class Submarine (AP), $1,652,557,000;

CVN Refuelings, $1,613,392,000;

CVN Refuelings (AP), $70,010,000;

DDG–1000 Program, $669,222,000;

DDG–51 Destroyer, $4,036,628,000;

DDG–51 Destroyer (AP), $466,283,000;

Littoral Combat Ship, $1,784,959,000;

LPD–17 (AP), $263,255,000;

Joint High Speed Vessel, $189,196,000;

Moored Training Ship, $307,300,000;

LCAC Service Life Extension Program, $85,830,000; and

For outfitting, post delivery, conversions, and first destination transportation, $290,035,000.

Completion of Prior Year Shipbuilding Programs, $372,573,000.

In all: $15,584,212,000, to remain available for obligation until September 30, 2017: *Provided*, That additional obligations may be incurred after September 30, 2017, 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, $5,955,078,000, to remain available for obligation until September 30, 2015.

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, $1,411,411,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, AIR FORCE

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, $11,774,019,000, to remain available for obligation until September 30, 2015.

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, $4,962,376,000, to remain available for obligation until September 30, 2015.

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, $594,694,000, to remain available for obligation until September 30, 2015.

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, $17,082,508,000, to remain available for obligation until September 30, 2015.

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, $4,878,985,000, to remain available for obligation until September 30, 2015.

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), $223,531,000, 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, $8,676,627,000, to remain available for obligation until September 30, 2014.

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, $16,963,398,000, to remain available for obligation until September 30, 2014: *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, $25,432,738,000, to remain available for obligation until September 30, 2014.

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, $18,631,946,000, to remain available for obligation until September 30, 2014: *Provided*, That of the funds made available in this paragraph, $250,000,000 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, $223,768,000, to remain available for obligation until September 30, 2014.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,516,184,000.

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, $697,840,000, 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, $32,715,304,000; of which $30,885,165,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2014, and of which up to $15,934,952,000 may be available for contracts entered into under the TRICARE program; of which $521,762,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which $1,308,377,000, to remain available for obligation until September 30, 2014, 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: *Provided further*, That of the funds provided to develop a joint Department of Defense—Department of Veterans Affairs (DOD–VA) integrated Electronic Health Record, not more than 25 percent may be obligated until the DOD–VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

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, $1,301,786,000, of which $635,843,000 shall be for operation and maintenance, of which no less than

$53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $22,214,000 for activities on military installations and $31,734,000, to remain available until September 30, 2014, to assist State and local governments; $18,592,000 shall be for procurement, to remain available until September 30, 2015, of which $1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which $627,705,000 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, $1,159,263,000: *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.

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, $350,321,000, of which $347,621,000 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; and of which $2,700,000, to remain available until September 30, 2015, shall be for procurement.

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, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $534,421,000.

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 $4,000,000,000 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, 2013: *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 described in section 4 (in the matter preceding division A of this consolidated 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 2013: *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 transfer 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:

F/A–18E, F/A–18F, and EA–18G aircraft; up to 10 DDG–51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN–774 Virginia class submarine and government-furnished equipment; CH–47 Chinook helicopter; and V–22 Osprey aircraft variants.

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 2013, 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 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 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 2014.

(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-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé 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 $38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $28,404,000 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) $9,298,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $932,000 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 2013 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 2013, 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 2014 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.

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 2013. 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, Minnesota, 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 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 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 2014 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, 2014: *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, 2014.

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. 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. 8039. 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 described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 8040. (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. 8041. 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:

''Shipbuilding and Conversion, Navy, 2007/2018'': DDG–51 Destroyer, $98,400,000;

''Shipbuilding and Conversion, Navy, 2007/2018'': DDG–51 Destroyer Advance Procurement, $2,500,000;

''Shipbuilding and Conversion, Navy, 2007/2018'': CVN Refueling Overhaul, $14,100,000;

''Procurement of Ammunition, Army, 2011/2013'', $14,862,000;

''Other Procurement, Army, 2011/2013'', $108,098,000;

''Aircraft Procurement, Navy, 2011/2013'', $43,860,000;

''Shipbuilding and Conversion, Navy, 2011/2015'': DDG–51 Destroyer, $215,300,000;

''Weapons Procurement, Navy, 2011/2013'', $22,000,000;

''Aircraft Procurement, Air Force, 2011/2013'', $93,400,000;

''Other Procurement, Air Force, 2011/2013'', $9,500,000;

''Operation and Maintenance, Defense-Wide, 2012/XXXX'', $21,000,000;

''Aircraft Procurement, Army, 2012/2014'', $47,400,000;

''Other Procurement, Army, 2012/2014'', $179,608,000;

''Aircraft Procurement, Navy, 2012/2014'', $19,040,000;

''Shipbuilding and Conversion, Navy, 2012/2016'': Littoral Combat Ship, $28,800,000;

''Shipbuilding and Conversion, Navy, 2012/2016'': DDG–51 Destroyer, $83,000,000;

''Weapons Procurement, Navy, 2012/2014'', $36,467,000;

''Procurement of Ammunition, Navy and Marine Corps, 2012/2014'', $16,300,000;

''Procurement, Marine Corps, 2012/2014'', $132,555,000;

''Aircraft Procurement, Air Force, 2012/2014'', $394,299,000;

''Missile Procurement, Air Force, 2012/2014'', $52,898,000;

''Other Procurement, Air Force, 2012/2014'', $55,800,000;

''Procurement, Defense-Wide, 2012/2014'', $16,000,000;

''Research, Development, Test and Evaluation, Army, 2012/2013'', $41,000,000;

''Research, Development, Test and Evaluation, Navy, 2012/2013'', $246,800,000;

''Research, Development, Test and Evaluation, Air Force, 2012/2013'', $149,460,000.

SEC. 8042. 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. 8043. 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. 8044. 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. 8045. 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. 8046. (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. 8047. 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. 8048. 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. 8049. 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. 8050. (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. 8051. 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. 8052. 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. 8053. 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. 8054. (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. 8055. 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. 8056. 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. 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'', $133,381,000 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 subsection 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 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. 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. 8070. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this Act under the headings ''Procurement, Defense-Wide'' and ''Research, Development, Test and Evaluation, Defense-Wide'', $479,736,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, $149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $39,200,000 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, $74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $44,365,000 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 weapons 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.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $372,573,000 shall be available until September 30, 2013, 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, 2007/2013'': LHA Replacement Program $156,685,000;

(2) Under the heading ''Shipbuilding and Conversion, Navy, 2008/2013'': LPD–17 Amphibious Transport Dock Program $80,888,000; and

(3) Under the heading ''Shipbuilding and Conversion, Navy, 2009/2013'': CVN Refueling Overhauls Program $135,000,000.

SEC. 8074. 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 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8075. 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. 8076. The budget of the President for fiscal year 2014 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. 8077. 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.

SEC. 8078. 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. 8079. 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. 8080. 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. 8081. (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. 8082. 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. 8083. 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. 8084. (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 Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8085. 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 exercising 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. 8086. 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, 2014.

SEC. 8087. 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.

SEC. 8088. 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. 8089. (a) Not later than 60 days after the date of enactment of this Act, 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 2013: *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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8090. 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. 8091. (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 accompanying the Act 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. 8092. 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. 8093. 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. 8094. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom, or any other named operations in the U.S. Central Command area of operation 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. 8095. 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. 8096. 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. 8097. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site 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. 8098. (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. 8099. 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. 8100. From within the funds appropriated for operation and maintenance for

the Defense Health Program in this Act, up to $139,204,000, 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. 8101. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

SEC. 8102. 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. 8103. 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. 8104. Of the amounts appropriated for ''Operation and Maintenance, Defense-Wide'', the following amounts shall be available to the Secretary of Defense, for the following authorized purposes, 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: (1) $13,000,000 for addressing the need for construction of a regional public health laboratory; and (2) $106,400,000 for addressing the need for civilian water and wastewater improvements: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for either of the foregoing purposes, notify the congressional defense committees in writing of the details of any such obligation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8105. There is hereby established in the Treasury of the United States the ''Ship Modernization, Operations and Sustainment Fund''. There is appropriated $2,382,100,000, for the ''Ship Modernization, Operations and Sustainment Fund'', to remain available until September 30, 2014: *Provided*, That the Secretary of the Navy shall transfer funds from the ''Ship Modernization, Operations and Sustainment Fund'' to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG–63, CG–64, CG–65, CG–66, CG–68, CG–69, CG–73, and the Whidbey Island-class dock landing ships LSD–41 and LSD–46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the ''Ship Modernization, Operations and Sustainment Fund'', notify the congressional defense committees in writing of the details of such transfer.

SEC. 8106. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 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.

SEC. 8107. 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. 8108. 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. 8109. 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, 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8110. In addition to amounts provided elsewhere in the Act, there is appropriated $270,000,000 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: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8111. 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, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8112. (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 Guantánamo 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 Guantánamo 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 Guantánamo 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 re-engage 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 applicable) 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 Guantánamo 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, Guantánamo 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 Guantánamo 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 Guantánamo'' means any individual located at United States Naval Station, Guantánamo 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, Guantánamo 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. 8113. (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, Guantánamo 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, Guantánamo 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, Guantánamo Bay, Cuba.

SEC. 8114. 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. 8115. 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.

SEC. 8116. 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. 8117. None of the funds made available by this Act for International Military education and training, foreign military financing, excess defense article, 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, the Democratic Republic of the Congo, and Burma may be used to support any military training or operation 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. 8118. 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.).

SEC. 8119. None of the funds made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve: *Provided*, That this section shall not apply to actions affecting C–5, C–17, or E–8 aircraft, or the units associated with such aircraft: *Provided further*, That this section shall continue in effect through the date of enactment of an Act authorizing appropriations for fiscal year 2013 for military activities of the Department of Defense.

SEC. 8120. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ–4B Global Hawk and C–27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8121. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

SEC. 8122. None of the funds made available by this Act shall be used to retire C–23 Sherpa aircraft.

SEC. 8123. The total amount available in the Act for pay for civilian personnel of the Department of Defense for fiscal year 2013 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by $72,718,000.

SEC. 8124. None of the funds made available by this Act may be used to enter into a contract for UH–60 Leak Proof Drip Pans using procedures other than competitive procedures (as defined in section 2302(2) of title 10, United States Code).

SEC. 8125. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of section 1244 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1646; 22 U.S.C. 5952 note) or any provision of an Act authorizing appropriations for the Department of Defense for fiscal year 2013 relating to sharing classified ballistic missile defense information with Russia.

SEC. 8126. None of the Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

SEC. 8127. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8128. None of the funds made available by this Act may be used to enter into a contract with any person or other entity listed in the Excluded Parties List System (EPLS)/System for Award Management (SAM) as having been convicted of fraud against the Federal Government.

SEC. 8129. None of the funds made available by this Act for the Department of Defense 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 Rosoboronexport: *Provided*, 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. 8130. None of the funds made available by this Act may be used by the Secretary of Defense to implement an enrollment fee for the TRICARE for Life program under chapter 55 of title 10, United States Code, that does not exist as of the date of the enactment of this Act.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $9,790,082,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $774,225,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,425,156,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,286,783,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $156,893,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $39,335,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $24,722,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $25,348,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $583,804,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $10,473,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $28,452,018,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $5,839,934,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $4,116,340,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $9,249,736,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $7,714,079,000: *Provided*, That of the funds provided under this heading, not to exceed $1,650,000,000, to remain available until September 30, 2014, shall be 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, 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 under this heading to provide notification to the appropriate congressional committees 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: *Provided further*, That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $157,887,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $55,924,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $25,477,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $60,618,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $392,448,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $34,500,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $582,884,000 for the ''Overseas Contingency Operations Transfer Fund'' for expenses directly relating to overseas contingency operations by United States military forces, to be available until expended: *Provided*, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, and working capital fund accounts: *Provided further*, That the funds made available in this paragraph may only be used for programs, projects, or activities categorized as Overseas Contingency Operations in the fiscal year 2013 budget request for the Department of Defense and the justification material and other documentation supporting such request: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *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 and shall be available for the same purposes and for the same time period as originally appropriated: *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)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Infrastructure Fund'', $325,000,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense 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, which may require 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 under this heading 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 coordination 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 amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $5,124,167,000, 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 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, to remain available until expended, 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 amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $550,700,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $67,951,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $15,422,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $338,493,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $1,740,157,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $215,698,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $22,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/

Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $283,059,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $98,882,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $822,054,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $305,600,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $34,350,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $116,203,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $2,680,270,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $188,099,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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, $1,500,000,000, to remain available for obligation until September 30, 2015: *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 amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $29,660,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $52,519,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $53,150,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $112,387,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $243,600,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $993,898,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $469,025,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $1,622,614,000, to remain available until September 30, 2015: *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 amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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'', $10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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 2013.

(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 $3,500,000,000 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, 2013.

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 $200,000,000 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 Response 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 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. 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. 9011. Notwithstanding any other provision of law, up to $93,000,000 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. 9012. From funds made available to the Department of Defense in this title under the heading ''Operation and Maintenance, Air Force'' up to $508,000,000 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 to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Ministry of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further*, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notification containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

(RESCISSIONS)

SEC. 9013. 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)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

''Retroactive Stop Loss Special Pay Program, 2009/XXXX'', $127,200,000;

''Afghanistan Security Forces Fund, 2012/2013'', $1,000,000,000;

''Other Procurement, Army, 2012/2014'', $207,600,000;

''Procurement of Ammunition, Navy and Marine Corps, 2012/2014'', $32,176,000;

''Procurement, Marine Corps, 2012/2014'', $2,776,000;

''Mine Resistant Ambush Protected Vehicle Fund, 2012/2013'', $400,000,000;

''Research, Development, Test and Evaluation, Air Force, 2012/2013'', $50,000,000;

''Joint Improvised Explosive Device Defeat Fund, 2012/2014'', $40,300,000.

SEC. 9014. (a) None of the funds appropriated or otherwise made available by this Act under the heading ''Operation and Maintenance, Defense-Wide'' for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan

may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the Committees on Appropriations that the Government of Pakistan is—

(1) 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;

(2) 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;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(6) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) 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: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises the authority of the previous proviso, the Secretaries shall report to the Committees on Appropriations on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

This division may be cited as the ''Department of Defense Appropriations Act, 2013''.

SEN. APPRO.

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

DEPARTMENTAL 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, $130,000,000: *Provided*, That not to exceed $45,000 shall be for official reception and representation expenses: *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 the Secretary shall submit 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, expenditure plans for the Office of Policy, the Office for Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, and the Privacy Officer.

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), $218,511,000, of which not to exceed $2,250 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, $5,448,000 shall remain available until September 30, 2017, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and $9,680,000 shall remain available until September 30, 2015, for the Human Resources Information Technology program: *Provided further*, That the Under Secretary for Management shall, pursuant to the requirements contained in House Report 112–331, submit to the Committees on Appropriations of the Senate and the House of Representatives with the President's budget proposal for fiscal year 2014, submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading ''Office of the Under Secretary for Management'' under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and quarterly updates to such report not later than 45 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), $51,500,000, of which $5,000,000 shall remain available until September 30, 2014, for financial systems modernization efforts.

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, $243,732,000; of which $118,000,000 shall be available for salaries and expenses; and of which $125,732,000, to remain available until September 30, 2015, 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 2013 through 2016, 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.), $322,280,000; of which not to exceed $3,825 shall be for official reception and representation expenses; and of which $94,359,000 shall remain available until September 30, 2014.

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.), $121,164,000, 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.

SEN. APPRO.

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; $8,293,351,000; 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 $34,425 shall be for official reception and representation expenses; 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; and 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 2013, 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 shall 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.

AUTOMATION MODERNIZATION

For necessary expenses for U.S. Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, $719,866,000; of which $325,526,000 shall remain available until September 30, 2015; and of which not less than $138,794,000 shall be for the development of the Automated Commercial Environment.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, $324,099,000, to remain available until September 30, 2015.

AIR AND MARINE OPERATIONS

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 salaries and expenses and 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; $799,006,000; of which $283,570,000 shall be available for salaries and expenses; and of which $515,436,000 shall remain available until September 30, 2015: *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 2013 without prior notice to 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 any changes to the 5-year strategic plan for the air and marine program required under this heading in Public Law 112–74.

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, $233,563,000, to remain available until September 30, 2017: *Provided*, 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 proposal is submitted pursuant to the requirements of 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 2014.

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; $5,394,402,000; 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 $11,475 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 $138,249,000 shall be for completion of Secure Communities deployment: *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, 2013: *Provided further*, That of the total amount provided, not less than $2,753,610,000 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, 2014, for the Visa Security Program: *Provided further*, That not less than $10,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: *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

(INCLUDING TRANSFER OF FUNDS)

For expenses of immigration and customs enforcement automated systems, $33,500,000, to remain available until September 30, 2015: *Provided*, That of the total amount provided, up to $1,000,000 may be transferred to the Department of Justice Executive Office of Immigration Review to improve case management and electronic communication with U.S. Immigration and Customs Enforcement: *Provided further*, That no transfer described in the previous proviso shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, $5,000,000, 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), $5,052,620,000, to remain available until September 30, 2014, of which not to exceed $7,650 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, not to exceed $3,975,517,000 shall be for screening operations, of which $408,930,000 shall be available for explosives detection systems; $115,204,000 shall be for checkpoint support; and not to exceed $1,077,103,000 shall be for aviation security direction and enforcement: *Provided further*, That of the amount made available in the preceding proviso for explosives detection systems, $99,930,000 shall be available for the purchase and installation of these systems: *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 2013 so as to result in a final fiscal year appropriation from the general fund estimated

at not more than $2,982,620,000: *Provided further*, That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2014: *Provided further*, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2013, 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) of such title: *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 the Administrator of the Transportation Security Administration shall, within 270 days of the date of enactment of this Act, establish procedures allowing members of cabin flight crews of air carriers to participate in the Known Crewmember pilot program, unless the Administrator determines that meeting the requirement within this timeline is not practicable and informs the Committees on Appropriations of the Senate and House of Representatives of the basis for that determination and the new timeline for implementing the requirement: *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, $124,418,000, to remain available until September 30, 2014.

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, $192,424,000, to remain available until September 30, 2014.

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), $954,277,000, to remain available until September 30, 2014: *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 2013: *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 Marshal Service, $907,757,000: *Provided*, That the Director of the Federal Air Marshal Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives not later than 45 days after the date of enactment of this Act a detailed, classified expenditure and staffing plan for ensuring optimal coverage of high risk flights.

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 on 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; $7,074,782,000; of which $594,000,000 shall be for defense-related activities, of which $254,000,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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 $15,300 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 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 2014 through 2018, 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, $13,151,000, to remain available until September 30, 2017.

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; $132,528,000.

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; $1,545,393,000; 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 $10,000,000 shall remain available until September 30, 2017, for military family housing, of which not more than $6,828,691 shall be derived from the Coast Guard Housing Fund established pursuant to 14 U.S.C. 687; of which $1,082,800,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; of which $190,500,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; of which $64,000,000 shall be available until September 30, 2017, for other acquisition programs; of which $84,411,000 shall be available until September 30, 2017, for shore facilities and aids to navigation, including waterfront facilities at Navy installations used by the Coast Guard; of which $113,682,000 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 the production of the sixth National Security Cutter notwithstanding the availability of funds for post-production costs: *Provided further*, 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 seventh National Security Cutter notwithstanding the availability of funds for production costs or post-production costs: *Provided further*, That the Commandant of the Coast Guard 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 Commandant of the Coast Guard 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; $19,690,000, to remain available until September 30, 2017, 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, $1,423,000,000, 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; $1,555,913,000; of which not to exceed $19,125 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; 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, 2014; and of which $4,000,000 shall be for a grant for activities related to training in electronic crimes investigations and forensics: *Provided*, That up to $18,000,000 for protective travel shall remain available until September 30, 2014: *Provided further*, That $4,500,000 for National Special Security Events shall remain available until September 30, 2014: *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 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: *Provided further*, That for purposes of section 503(b) of this Act, $15,000,000 or 10 percent, whichever is less, may be transferred between ''Protection of persons and facilities'' and ''Domestic field operations''.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, $56,750,000; of which $4,430,000, to remain available until September 30, 2017, shall be for acquisition, construction, improvement, and maintenance of facilities; and of which $52,320,000, to remain available until September 30, 2015, shall be for information integration and technology transformation execution: *Provided*, That the Director of the United States Secret Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time that the President's budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a multi-year investment and management plan for its Information Integration and Technology Transformation program that describes funding for the current fiscal year and the following 3 fiscal years, with associated plans for systems acquisition and technology deployment.

SEN. APPRO.

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, and information technology, $50,220,000: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses.

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.), $1,157,529,000, of which $200,000,000, shall remain available until September 30, 2014: *Provided*, That of the total amount provided for the ''Infrastructure security compliance'' program, project, and activity, $20,000,000 shall not be available for obligation until the Under Secretary for the National Protection and Programs Directorate submits to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan for the Chemical Facility Anti-Terrorism Standards program that includes the number of facilities covered by the program, inspectors onboard, inspections pending, and inspections projected to be completed by September 30, 2013.

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 May 1, 2013, that the operations of the Federal Protective Service will be fully funded in fiscal year 2013 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 the Director of the Federal Protective Service shall include with the submission of the President's fiscal year 2014 budget a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), $232,422,000: *Provided*, That of the total amount made available under this heading, $113,956,000 shall remain available until September 30, 2015: *Provided further*, That the Secretary of Homeland Security shall submit 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 Office of Biometric Identity Management: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time 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 Office of Biometric Identity Management program, to include each fiscal year starting with the current fiscal year and the 3 subsequent fiscal years, that provides—

(1) the proposed appropriation 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 years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology;

(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 years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology; and

(3) a detailed accounting of operations and maintenance, contractor services, and program costs associated with the management of identity services:

Provided further, That amounts obligated under Public Law 112–175 for National Protection and Programs Directorate, ''United States Visitor and Immigrant Status Indicator Technology'' shall be charged to the appropriate successor account of the following: National Protection and Programs Directorate, ''Office of Biometric Identity Management''; U.S. Customs and Border Protection, ''Salaries and Expenses''; or U.S. Immigration and Customs Enforcement, ''Salaries and Expenses''.

OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, $132,499,000; of which $26,702,000 is for salaries and expenses; and of which $85,390,000 is for BioWatch operations: *Provided*, That of the amount made available under this heading, $20,407,000 shall remain available until September 30, 2014, for biosurveillance, chemical defense, medical and health planning and coordination, and workforce health protection: *Provided further*, That not to exceed $2,250 shall be for official reception and representation expenses.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, $973,118,000, 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.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 917): *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses: *Provided further*, That for fiscal year 2013 and thereafter, 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, $35,180,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: *Provided further*, That of the total amount made available under this heading, $22,000,000 shall remain available until September 30, 2014, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center: *Provided further*, That of the total amount made available under this heading, $5,000,000 shall remain available until September 30, 2014, 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 an expenditure plan including results to date, plans for the program, and a list of projects with associated funding provided from prior appropriations and provided by this Act for modernization of automated systems.

STATE AND LOCAL PROGRAMS

For grants contracts, cooperative agreements, and other activities, $1,466,082,000, which shall be allocated as follows:

(1) Not less than $346,600,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which not less than $46,600,000 shall be for Operation Stonegarden: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2013, 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) Not less than $500,376,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which not less than $10,000,000 shall be for 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 of Homeland Security to be at high risk of a terrorist attack.

(3) Not less than $97,500,000 shall be for 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 (Public Law 110–53; 6 U.S.C. 1135 and 1163), of which not less than $10,000,000 shall be for Amtrak security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) Not less than $97,500,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(5) Notwithstanding section 503 of this Act, $188,932,000 shall be distributed, according to threat, vulnerability, and consequence, at the discretion of the Secretary of Homeland Security based on the following authorities:

(A) 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 2013, 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.

(B) Operation Stonegarden.

(C) The Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604).

(D) 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 of Homeland Security to be at high risk of a terrorist attack.

(E) 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.

(F) Port Security Grants in accordance with 46 U.S.C. 70107.

(G) Over-the-Road Bus Security Assistance under section 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1182).

(H) The Metropolitan Medical Response System under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

(I) The Citizen Corps Program.

(J) 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).

(K) The Interoperable Emergency Communications Grant Program under section 1809 of the Homeland Security Act of 2002 (6 U.S.C. 579).

(L) Emergency Operations Centers under section 614 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c).

(M) The Buffer Zone Protection Program Grants.

(N) Regional Catastrophic Preparedness Grants.

(6) $235,174,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which $157,991,000 shall be for training of State, local, and tribal emergency response providers:

Provided, That for grants under paragraphs (1) through (5), 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 not use 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 for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: *Provided further*, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: *Provided further*, That in fiscal year 2013 and thereafter: (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 grants 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, 2014, 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).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

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.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2013, 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, 2013, and remain available until September 30, 2015.

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.), $44,000,000.

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.), $7,007,926,000, 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 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:

(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:

Provided further, That of the amount provided under this heading, $6,400,000,000 is for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

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) and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 917), $95,329,000, 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.),

the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 917), $171,000,000, which shall be derived from offsetting amounts 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, to remain available until September 30, 2014: *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 2013, 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) $1,056,602,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $120,000,000, which shall remain available until expended, for flood mitigation actions under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c): *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(e) 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 Flood Insurance Act of 1968, notwithstanding subsection (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8)) and subsection 1366(e) and paragraphs (2) and (3) of section 1367(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e), 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), $25,000,000, to remain available until expended.

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.

SEN. APPRO.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $111,924,000 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; $228,467,000; of which up to $44,758,000 shall remain available until September 30, 2014, 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 $9,180 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 112–74, is further amended by striking ''December 31, 2014'' and inserting ''December 31, 2015'': *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, $28,385,000, to remain available until September 30, 2017: *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.), $132,000,000: *Provided*, That not to exceed $7,650 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, $703,471,000; of which $538,539,000 shall remain available until September 30, 2015; and of which $164,932,000 shall remain available until September 30, 2017, 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, $39,650,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses: *Provided further*, That not later than 60 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 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 the role and responsibilities of each Departmental component in support of the domestic detection architecture, including any existing or planned programs to prescreen cargo or conveyances overseas;

(2) identify and describe the specific investments being made by each Departmental component in fiscal year 2013 and planned for fiscal year 2014 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 2013 and 2014.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, $226,830,000, 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, $51,455,000, to remain available until September 30, 2015.

SEN. APPRO.

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 2013, 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 2013 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 2013, 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;

(3) reduces by 10 percent the numbers of personnel approved by the Congress; or

(4) 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 2013: *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 2013 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 2013 from appropriations for salaries and expenses for fiscal year 2013 in this Act shall remain available through September 30, 2014, 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 2013 until the enactment of an Act authorizing intelligence activities for fiscal year 2013.

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;

(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) 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; type of contract; and the account and each program, project, and activity 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. (a) 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.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this 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. For purposes of the preceding sentence, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

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. 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. 516. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management 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. 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 ''2012'' and inserting ''2013''.

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 chapter 85 of title 41, United States Code;

(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 3101 (b) of title 41, United States Code; 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 3 fiscal years 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 4, 2015, and every 3 years thereafter.

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 section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(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, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 522. 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. 523. 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. 524. 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. 525. 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, 2012,'' and inserting ''Until September 30, 2013,'';

(2) in subsection (c)(1), by striking ''September 30, 2012,'' and inserting ''September 30, 2013,''.

SEC. 526. 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. 527. 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 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

SEC. 528. 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. 529. 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. 530. 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. 531. 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. 532. 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. 533. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 534. 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 Representatives that no security risks will result from such non-participation.

SEC. 535. (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. 536. 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. 537. 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, 2012'' and inserting ''on October 4, 2013''.

SEC. 538. 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. 539. 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. 540. None of the funds made available in this or any other Act for fiscal year 2013 and thereafter 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. 541. 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. 542. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor 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. 543. 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 performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 544. (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. 545. 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. 546. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, $7,500,000 shall be allocated by United States Citizenship and Immigration Services in fiscal year 2013 for the purpose of providing an immigrant integration grants program.

(b) For an additional amount for ''United States Citizenship and Immigration Services'' for the purpose of providing immigrant integration grants, $2,500,000.

(c) 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. 547. 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, $5,000,000, to remain available until September 30, 2014.

SEC. 548. 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. 549. 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 subtitle I of title 41, United States Code 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. 550. (a) For an additional amount for data center migration, $55,000,000.

(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. 551. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines 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. 552. For an additional amount for the ''Office of the Under Secretary for Management'', $29,000,000, to remain available until expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the department headquarters consolidation project 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. 553. In making grants under the heading ''Firefighter Assistance Grants'', the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

SEC. 554. 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. 555. The Commissioner of U.S. Customs and Border Protection and the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall, with respect to fiscal years 2013, 2014, 2015, and 2016, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings U.S. Customs and Border Protection, ''Salaries and Expenses'' under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and U.S. Customs and Border Protection, ''Border Security Fencing, Infrastructure, and Technology'' under such title, and section 568 of such Act.

SEC. 556. 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))).

SEC. 557. (a) Notwithstanding Office of Management and Budget Circular A–11, funds made available in fiscal year 2013, or any fiscal year thereafter, under Department of Homeland Security, Coast Guard, ''Acquisition, Construction, and Improvements'' for—

(1) long lead time materials, components, and designs of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for production, outfitting, post-delivery activities, and spare or repair parts; and

(2) production of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for outfitting, post-delivery activities, and spare or repair parts.

(b) The Secretary of Homeland Security shall develop fiscal policy that prescribes Coast Guard budgetary policies, procedures and technical direction necessary to comply with subsection (a) of this section and consistent with the Department of Defense Financial Management Regulation (Volume 2A, Chapter 1 C. Procedures for Full Funding) to include the costs associated with outfitting and post-delivery activities; spare and repair parts; and long lead time materials. The requirement set forth in this section shall not preclude the immediate availability or allotment of funds for fiscal year 2013, pursuant to subsection (a).

(c) In this section—

(1) the term ''long lead time items'' means components, parts, material, or effort which must be procured in advance of the production award in order to maintain the production schedule;

(2) the term ''outfitting'' means procurement or installation of onboard repair parts, other secondary items, equipage, and recreation items; precommissioning crew support; general use consumables furnished to the shipbuilder; the fitting out activity to fill a vessel's initial allowances; and contractor-furnished spares; and

(3) the term ''post-delivery activities'' means design, planning, Government-furnished material, and related labor for non-production and non-long lead time items contract activities and other work, including certifications, full operational capability activities and other equipment installation; spares, logistics, technical analysis, and support; correction of Government-responsible defects and deficiencies identified during builders trials, acceptance trials, and testing during the post-delivery period; costs of all work required to correct defects or deficiencies identified during the post-delivery period; and costs of all work required to correct trial card deficiencies on a vessel of a particular class, as well as on subsequent vessels of that class (whether or not delivered) until the corrective action for that cutter class is completed.

SEC. 558. (a) Of the amounts made available by this Act for National Protection and Programs Directorate, ''Infrastructure Protection and Information Security'', $202,000,000 for the ''Federal Network Security'' program, project, and activity shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 3543(a) of title 44, United States Code: *Provided*, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supplied services: *Provided further*, That not later than April 1, 2013, and quarterly thereafter, the Under Secretary of Homeland Security of the National Protection and Programs Directorate shall submit to the Committees on Appropriations of the Senate and House of Representatives a report on the obligation and expenditure of funds made available under this section: *Provided further*, That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies' users: *Provided further*, That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2013, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities to information systems described in subsection (a).

(d) Not later than October 1, 2013, and quarterly thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): *Provided*, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107–347), as required by section 3606 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 559. (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. 560. (a) Notwithstanding sections 58c(e) and 1451 of title 19, United States Code, upon the request of any persons, the Commissioner of U.S. Customs and Border Protection may enter into reimbursable fee agreements for a period of up to 5 years with such persons for the provision of U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services. Such requests may include additional U.S. Customs and Border Protection services at existing U.S. Customs and Border Protection-serviced facilities (including but not limited to payment for overtime), the provision of U.S. Customs and Border Protection services at new facilities, and expanded U.S. Customs and Border Protection services at land border facilities.

(1) By December 31, 2013, the Commissioner may enter into not more than 5 agreements under this section.

(2) The Commissioner shall not enter into such an agreement if it would unduly and permanently impact services funded in this or any other appropriations Acts, or provided from any accounts in the Treasury of

the United States derived by the collection of fees.

(b) Funds collected pursuant to any agreement entered into under this section shall be deposited in a newly established account as offsetting collections and remain available until expended, without fiscal year limitation, and shall directly reimburse each appropriation for the amount paid out of that appropriation for any expenses incurred by U.S. Customs and Border Protection in providing U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services.

(c) The amount of the fee to be charged pursuant to an agreement authorized under subsection (a) of this section shall be paid by each person requesting U.S. Customs and Border Protection services and shall include, but shall not be limited to, the salaries and expenses of individuals employed by U.S. Customs and Border Protection to provide such U.S. Customs and Border Protection services and other costs incurred by U.S. Customs and Border Protection relating to those services, such as temporary placement or permanent relocation of those individuals.

(d) U.S. Customs and Border Protection shall terminate the provision of services pursuant to an agreement entered into under subsection (a) with a person that, after receiving notice from the Commissioner that a fee imposed under subsection (a) is due, fails to pay the fee in a timely manner. In the event of such termination, all costs incurred by U.S. Customs and Border Protection, which have not been reimbursed, will become immediately due and payable. Interest on unpaid fees will accrue based on current U.S. Treasury borrowing rates. Additionally, any person who, after notice and demand for payment of any fee charged under subsection (a) of this section, fails to pay such fee in a timely manner shall be liable for a penalty or liquidated damage equal to two times the amount of the fee. Any amount collected pursuant to any agreement entered into under this subsection shall be deposited into the account specified under subsection (b) of this section and shall be available as described therein.

(e) Each facility at which such U.S. Customs and Border Protection services are performed shall provide, maintain, and equip, without cost to the Government, facilities in accordance with U.S. Customs and Border Protection specifications.

(f) The authority found in this section may not be used to enter into agreements to expand or begin to provide U.S. Customs and Border Protection services outside of the United States.

(g) The authority found in this section may not be used at existing U.S. Customs and Border Protection-serviced air facilities to enter into agreements for costs other than payment of overtime.

(h) The Commissioner shall notify the appropriate Committees of Congress 15 days prior to entering into any agreement under the authority of this section and shall provide a copy of the agreement to the appropriate Committees of Congress.

(i) For purposes of this section the terms:

(1) U.S. Customs and Border Protection ''services'' means any activities of any employee or contractor of U.S. Customs and Border Protection pertaining to customs and immigration inspection-related matters.

(2) ''Person'' means any natural person or any corporation, partnership, trust, association, or any other public or private entity, or any officer, employee, or agent thereof.

(3) ''Appropriate Committees of Congress'' means the Committees on Appropriations; Finance; Judiciary; and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations; Judiciary; Ways and Means; and Homeland Security of the House of Representatives.

SEC. 561. None of the funds made available under this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 562. Twenty percent of each of the appropriations provided in this Act for the ''Office of the Secretary and Executive Management'', the ''Office of the Under Secretary for Management'', and the ''Office of the Chief Financial Officer'' shall be withheld from obligation until the reports and plans required in this Act to be submitted on or before May 1, 2013, are received by the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 563. Notwithstanding any other provision of this Act or any other provision of law, during the period beginning on October 1, 2013, and ending on September 30, 2014, section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

''(iv) Each petition to compete for consideration for a visa under section 1153(c) of this title shall be accompanied by a fee equal to $30. All amounts collected under this clause shall be deposited into the Treasury as miscellaneous receipts.'':

Provided, That the Department of State, in consultation with the Department 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 steps being taken to implement the recommendations of GAO–07–1174.

SEC. 564. The Administrator of the Federal Emergency Management Agency shall cancel the liquidated balances of all remaining uncancelled or partially cancelled loans disbursed under the Community Disaster Loan Act of 2005 (Public Law 109–88) and the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234), as amended by section 4502 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) to the extent that revenues of the local government during the period following the major disaster are insufficient to meet the budget of the local government, including additional disaster-related expenses of a municipal character. In calculating a community's revenues while determining cancellation, the Administrator shall exclude revenues for special districts and any other revenues that are required by law to be disbursed to other units of local government or used for specific purposes more limited than the scope allowed by the General Fund. In calculating a community's expenses, the Administrator shall include disaster-related capital expenses for which the community has not been reimbursed by Federal or insurance proceeds, debt service expenses, and accrued but unpaid uncompensated absences (vacation and sick pay). In calculating the operating deficit of the local government, the Administrator shall also consider all interfund transfers. When considering the period following the disaster, the Administrator may consider a period of 3, 5, or 7 full fiscal years after the disaster, beginning on the date of the declaration, in determining eligibility for cancellation. The criteria for cancellation do not apply to those loans already cancelled in full. Applicants shall submit supplemental documentation in support of their applications for cancellation on or before April 30, 2014, and the Administrator shall issue determinations and resolve any appeals on or before April 30, 2015. Loans not cancelled in full shall be repaid not later than September 30, 2035. The Administrator may use funds provided under Public Law 109–88 to reimburse those communities that have repaid all or a portion of loans, including interest, provided as Special Community Disaster Loans under Public Law 109–88 or Public Law 109–234, as amended by section 4502 of Public Law 110–28. Further, the Administrator may use funds provided under Public Law 109–88 for necessary expenses to carry out this provision.

SEC. 565. The Inspector General shall review the applications for public assistance provided through the Disaster Relief Fund with a project cost that exceeds $10,000,000 and the resulting decisions issued by the Federal Emergency Management Agency for category A debris removal for DR–1786 upon receipt of a request from an applicant made no earlier than 90 days after filing an appeal with the Federal Emergency Management Agency without regard to whether the Administrator of the Federal Emergency Management Agency has issued a final agency determination on the application for assistance: *Provided*, That not later than 180 days after the date of such request, the Inspector General shall determine whether the Federal Emergency Management Agency correctly applied its rules and regulations to determine eligibility of the applicant's claim: *Provided further*, That if the Inspector General finds that the Federal Emergency Management Agency determinations related to eligibility and cost involved a misapplication of its rules and regulations, the applicant may submit the dispute to the arbitration process established under the authority granted under section 601 of Public Law 111–5 not later than 15 days after the date of issuance of the Inspector General's finding in the previous proviso: *Provided further*, That if the Inspector General finds that the Federal Emergency Management Agency provided unauthorized funding, that the Federal Emergency Management Agency shall take corrective action.

SEC. 566. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 567. None of the funds made available by this Act may be used to provide funding for the position of Public Advocate within U.S. Immigration and Customs Enforcement.

SEC. 568. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 569. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

(RESCISSIONS)

SEC. 570. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the

following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were 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, as amended:

(1) $1,800,000 from Public Law 112–74 under the heading ''Analysis and Operations'';

(2) $73,232,000 from funds made available in Public Law 112–10 and Public Law 112–74 under the heading U.S. Customs and Border Protection, ''Border Security Fencing, Infrastructure, and Technology'';

(3) $3,108,311 from unobligated prior year balances from U.S. Immigration and Customs Enforcement, ''Construction'';

(4) $25,000,000 from Public Law 110–329 under the heading Coast Guard ''Acquisition, Construction, and Improvements'';

(5) $43,000,000 from Public Law 111–83 under the heading Coast Guard ''Acquisition, Construction, and Improvements'';

(6) $63,500,000 from Public Law 112–10 under the heading Coast Guard ''Acquisition, Construction, and Improvements'';

(7) $23,000,000 from Public Law 112–74 under the heading Coast Guard ''Acquisition, Construction, and Improvements''; and

(8) $21,667,000 from Public Law 112–74 under the heading Transportation Security Administration, ''Surface Transportation Security''.

(RESCISSION)

SEC. 571. Of the funds provided in Public Law 110–161, Public Law 110–329, and Public Law 111–83, under the heading ''National Predisaster Mitigation Fund'' for congressionally directed spending items, $12,000,000 are rescinded from projects for which no applications were submitted or from projects which were completed for an amount less than that appropriated.

(RESCISSIONS)

SEC. 572. 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) $199,657 from ''Operations'';

(2) $445,328 from U.S. Customs and Border Protection ''Salaries and Expenses'';

(3) $63,045 from U.S. Customs and Border Protection ''Violent Crime Reduction Programs'';

(4) $86,597 from U.S. Immigration and Customs Enforcement ''Violent Crime Reduction Programs'';

(5) $1,739 from Coast Guard ''Acquisition, Construction, and Improvements'';

(6) $1,329,239 from Federal Emergency Management Agency ''Office of Domestic Preparedness'';

(7) $3,262,677 from Federal Emergency Management Agency ''National Predisaster Mitigation Fund''; and

(8) $2,291,844 from Transportation Security Administration ''Administration''.

(RESCISSIONS)

SEC. 573. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 984) are rescinded:

(1) $314,674 from ''Office of the Secretary and Executive Management'';

(2) $185,813 from ''Office of the Under Secretary for Management'';

(3) $114,391 from ''Office of the Chief Financial Officer'';

(4) $59,507 from ''Office of the Chief Information Officer'';

(5) $568,188 from ''Analysis and Operations'';

(6) $45,525 from ''Office of Inspector General'';

(7) $568,480 from U.S. Customs and Border Protection ''Salaries and Expenses'';

(8) $3,581,483 from U.S. Immigration and Customs Enforcement ''Salaries and Expenses'';

(9) $1,075,942 from Transportation Security Administration ''Federal Air Marshals'';

(10) $18,142,454 from Coast Guard ''Operating Expenses'';

(11) $991,520 from Coast Guard ''Reserve Training'';

(12) $1,033,599 from Coast Guard ''Acquisition, Construction, and Improvements'';

(13) $2,371,377 from United States Secret Service ''Salaries and Expenses'';

(14) $82,084 from National Protection and Programs Directorate ''Management and Administration'';

(15) $1,683,470 from National Protection and Programs Directorate ''Infrastructure Protection and Information Security'';

(16) $184,583 from National Protection and Programs Directorate ''United States Visitor and Immigrant Status Indicator Technology'';

(17) $259,874 from Federal Emergency Management Agency ''Salaries and Expenses'';

(18) $206,722 from Federal Emergency Management Agency ''State and Local Programs'';

(19) $450,017 from Office of Health Affairs;

(20) $205,799 from United States Citizenship and Immigration Services;

(21) $512,660 from Federal Law Enforcement Training Center ''Salaries and Expenses'';

(22) $244,553 from Science and Technology ''Management and Administration''; and

(23) $128,565 from Domestic Nuclear Detection Office ''Management and Administration''.

This division may be cited as the ''Department of Homeland Security Appropriations Act, 2013''.

SEN. APPRO.

DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

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, $1,684,323,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed $80,173,000 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, $1,549,164,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed $102,619,000 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, $322,543,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed $18,635,000 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, $3,582,423,000, to remain available until September 30, 2017: *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 $315,562,000 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, $26,969,000 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.

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, $613,799,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $26,622,000 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, $42,386,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $4,000,000 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, $305,846,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $15,951,000 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, $49,532,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $2,118,000 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, $10,979,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $2,879,000 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, $254,163,000, 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, $4,641,000, to remain available until September 30, 2017.

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, $530,051,000.

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, $102,182,000, to remain available until September 30, 2017.

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, $378,230,000.

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, $83,824,000, to remain available until September 30, 2017.

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, $497,829,000.

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, $52,238,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $1,786,000, 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.

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, $151,000,000, to remain available until September 30, 2017, 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), $409,396,000, 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), $126,697,000, 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 notification 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. 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. 115. 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. 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 obligations 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. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 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.

SEC. 126. 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. 127. 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. 128. (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.

SEC. 129. Notwithstanding any other provision of law, none of the funds made available to the Department of Defense for military construction in this or any other Act, may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

(INCLUDING RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for ''Military Construction, Defense-Wide'', from prior appropriations Acts, $20,000,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for ''Department of Defense Base Closure Account 2005'', from prior appropriations Acts, $132,513,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 132. Of the proceeds credited to the Department of Defense Family Housing Improvement Fund pursuant to subsection (c)(1)(C) of section 2883 of title 10, United States Code, from a Department of Navy land conveyance, the Secretary of Defense shall transfer $10,500,000 to the Secretary of the Navy under paragraph (3) of subsection (d) of such section for use by the Secretary of the Navy as provided in paragraph (1) of such subsection until expended.

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, $60,599,855,000, to remain available until expended: *Provided*, That not to exceed $9,204,000 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, 41, 51, 53, 55, and 61 of title 38, United States Code, and for the payment of benefits under the Veterans Retraining Assistance Program, $12,023,458,000, 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, $104,600,000, 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 2013, 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, $157,814,000.

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 $2,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $346,000, 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, $1,089,000.

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, bioengineering services, food services, and salaries and expenses of healthcare 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, 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), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $155,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2012; and in addition, $43,557,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014: *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.); $6,033,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

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, $4,872,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

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, $582,674,000, plus reimbursements, shall remain available until September 30, 2014.

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, $258,284,000, of which not to exceed $25,828,000 shall remain available until September 30, 2014: *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 or any other rural strategy, other than the Rural Initiative included in the fiscal year 2013 budget submission, until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a strategy to serve the burial needs of veterans residing in rural and highly rural areas and that strategy has been approved by the Committees: *Provided further*, That the strategy shall include: (1) A review of previous policies of the National Cemetery Administration regarding establishment of new national cemeteries, including whether the guidelines of the Administration for establishing national cemetery annexes remain valid; (2) Data identifying the number of and geographic areas where rural veterans are not currently served by national or existing State cemeteries and identification of areas with the largest unserved populations, broken down by veterans residing in urban versus rural and highly rural; (3) Identification of the number of veterans who reside within the 75-mile radius of a cemetery that is limited to cremations or of a State cemetery which has residency restrictions, as well as an examination of how many communities that fall under a 75-mile radius have an actual driving distance greater than 75 miles; (4) Reassessment of the gaps in service, factoring in the above conditions that limit rural and highly rural veteran burial options; (5) An assessment of the adequacy of the policy of the Administration on establishing new cemeteries proposed in the fiscal year 2013 budget request; (6) Recommendations for an appropriate policy on new national cemeteries to serve rural or highly rural areas; (7) Development of a national map showing the locations and number of all unserved veterans; and (8) A time line for the implementation of such strategy and cost estimates for using the strategy to establish new burial sites in at least five rural or highly rural locations: *Provided further*, That the Comptroller General of the United States shall review the strategy to ensure that it includes the elements listed above: *Provided further*, That this strategy shall be submitted no later than 180 days after the date of enactment of this Act: *Provided further*, That the Secretary of Veterans Affairs shall issue guidelines on committal services held at cemeteries under the jurisdiction of the National Cemetery Administration to ensure that: (1) veterans' families may arrange to hold committal services with any religious or secular content they desire; (2) the choice by a family of an honor guard and the content and presentation of military honors may not be interfered with; and (3) attendance at committal services by outside organizations dedicated to the support of veterans will not be constrained except at the request of family members: *Provided further*, That the Department shall not edit, control, or exercise prior restraints on the content of religious speech and expression by speakers at events at veterans national cemeteries except as provided in section 2413 of title 38, United States Code: *Provided further*, That actions permitted by the foregoing provisos shall be subject to compliance with Department security, safety, and law enforcement regulations.

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, $424,737,000, of which not to exceed $20,837,000 shall remain available until September 30, 2014: *Provided*, That the Board of Veterans Appeals shall be funded at not less than $86,006,000: *Provided further*, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Veterans Affairs to comply with the Department's energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)): *Provided further*, 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, $2,164,074,000: *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 $113,000,000 shall remain available until September 30, 2014.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

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, $3,327,444,000, plus reimbursements: *Provided*, That $1,021,000,000 shall be for pay and associated costs, of which not to exceed $30,630,000 shall remain available until September 30, 2014: *Provided further*, That $1,812,045,000 shall be for operations and maintenance, of which not to exceed $126,000,000 shall remain available until September 30, 2014: *Provided further*, That $494,399,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2014: *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 sub-accounts 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 amounts made available for the ''Information technology systems'' account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: *Provided further*, 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: *Provided further*, That of the funds provided for information technology systems development, modernization, and enhancement for the development of a joint Department of Defense—Department of Veterans Affairs (DOD–VA) integrated electronic health record (iEHR), not more than 25 percent may be obligated until the DOD–VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan

for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both Agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: *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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

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.), $115,000,000, of which $6,000,000 shall remain available until September 30, 2014.

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, and chapter 81 of title 38, United States Code, not otherwise provided for, 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, $532,470,000, of which $502,470,000 shall remain available until September 30, 2017, and of which $30,000,000 shall remain available until expended: *Provided*, That $5,000,000 shall be to make reimbursements as provided in section 7108 of title 41, United States Code, for claims paid for contract disputes: *Provided further*, 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 2013, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2013; and (2) by the awarding of a construction contract by September 30, 2014: *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, and chapter 81 of title 38, United States Code, not otherwise provided for, 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, $607,530,000, to remain available until September 30, 2017, 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 2013 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 2013, 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 2012.

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 2013, 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 2013 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 2013 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 to 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 2013, 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.

SEC. 221. 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. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2013, 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. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2013 for ''Medical services'', ''Medical support and compliance'', ''Medical facilities'', ''Construction, minor projects'', and ''Information technology systems'', up to $247,356,000, 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. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare 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. 225. 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. 226. (a) Of the funds appropriated in title II of division H of Public Law 112–74, the following amounts which became available on October 1, 2012, are hereby rescinded from the following accounts in the amounts specified:

(1) ''Department of Veterans Affairs, Medical services'', $1,500,000,000.

(2) ''Department of Veterans Affairs, Medical support and compliance'', $200,000,000.

(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, 2014:

(1) ''Department of Veterans Affairs, Medical services'', $1,500,000,000.

(2) ''Department of Veterans Affairs, Medical support and compliance'', $200,000,000.

(3) ''Department of Veterans Affairs, Medical facilities'', $250,000,000.

SEC. 227. 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 on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. 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. 229. The Secretary of the Department 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.

SEC. 230. The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2013, the funding allocated for a medical care initiative identified in the fiscal year 2013 expenditure plan is adjusted by more than $25,000,000 from the allocation shown in the corresponding congressional budget justification. Such a reprogramming request may go forward only if the Committees on Appropriations of both Houses of Congress approve the request or if a period of 14 days has elapsed.

SEC. 231. 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. 232. Funds made available under the heading ''Medical services'' in title II of division H of Public Law 112–74 may be used to carry out section 1787 of title 38, United States Code.

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 required by law of such countries, $62,929,000, 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, $32,481,000: *Provided*, That $2,726,000 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 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, $65,800,000, of which not to exceed $27,000,000 shall remain available until September 30, 2015. 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.

CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, $103,000,000, to remain available until September 30, 2017, of which, $84,000,000 shall be for planning and design and construction associated with the Millennium Project at Arlington National Cemetery; and $19,000,000 shall be for study, planning, design, and architect and engineer services for future expansion of burial space at Arlington National Cemetery.

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, $67,590,000, 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.

ADMINISTRATIVE PROVISION

SEC. 301. Funds appropriated in this Act under the heading, ''Department of Defense—Civil, Cemeterial Expenses, Army'', 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.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $150,768,000, 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)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION

(INCLUDING RESCISSION OF FUNDS)

SEC. 401. Of the unobligated balances in section 2005 in title X, of Public Law 112–10 and division H in title IV of Public Law 112–74, $150,768,000 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)(ii) 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. 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. 504. 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. 505. 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. 506. 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. 507. 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. 508. (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. 509. (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. 510. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries or successors.

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, 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.

SEC. 515. 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. 516. Such sums as may be necessary for fiscal year 2013 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 517. 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 from a Federal department or agency that are stationed within the United States at any single conference occurring outside a state of the United States, except for employees of the Department of Veterans Affairs stationed in the Philippines, unless the relevant Secretary reports to the Committees on Appropriations of both Houses of Congress at least 5 days in advance that such attendance is important to the national interest.

This division may be cited as the ''Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013''.

SEN. APPRO.

DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2013, and for other purposes, namely:

TITLE I

GENERAL PROVISIONS

SEC. 1101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2012, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Energy and Water Development and Related Agencies Appropriations Act, 2012 (division B of Public Law 112–74).

(2) The Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112–74).

(3) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112–74).

(4) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012 (division F of Public Law 112–74).

(5) The Legislative Branch Appropriations Act, 2012 (division G of Public Law 112–74).

(6) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74).

(7) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112–55), except for the appropriations designated by the Congress as being for disaster relief under the heading ''Department of Transportation, Federal Highway Administration, Emergency Relief'' and in the last proviso of section 239 of such Act.

(8) The Disaster Relief Appropriations Act, 2012 (Public Law 112–77), except for appropriations under the heading ''Corps of Engineers—Civil''.

(b) For purposes of this division, the term ''level'' means an amount.

(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that such level shall be calculated without regard to any rescission or cancellation of funds or contract authority, other than—

(1) the 0.16 percent across-the-board rescission in section 436 of division E of Public Law 112–74 (relating to the Department of the Interior, Environment, and Related Agencies); and

(2) the 0.189 percent across-the-board rescission in section 527 of division F of Public Law 112–74, (relating to the Departments of Labor, Health and Human Services, and Education, and Related Agencies).

SEC. 1102. Appropriations made by section 1101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 1103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2012, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 1104. No appropriation or funds made available or authority granted pursuant to section 1101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2012.

SEC. 1105. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 1101 shall continue in effect through the date specified in section 1106.

SEC. 1106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2013.

SEC. 1107. Expenditures made pursuant to the Continuing Appropriations Resolution, 2013 (Public Law 112–175) shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 1108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212).

SEC. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2012, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2012.

(b) In addition to the amounts otherwise provided by section 1101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2014:

(1) ''Department of Labor, Office of Workers' Compensation Programs, Special Benefits for Disabled Coal Miners'', for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, $40,000,000, to remain available until expended.

(2) ''Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid'', for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, $106,335,631,000, to remain available until expended.

(3) ''Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs'', for 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 (24 U.S.C. ch. 9), $1,100,000,000, to remain available until expended.

(4) ''Department of Health and Human Services, Administration for Children and Families, Payments for Foster Care and Permanency'', for payments to States or other non-Federal entities under title IV–E of the Social Security Act, $2,200,000,000.

(5) ''Social Security Administration, Supplemental Security Income Program'', for benefit payments under title XVI of the Social Security Act, $19,300,000,000, to remain available until expended.

SEC. 1110. Each amount made available in this division by reference to an appropriation that was previously 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 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

SEC. 1111. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2013 or 2014 in an appropriations Act for fiscal year 2012, in addition to amounts otherwise made available by this division, advance appropriations are provided in the same amount for fiscal year 2014 or 2015, respectively, with a comparable period of availability.

SEC. 1112. (a) Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111–242), as added by section 1(a)(2) of the Continuing Appropriations and Surface Transportation Extensions Act, 2011 (Public Law 111–322; 5 U.S.C. 5303 note), is amended—

(1) in subsection (b)(1), by striking the matter after ''ending on'' and before ''shall be made'' and inserting ''December 31, 2013,''; and

(2) in subsection (c), by striking the matter after ''ending on'' and before ''no senior executive'' and inserting ''December 31, 2013,''.

(b) Section 114 of the Continuing Appropriations Resolution, 2013 (Public Law 112–175; 5 U.S.C. 5303 note) is repealed.

SEC. 1113. (a) Not later than 30 days after the date of the enactment of this division, each department and agency in subsection (c) shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2013—

(1) at the program, project, or activity level (or, for foreign assistance programs funded in titles III, IV and VIII of the Department of State, Foreign Operations, and Related Programs Appropriations Act, at the country, regional, and central program level, and for any international organization); or

(2) as applicable, at any greater level of detail required for funds covered by such a plan in an appropriations Act referred to in section 1101, in the joint explanatory statement accompanying such Act, or in committee report language incorporated by reference in such joint explanatory statement.

(b) If a sequestration is ordered by the President under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, the spending, expenditure, or operating plan required by this section shall reflect such sequestration.

(c) The departments and agencies to which this section applies are as follows:

(1) The Department of Agriculture.

(2) The Department of Commerce.

(3) The Department of Education.

(4) The Department of Energy.

(5) The Department of Health and Human Services.

(6) The Department of Homeland Security.

(7) The Department of Housing and Urban Development.

(8) The Department of the Interior.

(9) The Department of Justice.

(10) The Department of Labor.

(11) The Department of State and United States Agency for International Development.

(12) The Department of Transportation.

(13) The Department of the Treasury.

(14) The National Aeronautics and Space Administration.

(15) The National Science Foundation.

(16) The Judiciary.

(17) With respect to amounts made available under the heading ''Executive Office of the President and Funds Appropriated to the President'', agencies funded under such heading.

(18) The Federal Communications Commission.

(19) The General Services Administration.

(20) The Office of Personnel Management.

(21) The National Archives and Records Administration.

(22) The Securities and Exchange Commission.

(23) The Small Business Administration.

(24) The Environmental Protection Agency.

(25) The Indian Health Service.

(26) The Smithsonian Institution.

(27) The Social Security Administration.

(28) The Corporation for National and Community Service.

(29) The Corporation for Public Broadcasting.

(30) The Food and Drug Administration.

(31) The Commodity Futures Trading Commission.

SEC. 1114. Not later than May 15, 2013, and each month thereafter through November 1, 2013, 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 on all obligations incurred in fiscal year 2013, by each department and agency, using funds made available by this division. Such report shall—

(1) set forth obligations by account; and

(2) compare the obligations incurred in the period covered by the report to the obligations incurred in the same period in fiscal year 2012.

This division may be cited as the ''Full-Year Continuing Appropriations Act, 2013''.

TITLE II

ENERGY AND WATER DEVELOPMENT

SEC. 1201. The amounts available for ''Corps of Engineers—Civil, Department of the Army, Corps of Engineers—Civil, Construction'' are hereby reduced by $20,000,000.

SEC. 1202. Notwithstanding section 1101, the level for ''Department of the Interior, Central Utah Project, Central Utah Project Completion Account'' shall be $19,700,000, of which, $1,200,000 shall be deposited into the ''Utah Reclamation Mitigation and Conservation Account'' for use by the Utah Reclamation Mitigation and Conservation Commission. In addition $1,300,000 is provided for necessary expenses incurred in carrying out the responsibilities of the Secretary of the Interior.

SEC. 1203. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: ''Department of Energy, Energy Efficiency and Renewable Energy'', $1,814,091,000; ''Department of Energy, Nuclear Energy'', $759,000,000; ''Department of Energy, Science'', $4,876,000,000; ''Department of Energy, Advanced Research Projects Agency—Energy'', $265,000,000, to remain available until expended.

SEC. 1204. Notwithstanding section 1101, of the unobligated balances from prior year appropriations available under ''Department of Energy, Northeast Home Heating Oil Reserve'' $6,000,000 are hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1205. (a) Notwithstanding section 1101, the level for ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities'' shall be $7,577,341,000.

(b) Section 301(c) of division B of Public Law 112–274 shall not apply to amounts made available by this section.

SEC. 1206. In addition to amounts otherwise made available by this division, $110,000,000 is appropriated for ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation'' for domestic uranium enrichment research, development, and demonstration.

SEC. 1207. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this division by substituting the date specified in section 1106 of this division for ''October 1, 2012''.

TITLE III

FINANCIAL SERVICES AND GENERAL GOVERNMENT

SEC. 1301. (a) Notwithstanding any other provision of this division, except section 1106, the District of Columbia may expend local funds under the heading ''District of Columbia Funds'' for such programs and activities under title IV of H.R. 6020 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under ''District of Columbia Funds—Summary of Expenses'' as included in the Fiscal Year 2013 Budget Request Act of 2012 (D.C. Act 19–381), as modified as of the date of the enactment of this division.

(b) Section 803(b) of the Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112–74; 125 Stat. 940) is amended by striking ''November 1, 2012'' and inserting ''November 1, 2013''.

SEC. 1302. Notwithstanding section 1101, the level for ''District of Columbia, Federal Funds, Federal Payment for Emergency Planning and Security Costs in the District of Columbia'' shall be $24,700,000, of which not less than $9,800,000 shall be used for costs associated with the Presidential Inauguration.

SEC. 1303. Notwithstanding section 1101, the fifth proviso under the heading ''Federal Communications Commission, Salaries and Expenses'' in division C of Public Law 112–74 shall be applied by substituting ''$98,739,000'' for ''$85,000,000''.

SEC. 1304. Notwithstanding any other provision of this division, amounts made available by section 1101 for ''Department of the Treasury, Departmental Offices, Salaries and Expenses'' and ''Department of the Treasury, Office of Inspector General, Salaries and Expenses'' may be used for activities in connection with section 1602(e) of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (subtitle F of title I of division A of Public Law 112–141).

SEC. 1305. Notwithstanding section 1101, the level for ''Office of Government Ethics, Salaries and Expenses'' shall be $18,664,000, of which $5,000,000 shall be for development and deployment of the centralized, publicly accessible database required in section 11(b) of the STOCK Act (Public Law 112–105).

SEC. 1306. Notwithstanding section 1101, the level for ''Small Business Administration, Business Loans Program Account'' for the cost of guaranteed loans as authorized by section 7(a) of the Small Business Act and section 503 of the Small Business Investment Act of 1958 shall be $333,600,000.

SEC. 1307. Of the unobligated balances available for ''Department of the Treasury, Treasury Forfeiture Fund'', $950,000,000 are rescinded.

SEC. 1308. Notwithstanding section 1101, the Community Development Financial Institutions Fund is authorized during Fiscal Year 2013 to guarantee bonds and notes pursuant section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.): *Provided*, That no funds appropriated by this Act for ''Department of the Treasury—Community Development Financial Institutions Fund Program Account'' shall be available for the cost, if any, of guaranteed loans (as defined in section 502 of the Congressional Budget Act of 1974) pursuant to section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.) to subsidize total loan principal not to exceed $500,000,000.

SEC. 1309. Sections 9503(a), 9504(a) and (b), and 9505(a) of title 5, United States Code, are amended by striking ''Before July 23, 2013'' each place it occurs and inserting ''Before September 30, 2013''.

SEC. 1310. Notwithstanding section 1101, the level for ''Executive Office of The President and Funds Appropriated to the President, Partnership Fund for Program Integrity Innovation'' shall be $0.

SEC. 1311. Notwithstanding section 1101, the level for ''The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Defender Services'' shall be $1,040,000,000.

SEC. 1312. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), as amended, is amended—

(1) in the third sentence (relating to the district of Kansas), by striking ''21 years or more'' and inserting ''22 years and 6 months or more''; and

(2) in the seventh sentence (relating to the district of Hawaii), by striking ''18 years or more'' and inserting ''19 years and 6 months or more''.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, The Judiciary, The District of Columbia, and Independent Agencies Appropriations Act of 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern district of Missouri) by inserting ''and 6 months'' after ''20 years''.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note) is amended—

(1) by inserting after ''authorized by this subsection'' the following: '', except in the case of the central district of California and the western district of North Carolina'';

(2) by striking ''10 years'' and inserting ''11 years''; and

(3) by adding at the end the following: ''The first vacancy in the office of district judge in the central district of California occurring 10 years and 6 months or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled. The first vacancy in the office of district judge in the western district of North Carolina occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.''.

SEC. 1313. Notwithstanding section 1101 of this division or division A, the level for the ''Commodity Futures Trading Commission'' shall be the level specified under Public Law 112–55 and the authorities and conditions, including comparable periods of availability, provided under such Public Law shall apply to such appropriation.

SEC. 1314. Notwithstanding section 1101, the level for ''Federal Deposit Insurance Corporation, Office of the Inspector General'' shall be $34,568,000.

TITLE IV

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

SEC. 1401. Notwithstanding section 1101, the levels for the following appropriations of the Department of the Interior shall be:

(a) $950,757,000 for ''Bureau of Land Management, Management of Lands and Resources'': *Provided*, That the amounts included under such heading in division E of Public Law 112–74 shall be applied to funds appropriated by this division by substituting ''$950,757,000'' for ''$961,900,000'' the second place it appears;

(b) $0 for ''Bureau of Land Management, Construction'';

(c) $1,213,915,000 for ''United States Fish and Wildlife Service, Resource Management'';

(d) $19,136,000 for ''United States Fish and Wildlife Service, Construction'';

(e) $2,214,202,000 for ''National Park Service, Operation of the National Park Service'';

(f) $131,173,000 for ''National Park Service, Construction'';

(g) $105,910,000 for ''Bureau of Indian Affairs, Construction'';

(h) $84,946,000 for ''Insular Affairs, Assistance to Territories'': *Provided*, That the matter under such heading in division E of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting ''$75,684,000'' for ''$78,517,000''; and by substituting ''$9,262,000'' for ''$9,480,000'';

(i) $146,000,000 for ''Office of the Special Trustee for American Indians, Federal Trust Programs''; and

(j) $726,473,000 for ''Department-wide Programs, Wildland Fire Management'': *Provided*, That of the amounts made available by section 140(b) of Public Law 112–175 (126 Stat. 1321), $7,500,000 are rescinded.

SEC. 1402. The contract authority provided for fiscal year 2013 by 16 U.S.C. 460l–10a is rescinded.

SEC. 1403. Section 10101(a) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(a)), as amended by section 430 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112–74; 125 Stat. 1047), is further amended—

(1) in paragraph (1) in the first sentence, by striking ''on'' the first place it appears and inserting ''before, on,''; and

(2) in paragraph (2)—

(A) by striking ''located'' the second place it appears;

(B) by inserting at the end of the following: ''Such claim maintenance fee shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28 to 28e) and the related filing requirements contained in section 314(a) and (c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a) and (c)).''; and

(C) by striking ''(a)'' in the first sentence and inserting ''(a)(1)''.

SEC. 1404. (a) Division II of Public Law 104–333 (16 U.S.C. 461 note) is amended in each of sections 107, 208, 310, 408, 507, 607, 707, 809, and 910, by striking ''2012'' and inserting ''2013''.

(b) Effective on October 12, 2012, section 7 of Public Law 99–647, as amended by section 702(d) of Public Law 109–338 and section 1767 of Public Law 112–10, is further amended by striking ''the date'' and all that follows and inserting ''September 30, 2013''.

(c) Section 12 of Public Law 100–692 (16 U.S.C. 461 note) is amended—

(1) in subsection (c)(1), by striking ''2012'' and inserting ''2013''; and

(2) in subsection (d), by striking ''the date that is 5 years after the date of enactment of this sub section'' and inserting ''September 30, 2013''.

(d) Section 108 of Public Law 106–278 (16 U.S.C. 461 note) is amended by striking ''2012'' and inserting ''2013''.

SEC. 1405. Notwithstanding section 1101, the levels for the following appropriations of the Environmental Protection Agency shall be:

(a) $785,291,000 for ''Science and Technology'';

(b) $2,651,440,000 for ''Environmental Programs and Management'';

(c) $1,176,431,000 for ''Hazardous Substance Superfund'': *Provided*, That the matter under such heading in division E of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting ''$1,176,431,000'' for ''$1,215,753,000'' the second place it appears; and by substituting ''September 30, 2012'' for ''September 30, 2011''; and

(d) $3,579,094,000 for ''State and Tribal Assistance Grants'': *Provided*, That the amounts included under such hearing in division E of Public Law 112–74 shall be applied to fund appropriated by this division as follows: by substituting ''$1,451,791,000'' for ''$1,468,806,000''; by substituting ''$908,713,000'' for ''$919,363,000''; and by substituting ''$19,952,000'' for ''$30,000,000''.

SEC. 1406. (a) Of the unobligated balances available to the Environmental Protection Agency under the following headings from prior appropriation Acts, the following amounts are rescinded:

(1) ''Hazardous Substance Superfund'', $15,000,000.

(2) ''State and Tribal Assistance Grants'', $35,000,000, as follows:

(A) $10,000,000 from unobligated Brownfields balances.

(B) $5,000,000 from unobligated categorical grant balances.

(C) $10,000,000 from unobligated Drinking Water State Revolving Funds balances.

(D) $10,000,000 from unobligated Clean Water State Revolving Funds balances.

(b) No amounts may be rescinded under subsection (a) from amounts that were 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.

SEC. 1407. Notwithstanding subsection (d)(2) of section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8), the Administrator of the Environmental Protection Agency may assess pesticide registration service fees under such section for fiscal year 2013.

SEC. 1408. Notwithstanding section 1101, the levels for the following appropriations of the Department of Agriculture shall be:

(a) $1,536,596,000 for ''Forest Service, National Forest System'';

(b) $369,800,000 for ''Forest Service, Capital Improvement and Maintenance''; and

(c) $1,971,390,000 for ''Forest Service, Wildland Fire Management''.

SEC. 1409. Notwithstanding section 1101, the levels for the following appropriations of the Department of Health and Human Services shall be:

(a) $3,914,599,000 for ''Indian Health Service, Indian Health Services''; and

(b) $441,605,000 for ''Indian Health Service, Indian Health Facilities''.

SEC. 1410. Notwithstanding section 1101, the level for ''Smithsonian Institution, Salaries and Expenses'' shall be $640,512,000.

SEC. 1411. Notwithstanding section 1101, the level for ''Advisory Council on Historic Preservation, Salaries and Expenses'' shall be $7,023,000: *Provided*, That of the funds appropriated herein, $1,300,000, to remain available until expended, may be used for expenses related to the relocation from the Old Post Office Building.

SEC. 1412. Notwithstanding section 1101, the level for ''Presidio Trust, Presidio Trust Fund'' shall be $0.

SEC. 1413. Notwithstanding section 1101, the level for ''Dwight D. Eisenhower Memorial Commission, Salaries and Expenses'' shall be $1,050,000 and the level for ''Dwight D. Eisenhower Memorial Commission, Capital Construction'' shall be $0: *Provided*, That section 8162(m) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79), as added by section 8120 (a) of Public Law 107–117 (115 Stat. 2273), is amended by adding at the end the following:

''(3) EXPIRATION.—Any reference in section 8903(e) of title 40, U.S.C. to the expiration at the end of, or extension beyond, a 7-year period shall be considered to be a reference to an expiration on, or extension beyond, September 30, 2013.''.

SEC. 1414. Notwithstanding section 1101, section 408 of division E of Public Law 112–74 (125 Stat. 1038) shall be applied to funds appropriated by this division by substituting ''112–10, and 112–74'' for ''112–10'' and by substituting ''2012'' for ''2011''.

SEC. 1415. The authority provided by section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (enacted by reference in section 1000(a)(3) of Public Law 106–113; 16 U.S.C. 497 note) shall continue in effect through the date specified in section 1106 of this division.

TITLE V

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

(INCLUDING TRANSFER OF FUNDS)

SEC. 1501. Of the funds available to the Department of Labor, Employment and Training Administration in this or any other Act making appropriations that remain unobligated as of the date of enactment of this Act, up to $30,000,000 may be transferred to ''Department of Labor, Employment and Training Administration, Office of Job Corps'' for Job Corps operations for program years 2012 and 2013 and shall be in addition to any other amounts available to the Office of Job Corps for such purposes: *Provided*, That not less than $10,000,000 shall be transferred within 30 days of enactment of this Act to support Job Corps operations for the program year ending June 30, 2013: *Provided further*, That not later than 15 days after any transfer has been made under the authority of this section, the Secretary of Labor shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate that details the source of the transferred funds, the specific programs, projects, or activities for which such funds will be used, provides a detailed explanation of the need for such transfer, and itemizes the cost saving measures implemented by the Office of the Job Corps during Program Years 2012 and 2013 and the savings gained by implementing each initiative.

SEC. 1502. Notwithstanding section 1101, the level which may be expended from the Employment Security Administration Account of the Unemployment Trust Fund for administrative expenses of ''Department of Labor, Employment and Training Administration, State Unemployment Insurance and Employment Service Operations'' shall be $3,940,865,000 (which includes all amounts available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews), of which $3,115,142,000 shall be for grants to the States for the administration of State unemployment insurance laws under paragraph (1). For the purposes of this section, the first proviso under this heading in Public Law 112–74 shall be applied by substituting ''2013'' and ''4,585,000'' for ''2012'' and ''4,832,000'', respectively.

SEC. 1503. Notwithstanding section 1101, language under the heading ''Department of Labor, Mine Safety and Health Administration, Salaries and Expenses'' in Public Law 112–74 shall be applied to funds appropriated by this Act by substituting ''is authorized to collect and retain up to $2,499,000'' for ''may retain up to $1,499,000''.

SEC. 1504. Notwithstanding section 1101, the level for ''Department of Labor, Veterans Employment and Training'' shall be $264,436,000, of which $226,251,000 shall be derived from the Employment Security Administration Account in the Unemployment Trust Fund: *Provided*, That the level provided under such heading for Veterans Workforce Investment Program grants shall be used for the Transition Assistance Program and activities authorized by the VOW to Hire Heroes Act of 2011, shall be available through September 30, 2013, and shall be in addition to any other funds available for those purposes: *Provided further*, That of the level provided under such heading, not less than $14,000,000 shall be for the Transition Assistance Program, and $3,414,000 shall be for the National Veterans' Employment and Training Services Institute.

SEC. 1505. All funds provided for the Health Centers program, as defined by section 330 of the Public Health Service Act, by this Act or any other Act providing appropriations for fiscal year 2013 shall be obligated by the Secretary of Health and Human Services by September 30, 2013, of which $48,000,000 shall be awarded for base grant adjustments.

SEC. 1506. The Director of the Centers for Disease Control and Prevention (hereafter referred to in this division as ''CDC'') may detail CDC staff without reimbursement for up to 30 days to support an activation of the CDC Emergency Operations Center, so long as the Director provides notification within 15 days of the use of this authority and a full report to the Committees on Appropriations of the House of Representatives and the Senate within 30 days after the use of this authority, which includes the number of staff and funding level broken down by the originating center and number of days detailed: *Provided*, That the annual reimbursement cannot exceed $3,000,000 across CDC.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1507. To facilitate the implementation of the permanent Working Capital Fund (''WCF'') authorized in Public Law 112–74, on or after October 1, 2013, unobligated balances of amounts appropriated for business services for fiscal year 2013 shall be transferred to the WCF: *Provided*, That on or after October 1, 2013, the CDC shall transfer other amounts available for business services to other CDC appropriations consistent with the benefit each appropriation received from the business services appropriation in fiscal year 2013: *Provided further*, That assets purchased with funds appropriated for or reimbursed to business services in this or any other Act may be transferred to the WCF and customers billed for depreciation of those assets: *Provided further*, That CDC shall, consistent with the authorities provided in 42 U.S.C. 231, ensure that the WCF is used only for administrative support services and not for programmatic activity funding: *Provided further*, That CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 15 days prior to any transfer made under the authority provided in this section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1508. Notwithstanding section 1101, the level for ''Department of Health and Human Services, National Institutes of Health, Office of the Director'' shall be $1,528,181,000: *Provided*, That the fourth proviso under such heading shall be applied to funds appropriated by this Act by substituting the following: '': *Provided further*, That $165,000,000 shall be for the National Children's Study (NCS), except that not later than July 15, 2013 the Director shall estimate the amount needed for the NCS during fiscal year 2013, taking into account the succeeding proviso, and any funds in excess of the estimated need shall be transferred to and merged with the accounts for the various Institutes and Centers of NIH in proportion to their shares of total NIH appropriations made by this Act: *Provided further*, That the Director shall contract with the National Academy of Sciences within 60 days of enactment of this Act to appoint an expert Institute of Medicine/National Research Council (IOM/NRC) panel to conduct a comprehensive review and issue a report regarding proposed methodologies for the NCS Main Study, including whether such methodologies are likely to produce scientifically sound results that are generalizable to the United States population and appropriate sub-populations: *Provided further*, That no contracts shall be awarded for conducting the Main Study until at least 60 days after the IOM/NRC report has been available to the public:''.

SEC. 1509. Notwithstanding section 1101, the level for ''Department of Health and Human Services, Administration for Children and Families, Refugee and Entrant Assistance'' shall be $1,016,000,000.

SEC. 1510. Notwithstanding section 1101, the level for ''Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant'' shall be $2,328,313,000: *Provided*, That in addition to the amounts required to be reserved by the States under section 658G of the Child Care and Development Block Grant Act, $297,078,000 shall be reserved by the States for activities authorized under section 658G of such Act, of which $108,950,000 shall be for activities that improve the quality of infant and toddler care.

SEC. 1511. In addition to amounts otherwise made available by section 1101, $33,500,000 is appropriated for ''Department of Health and Human Services, Administration for Children and Families, Children and Families Services'' for making payments under the Head Start Act: *Provided*, That notwithstanding section 640 of such Act, up to $25,000,000 of such funds shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of the Head Start Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Provided further*, That amounts allocated to Head Start grantees at the discretion of the Secretary to supplement activities pursuant to the previous proviso shall not be included in the calculation of the ''base grant'' in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of the Head Start Act.

SEC. 1512. Notwithstanding section 1101, the level for ''Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund'' shall be increased by $17,000,000 for expenses necessary for replacement of building leases and associated renovation costs for Public Health Service agencies and other components of the Department of Health and Human Services, including relocation and fit-out costs, to remain available until expended.

SEC. 1513. Of the amount provided by section 1101 for ''Department of Education, Safe Schools and Citizenship Education'' for subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965, $3,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis.

SEC. 1514. Notwithstanding section 1101, the provisos under the heading ''Department of Education—Special Education'' shall be applicable as if the following four provisos were inserted after the first proviso: '': *Provided further*, That the Secretary shall distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611(d), from funds appropriated under this heading, is reduced under section 612(a)(18)(B), in accordance with section 611(d)(3)(A)(i)(II) and (III) without regard to section 611(d)(3)(A)(i)(I) and section 611(d)(3)(B): *Provided further*, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: *Provided further*, That the States shall allocate such funds distributed under the second preceding proviso to local educational agencies in accordance with section 611(f): *Provided further*, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos from funds appropriated for fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years:''.

SEC. 1515. Of the amount provided by section 1101 for ''Department of Education, Higher Education'' for subpart 2 of part A of title VII of the Higher Education Act of 1965, up to $4,451,000 shall be available to fund continuation awards for projects originally supported under subpart 1 of part A of title VII of such act.

SEC. 1516. Notwithstanding section 1101, the level for ''Railroad Retirement Board, Limitation on Administration'' shall be $111,149,000.

SEC. 1517. Notwithstanding section 1101, the level for ''Social Security Administration, Supplemental Security Income Program'' for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act shall be $17,000,000.

SEC. 1518. Of the funds made available by section 1101 for ''Social Security Administration, Limitation on Administrative Expenses'', $23,000,000 shall be for section 1149 of the Social Security Act and $7,000,000 shall be for section 1150 of the Social Security Act.

SEC. 1519. Of the funds made available by section 1101 for ''Social Security Administration, Limitation on Administrative Expenses'' for the cost associated with 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, $273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $483,052,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act.

SEC. 1520. Of the funds made available for the Community-Based Care Transitions Program under section 3026 of Public Law 111–148, $200,000,000 are hereby rescinded.

SEC. 1521. Notwithstanding section 1101, the rescissions made in sections 522 and 525 of division F of Public Law 112–74 shall be repeated in this Act with respect to funds available for fiscal year 2013.

SEC. 1522. Section 148 of Public Law 112–175 is amended to read as follows: ''Activities authorized by part A of title IV and section 1108(b) of the Social Security Act (except for activities authorized in section 403(b) of such Act) shall continue through September 30, 2013, in the manner authorized for fiscal year 2012, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.''.

TITLE VI
LEGISLATIVE BRANCH

SEC. 1601. Notwithstanding any other provision of this Act, for a payment to Irene Hirano Inouye, widow of Daniel K. Inouye, late a Senator from Hawaii, $193,400.

SEC. 1602. Notwithstanding section 1101, the level for ''Joint Congressional Committee On Inaugural Ceremonies of 2013'' shall be $0.

SEC. 1603. Notwithstanding section 1101, the level for ''Capitol Police, General Expenses'' shall be $62,004,000.

SEC. 1604. Notwithstanding section 1101, the level of funding for ''Architect of the Capitol, General Administration'' shall be $97,340,000.

SEC. 1605. (a) Notwithstanding section 1104, of the amounts made available by section 1101 for accounts under the heading ''Architect of the Capitol'', the Architect of the Capitol may transfer an aggregate amount of not more than $61,247,000 to ''Architect of the Capitol, Capitol Building'', solely for expenses related to the rehabilitation of the United States Capitol Dome.

(b) The transfer of amounts under the authority of subsection (a) shall be subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

(c) Any amounts transferred under the authority of subsection (a) shall remain available until expended.

SEC. 1606. (a) Notwithstanding section 1101, available balances of expired Architect of the Capitol appropriations shall be available to the Architect of the Capitol to make the deposit to the credit of the Employees' Compensation Fund required by section 8147(b) of title 5, United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2013 and each year thereafter.

SEC. 1607. Notwithstanding section 1101, the level for ''Library of Congress, Copyright Office, Salaries and Expenses'' shall be $737,000 under the first proviso, and shall be $34,250,000 under the fourth proviso.

SEC. 1608. Notwithstanding section 1101, the level for ''Government Printing Office, Congressional Printing and Binding'' shall be $83,632,000; ''Government Printing Office, Government Printing Office Revolving Fund'' shall be $4,000,000.

SEC. 1609. Notwithstanding section 1101, the level for ''Government Printing Office, Office of Superintendent of Documents, Salaries and Expenses'' shall be $31,500,000 and the amounts authorized for producing and disseminating Congressional serial sets and other related publications to depository and other designated libraries shall apply to publications for fiscal years 2011 and 2012.

SEC. 1610. Notwithstanding section 1101, the level for ''Government Accountability Office, Salaries and Expenses'' shall be $506,282,000, the amount applicable under the first proviso under that heading shall be $26,404,000.

SEC. 1611. (a) IN GENERAL.—Available balances of expired Government Accountability Office appropriations shall be available to the Government Accountability Office to make the deposit to the credit of the Employees' Compensation Fund required by section 8147(b) of title 5 United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2013 and each fiscal year thereafter.

SEC. 1612. Notwithstanding section 1101, the level for ''Open World Leadership Center Trust Fund'' shall be $8,000,000.

TITLE VII
DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

SEC. 1701. (a) Notwithstanding section 1101, the amounts included under the heading ''Embassy Security, Construction, and Maintenance'' under title I in division I of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting ''$938,125,000'' for ''$762,000,000'' in the first paragraph; and by substituting ''$688,499,000'' for ''$775,000,000'' in the second paragraph.

(b) Notwithstanding section 1101, the levels for the following accounts under title I in division I of Public Law 112–74 shall be applied to funds appropriated by this division as follows: ''Contributions for International Peacekeeping Activities'', $2,006,499,000; ''International Boundary and Water Commission, United States and Mexico, Salaries and Expenses'', $43,499,000; ''International Boundary and Water Commission, United States and Mexico, Construction'', $27,675,000; ''American Sections, International Commissions'', $11,923,000; ''International Fisheries Commissions'', $34,617,000; ''Commission for the Preservation of America's Heritage Abroad, Salaries and Expenses'', $606,000; ''United States Commission on International Religious Freedom, Salaries and Expenses'', $2,932,000; ''Commission on Security and Cooperation in Europe, Salaries and Expenses'', $2,443,000; ''Congressional-Executive Commission on the People's Republic of China, Salaries and Expenses'', $1,906,000; and ''United States-China Economic and Security Review Commission, Salaries and Expenses'', $3,312,000.

SEC. 1702. (a) Notwithstanding section 1101, the amounts included under the heading ''Global Health Programs'' under title III in division I of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting in the first sentence in the first paragraph ''$2,755,950,000'' for ''$2,625,000,000''; by substituting in the first sentence in the second paragraph ''$5,720,499,000'' for ''$5,542,860,000''; and by substituting in the second proviso in the second paragraph ''$1,650,000,000'' for ''$1,050,000,000''.

(b) Notwithstanding section 1101, the amounts included under the heading ''Economic Support Fund'' under title III in division I of Public Law 112–74 shall be applied to funds appropriated by this division by inserting after the tenth proviso and before the period the following: '': *Provided further*, That

not less than $325,400,000 of the funds appropriated under this heading shall be transferred to, and merged with, funds appropriated under the heading 'Development Assistance' in this Act''.

SEC. 1703. (a) Notwithstanding section 1101, the sixth proviso under the heading ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting the following: ''*Provided further*, That funds made available for demining, conventional weapons destruction, and related activities, in addition to funds otherwise made available for such purposes, may be used for administrative expenses related to the operation and management of demining, conventional weapons destruction, and related programs''.

(b) Notwithstanding section 1101, the first sentence under the heading ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' in division I of Public Law 112–74 shall be applied to funds appropriated by this division by inserting ''to remain available until September 30, 2014,'' after ''$590,113,000,''.

(c) Notwithstanding section 1101, the third proviso under the heading ''International Security Assistance, Department of State, Peacekeeping Operations'' in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting ''$161,000,000'' for ''$91,818,000'' and ''2014'' for ''2013''.

(d) Notwithstanding section 1101, the amounts included in the first paragraph under the heading ''Foreign Military Financing Program'' under title IV in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting in the second proviso ''$3,100,000,000'' for ''$3,075,000,000'' and by substituting in the fourth proviso ''$815,300,000'' for ''$808,725,000''.

SEC. 1704. (a) Notwithstanding section 1101, the levels for the following accounts under title V in division I of Public Law 112–74 shall be as follows: ''Global Environment Facility'', $129,400,000; ''Contribution to the International Bank for Reconstruction and Development'', $186,957,000; ''Contribution to the Enterprise for the Americas Multilateral Investment Fund'', $15,000,000; and in the first paragraph under ''Contribution to the International Development Association'', $1,358,500,000; and ''Contribution to the Inter-American Development Bank'', $111,153,000.

(b) Notwithstanding section 1101, the level for the following accounts shall be $0: ''Multilateral Assistance, International Financial Institutions, European Bank for Reconstruction and Development, Limitation on Callable Capital Subscriptions''; ''Bilateral Economic Assistance, Funds Appropriated to the President, Assistance for Europe, Eurasia and Central Asia''; and ''International Security Assistance, Funds Appropriated to the President, Pakistan Counterinsurgency Capability Fund''.

(c) Notwithstanding section 1101, the level for the second paragraphs for the following accounts under title V in division I of Public Law 112–74 shall be $0: ''Contribution to the International Development Association''; ''Contribution to the Inter-American Development Bank''; and ''Contribution to the African Development Fund''.

(d) Section 70 of the Bretton Woods Agreements Act (22 U.S.C. 286 et seq.), is amended in subsection (b) by adding at the end the following:

''(3) In order to pay for the increase in the United States subscription to the Bank under subsection (a)(1)(B), there are authorized to be appropriated, without fiscal year limitation, $4,639,501,466 for payment by the Secretary of the Treasury.

''(4) Of the amount authorized to be appropriated under paragraph (3), $278,370,088 shall be for paid in shares of the Bank, and $4,361,131,378 shall be for callable shares of the Bank.''.

SEC. 1705. 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.

SEC. 1706. (a) Notwithstanding section 1101, section 7006 in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting ''Afghanistan, Pakistan, and other hostile or high-risk areas'' for ''Afghanistan, and Pakistan''.

(b) Notwithstanding section 1101, the amount included in section 7034(f) in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting ''$100,000,000'' for ''$50,000,000''.

(c) Notwithstanding section 1101, section 7054(b) in division I of Public Law 112–74 shall be applied to funds appropriated by this division by inserting before the period in paragraph (2) ''; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions''.

(d) Notwithstanding section 1101, section 7063 in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting ''September 30, 2014'' for ''September 30, 2013''.

(e) Notwithstanding section 1101, sections 7070(a) and 7072(a) in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting ''headings'' for ''heading'' and substituting '''Global Health Programs', 'Economic Support Fund', and 'International Narcotics Control and Law Enforcement' for 'Assistance for Europe, Eurasia and Central Asia' ''.

(f) Notwithstanding section 1101, section 7070 in division I of Public Law 112–74 shall be applied to funds appropriated by this division by adding the following:

''(d) Funds appropriated by this division under the heading 'Economic Support Fund' may be made available, not withstanding any other provision of law, for assistance and related programs for the countries identified in section 3(c) of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 3 of the FREEDOM Support Act (Public Law 102–511) and may be used to carry out the provisions of those Acts: *Provided*, That such assistance and related programs from funds appropriated by this Act under the headings 'Global Health Programs', 'Economic Support Fund', and 'International Narcotics Control and Law Enforcement' shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 601 of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 102 of the FREEDOM Support Act (Public Law 102–511), and shall be made available in amounts consistent with the amounts made available under the heading 'Assistance for Europe, Eurasia and Central Asia' in fiscal year 2012, in consultation with the Committees on Appropriations.''.

(g) 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 2012'' and inserting ''2012, and 2013''; and

(B) in subsection (e), by striking ''2012'' each place it appears and inserting ''2013''; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking ''2012'' and inserting ''2013''.

(h) Notwithstanding section 1101, section 7041(h) in division I of Public Law 112–74 shall be applied to funds appropriated by this division by including the following before the period: ''*Provided*, That prior to obligating funds made available by this Act for assistance for Syria, the Secretary of State shall consult with the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations''.

(i) Notwithstanding section 1101, the fifth proviso under the heading ''Economic Support Fund'' in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting: ''*Provided further*, That funds appropriated under this heading in this Act may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Jordan and'' for ''*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''.

SEC. 1707. (a) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112–74 shall be as follows: ''Diplomatic and Consular Programs'', $3,210,650,000, of which $918,435,000 is for Worldwide Security Protection (to remain available until expended); and ''Embassy Security, Construction, and Maintenance'', $1,272,200,000, of which $1,261,400,000 is for the costs of worldwide security upgrades, acquisition, and construction, as authorized: *Provided*, That funds made available under this subsection shall be used for operations at high threat posts, security programs to protect personnel and property under Chief of Mission authority, preventing the compromise of classified United States Government information and equipment, and security construction or upgrade requirements at Department of State facilities worldwide, including for Worldwide Security Upgrades.

(b) Of the unobligated balances from funds appropriated under title VIII in division I of Public Law 112–74 under the heading ''Diplomatic and Consular Programs'' and 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, $1,109,700,000 are rescinded.

(c) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations providing an assessment of security requirements at United States diplomatic facilities worldwide, including those facilities considered expeditionary in nature; a comprehensive plan for addressing such requirements; and a detailed description of Embassy security improvements to be supported from funds made available by this section: *Provided*, That such report shall be submitted in unclassified form, but may include a classified annex.

(d) Notwithstanding section 1101, the amounts included under the heading ''Office of Inspector General'' under title VIII in division I of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting ''$59,151,000'' for ''$67,182,000'', and by substituting ''$6,000,000'' for ''$19,545,000'' for the Special Inspector General for Iraq Reconstruction; and by substituting ''$49,901,000'' for ''$44,387,000'' for the Special Inspector General for Afghanistan Reconstruction.

(e) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112–74 shall be as follows: ''International Disaster Assistance'', $774,661,000; ''Migration and Refugee Assistance'', $1,152,850,000; and ''Economic Support Fund'', $3,119,896,000.

SEC. 1708. Notwithstanding section 1101, title VIII of division I of Public Law 112–74 shall be applied to funds appropriated by this division by inserting the following at the end of section 8004:

''SEC. 8005. Funds appropriated by this title under the headings 'Diplomatic and Consular Programs', 'Embassy Security, Construction, and Maintenance', and 'Educational and Cultural Exchange Programs' 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.

''SEC. 8006. Funds appropriated by this title shall be made available for assistance for Jordan, in addition to amounts otherwise made available by this Act.''.

TITLE VIII

TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

SEC. 1801. (a) Notwithstanding sections 1101 and 1104, the level for limitations on obligation and liquidation of contract authority shall be available in the following accounts equal to the level of the contract authority subject to such limitation appropriated out of the Highway Trust Fund in Sections 1101, 1105, 1107, 1110, 1121, 31101, 32603, and 51001 of Public Law 112–141 for fiscal year 2013:

(1) ''Department of Transportation—Federal Highway Administration—Limitation on Administrative Expenses'';

(2) ''Department of Transportation—Federal Highway Administration—Federal-Aid Highways—(Limitation on Obligations)—(Highway Trust Fund)—(Liquidation of Contract Authorization)—(Highway Trust Fund)'';

(3) ''Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Operations and Programs—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)'';

(4) ''Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)''; *Provided*, Section 131 of Division C of Public Law 112–55 is hereby deleted; and

(5) ''Department of Transportation—National Highway Traffic Safety Administration—Operations and Research—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)''.

(b) Section 120 of division C of Public Law 112–55 shall not apply to amounts made available by this division.

(c) During the period covered by this division, section 1102 of Public Law 112–141 shall be applied—

(1) in subsection (b)(10), as if the limitation applicable through fiscal year 2011 applied through fiscal year 2012; and

(2) in subsection (c)(5), by treating the reference to section 204 of title 23, United States Code, as a reference to sections 202 and 204 of such title.

SEC. 1802. Notwithstanding sections 1101 and 1104, the language under the heading ''Department of Transportation—National Highway Traffic Safety Administration—Highway Traffic Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)'' shall be applied to funds made available by this Act as if the language read as follows: ''For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59 (as amended by section 31106 of Public Law 112–141), and section 31101(a)(6) of Public Law 112–141, $554,500,000, to remain available until expended, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2013, are in excess of $554,500,000 for programs authorized under 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59 (as amended by section 31106 of Public Law 112–141), and section 31101(a)(6) of Public Law 112–141, of which $235,000,000 shall be for 'Highway Safety Programs' under 23 U.S.C. 402, $29,000,000 shall be for 'High Visibility Enforcement Program' under section 2009 of Public Law 109–59 (as amended by section 31106 of Public Law 112–141), $265,000,000 shall be for 'National Priority Safety Programs' under 23 U.S.C. 405, and $25,500,000 shall be for 'Administrative Expenses' under section 31101(a)(6) of Public Law 112–141: *Provided further*, That not to exceed $500,000 of the funds made available for 23 U.S.C. 405 for 'Impaired Driving Countermeasures' (as described in subsection (d) of such section) shall be available for technical assistance to the States.''

SEC. 1803. (a) Amounts provided by section 1101 for ''Department of Transportation—Federal Transit Administration—Formula and Bus Grants—(Liquidation of Contract Authority)—(Limitation on Obligations)—(Highway Trust Fund)'' are available for payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340 (as amended by Public Law 112–141), and 20005(b) of Public Law 112–141: *Provided*, That, notwithstanding sections 1101 and 1104, the proviso under such heading shall be applied to funds provided by this Act as if the proviso read as follows: ''*Provided*, That funds available for the implementation or execution of programs authorized by 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141; and 20005(b) of Public Law 112–141 shall not exceed obligations of $8,478,000,000.''.

(b) Notwithstanding sections 1101 and 1104, for necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, as amended by Public Law 112–141, $102,713,000, to remain available until expended, of which $4,000,000 shall be available to carry out 49 U.S.C. 5329.

(c) Notwithstanding sections 1101 and 1104, amounts provided for ''Department of Transportation—Federal Transit Administration—Research and University Research Centers'' shall be available for necessary expenses to carry out 49 U.S.C. 5312–5314 and 5322, as amended by Public Law 112–141: *Provided*, That, of the amount provided under this heading, not less than $35,000,000 shall be available to carry out the provisions of 49 U.S.C. 5312.

(d) Notwithstanding section 1101, the language under the heading ''Department of Transportation—Federal Transit Administration—Capital Investment Grants'' in division C of Public Law 112–55 shall be applied to funds appropriated by this Act as if the language: '', of which $35,481,000'' and all that follows through the end of the first proviso were deleted.

(e) Section 601(e)(1)(B) of division B of Public Law 110–432 shall be applied by substituting the date specified in section 1106 of this division for ''4 years after such date''.

SEC. 1804. Section 112 of division C of Public Law 112–55 shall be applied to funds appropriated by this division by treating such section as if it were amended by striking ''49 U.S.C. 41742(b) shall not apply, and''.

SEC. 1805. Notwithstanding section 1101, the level for ''Department of Housing and Urban Development, Community Planning and Development, Homeless Assistance Grants'' shall be $2,033,000,000: *Provided*, That the level for project-based rental assistance with rehabilitation projects with 10-year grant terms shall be $0, and any unobligated amounts appropriated under such heading for such purpose in fiscal year 2012 or in any prior Act shall be applied in fiscal year 2013 by making any such amounts available for any purpose under such heading: *Provided further*, That the first proviso shall be applied by striking ''$250,000,000'' and inserting ''$200,000,000''.

SEC. 1806. Notwithstanding sections 1101 and 1104, the level for ''Department of Housing and Urban Development, Public and Indian Housing, Indian Housing Loan Guarantee Fund Program Account'' shall be $12,200,000: *Provided*, the second proviso under such heading in division C of Public Law 112–55 shall be applied to funds appropriated by this division by substituting ''$976,000,000'' for ''$360,000,000''; *Provided further*, section 184(d) of the Housing and Community Development Act of 1992 is amended to read as follows:

''(d) GUARANTEE FEE.—The Secretary shall establish and collect, at the time of issuance of the guarantee, a fee for the guarantee of loans under this section, in an amount not exceeding 3 percent of the principal obligation of the loan. The Secretary may also establish and collect annual premium payments in an amount not exceeding 1 percent of the remaining guaranteed balance (excluding the portion of the remaining balance attributable to the fee collected at the time of issuance of the guarantee). The Secretary shall establish the amount of the fees and premiums by publishing a notice in the Federal Register. The Secretary shall deposit any fees and premiums collected under this subsection in the Indian Housing Loan Guarantee Fund established under subsection (i).''.

SEC. 1807. Notwithstanding section 1101, the level for ''Department of Housing and Urban Development, Public and Indian Housing, Tenant-Based Rental Assistance'' shall be $14,939,369,000, to remain available until expended, which shall be available on October 1, 2012 (in addition to the $4,000,000,000 previously appropriated under such heading that became available on October 1, 2012), and, notwithstanding section 1111, an additional $4,000,000,000, to remain available until expended, shall be available on October 1, 2013: *Provided*, That of the amounts available for such heading, $1,375,000,000 shall be for activities specified in paragraph (3) under such heading in title II of division C of Public Law 112–55: *Provided further*, That in applying paragraph 1 under such heading in such Public Law to 2013, under the penultimate proviso strike ''(4) for incremental'' and all that follows up to the colon and insert ''(4) for PHAs, that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate participating families from the program due to insufficient funds''.

SEC. 1808. The heading ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PUBLIC AND INDIAN HOUSING, HOUSING CERTIFICATE

FUND (RESCISSION)'' in division C of Public Law 112–55 shall be applied by striking ''(RESCISSION)'' in the heading and by replacing all of the language under such heading with the language under such heading in division A of Public Law 111–117 and by striking ''2010'' in such replacement language and inserting ''2013''.

SEC. 1809. Notwithstanding section 1101, the level for ''Department of Housing and Urban Development, Public and Indian Housing, Public Housing Operating Fund'' shall be $4,262,010,000: *Provided*, That such heading shall be applied in fiscal year 2013 by striking '', of which'' and all that follows up to the period.

SEC. 1810. Section 216 in division C of Public Law 112–55 shall be applied in fiscal year 2013 by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

DIVISION G—OTHER MATTERS

SEC. 3001. (a) There is hereby rescinded the applicable percentage (as specified in subsection (b)) of the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through E of this Act; and

(b) For purposes of subsection (a), the applicable percentage shall be—

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, in—

(A) divisions A and E, 2.513. percent; and

(B) division B , 1.877 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0.092 percent.

(c) 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 the applicable appropriation Act or accompanying reports covering such account or item).

(d) This section shall not apply to amounts 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 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; and

(e) 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.

SEC. 3002. Notwithstanding any other provision of this Act, if, on or after the date of enactment of this Act, a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is in effect, the reductions in each discretionary account under such order shall apply to the amounts provided in this Act consistent with section 253(f) of that Act, and shall be in addition to any reductions required by section 251(a) of that Act.

SEC. 3003. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2013 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days of the date of a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2013 for which the cost to the United States Government was more than $20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act to an Executive branch agency may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M–12–12 dated May 11, 2012.

SEC. 3004. (a) If, for fiscal year 2013, the amount of new budget authority provided in appropriation Acts exceeds the discretionary spending limits set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act on new budget authority for any category due to estimating differences with the Congressional Budget Office, the Director of the Office of Management and Budget shall increase the applicable percentage in subsection (c) with respect to that category by such amount as is necessary to eliminate the amount of the excess in that category.

(b) Subject to subsection (a), there is hereby rescinded the applicable percentage (as specified in subsection (c)) of—

(1) the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through F of this Act;

(2) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2013 for any program subject to limitation incorporated or otherwise contained in divisions A through C of this Act.

(c) For purposes of subsection (b), the applicable percentage shall be—

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent.

(d) Any rescission made by subsection (b) 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 the applicable appropriation Act or accompanying reports covering such account or item).

(e) This section shall not apply to—

(1) amounts 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 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; or

(2) the amount made available by division C of this Act for ''Social Security Administration, Limitation on Administrative Expenses'' 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.

(f) 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.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, March 19, 2013, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to examine the options and challenges related to possible reauthorization and reform of two payment programs for local governments—the recently expired Secure Rural Schools and Community Self-Determination Act and the Payment in Lieu of Taxes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to john assini@energy.senate.gov.

For further information, please contact Michele Miranda (202) 224–7556 or John Assini (202) 224–9313.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland

Security and Governmental Affairs has scheduled a hearing entitled, ''JPMorgan Chase Whale Trades: A Case History of Derivatives Risks and Abuses.'' The Subcommittee hearing will examine matters relating to credit derivative trades made by the JPMorgan Chase Chief Investment Office. The Subcommittee expects to issue a Subcommittee staff report in conjunction with the hearing summarizing its investigative findings and recommendations. Witnesses will include representatives from JPMorgan Chase and the Office of the Comptroller of the Currency. A witness list will be available Wednesday, March 13, 2013.

The Subcommittee hearing has been scheduled for Friday, March 15, 2013, at 9:30 a.m., in Room G–50 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224–9505.

STAN MUSIAL MEMORIAL BRIDGE

Mr. SCHUMER. Madam President, I ask unanimous consent the EPW Committee be discharged from further consideration of S. 166 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 166) to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri and southwestern Illinois as the ''Stan Musial Memorial Bridge.''

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I further ask that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 166) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 166

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STAN MUSIAL MEMORIAL BRIDGE.

(a) DESIGNATION.—The new Interstate Route 70 bridge over the Mississippi River that connects St. Louis, Missouri to southwestern Illinois shall be known and designated as the ''Stan Musial Memorial Bridge''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the bridge referred to in subsection (a) shall be deemed to be a reference to the ''Stan Musial Memorial Bridge''.

PERMITTING USE OF THE CAPITOL ROTUNDA

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 14 which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 14) permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHUMER. Madam President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 14) was agreed to.

PERMITTING USE OF THE CAPITOL ROTUNDA

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 20, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 20) permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Professor Muhammad Yunus.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHUMER. Madam President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 20) was agreed to.

RECOGNIZING THE THIRD ANNIVERSARY OF THE HAITI EARTHQUAKE

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 15, S. Res. 12.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 12) recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble, as follows:

Whereas hundreds of thousands of people as a result of the earthquake will have some form of a long term disability, in addition to approximately 800,000 persons with disabilities living in Haiti;

its Office of the Secretary of State for the Integration of Persons with Disabilities, and civil society, and with the support of the private sector;

Mr. SCHUMER. Madam President, I ask unanimous consent that the committee-reported amendment be agreed to; the resolution, as amended, be agreed to; the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment was agreed to.

The resolution (S. Res. 12), as amended, was agreed to.

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 12

Whereas, on January 12, 2010, an earthquake measuring 7.0 on the Richter scale struck the country of Haiti, followed by 59 aftershocks measuring 4.5 or greater;

Whereas more than 220,000 people died as a result of the earthquake, more than 300,000 people were injured, and more than 3,000,000 people were directly affected by the disaster;

Whereas the total cost in terms of human lives, infrastructure damage, and economic losses makes the earthquake one of the worst urban disasters in modern history;

Whereas President Barack Obama vowed the ''unwavering support'' of the United States Government and pledged a ''swift, coordinated, and aggressive effort to save lives and support the recovery in Haiti'';

Whereas the initial emergency response of the men and women of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute;

Whereas the Haitian diaspora, other individuals, businesses, and philanthropic organizations throughout the United States and the international community overwhelmingly responded to the crisis by sending emergency relief supplies and significant financial contributions;

Whereas the Senate passed 3 successive resolutions expressing its profound sympathy and unwavering support for the people of Haiti and urging all nations to assist the people of Haiti with their long-term needs;

Whereas, 3 years later, significant challenges still remain in Haiti as it works to recover and rebuild;

Whereas, according to the International Organization for Migration, approximately 360,000 people remain in spontaneous and organized camps in Haiti and hundreds of thousands of poor people in Haiti continue to live in non-permanent housing, conditions that make them vulnerable to future natural disasters;

Whereas hundreds of thousands of people as a result of the earthquake will have some form of a long term disability, in addition to approximately 800,000 persons with disabilities living in Haiti;

Whereas, according to an independent panel investigation by the United Nations, on October 19, 2010, an imported strain of cholera was detected in the Lower Artibonite region of Haiti;

Whereas, according to the Haitian Ministry of Public Health and Population, as of December 31, 2012, more than 7,900 people in Haiti have died from cholera and more than 635,000 have been infected with the disease since the earthquake on January 12, 2010;

Whereas the United Nations Secretary-General announced a plan to eliminate cholera from the island of Hispaniola through enhanced treatment and prevention efforts and through the development of clean water and sanitation infrastructure that is accessible to all people in Haiti;

Whereas gender-based violence against women and girls in Haiti continues to be a chronic problem, and judicial barriers that have prevented victims from finding redress remain a significant issue of concern;

Whereas, in 2012 alone, Haiti faced a long drought period and 2 major tropical storms that destroyed 70 percent of agricultural crops in Haiti, impacting the lives of millions of people in Haiti facing food insecurity and further crippling the economy of Haiti;

Whereas the sustained assistance to Haiti from the United States and the international community bolsters the efforts of the Government of Haiti to confront these challenges; and

Whereas, since the earthquake on January 12, 2010, the people of Haiti have demonstrated unwavering resilience, dignity, and courage: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the loss of lives as a result of the tragic earthquake in Haiti on January 12, 2010, and the subsequent cholera epidemic;

(2) honors the sacrifice made by the men and women of the Government of Haiti, civil society, the United States Government, the United Nations, and the international community in their response to those affected by the calamity;

(3) reaffirms its solidarity with the Government and people of Haiti as they work to rebuild their country and livelihoods;

(4) supports the long-term reconstruction efforts of the United States Government to improve housing, energy, job creation, food security, health care, education, governance, and rule of law in Haiti in full cooperation with the Government of Haiti, its Office of the Secretary of State for the Integration of Persons with Disabilities, and civil society, and with the support of the private sector;

(5) urges the President and the international community to continue—

(A) to focus assistance on increasing the capacity of the public sector of Haiti to sustainably provide services to the people of Haiti;

(B) to develop, improve, and increase communication and participation to more substantially involve civil society in Haiti and the Haitian diaspora at all stages of the post-earthquake response;

(C) to provide programs that protect and involve vulnerable populations, including internally displaced persons, children, women and girls, and persons with disabilities; and

(D) to work to enhance the ability of the Government of Haiti, at all stages of the democratic process, to improve economic development, attract private sector investment, pursue judicial reform, enhance the rule of law, reduce incidences of gender-based violence, improve water and sanitation systems, develop a civil registry, and reform land tenure policies;

(6) welcomes evidence of progress in building a better future for Haiti, including—

(A) significant improvements in agricultural yields via the Feed the Future initiative;

(B) the opening of the Caracol Industrial Park in northern Haiti, which is projected to create approximately 20,000 jobs by 2016;

(C) programs to support economic opportunities for women and survivors of sexual violence through microcredit, short term jobs programs and leadership training, health services, and reintegration and repatriation assistance to Haitian migrants;

(D) the reduction of the cholera mortality rate to lower than one percent, and the provision of sophisticated HIV and AIDS prevention and treatment services; and

(E) the recruitment, training, and provisioning of new officers for the Haitian National Police; and

(7) urges the President—

(A) to continue reconstruction and development efforts, closely coordinated with the Government of Haiti, the Haitian diaspora, and international actors who share in the goal of a better future for Haiti;

(B) to ensure close monitoring of the implementation of aid programs funded by the United States Government; and

(C) to work with the Government of Haiti and private landowners to prevent the forced eviction of internally displaced people and communities and to provide sustainable and safe housing solutions for the most vulnerable people in Haiti.

SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 74, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 74) supporting the goals of International Women's Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 74) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Secretary of the Senate, pursuant to Public Law 101–509, the appointment of Sheryl B. Vogt of Georgia, to the Advisory Committee on the Records of Congress.

The PRESIDING OFFICER. The Chair announces, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, the appointment of the following Senators as members of the Senate National Security Working Group for the 113th Congress: HARRY REID of Nevada (serving in his capacity as Majority Leader); DIANNE FEINSTEIN of California (Majority Co-Chairman and designated as Majority Administrative Co-Chairman); CARL LEVIN of Michigan (Majority Co-Chairman); BARBARA A. MIKULSKI of Maryland (Majority Co-Chairman); FRANK R. LAUTENBERG of New Jersey (Majority Co-Chairman); RICHARD J. DURBIN of Illinois; BILL NELSON of Florida; BENJAMIN L. CARDIN of Maryland; ROBERT P. CASEY, JR. of Pennsylvania; HEIDI HEITKAMP of North Dakota.

ORDERS FOR TUESDAY, MARCH 12, 2013

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, March 12, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 12:30 p.m. with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes; further, that the Senate recess from 12:30 p.m. until 2:30 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SCHUMER. We expect the chair and ranking member of the Appropriations Committee to make their opening statements on the continuing appropriations bill tomorrow at 11 a.m. We expect to begin consideration of the bill tomorrow after the recess for the caucus meetings.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 8:48 p.m., adjourned until Tuesday, March 12, 2013, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 11, 2013:

THE JUDICIARY

RICHARD GARY TARANTO, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

ANDREW PATRICK GORDON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.