

XEROX

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF
CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012; the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012; and the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012. The agreement also includes further continuing appropriations for fiscal year 2012.

The conference agreement does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined by clause 9 of rule XXI of the Rules of the House of Representatives.

The conferees concur with the Senate amendment to the title of the bill.

XEROX

**DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG
ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012**

Insert IA

TITLE I – AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement provides \$4,550,000 for the Office of the Secretary instead of \$4,293,000 as proposed by the House and \$4,798,000 as proposed by the Senate.

The conferees appreciate the detailed information provided in the Explanatory Notes and rely on this information when considering budget proposals. As budgetary constraints continue to apply downward pressure on agency resources, it will become increasingly necessary to have budgetary information of the Department in a manner that provides a more complete understanding of all activities occurring within the account totals. For that reason, the conferees direct the Secretary, beginning with presentation of the fiscal year 2013 budget, to provide additional information of Departmental activities measured against a baseline of actual spending for the previous three fiscal years rather than a description only of specific changes from the previous fiscal year with the ultimate goal, over time, of providing to the Committees on Appropriations budgetary estimates as measured against a zero base. The conferees further direct the Department to include an errata sheet in the Explanatory Notes of any proposed budget authority levels that do not conform to the budget appendix. The Explanatory Notes should be assembled with the accounts in the same order as the accounts in the bill unless otherwise approved in advance by the Committees on Appropriations of both Houses of Congress.

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CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House Report (H.Rpt. 112-101) and Senate Report (S.Rpt. 112-73) that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that 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. The conferees further point out that 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 by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does 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.

The Secretary is directed to provide to the Committees on Appropriations of the House and Senate a report describing plans to implement reductions to salaries and expenses accounts included in this Act.

The conferees direct the Secretary to submit the conference transparency report required by section 14208 of Public Law 110-246 to the Committees on Appropriations of the House and Senate and the Office of Inspector General. In addition, the conferees direct the Secretary to begin submitting this report, and making it publicly available, on a quarterly basis instead of annually. The report shall include the cost of any food or beverages, the cost of any audio-visual services, and a description of the contracting procedures on whether the contracts were awarded on a competitive basis for that conference.

OFFICE OF TRIBAL RELATIONS

The conference agreement provides \$448,000 for the Office of Tribal Relations instead of \$423,000 as proposed by the House and \$473,000 as proposed by the Senate.

HEALTHY FOOD FINANCING INITIATIVE

Initiative

The conference agreement does not include an appropriation for the Healthy Food Financing Initiative (HFFI). The conferees direct the Department to carefully weigh the benefits between those known results from the expenditure of funds on proven programs in the Rural Development and Marketing and Regulatory Programs mission areas against the unknown results of expenditures on the HFFI. While the HFFI has the laudable goal of ensuring that more people have access to nutritious foods, the initiative has yet to prove that any expenditures made for this initiative have been effective in meeting this goal. The conferees remind the Department that any funding for the HFFI is subject to the reprogramming requirements in this Act, and prior to any reprogramming request; the conferees direct the Department to submit to the Committees

on Appropriations of both Houses of Congress a system of metrics to measure the effectiveness and expected results for this initiative. The conferees expect that the Office of Chief Economist will play a key role in the development of such metrics.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

The conference agreement provides \$11,177,000 for the Office of the Chief Economist instead of \$10,707,000 as proposed by the House and \$11,408,000 as proposed by the Senate.

NATIONAL APPEALS DIVISION

The conference agreement provides \$12,841,000 for the National Appeals Division instead of \$12,091,000 as proposed by the House and \$13,514,000 as proposed by the Senate.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides \$8,946,000 for the Office of Budget and Program Analysis as proposed by the Senate instead of \$8,004,000 as proposed by the House.

OFFICE OF HOMELAND SECURITY AND EMERGENCY COORDINATION

The conference agreement provides \$1,321,000 for the Office of Homeland Security and Emergency Coordination instead of \$1,272,000 as proposed by the House and \$1,421,000 as proposed by the Senate.

OFFICE OF ADVOCACY AND OUTREACH

The conference agreement provides \$1,209,000 for the Office of Advocacy and Outreach as proposed by the House instead of \$1,351,000 as proposed by the Senate.

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement provides \$44,031,000 for the Office of the Chief Information Officer instead of \$34,000,000 as proposed by the House and \$36,031,000 as proposed by the Senate.

The conference agreement includes \$28,000,000 to support cybersecurity requirements of the Department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The conference agreement provides \$5,650,000 for the Office of the Chief Financial Officer instead of \$5,310,000 as proposed by the House and \$5,935,000 as proposed by the Senate.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

The conference agreement provides \$848,000 for the Office of the Assistant Secretary for Civil Rights as proposed by the Senate instead of \$760,000 as proposed by the House.

OFFICE OF CIVIL RIGHTS

The conference agreement provides \$21,000,000 for the Office of Civil Rights instead of \$19,288,000 as proposed by the House and \$21,558,000 as proposed by the Senate.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

The conference agreement provides \$764,000 for the Office of the Assistant Secretary for Administration as proposed by the Senate instead of \$683,000 as proposed by the House.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$230,416,000 for Agriculture Buildings and Facilities and Rental Payments as proposed by the Senate instead of \$221,585,000 as proposed by the House. The conference agreement includes \$164,470,000 for rental payments, \$13,800,000 for Department of Homeland Security building security and \$52,146,000 for building operations and maintenance.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$3,592,000 for Hazardous Materials Management instead of \$3,393,000 as proposed by the House and \$3,792,000 as proposed by the Senate.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$24,165,000 for Departmental Administration instead of \$16,510,000 as proposed by the House and \$28,165,000 as proposed by the Senate.

The conferees recognize the special management challenges facing the Department in view of serious constraints in fiscal resources, the requirements of a vastly dispersed workforce, and expectations of the public for continuity of vital services. It is clear that recent reductions in discretionary spending and the likely continuation of austere measures in the near term present significant difficulties to those charged with program execution. The conferees fully recognize the need, and expect the Department to achieve the most efficient methods possible to maintain the responsibilities of governance for the benefit of both the customers of USDA and the personnel charged with carrying out the missions of the Department.

The conferees expect that any substantive changes to the functions and organization of USDA follow a thoughtful analysis of implications for budgetary resources, services to

customers and employees, and inherent dynamics within the Department that might result. Toward that objective, before moving forward with the implementation of any substantive reorganization, the Department is instructed to conduct a detailed analysis of the savings, efficiencies, timeline, and implications of these changes. In addition, an understanding of the methodology used for determining these factors and some form of demonstration of the results anticipated is required. Any timetable for implementation of the changes suggested obviously will be driven by the fiscal resources available and it may be prudent to give consideration to a tiered implementation as conditions dictate rather than a full scale departmental shift that would be far more complex and potentially expensive. The Secretary is instructed to provide a report, consistent with the guidance outlined above, to the Committees on Appropriations of both Houses of Congress not less than 60 days prior to the implementation of any departmental reorganization. The Secretary is further reminded of the reprogramming instructions set forth elsewhere in this Act for the purpose of any implementation stage of a proposed reorganization.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS
(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$3,576,000 for the Office of the Assistant Secretary for Congressional Relations instead of \$3,289,000 as proposed by the House and \$3,676,000 as proposed by the Senate.

OFFICE OF COMMUNICATIONS

The conference agreement provides \$8,065,000 for the Office of Communications instead of \$8,058,000 as proposed by the House and \$8,105,000 as proposed by the Senate.

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OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$85,621,000 for the Office of the Inspector General instead of \$80,000,000 as proposed by the House and \$84,121,000 as proposed by the Senate.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides \$39,345,000 for the Office of the General Counsel as proposed by the Senate instead of \$35,204,000 as proposed by the House.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides \$848,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the Senate instead of \$760,000 as proposed by the House.

The conferees recognize the broad responsibilities in agricultural research, education, extension and economics that Congress has given to the Department. Given the current budget constraints and the need for continued investment in agricultural research to ensure productivity growth, the conferees expect USDA to fund only the highest priority agricultural research, as authorized by Congress.

ECONOMIC RESEARCH SERVICE

The conference agreement provides \$77,723,000 for the Economic Research Service as proposed by the Senate instead of \$70,000,000 as proposed by the House. This includes continued funding for the Organic Production and Market Data Initiative.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides \$158,616,000 for the National Agricultural Statistics Service instead of \$149,500,000 as proposed by the House and \$152,616,000 as proposed by the Senate. This includes \$41,639,000 for the Census of Agriculture.

On October 4, 2011, the National Agricultural Statistics Service announced it was eliminating or reducing the frequency of 14 reports. While it is imperative for all of USDA's agencies and offices to prepare to address potential reductions in funding, the conferees are concerned that the agency made this announcement before a final appropriation was determined. The conferees direct NASS to reconsider its decision to eliminate or reduce the frequency of these reports and to reinstate as many reports as possible. As the agency considers which to reinstate, the conferees direct the agency to prioritize the reports that do not have similar information captured by other NASS surveys and reports or would be otherwise infrequently published. The conferees remind the agency that reducing or eliminating any survey or report is further subject to the reprogramming requirements in this Act.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides \$1,094,647,000 for the Agricultural Research Service, Salaries and Expenses, as proposed by the Senate instead of \$995,345,000 as proposed by the House.

The conferees do not concur with the President's budget request regarding the termination of extramural research.

The conferees concur with the proposal to close twelve research laboratories at ten locations, as specified in the President's budget request, and direct the agency to provide a report to the Committees on Appropriations of the House and the Senate on the disposition of these facilities by January 20, 2012. The conferees further direct, in concurrence with the budget proposal, that no other research facilities be closed during fiscal year 2012, except in accordance with the reprogramming requirements in this Act.

The conferees are concerned about recent outbreaks of bacterial spot disease in peppers and tomatoes in Midwestern states. The conferees encourage ARS to continue to work with collaborators on research to combat the disease and minimize economic loss to producers. ARS is directed to provide the Committees on Appropriations of the House and the Senate with a report on the status of bacterial spot disease and ongoing research efforts.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides \$705,599,000 for the National Institute of Food and Agriculture's research and education activities instead of \$596,400,000 as proposed by the House and \$709,825,000 as proposed by the Senate.

The conferees express their strong support for USDA's agricultural research, extension and education activities. USDA and other notable philanthropic and scientific organizations have highlighted the need for the United States to invest in agricultural research to ensure productivity growth and to develop and refine sound natural resources management practices for U.S. farmers and ranchers and others around the world. However, the conferees are aware of concerns about the focus of USDA's research programs, particularly projects funded through the Agriculture and Food Research Initiative. The conferees strongly encourage USDA to fund only the highest priority agricultural research, as authorized by Congress.

The conference agreement provides \$9,000,000 for Graduate Fellowship Grants, Institution Challenge Grants, and the Multicultural Scholars Program, to remain available until expended.

The conferees request that the Department make recommendations regarding the consolidation of funding lines in the National Institute of Food and Agriculture's accounts in the

President’s budget for fiscal year 2013 and to work with interested individuals and organizations, including the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry, on this issue.

The following table reflects the amounts provided by the conference agreement:

National Institute of Food and Agriculture

Research and Education Activities

(Dollars in Thousands)

Hatch Act.....	\$236,334
McIntire-Stennis Cooperative Forestry.....	32,934
Evans-Allen Program.....	50,898
Animal Health and Disease Research.....	4,000
Special Research Grants:	
Global Change/UV Monitoring.....	1,300
Potato Research.....	1,350
Forest Products Research.....	<u>1,350</u>
Total, Special Research Grants.....	4,000
Improved Pest Control:	
Expert IPM Decision Support System.....	153
Integrated Pest Management.....	2,362
Minor Crop Pest Management (IR-4).....	11,913
Pest Management Alternatives.....	<u>1,402</u>
Total, Improved Pest Control.....	15,830
Agriculture and Food Research Initiative.....	264,470
Critical Agricultural Materials Act.....	1,081
Aquaculture Centers.....	3,920

Sustainable Agriculture Research and Education.....	14,471
Payments to the 1994 Institutions.....	3,335
Supplemental and Alternative Crops.....	825
Joe Skeen Institute for Rangeland Research.....	961
Competitive Grants for Policy Research.....	4,000
Capacity Building for Non Land-Grant Colleges.....	4,500
Farm Business Management and Benchmarking Program.....	1,450
Sun Grant Program.....	2,200
Capacity Building for 1890 Institutions.....	19,336
Multicultural Scholars, Graduate Fellowship and Institution Challenge Grants.....	9,000
Hispanic-Serving Institutions Education Grants	9,219
1994 Institutions Research Program.....	1,801
Secondary and 2-year Post-Secondary Program.....	900
Veterinary Medicine Loan Repayment Program.....	4,790
Alaska Native and Native Hawaiian-Serving Institutions.....	3,194
Resident Instruction Grants for Insular Areas.....	900
Distance Education Grants for Insular Areas.....	750
Federal Administration:	
Data Information System (REEIS).....	2,600
Electronic Grants Administration System.....	2,000
Other, Federal Administration.....	<u>5,900</u>
Total, Federal Administration.....	10,500
Total, Research and Education Activities.....	<u>\$705,599</u>

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

The conference agreement provides \$11,880,000 for the Native American Institutions Endowment Fund as proposed by the House and the Senate.

EXTENSION ACTIVITIES

The conference agreement provides \$475,183,000 for extension activities instead of \$411,200,000 as proposed by the House and \$478,179,000 as proposed by the Senate.

The conference agreement provides \$4,610,000 for Farm Safety and Youth Farm Safety Education and Certification Programs.

The following table reflects the amounts provided by the conference agreement:

National Institute of Food and Agriculture

Extension Activities

(Dollars in Thousands)

Smith-Lever, Section 3(b) and (c) Programs.....	\$294,000
Smith-Lever, Section 3(d) Programs:	
Food and Nutrition Education.....	67,934
Farm Safety and Youth Farm Safety Education Program.....	4,610
New Technologies for Agricultural Extension.....	1,550
Pest Management.....	9,918
Children, Youth and Families at Risk.....	7,600
Federally Recognized Tribal Extension Program.....	3,039
Sustainable Agriculture Programs.....	<u>4,696</u>
Total, Section 3(d).....	99,347
Cooperative Extension at 1890 Institutions.....	42,592
Rural Health and Safety Education.....	1,500
Facility Improvements at 1890 Institutions.....	19,730

Renewable Resources Extension Act.....	3,700
Extension Services at 1994 Institutions.....	4,312
Food Animal Residue Avoidance Database.....	1,000
Women and Minorities in STEM Fields.....	400
Grants to Youth Organizations.....	750
Federal Administration:	
Ag in the Classroom.....	552
General Administration.....	<u>7,300</u>
Total, Federal Administration.....	7,852
Total, Extension Activities.....	<u>\$475,183</u>

INTEGRATED ACTIVITIES

The conference agreement provides \$21,482,000 for integrated activities instead of \$12,400,000 as proposed by the House and \$25,948,000 as proposed by the Senate.

The following table reflects the amounts provided by the conference agreement:

National Institute of Food and Agriculture

Integrated Activities

(Dollars in Thousands)

Organic Transition Program.....	\$4,000
Regional Pest Management Centers.....	4,000
Water Quality Program.....	4,500
Methyl Bromide Transition Program.....	1,996
Regional Rural Development Centers.....	998
Food and Agriculture Defense Initiative.....	<u>5,988</u>
Total, Integrated Activities.....	<u>\$21,482</u>

HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES ENDOWMENT FUND

The conference agreement does not provide an appropriation for the Hispanic-Serving Agricultural Colleges ~~And Universities Endowment Fund as proposed by the House~~ instead of \$10,000,000 as proposed by the Senate. 97

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The conference agreement provides \$848,000 for the Office of the Under Secretary for Marketing and Regulatory Programs as proposed by the Senate instead of \$760,000 as proposed by the House.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(Including Transfers of Funds)

The conference agreement provides \$816,534,000 for the Animal and Plant Health Inspection Service (APHIS) instead of \$790,000,000 as proposed by the House and \$820,110,000 as proposed by the Senate.

The conference agreement provides funding for the animal disease traceability system within the Animal Health Technical Services line item. The conferees remain concerned about the cost of implementing and operating this redesigned program as explained in the animal disease traceability proposed rule (APHIS-2009-0091) and encourage the most cost-effective, least regulatory burdensome system in the final rule. The conferees direct APHIS to submit a report and updates on the status of the system as proposed in the September 28, 2010, Comprehensive Report & Implementation Plan (amended January 28, 2011) by November 30, 2011; April 1, 2012; and by August 1, 2012.

The conferees support APHIS' activities to control plant pests and strongly support efforts to eradicate such pests as the opportunities arise. Toward that purpose, the conferees

expect that funding for Specialty Crop Pests will be supplemented with contingency or Commodity Credit Corporation funds for the emergency purpose of eradicating the European Grape Vine Moth.

The following table reflects the conference agreement:

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

(Dollars in Thousands)

Program	Amount
Safeguarding and International Technical Assistance	
Animal Health Technical Services	32,500
Aquatic Animal Health	2,261
Avian Health	52,000
Cattle Health	99,000
Equine, Cervid & Small Ruminant Health	22,000
National Veterinary Stockpile	2,750
Swine Health	23,000
Veterinary Biologics	16,457
Veterinary Diagnostics	31,611
Zoonotic Disease Management	9,000
Subtotal, Animal Health	290,579
Agricultural Quarantine Inspection (Appropriated)	27,500
Cotton Pests	17,848
Field Crop & Rangeland Ecosystems Pests	9,068
Pest Detection	27,500
Plant Protection Methods Development	20,600
Specialty Crop Pests	153,950
Tree & Wood Pests	57,000 (55,638)
Subtotal, Plant Health	313,466 (312,104)
Wildlife Damage Management	72,500
Wildlife Services Methods Development	18,000
Subtotal, Wildlife Services	90,500
Animal & Plant Health Regulatory Enforcement	16,000 (16,275)
Biotechnology Regulatory Services	18,135
Subtotal, Regulatory Services	34,135 (34,410)

Contingency Fund	1,000
Emergency Preparedness & Response	17,000
Subtotal, Emergency Management	18,000
Subtotal, Safeguarding and Emergency Preparedness/Response	746,680 745,593
Safe Trade and International Technical Assistance	
Agriculture Import/Export	13,354
Overseas Technical & Trade Operations	20,104
Subtotal, Safe Trade	33,458
Animal Welfare	
Animal Welfare	26,000 27,087
Horse Protection	696
Subtotal, Animal Welfare	26,696 27,783
Agency Management	
APHIS Information Technology Infrastructure	4,335
Physical/Operational Security	5,365
Subtotal, Agency Management	9,700
Total, Direct Appropriation	816,534

BUILDINGS AND FACILITIES

The conference agreement provides \$3,200,000 for Animal and Plant Health Inspection Service Buildings and Facilities as proposed by the House instead of \$3,176,000 as proposed by the Senate.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides \$82,211,000 for the Agricultural Marketing Service as proposed by the Senate instead of \$77,800,000 as proposed by the House.

The conferees provide an increase of \$300,000 for the Market News Program to expand reporting on organic agricultural products. In addition, AMS is encouraged to continue funding the National Organic Program at the fiscal year 2011 level or above.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes a limitation on administrative expenses of \$62,101,000 as proposed by the Senate instead of \$61,000,000 as proposed by the House.

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

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$20,056,000 for Funds for Strengthening Markets, Income, and Supply as proposed by the House and the Senate.

The following table reflects the status of this fund for fiscal year 2012:

Estimated Total Funds Available and Balance Carried Forward
(Dollars in Thousands)

	<u>Amount</u>
Appropriation (30% of Customs Receipts)	7,947,046
Balances Available for Transfers	
Less Transfers:	
Food & Nutrition Service	(6,676,207)
Commerce Department	(109,098)
<i>Total, Transfers</i>	(6,785,306)
Unobligated Balance Available, Start of Year	259,953
Unavailable for Obligations (recoveries & offsetting collections)	(73,694)
Transfer of Prior Year Funds to FNS (F&V)	(117,000)
<i>Budget Authority</i>	1,231,000
Unavailable for Obligation	(150,000)
Unavailable for Obligations (F&V Transfer -FNS)	(133,000)
<i>Available for Obligation</i>	948,000
<i>Less Obligations:</i>	
Child Nutrition Programs (Entitlement Commodities)	465,000
12 Percent Commodity Floor	-
Cotton, Soybean, Rice and Sweet Potato Disaster Program	-
State Option Contract	5,000
Removal of Defective Commodities	2,500
Emergency Surplus Removal	-
Disaster Relief	5,000
Additional Fruits, Vegetables, and Nuts Purchases	175,600
Fresh Fruit and Vegetable Program	20,000
Accounting Adjustment	-
Estimated Future Needs	227,113
<u>Total, Commodity Procurement</u>	900,213
<u>Administrative Funds</u>	
Commodity Purchase Support	27,731
Marketing Agreements and Orders	20,056
<u>Total, Administrative Funds</u>	47,787

<u>Total Obligations</u>	948,000
Unavailable for Obligations (Fruit and Vegetable Transfer to FNS)	133,000
Balances, Collections, and Recoveries Not Available	73,694
Total End of Year Balance	206,694

PAYMENTS TO STATES AND POSSESSIONS

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The conference agreement provides \$1,198,000 for Payments to States and Possessions as proposed by the Senate instead of \$1,331,000 as proposed by the House.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides \$37,750,000 for the Grain Inspection, Packers and Stockyards Administration instead of \$37,000,000 as proposed by the House and \$38,248,000 as proposed by the Senate.

The conference agreement includes language (section 721) that places conditions on the promulgation and implementation of regulations relating to the Grain Inspection, Packers and Stockyards Administration (GIPSA) as authorized by Title XI of the Food, Conservation, and Energy Act of 2008 (the Act). Funds are provided to allow the Secretary to continue publication and implementation of a final or interim final rule as provided by the Administrative Procedures Act. The conference agreement further provides that the annual cost to the economy of such rules cannot exceed \$100,000,000 and that the items included in the rules must be limited to the specific items described in the Act for which these rules were mandated.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

The conference agreement includes a limitation on inspection and weighing services expenses of \$49,000,000 instead of \$47,500,000 as proposed by the House and \$50,000,000 as proposed by the Senate.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides \$770,000 for the Office of the Under Secretary for Food Safety as proposed by the Senate instead of \$689,000 as proposed by the House.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides \$1,004,427,000 for the Food Safety and Inspection Service instead of \$972,028,000 as proposed by the House and \$1,006,503,000 as proposed by the Senate.

The conferees direct FSIS to provide full funding to states for state inspection programs.

The following table reflects the conference agreement:

**Food Safety and Inspection Service
(Dollars in Thousands)**

Federal	\$887,520
State	62,734
International	15,841
Codex Alimentarius	3,752
Public Health Data Communications Infrastructure System	<u>34,580</u>
Total, Food Safety and Inspection Service	<u><u>\$1,004,427</u></u>

**OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL
SERVICES**

The conference agreement provides \$848,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services as proposed by the Senate instead of \$760,000 as proposed by the House.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$1,491,549,000 for the Farm Service Agency instead of \$1,439,970,000 as proposed by the House and \$1,474,511,000 as proposed by the Senate.

The conferees provide that not less than ~~\$66,658,000~~ shall be for Modernize and Innovate the Delivery of Agricultural Systems .

\$66,685,000

The conferees strongly support the implementation of Modernize and Innovate the Delivery of Agricultural Systems (MIDAS), and encourage the agency to ensure that MIDAS's initial operating capability will be released by October 2012.

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The conference agreement provides \$13,000,000 for the Common Computing Environment.

The following table reflects the conference agreement:

(Dollars in Thousands)

Salaries and expenses	\$ 1,198,966
Transfer from P.L. 480	2,500
Transfer from Export Loans	355
Transfer from ACIF	289,728
Total, FSA Salaries and <i>expenses</i>	<u>\$ 1,491,549</u>

expenses

STATE MEDIATION GRANTS

The conference agreement provides \$3,759,000 for State Mediation Grants as proposed by the Senate instead of \$3,550,000 as proposed by the House.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

The conference agreement provides \$3,817,000 for the Grassroots Source Water Protection Program as proposed by the Senate instead of \$3,605,000 as proposed by the House.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$100,000 for the Dairy Indemnity Program as proposed by the House and Senate.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The following table reflects the conference agreement:

(Dollars in Thousands)

Farm Ownership Loans:	
Direct	(\$475,000)
Subsidy	\$22,800
Guaranteed	(\$1,500,000)
Subsidy	-0-
Farm Operating Loans:	
Direct	(\$1,050,090)
Subsidy	\$59,120
Unsubsidized Guaranteed	(\$1,500,000)
Subsidy	\$26,100
Indian Tribe Land Acquisition	
Loans	(\$2,000)
Subsidy	-0-
Conservation Loans-Guaranteed	(\$150,000)
Subsidy	-0-

Indian Highly Fractionated Land	(\$10,000)
Subsidy	\$193
Boll Weevil Eradication	(\$100,000)
Subsidy	-0-
ACIF Expenses:	
Salaries and Expenses	\$289,728
Administrative Expenses	\$7,904

RISK MANAGEMENT AGENCY

The conference agreement provides \$74,900,000 for the Risk Management Agency as proposed by the Senate instead of \$68,016,000 as proposed by the House.

FEDERAL CROP INSURANCE CORPORATION FUND

The conference agreement provides an appropriation of such sums as may be necessary for the Federal Crop Insurance Corporation Fund (estimated to be \$3,142,375,000 in the President’s fiscal year 2012 Budget Request) as proposed by the House and Senate.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides an appropriation of such sums as may be necessary for Reimbursement for Net Realized Losses of the Commodity Credit Corporation (estimated to be \$14,071,000,000 in the President’s fiscal year 2012 Budget Request) as proposed by the House and Senate.

HAZARDOUS WASTE MANAGEMENT

~~(INCLUDING TRANSFERS OF FUNDS)~~ [Limitation on Expenses]

The conference agreement provides a limitation of \$5,000,000 for Hazardous Waste Management as proposed by the House and Senate.

TITLE II - CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The conference agreement provides \$848,000 for the Office of the Under Secretary for Natural Resources and Environment as proposed by the Senate instead of \$760,000 as proposed by the House.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement provides \$828,159,000 for Conservation Operations as proposed by the Senate instead of \$770,956,000 as proposed by the House.

The conference agreement provides \$9,300,000 for the Snow Survey and Water Forecasting Program; \$9,400,000 for the Plant Material Centers; \$80,000,000 for the Soil Surveys Program; and \$729,459,000 for Conservation Technical Assistance.

The conference agreement provides an increase of \$5,000,000 for the Conservation Effects Assessment Project and an increase of \$5,000,000 for the Conservation Delivery Streamlining Initiative.

The conference agreement provides \$12,500,000 for the Common Computing Environment.

WATERSHED REHABILITATION PROGRAM

The conference agreement provides \$15,000,000 for the Watershed Rehabilitation Program as proposed by the House instead of \$8,000,000 as proposed by the Senate.

TITLE III - RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conference agreement provides \$848,000 for the Office of the Under Secretary for Rural Development as proposed by the Senate instead of \$760,000 as proposed by the House.

RURAL DEVELOPMENT SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$182,023,000 for Rural Development Salaries and Expenses as proposed by the Senate instead of \$161,011,000 as proposed by the House.

The conference agreement provides \$4,500,000 for the Common Computing Environment.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides a total subsidy of \$510,991,000 for activities under the Rural Housing Insurance Fund Program Account instead of \$472,500,000 as proposed by the House and \$512,791,000 as proposed by the Senate. This includes a transfer of \$430,800,000 to the Rural Development Salaries and Expenses account as proposed by the Senate instead of \$400,000,000 as proposed by the House.

The following table indicates loan, subsidy and grant levels provided by the conference agreement:

(Dollars in Thousands)

Loan authorizations:

Single family direct (sec. 502).....	(\$900,000)
Single family unsubsidized guaranteed	(24,000,000)
Housing repair (sec. 504).....	(10,000)
Rental housing (sec. 515)	(64,478)

Multi-family guarantees (sec. 538)	(130,000)
Credit sales of acquired property.....	(10,000)
Farm labor housing.....	(20,791)
Self help housing land development.....	<u>(5,000)</u>

Total, Loan authorizations.....(\$25,140,269)

Loan subsidies:

Single family direct (sec. 502).....	\$42,570
Housing repair (sec. 504).....	1,421
Rental housing (sec. 515)	22,000
Farm labor housing	<u>7,100</u>

Subtotal, Loan subsidies..... 73,091

Farm labor housing grants 7,100

Total, loan subsidies and grants\$80,191

Administrative expenses (transfer to RD) \$430,800

Total, Loan subsidies, grants and administrative expenses..... \$510,991

The conferees recognize that many private lenders have been unable to implement the new annual fee for Section 502 guaranteed loans as required by the Department. Currently, only one major lender has developed the necessary automated systems capacity. Many small rural banks and state housing agencies are precluded from program participation due to their lack of automated systems enhancements. To provide a short-term solution, the conferees provide authority to the Department to increase the guarantee fee, such that subsidy costs are covered while relying on processes that traditional program participants already have in place. However, the conferees are hopeful that participants continue to pursue automated systems changes necessary to implement the annual fee. The conferees direct the Department to complete all necessary systems enhancements as soon as possible.

RENTAL ASSISTANCE PROGRAM

The conference agreement provides \$904,653,000 for the Rental Assistance Program as proposed by the Senate instead of \$890,000,000 as proposed by the House.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

Program

The conference agreement provides \$13,000,000 for the Multi-Family Housing Revitalization Account as proposed by the Senate instead of \$11,000,000 as proposed by the House.

This includes \$11,000,000 for vouchers and \$2,000,000 for a housing preservation demonstration program.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides \$30,000,000 for Mutual and Self-Help Housing Grants as proposed by the Senate instead of \$22,000,000 as proposed by the House.

RURAL HOUSING ASSISTANCE GRANTS

~~(INCLUDING TRANSFERS OF FUNDS)~~

The conference agreement provides \$33,136,000 for Rural Housing Assistance Grants instead of \$32,000,000 as proposed by the House and \$34,271,000 as proposed by the Senate.

The following table reflects the grant levels provided by the conference agreement:

(Dollars in Thousands)

Very-low income housing repair grants.....	\$29,500
Housing preservation grants.....	<u>3,636</u>
Total, grants.....	\$33,136

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$29,291,000 for the Rural Community Facilities Program Account instead of \$18,000,000 as proposed by the House and \$26,274,000 as proposed by the Senate.

The following table reflects the loan, subsidy and grant amounts provided by the conference agreement:

(Dollars in Thousands)

Loan Authorizations:	
CF direct loans.....	(\$1,300,000)
CF guaranteed loans.....	(105,708)
Loan Subsidies and Grants:	
CF guaranteed loans.....	5,000
CF grants.....	11,363
Rural Community Development Initiative.....	3,621
Economic Impact Initiative.....	5,938
Tribal College Grants.....	<u>3,369</u>
Total, subsidies and grants.....	\$29,291

The conferees note that USDA Community Facilities loans and grants can assist eligible school districts participating in the National School Lunch and Breakfast Programs with upgrades to school infrastructure in order to assist schools in meeting the new nutrition standards. The conferees encourage the Department to conduct outreach to rural school districts, especially those with more than 50 percent of students eligible for free or reduced-price meals, and consider applications for school food service upgrades through the Rural Community Facilities program.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$74,809,000 for the Rural Business Program Account instead of \$64,500,000 as proposed by the House and \$79,665,000 as proposed by the Senate.

The following table reflects the loan, subsidy and grant levels provided by the conference agreement:

(Dollars in Thousands)

Business and Industry loan program:	
Guaranteed loan authorization.....	(\$822,886)
Guaranteed loan subsidy.....	45,341
Rural business enterprise grants.....	24,318
Rural business opportunity grants.....	2,250
Delta Regional Authority.....	<u>2,900</u>
Total, subsidy and grants.....	\$74,809

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$10,684,000 for the Rural Development Loan Fund Program Account instead of \$8,500,000 as proposed by the House and \$11,684,000 as proposed by the Senate.

The conference agreement provides for a transfer of \$4,684,000 to the Rural Development Salaries and Expenses account as proposed by the Senate instead of \$3,500,000 as proposed by the House.

The following table reflects the loan and subsidy levels provided by the conference agreement:

(Dollars in Thousands)

Loan authorization.....(\$17,710)
Loan subsidy.....6,000
Administrative expenses (Transfer to RD).....4,684
Total, subsidy and administrative expenses.....\$10,684

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSIONS OF FUNDS)

The conference agreement provides \$33,077,000 for the Rural Economic Development Loan Fund Program Account as proposed by the House and the Senate.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides \$25,050,000 for Rural Cooperative Development Grants instead of \$22,500,000 as proposed by the House and \$27,915,000 as proposed by the Senate.

The conferees provide \$5,800,000 for cooperative development grants; \$2,250,000 for a cooperative agreement for the Appropriate Technology Transfer for Rural Areas program; \$3,000,000 for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, socially disadvantaged producers; and \$14,000,000 for value-added agricultural product market development grants.

RURAL ENERGY FOR AMERICA PROGRAM

The conference agreement provides \$3,400,000 for the Renewable Energy for America Program instead of \$2,300,000 as proposed by the House and \$4,500,000 as proposed by the Senate.

The following table reflects the loan, subsidy and grant levels provided by the conference agreement:

(Dollars in Thousands)

Guaranteed loan authorization.....	(\$6,491)
Guaranteed loan subsidy.....	1,700
Grants.....	<u>1,700</u>
Total, subsidy and grants.....	\$3,400

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$513,000,000 for the Rural Water and Waste Disposal Program Account instead of \$500,000,000 as proposed by the House and \$509,295,000 as proposed by the Senate.

The following table reflects the loan, subsidy and grant levels provided by the conference agreement:

(Dollars in Thousands)

Loan authorizations:	
Water and waste direct loans.....	(\$730,689)
Water and waste guaranteed loans.....	(62,893)
Subsidies and grants:	
Direct loan subsidy.....	70,000
Guaranteed loan subsidy.....	1,000
Water and waste revolving fund.....	497
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.....	9,500
Water and waste disposal grants.....	<u>327,110</u>
Total, subsidies and grants.....	<u>\$513,000</u>

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides a total subsidy of \$36,976,000 for activities under the Rural Electrification and Telecommunications Loans Program Account as proposed by the Senate instead of \$30,000,000 as proposed by the House. The conference agreement provides for an estimated loan level of \$7,714,286,000 as proposed by the Senate instead of \$7,290,000,000 as proposed by the House.

The conference agreement provides for a transfer of \$36,382,000 to the Rural Development Salaries and Expenses account as proposed by the Senate instead of \$30,000,000 as proposed by the House.

The conferees direct USDA to provide a report on baseload generation needs in rural America and to work with interested parties and the Office of Management and Budget to conduct a subsidy analysis that incorporates the most up to date data. The conferees direct USDA to provide the report to the Committees on Appropriations of the House and the Senate by February 1, 2012.

The conferees encourage the Department to encourage a diversity of applicants for the guaranteed underwriting program.

The following table indicates loan and subsidy levels provided by the conference agreement:

(Dollars in Thousands)

Loan authorizations:

Electric:

Direct, 5 percent	(\$100,000)
Direct, FFB.....	(6,500,000)
Guaranteed underwriting.....	<u>(424,286)</u>

Subtotal.....	<u>(7,024,286)</u>
Telecommunications:	
Direct, 5 percent.....	(145,000)
Direct, Treasury rate.....	(250,000)
Direct, FFB.....	<u>(295,000)</u>
Subtotal.....	<u>(690,000)</u>
Total, loan authorizations.....	<u>(\$7,714,286)</u>
Loan subsidies:	
Electric:	
Guaranteed underwriting.....	594
Administrative expenses (transfer to RD).....	<u>36,382</u>
Total, Loan subsidies and administrative expenses.....	<u>\$36,976</u>

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

The conference agreement provides \$37,372,000 for the distance learning, telemedicine and broadband program instead of \$21,000,000 as proposed by the House and \$46,942,000 as proposed by the Senate.

The conference agreement provides \$15,000,000 for grants for telemedicine and distance learning services in rural areas. The conference agreement provides \$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 conference agreement provides \$10,372,000 for grants to finance broadband transmission and Internet services in unserved and underserved rural areas.

The conference agreement provides an estimated loan level of \$212,014,000 and \$6,000,000 in subsidy for broadband telecommunications.

Funding provided for the broadband program is intended to promote broadband availability in those areas where there is not otherwise a business case for private investment in a broadband network. The conferees encourage RUS 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 conference agreement provides \$770,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services as proposed by the Senate instead of \$689,000 as proposed by the House.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

] Including Transfers of Funds [

The conference agreement provides \$18,151,176,000 for Child Nutrition Programs as proposed by the Senate instead of \$18,770,571,000 as proposed by the House. ~~Included in the total is an appropriated amount of \$11,474,969,000 and a transfer from Section 32 of \$6,676,207,000.~~

The conference agreement includes a general provision relating to child nutrition guidelines.

The conference agreement provides the following for Child Nutrition Programs:

*Total Obligational Authority
(Dollars in Thousands)*

Child Nutrition Programs:

School lunch program.....	\$10,169,615
School breakfast program.....	3,313,848
Child and adult care food program.....	2,831,543
Summer food service program.....	401,998
Special milk program.....	13,240
State administrative expenses.....	279,016
Commodity procurement.....	1,075,727
Healthier US Schools Challenge.....	1,500
Team Nutrition.....	15,016
Food Safety Education.....	2,510
Coordinated Review.....	9,763
Computer Support and Processing.....	9,525
CACFP training and technical assistance.....	3,537
Studies and other activities.....	19,000
Hunger free community grants.....	0

Farm to school tactical team.....	2,000	
CN payment accuracy.....	2,338	
Child nutrition reauthorization.....	0	
School Breakfast Expansion Grants.....	1,000	
State Childhood Hunger Grants.....	0	
Total.....		<u>\$18,151.176</u>

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

The conference agreement provides \$6,618,497,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) instead of \$6,048,250,000 as proposed by the House and \$6,582,497,000 as proposed by the Senate. The conferees believe that funding for other initiatives within this program should only occur upon determination that participation needs have been met, and the contingency reserve should not be used for these initiatives.

The conferees are interested in Federal and State initiatives to actively manage the costs of the WIC program so that resources provided to support participants are efficiently and effectively utilized. The conferees seek demonstrated efficiencies and strong financial controls in all aspects of the program, including the cost of delivering nutritional and other preventative health services by the States, so that limited funds can be used to provide benefits to all eligible women, infants, and children seeking program services in a given year. The conferees direct the Food and Nutrition Service to provide the Committees with a report on how it will pursue these objectives by January 31, 2012.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

SC

The conference agreement provides \$80,401,722,000 for the Supplemental Nutrition Assistance Program instead of \$71,173,308,000 as proposed by the House and \$80,402,722,000 as proposed by the Senate. The conference agreement includes \$3,000,000,000 to be made

available for a contingency reserve. The conferees note that \$3,000,000,000 was also made available in fiscal year 2011 as a contingency reserve.

and remains available in fiscal year 2012

The conference agreement provides the following for the Supplemental Nutrition

Assistance Program:

Total Obligational Authority

(Dollars in Thousands)

Supplemental Nutrition Assistance Program:

Benefits.....	\$70,524,648
Contingency Reserve.....	3,000,000
State Administrative Costs.....	3,742,000
Nutrition Education and Obesity Prevention Grant Program...	388,000
Employment and Training.....	397,118
Mandatory Other Program Costs.....	114,477
Discretionary Other Program Costs	1,000
Nutrition Assistance for Puerto Rico and American Samoa....	1,842,835
Food Distribution Program for Indian Reservations.....	102,746
TEFAP Commodities	260,250
Commonwealth of the Northern Mariana Islands.....	13,148
Community Food Project.....	5,000
Program Access.....	5,000
Financial Management Systems Modernization.....	3,500
Information Technology Modernization and Support.....	2,000
Total.....	<u>\$80,401,722</u>

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides \$242,336,000 for the Commodity Assistance Program as proposed by the Senate instead of \$197,500,000 as proposed by the House.

The conference agreement includes \$176,788,000 for the Commodity Supplemental Food Program.

The conference agreement provides \$48,000,000 for administrative funding for the Emergency Food Assistance Program (TEFAP). In addition, the conference agreement grants

the Secretary authority to transfer up to an additional 10 percent from TEFAP commodities for this purpose.

The conference agreement provides \$16,548,000 for the Farmer's Market Nutrition Program and \$1,000,000 for Pacific Island Assistance.

The conferees direct USDA to make an assessment to determine if State agencies are in compliance with 7 CFR Part 251.5(b), and, if not, they are directed to issue guidance to the respective agencies on how they can comply with this regulation. Additionally, the conferees direct USDA to submit a report to the Committees on Appropriations of the House and the Senate on steps the Department might use to measure participation in the Emergency Food Assistance Program by March 16, 2012.

NUTRITION PROGRAMS ADMINISTRATION

The conference agreement provides \$138,500,000 for Nutrition Programs Administration instead of \$125,000,000 as proposed by the House and \$140,130,000 as proposed by the Senate.

TITLE V —

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

Including Transfers of Funds [

The conference agreement provides \$176,347,000 for the Foreign Agricultural Service (FAS), Salaries and Expenses, as proposed by the Senate instead of \$172,500,000 as proposed by the House.

While the conferees believe that USDA, and its partner USAID, must first focus on addressing immediate emergency needs in places such as the Horn of Africa, the Department must begin to develop plans and corresponding goals aimed at building market-driven institutions and science-based regulatory frameworks that facilitate trade and create an environment conducive to agricultural growth. Therefore, the conferees direct FAS to submit a report within 60 days of enactment of this Act with options for shifting more focus in outyear budgets from long-term or extended emergency food aid programs to programs that support FAS' duties to help developing countries improve their agricultural systems and build trade capacity in order to improve their long-term economic development.

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

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$2,500,000 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", instead of \$2,385,000 as proposed by the House and \$2,666,000 as proposed by the Senate.

FOOD FOR PEACE TITLE II GRANTS

The conference agreement provides \$1,466,000,000 for Food For Peace Title II Grants instead of \$1,040,198,000 as proposed by the House and \$1,562,000,000 as proposed by the Senate.

The amount provided for this program is more than \$200 million less than the amount requested by the President and even further below the levels appropriated in recent years. (, 000, 000)

Flexibility in providing appropriations for humanitarian food assistance has been constrained by the Budget Control Act of 2011 (BCA) which established a firewall between security and non-security discretionary spending. This conference report includes only two programs under the security heading, PL 480 and the McGovern-Dole Food for Education and Child Nutrition Program, both of which are related to humanitarian food assistance. Because of this inflexibility in shifting discretionary resources due to the requirements of the BCA, the conferees are unable to provide higher levels of funding for these two programs without being in violation of established budget caps. The conferees remain aware of the acute problems relating to global hunger, especially in view of the declared famine in the Horn of Africa, and will continue to monitor conditions there and elsewhere in the world in order to take whatever steps are available, as conditions warrant. (International)

The conference agreement includes language in Section 741 to ensure humanitarian food assistance programs include sufficient monitoring and control mechanisms. The conferees believe that food aid should not be used as a political tool but that recipient nations do have obligations to ensure transparency and cooperation in the distribution of aid to affected populations. Should the U.S. government consider resumption of food assistance to the Democratic People's Republic of Korea, it is expected that assurances will be given to protect

the integrity of program execution, including monitoring, and that any remaining issues regarding previous year program delivery be satisfactorily resolved.

SC ~~COMMODITY CREDIT CORPORATION EXPORT (LOANS) PROGRAM ACCOUNT~~

CREDIT
GUARANTEE

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$6,820,000 for the Commodity Credit Corporation Export ~~Loans~~ *SC credit guarantee* Program Account as proposed by the House instead of \$6,465,000 as proposed by the Senate.

SC ~~MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM~~

GRANTS

The conference agreement provides \$184,000,000 for the McGovern-Dole International Food for Education and Child Nutrition Program instead of \$180,000,000 as proposed by the House and \$188,000,000 as proposed by the Senate.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides 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, and Food Recall User Fee Act collections, of \$3,788,336,000 for the salaries and expenses of the Food and Drug Administration instead of \$3,654,148,000 as proposed by the House and \$3,859,402,000 as proposed by the Senate and provides specific amounts by FDA activity as reflected in the following table:

Food and Drug Administration
Salaries & Expenses
(Thousands of Dollars)

(Dollars in Thousands)

Budget Authority:

Foods	\$ 866,061
Center for Food Safety and Applied Nutrition	264,296
Field Activities	601,765
Human Drugs	477,810
Center for Drug Evaluation and Research	347,817
Field Activities	129,993
Biologics	212,224
Center for Biologics Evaluation and Research	171,711
Field Activities	40,513
Animal Drugs and Feeds	138,021
Center for Veterinary Medicine	84,699
Field Activities	53,322
Devices and Radiological Products	322,672
Center for Devices and Radiological Health	241,475

Field Activities	81,197
National Center for Toxicological Research	60,039
Other Activities/Office of the Commissioner	153,704
White Oak Consolidation	40,386
GSA Rent	65,598
Other Rent and Rent Related	160,506
Subtotal, Budget Authority	2,497,021
User Fees:	
Prescription Drug User Fee Act	702,172
Medical Device User Fee and Modernization Act	57,605
Animal Drug User Fee Act	21,768
Animal Generic Drug User Fee Act	5,706
Tobacco Product User Fees	477,000
Food Reinspection Fees	14,700
Food Recall Fees	12,364
Subtotal, User Fees	1,291,315
Total, FDA Program Level	\$3,788,336

The conference agreement includes the following increases: \$39,000,000 to begin implementation of the Food Safety Modernization Act; \$20,038,000 for advancing medical countermeasures; and \$12,962,000 for mandatory rental payments. The conferees also accept FDA's proposed reduction of \$22,000,000 due to administrative and contract savings. The conferees direct FDA to provide a report within 30 days of enactment of this Act on how it intends to allocate these increases.

The conferees direct that, within 90 days of the date of enactment of this Act, FDA report on the average number of calendar days that elapsed from the date that drug applications (including any supplements) were submitted to the agency under section 505 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) until the date that the drugs were approved; the

average number of calendar days that elapsed from the date that applications for device clearance (including any supplements) under section 510(k) of the FD&C Act or for premarket approval (including any supplements) under section 515 of the FD&C Act were submitted to the agency until the date that the devices were cleared; and the average number of calendar days that elapsed from the date that biological license applications (including any supplements) were submitted to the agency under section 351 of the Public Health Service Act until the date that the biological products were licensed.

The conferees are concerned that FDA has not issued a proposed rule revising the monograph regulating the labeling of over-the-counter cough and cold products for children. The conferees direct the FDA to publish a proposed rule by December 31, 2011, based on the latest scientific evidence for safety and efficacy in pediatric populations.

The conferees recognize that FDA is developing facilities and expertise to study nanotechnology within FDA's Jefferson Laboratory Campus, including the National Center for Toxicological Research, and its consolidated headquarters at White Oak, Maryland. The conferees support FDA in its mission to expand upon current research in nanotechnology and support the eventual development of a Nanotechnology Core Center to meet its mission.

The conferees are aware that FDA currently inspects less than 2 percent of imported seafood. Further, many of these imports may contain substances that are banned in the United States. Therefore, the conferees direct FDA to develop a comprehensive program for imported seafood.

The conferees note that the most recent CDC estimates are that only 20 percent of foodborne illnesses are from 31 known pathogens such as norovirus, salmonella and clostridium. Since 80 percent of illnesses are caused by unknown sources, FDA is encouraged to work with

the public and private sectors to gain a better understanding of the causes of illness. FDA's broader understanding of unknown sources should contribute towards the development of new strategies, policies, and foodborne illness prevention methods. While simultaneously seeking answers to unknown sources and plans to address these hazards, FDA has to do a better job of identifying more effective food safety activities that will reduce illnesses, hospitalizations, and deaths associated with the other 20 percent of foodborne illness. Within the funding level for food safety, FDA is directed to develop a clear strategy on how the agency can prioritize intervention methods along the farm to fork continuum to reduce illness once they have discovered the sources for a much greater proportion of unknown agents and to tie the funding levels for food safety to increased levels of activities to both the known and the unknown sources of illness. The conferees direct FDA to include this information in the fiscal year 2013 budget justifications to Congress.

The conferees emphasize the importance of predictability and transparency in the FDA approval process, and urge FDA to remain focused on its core mission of ensuring the safety, efficacy and security of human and veterinary drugs, biological products, medical devices, fostering the development of medical products to support the counterterrorism effort, and helping to speed innovation of safe and effective products that improve the lives of patients and consumers. The conferees urge FDA to be responsive, timely, and transparent throughout the approval process for all human and veterinary drugs, biological products, medical devices, and medical countermeasures.

SC

~~BUILDINGS AND FACILITIES~~

The conference agreement provides \$8,788,000 for the Food and Drug Administration Buildings and Facilities as proposed by the House instead of \$8,982,000 as proposed by the Senate.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides \$205,294,000, to remain available until September 30, 2013, for the Commodity Futures Trading Commission instead of \$171,930,000 as proposed by the House and \$240,000,000 as proposed by the Senate.

Of the total amount provided, the conference agreement includes \$55,000,000, to remain available until September 30, 2014, for information technology investments.

The conferees direct the CFTC to submit, within 30 days of enactment, a detailed spending plan for the allocation of the funds made available, displayed by discrete program, project, and activity, including staffing projections, specifying both FTEs and contractors, and planned investments in information technology.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes a limitation of \$61,000,000 on administrative expenses of the Farm Credit Administration instead of \$62,000,000 as proposed by the House and the Senate.

TITLE VII – GENERAL PROVISIONS
(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

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

Section 702. – The conference agreement includes language regarding transfers of funds to the Working Capital Fund of the Department of Agriculture.

Section 703. – The conference agreement includes language limiting funding provided in the bill to one year unless otherwise specified.

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

Section 705. – The conference agreement 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 conference agreement includes language prohibiting the use of funds to establish an inspection panel at the Department of Agriculture.

Section 707. – The conference agreement 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 conference agreement includes language making funds available until expended to the Department of Agriculture to disburse certain obligations for certain conservation programs.

Section 709. – The conference agreement includes language regarding Rural Utility Service program eligibility.

Section 710. – The conference agreement includes language regarding in-kind support and Department of Agriculture research grants.

Section 711. – The conference agreement includes language regarding Farm Service Agency and Rural Development funds for information technology expenses.

Section 712. – The conference agreement includes language regarding the availability of funds for liquid infant formula.

Section 713. – The conference agreement includes language prohibiting first-class airline travel.

Section 714. – The conference agreement includes language regarding the availability of certain funds of the Commodity Credit Corporation.

Section 715. – The conference agreement includes language regarding non-emergency humanitarian food assistance.

Section 716. – The conference agreement includes language regarding certain farm programs.

Section 717. – The conference agreement includes language regarding direct loans made under the Rural Electrification Act.

Section 718. – The conference agreement includes language regarding the Bill Emerson Humanitarian Trust Act.

Section 719. – The conference agreement includes language regarding funding for advisory committees.

Section 720. – The conference agreement includes language regarding the limitation on indirect costs for grants awarded by the National Institute of Food and Agriculture.

Section 721. – The conference agreement includes language regarding regulations under the Grain Inspection, Packers and Stockyards Administration.

Section 722. – The conference agreement includes language regarding the rescission of funds.

Section 723. – The conference agreement includes language regarding the rescission of unobligated balances.

Section 724. – The conference agreement includes language regarding section 1621 of Public Law 110-246.

Section 725. – The conference agreement includes language regarding strategic rural development planning.

Section 726. – The conference agreement includes language regarding the availability of funds for certain Department of Agriculture programs.

Section 727. – The conference agreement includes language regarding a pilot program for certain forest lands.

Section 728. – The conference agreement includes language regarding user fee proposals without offsets.

Section 729. – The conference agreement includes language regarding the rescission of certain unobligated balances.

Section 730. – The conference agreement includes language regarding the reprogramming of funds.

Section 731. – The conference agreement includes language regarding fees for the guaranteed business and industry loan program.

Section 732. – The conference agreement includes language regarding the conveyance of certain research facilities.

Section 733. – The conference agreement includes language regarding the appropriations hearing process.

Section 734. – The conference agreement includes language regarding food donations and the National School Lunch Program.

Section 735. – The conference agreement includes language regarding the Emergency Conservation Program, the Emergency Watershed Program and the Emergency Forestry Conservation Program.

Section 736. – The conference agreement includes language regarding government-sponsored news stories.

Section 737. – The conference agreement includes language regarding details and assignments of Department of Agriculture employees.

Section 738. – The conference agreement includes language prohibiting grants and loans to a corporation convicted of a felony under Federal law.

Section 739. – The conference agreement includes language prohibiting grants and loans to corporations that have an unpaid Federal tax liability.

Section 740. – The conference agreement includes language regarding certain unobligated balances.

Section 741. – The conference agreement includes language regarding emergency food aid.

Section 742. – The conference agreement includes language regarding the Department of Agriculture’s wool and mohair program.

Section 743. – The conference agreement includes language regarding nutrition standards for the school breakfast and lunch programs.

Section 744. – The conference agreement includes language regarding the Department of Agriculture’s Community Facilities program.

Section 745. – The conference agreement includes language regarding eligibility for certain farm programs.

Section 746. – The conference agreement includes language regarding nutrition standards for the school breakfast and lunch programs.

Section 747. – The conference agreement includes language regarding transfers of funds in certain Rural Development programs.

Section 748. – The conference agreement includes language regarding the Water Bank Act.

~~[Section 749. – The conference agreement includes language regarding the Commodity Exchange Act.]~~

The conference agreement does not include a provision (House Section 743) regarding an across-the-board reduction to the funding levels in all accounts in titles I through IV. The House funding levels stated in the Statement of Managers do not reflect the impact of this reduction in each of the respective accounts.

The conference agreement does not include a provision (House Section 749) on the Energy Independence and Security Act of 2007. The conferees note that the enforcement of section 526 of the Energy Independence and Security Act of 2007 may lead to higher fuel costs

for federal fleets in the absence of competitively priced new generation fuels that emit fewer emissions. In carrying out this statute, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration and Chairman of the Commodity Futures Trading Commission should work to ensure that costs associated with fuel purchases necessary to carry out the missions of their respective departments or agencies should be minimized to the extent possible under the law.

The conference agreement does not include a provision (House Section 750) regarding the "Know Your Farmer, Know Your Food" initiative. The conferees direct the Department to post on its website prior to any travel primarily related to the "Know Your Farmer, Know Your Food" initiative, information including the agenda and the cost of such travel. In addition, within 90 days of enactment of this Act the Secretary shall submit to the Committees on Appropriations of the House and Senate a report on the impacts of this initiative over the previous two years, and to include justification for this initiative in the fiscal year 2013 budget explanatory notes.

Insert SIA - SIW

DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

SIA - SIW

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE I - AGRICULTURAL PROGRAMS				
Production, Processing, and Marketing				
Office of the Secretary.....	5,051	5,883	4,550	-501
Office of Tribal Relations.....	498	1,015	448	-50
Healthy Food Financing Initiative.....	---	35,000	---	---
Executive Operations:				
Office of Chief Economist.....	12,008	15,196	11,177	-831
National Appeals Division.....	14,225	15,254	12,841	-1,384
Office of Budget and Program Analysis.....	9,417	9,436	8,946	-471
Office of Homeland Security	1,496	4,272	1,321	-175
Office of Advocacy and Outreach.....	1,422	7,000	1,209	-213
Office of the Chief Information Officer.....	39,920	63,579	44,031	+4,111
Office of the Chief Financial Officer.....	6,247	6,566	5,650	-597
Subtotal, Executive Operations.....	84,735	121,303	85,175	+440
Office of the Assistant Secretary for Civil Rights....	893	895	848	-45
Office of Civil Rights.....	22,692	24,922	21,000	-1,692
Office of the Assistant Secretary for Administration..	804	820	764	-40
Agriculture buildings and facilities and rental payments.....	(246,476)	(255,191)	(230,416)	(-16,060)
Payments to GSA.....	178,113	164,470	164,470	-13,643
Department of Homeland Security.....	13,473	13,800	13,800	+327
Building operations and maintenance.....	54,890	76,921	52,146	-2,744
Hazardous materials management.....	3,992	5,125	3,592	-400
Departmental Administration.....	29,647	35,787	24,165	-5,482

SI-A

DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
<hr/>				
Office of the Assistant Secretary for Congressional Relations.....	3,869	4,041	3,576	-293
Office of Communications.....	9,480	9,722	8,065	-1,415
Office of Inspector General.....	88,548	90,755	85,621	-2,927
Office of the General Counsel.....	41,416	46,058	39,345	-2,071
Total, Departmental Administration.....	538,101	636,517	507,565	-30,536
<hr/>				
Office of the Under Secretary for Research, Education, and Economics.....	893	911	848	-45
Economic Research Service.....	81,814	85,971	77,723	-4,091
National Agricultural Statistics Service.....	156,447	165,421	158,616	+2,169
Census of Agriculture.....	(33,139)	(41,639)	(41,639)	(+8,500)
Agricultural Research Service: .				
Salaries and expenses.....	1,133,230	1,137,690	1,094,647	-38,583
National Institute of Food and Agriculture:				
Research and education activities.....	698,740	708,107	705,599	+6,859
Native American Institutions Endowment Fund.....	(11,880)	(11,880)	(11,880)	---
Extension activities.....	479,132	466,788	475,183	-3,949
Integrated activities.....	36,926	29,874	21,482	-15,444
Hispanic-Serving Agricultural Colleges and Universities Endowment Fund.....	---	(10,000)	---	---
Total, National Institute of Food and Agriculture.....	1,214,798	1,204,769	1,202,264	-12,534
<hr/>				
Office of the Under Secretary for Marketing and Regulatory Programs.....	893	911	848	-45

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Animal and Plant Health Inspection Service:				
Salaries and expenses.....	863,270	832,706	816,534	-46,736
Assistance, goods, or services (user fees) NA	---	(141,000)	---	---
Buildings and facilities.....	3,529	4,712	3,200	-329
Total, Animal and Plant Health Inspection Service.....	866,799	837,418	819,734	-47,065
Agricultural Marketing Service:				
Marketing Services.....	86,538	94,755	82,211	-4,327
Standardization activities (user fees) NA.....	(65,000)	(66,000)	(66,000)	(+1,000)
(Limitation on administrative expenses, from fees collected).....	(60,947)	(62,101)	(62,101)	(+1,154)
Funds for strengthening markets, income, and supply (Section 32):				
Permanent, Section 32.....	1,065,000	1,080,000	1,080,000	+15,000
Marketing agreements and orders (transfer from section 32).....	(20,056)	(20,056)	(20,056)	---
Payments to States and Possessions.....	1,331	2,634	1,198	-133
Total, Agricultural Marketing Service program...	1,213,816	1,239,490	1,225,510	+11,694
Grain Inspection, Packers and Stockyards Administration:				
Salaries and expenses.....	40,261	44,192	37,750	-2,511
Limitation on inspection and weighing services....	(47,500)	(50,000)	(49,000)	(+1,500)
Office of the Under Secretary for Food Safety.....	811	828	770	-41

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Food Safety and Inspection Service.....	1,006,503	1,011,393	1,004,427	-2,076
Lab accreditation fees.....	(1,000)	(1,000)	(1,000)	---
Total, Production, Processing, and Marketing....	6,193,419	6,303,410	6,068,601	-124,818
Farm Assistance Programs				
Office of the Under Secretary for Farm and Foreign Agricultural Services.....	893	911	848	-45
Farm Service Agency:				
Salaries and expenses.....	1,208,290	1,357,065	1,198,966	-9,324
Equal Credit Opportunity claims (leg. proposal)...	---	40,000	---	---
(Transfer from Food for Peace (P.L. 480)).....	(2,806)	(2,812)	(2,500)	(-306)
(Transfer from export loans).....	(354)	(355)	(355)	(+1)
(Transfer from ACIF).....	(304,977)	(313,173)	(289,728)	(-15,249)
Subtotal, transfers from program accounts.....	(308,137)	(316,340)	(292,583)	(-15,554)
Total, Salaries and expenses.....	(1,516,427)	(1,713,405)	(1,491,549)	(-24,878)
State mediation grants.....	4,177	4,369	3,759	-418
Grassroot source water protection program.....	4,241	---	3,817	-424
Dairy indemnity program.....	876	100	100	-776
Subtotal, Farm Service Agency.....	1,217,584	1,401,534	1,206,642	-10,942

SID

DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
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.....	(950,000)	(1,050,090)	(1,050,090)	(+100,090)
Unsubsidized guaranteed.....	(1,500,000)	(1,500,000)	(1,500,000)	---
Subsidized guaranteed.....	(122,343)	---	---	(-122,343)
Subtotal.....	(2,572,343)	(2,550,090)	(2,550,090)	(-22,253)
Indian tribe land acquisition loans.....	(3,940)	(2,000)	(2,000)	(-1,940)
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)	---
Total, Loan authorizations.....	(4,651,283)	(4,747,090)	(4,787,090)	(+135,807)
Loan subsidies:				
Farm ownership loans:				
Direct.....	32,804	22,800	22,800	-10,004
Guaranteed.....	5,689	---	---	-5,689
Subtotal.....	38,493	22,800	22,800	-15,693

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Farm operating loans:				
Direct.....	57,425	59,120	59,120	+1,695
Unsubsidized guaranteed.....	34,880	26,100	26,100	-8,780
Subsidized guaranteed.....	16,886	---	---	-16,886
Subtotal.....	109,191	85,220	85,220	-23,971
Indian Highly Fractionated Land Loans.....	---	193	193	+193
Individual Development Accounts.....	---	2,500	---	---
Total, Loan subsidies.....	147,684	110,713	108,213	-39,471
ACIF administrative expenses:				
Salaries and expense (transfer to FSA)....	304,977	313,173	289,728	-15,249
Administrative expenses.....	7,904	7,920	7,904	---
Total, ACIF expenses.....	312,881	321,093	297,632	-15,249
Total, Agricultural Credit Insurance Fund... (Loan authorization).....	460,565 (4,651,283)	431,806 (4,747,090)	405,845 (4,787,090)	-54,720 (+135,807)
Total, Farm Service Agency.....	1,678,149	1,833,340	1,612,487	-65,662
Risk Management Agency, Administrative and operating expenses.....	78,842	82,325	74,900	-3,942
Total, Farm Assistance Programs.....	1,757,884	1,916,576	1,688,235	-69,649

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted

Corporations				
Federal Crop Insurance Corporation:				
Federal crop insurance corporation fund.....	7,613,232	3,142,375	3,142,375	-4,470,857
Commodity Credit Corporation Fund:				
Reimbursement for net realized losses.....	13,925,575	14,071,000	14,071,000	+145,425
Hazardous waste management (limitation on expenses).....	(5,000)	(5,000)	(5,000)	---
Total, Corporations.....	21,538,807	17,213,375	17,213,375	-4,325,432
Total, Title I, Agricultural Programs.....	29,490,110	25,433,361	24,970,211	-4,519,899
(By transfer).....	(328,193)	(336,396)	(312,639)	(-15,554)
(Loan authorization).....	(4,651,283)	(4,747,090)	(4,787,090)	(+135,807)
(Limitation on administrative expenses)....	(113,447)	(117,101)	(116,101)	(+2,654)
=====				
TITLE II - CONSERVATION PROGRAMS				
Office of the Under Secretary for Natural Resources and Environment.....	893	911	848	-45
Natural Resources Conservation Service:				
Conservation operations.....	870,503	898,647	828,159	-42,344
Watershed rehabilitation program.....	17,964	---	15,000	-2,964
Total, Natural Resources Conservation Service...	888,467	898,647	843,159	-45,308
Total, Title II, Conservation Programs.....	889,360	899,558	844,007	-45,353
=====				

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE III - RURAL DEVELOPMENT				
Office of the Under Secretary for Rural Development...	893	911	848	-45
Rural Development:				
Rural development expenses:				
Salaries and expenses.....	191,603	234,301	182,023	-9,580
(Transfer from RHIF).....	(453,474)	(411,779)	(430,800)	(-22,674)
(Transfer from RDLFP).....	(4,931)	(4,941)	(4,684)	(-247)
(Transfer from RETLP).....	(38,297)	(39,959)	(36,382)	(-1,915)
Subtotal, Transfers from program accounts.	(496,702)	(456,679)	(471,866)	(-24,836)
Total, Rural development expenses.....	(688,305)	(690,980)	(653,889)	(-34,416)
Rural Housing Service:				
Rural Housing Insurance Fund Program Account:				
Loan authorizations:				
Single family direct (Sec. 502).....	(1,121,406)	(211,416)	(900,000)	(-221,406)
Unsubsidized guaranteed.....	(24,000,000)	(24,000,000)	(24,000,000)	---
Subtotal, Single family.....	(25,121,406)	(24,211,416)	(24,900,000)	(-221,406)
Housing repair (Sec. 504).....	(23,360)	---	(10,000)	(-13,360)
Rental housing (Sec. 515).....	(69,512)	(95,236)	(64,478)	(-5,034)
Site loans (Sec. 524).....	(5,052)	---	---	(-5,052)
Multi-family housing guarantees (Sec. 538)	(30,960)	---	(130,000)	(+99,040)
Multi-family housing credit sales.....	(1,448)	---	---	(-1,448)
Single family housing credit sales.....	(10,000)	---	(10,000)	---
Self-help housing land develop. (Sec. 523)	(4,966)	---	(5,000)	(+34)

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Farm Labor Housing (Sec.514).....	(25,724)	(27,288)	(20,791)	(-4,933)
Total, Loan authorizations.....	(25,292,428)	(24,333,940)	(25,140,269)	(-152,159)
Loan subsidies:				
Single family direct (Sec. 502).....	70,060	10,000	42,570	-27,490
Unsubsidized guaranteed.....	---	---	---	---
Housing repair (Sec. 504).....	4,413	---	1,421	-2,992
Rental housing (Sec. 515).....	23,399	32,495	22,000	-1,399
Multi-family housing guarantees (Sec. 538)	2,994	---	---	-2,994
Site development loans (Sec. 524).....	293	---	---	-293
Multi-family housing credit sales.....	555	---	---	-555
Farm labor housing (Sec.514).....	9,853	9,319	7,100	-2,753
Self-help land dev. housing loans (Sec523)	288	---	---	-288
Total, Loan subsidies.....	111,855	51,814	73,091	-38,764
Farm labor housing grants.....	9,854	9,873	7,100	-2,754
RHIF administrative expenses (transfer to RD).	453,474	411,779	430,800	-22,674
Total, Rural Housing Insurance Fund program. (Loan authorization).....	575,183	473,466	510,991	-64,192
	(25,292,428)	(24,333,940)	(25,140,269)	(-152,159)

I-15

DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rental assistance program:				
Rental assistance (Sec. 521).....	948,704	900,653	900,653	-48,051
New construction (Sec. 515).....	2,026	3,000	1,500	-526
New construction (Farm Labor Housing).....	2,994	3,000	2,500	-494
Total, Rental assistance program.....	953,724	906,653	904,653	-49,071
Rural housing voucher program.....				
Rural housing voucher program.....	13,972	16,000	11,000	-2,972
Multi-family housing revitalization program	14,970	---	2,000	-12,970
Multifamily housing preservation revolving loans..	998	---	---	-998
Total, Multi-family housing revitalization..	29,940	16,000	13,000	-16,940
Mutual and self-help housing grants.....				
Mutual and self-help housing grants.....	36,926	---	30,000	-6,926
Rural housing assistance grants.....	40,319	11,520	33,136	-7,183
Rural community facilities program account:				
Loan authorizations:				
Community facility:				
Direct.....	(290,526)	(1,000,000)	(1,300,000)	(+1,009,474)
Guaranteed.....	(167,747)	---	(105,708)	(-62,039)
Total, Loan authorizations.....	(458,273)	(1,000,000)	(1,405,708)	(+947,435)
Loan subsidies and grants:				
Community facility:				
Direct.....	3,856	---	---	-3,856
Guaranteed.....	6,613	---	5,000	-1,613
Grants.....	14,970	30,000	11,363	-3,607
Rural community development initiative....	4,990	8,400	3,621	-1,369

4-15

DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Economic impact initiative grants.....	6,986	---	5,938	-1,048
Tribal college grants.....	3,964	---	3,369	-595
Total, RCFP Loan subsidies and grants...	41,379	38,400	29,291	-12,088
Subtotal, grants and payments.....	118,624	49,920	92,427	-26,197
Total, Rural Housing Service.....	1,677,471	1,446,039	1,521,071	-156,400
(Loan authorization).....	(25,750,701)	(25,333,940)	(26,545,977)	(+795,276)
Rural Business-Cooperative Service:				
Rural Business Program Account:				
(Guaranteed business and industry loans).....	(889,111)	(822,900)	(822,886)	(-66,225)
Loan subsidies and grants:				
Guaranteed business and industry subsidy..	44,899	52,500	45,341	+442
Grants:				
Rural business enterprise.....	34,930	29,874	24,318	-10,612
Rural business opportunity.....	2,478	7,483	2,250	-228
Delta regional authority.....	2,973	---	2,900	-73
Total, RBP loan subsidies and grants.....	85,280	89,857	74,809	-10,471
Rural Development Loan Fund Program Account:				
(Loan authorization).....	(19,181)	(36,376)	(17,710)	(-1,471)
Loan subsidy.....	7,385	12,324	6,000	-1,385
Administrative expenses (transfer to RD).....	4,931	4,941	4,684	-247
Total, Rural Development Loan Fund.....	12,316	17,265	10,684	-1,632

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rural Economic Development Loans Program Account:				
(Loan authorization).....	(33,077)	(33,077)	(33,077)	---
Limit cushion of credit interest spending.....	(207,000)	(241,794)	(155,000)	(-52,000)
(Rescission).....	-207,000	-241,794	-155,000	+52,000
Rural cooperative development grants:				
Cooperative development.....	7,908	8,924	5,800	-2,108
Appropriate technology transfer for rural areas	---	2,800	2,250	+2,250
Cooperative research agreement.....	---	300	---	---
Value-added agricultural product market development.....	18,829	20,367	14,000	-4,829
Grants to assist minority producers.....	3,456	3,463	3,000	-456
Total, Rural Cooperative development grants.	30,193	35,854	25,050	-5,143
Rural Microenterprise Investment Program Account:				
(Loan authorization).....	---	(8,700)	---	---
Loan subsidy.....	---	2,850	---	---
Grants.....	---	2,850	---	---
Total, Rural Microenterprise Investment.....	---	5,700	---	---

51-15

DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rural Energy for America Program				
(Loan authorization).....	(10,785)	(10,645)	(6,491)	(-4,294)
Loan subsidy.....	2,495	2,788	1,700	-795
Grants.....	2,495	34,000	1,700	-795
Total, Rural Energy for America Program.....	4,990	36,788	3,400	-1,590
Total, Rural Business-Cooperative Service.....				
(Loan authorization).....	(-74,221)	(-56,330)	(-41,057)	+33,164
	(952,154)	(911,698)	(880,164)	(-71,990)
Rural Utilities Service:				
Rural water and waste disposal program account:				
Loan authorizations:				
Direct.....	(898,263)	(770,000)	(730,689)	(-167,574)
Guaranteed.....	(75,000)	(12,000)	(62,893)	(-12,107)
Total, Loan authorization.....	973,263	782,000	793,582	-179,681
Loan subsidies and grants:				
Direct subsidy.....	76,917	73,788	70,000	-6,917
Guaranteed subsidy.....	---	190	1,000	+1,000
Water and waste revolving fund.....	497	497	497	---
Water well system grants.....	993	993	993	---
Colonias and AK/HI grants.....	68,600	65,000	66,500	-2,100
Water and waste technical assistance.....	19,110	19,000	19,000	-110
Circuit rider program.....	14,700	14,000	15,000	+300
Solid waste management grants.....	3,434	4,000	3,400	-34
High energy cost grants.....	11,976	---	9,500	-2,476

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Water and waste disposal grants.....	331,717	311,510	327,110	-4,607
Total, Loan subsidies and grants.....	527,944	488,978	513,000	-14,944
Rural Electrification and Telecommunications Loans				
Program Account:				
Loan authorizations:				
Electric:				
Direct, 5%.....	(100,000)	(100,000)	(100,000)	---
Direct, FFB.....	(6,500,000)	(6,000,000)	(6,500,000)	---
Guaranteed underwriting.....	(500,000)	---	(424,286)	(-75,714)
Subtotal, Electric.....	(7,100,000)	(6,100,000)	(7,024,286)	(-75,714)
Telecommunications:				
Direct, 5%.....	(145,000)	(145,000)	(145,000)	---
Direct, Treasury rate.....	(250,000)	(250,000)	(250,000)	---
Direct, FFB.....	(295,000)	(295,000)	(295,000)	---
Subtotal, Telecommunications.....	(690,000)	(690,000)	(690,000)	---
Total, Loan authorizations.....	(7,790,000)	(6,790,000)	(7,714,286)	(-75,714)
Loan subsidies:				
Electric:				
Guaranteed underwriting.....	699	---	594	-105

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
RETLP administrative expenses (transfer to RD)	38,297	39,959	36,382	-1,915
Total, Rural Electrification and Telecommunications Loans Program Account..	38,996	39,959	36,976	-2,020
(Loan authorization).....	(7,790,000)	(6,790,000)	(7,714,286)	(-75,714)
Distance learning, telemedicine, and broadband program:				
Loan authorizations:				
Broadband telecommunications.....	(400,000)	---	(212,014)	(-187,986)
Total, Loan authorizations.....	(400,000)	---	(212,014)	(-187,986)
Loan subsidies and grants:				
Distance learning and telemedicine:				
Grants.....	32,435	30,000	21,000	-11,435
Broadband telecommunications:				
Direct.....	22,276	---	6,000	-16,276
Grants.....	13,379	17,976	10,372	-3,007
Total, Loan subsidies and grants.....	68,090	47,976	37,372	-30,718
Total, Rural Utilities Service.....	635,030	576,913	587,348	-47,682
(Loan authorization).....	(9,163,263)	(7,572,000)	(8,719,882)	(-443,381)
Total, Title III, Rural Development Programs....	2,430,776	2,201,834	2,250,233	-180,543
(By transfer).....	(496,702)	(456,679)	(471,866)	(-24,836)
(Loan authorization).....	(35,866,118)	(33,817,638)	(36,146,023)	(+279,905)

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE IV - DOMESTIC FOOD PROGRAMS				
Office of the Under Secretary for Food, Nutrition and Consumer Services.....	811	828	770	-41
Food and Nutrition Service:				
Child nutrition programs.....	12,042,407	18,770,571	18,150,176	+6,107,769
Competitive grants.....	---	5,000	---	---
School breakfast program grants.....	---	10,000	1,000	+1,000
Childhood Hunger challenge grants.....	---	25,000	---	---
Transfer from section 32.....	5,277,574	---	---	-5,277,574
.2 Percent (rescission) (discretionary).....	-48	---	---	+48
Total, Child nutrition programs.....	17,319,933	18,810,571	18,151,176	+831,243
Special supplemental nutrition program for women, infants, and children (WIC).....	6,734,027	7,390,100	6,618,497	-115,530
Supplemental nutrition assistance program:				
(Food stamp program).....	65,206,790	68,173,308	77,401,722	+12,194,932
Reserve.....	---	5,000,000	3,000,000	+3,000,000
Center for Nutrition Policy and Promotion.....	---	1,500	---	---
Grants to States and technical assistance.....	---	9,000	---	---
.2 Percent (rescission) (discretionary).....	-97	---	---	+97
Total, Food stamp program.....	65,206,693	73,183,808	80,401,722	+15,195,029

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Commodity assistance program:				
Commodity supplemental food program.....	175,697	176,788	176,788	+1,091
Farmers market nutrition program.....	19,960	20,000	16,548	-3,412
Emergency food assistance program.....	49,401	50,000	48,000	-1,401
Pacific island and disaster assistance.....	1,068	1,081	1,000	-68
IT modernization and support.....	---	1,750	---	---
Total, Commodity assistance program.....	246,126	249,619	242,336	-3,790
Nutrition programs administration.....	147,505	170,471	138,500	-9,005
Total, Food and Nutrition Service.....	89,654,284	99,804,569	105,552,231	+15,897,947
Total, Title IV, Domestic Food Programs.....	89,655,095	99,805,397	105,553,001	+15,897,906
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS				
Foreign Agricultural Service				
Salaries and expenses.....	185,628	229,730	176,347	-9,281
(Transfer from export loans).....	(6,452)	(6,465)	(6,465)	(+13)
Total, Salaries and expenses.....	192,080	236,195	182,812	-9,268
Food for Peace Title I Direct Credit and Food for Progress Program Account, Administrative Expenses				
Farm Service Agency, Salaries and expenses (transfer to FSA).....	2,806	2,812	2,500	-306
Food for Peace Title II Grants: Expenses.....	1,497,000	1,690,000	1,466,000	-31,000

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Commodity Credit Corporation Export Loans				
Program Account (administrative expenses):				
Salaries and expenses (Export Loans):				
General Sales Manager (transfer to FAS).....	6,452	6,465	6,465	+13
Farm Service Agency S&E (transfer to FSA).....	354	355	355	+1
Total, CCC Export Loans Program Account.....	6,806	6,820	6,820	+14
McGovern-Dole international food for education and child nutrition program grants.....	199,101	200,500	184,000	-15,101
Total, Title V, Foreign Assistance and Related Programs.....	1,891,341	2,129,862	1,835,667	-55,674
(By transfer).....	(6,452)	(6,465)	(6,465)	(+13)
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION				
DEPARTMENT OF HEALTH AND HUMAN SERVICES				
Food and Drug Administration				
Salaries and expenses, direct appropriation.....	2,447,021	2,730,910	2,497,021	+50,000
Prescription drug user fees.....	(667,057)	(856,041)	(702,172)	(+35,115)
Medical device user fees.....	(61,860)	(67,118)	(57,605)	(-4,255)
Animal drug user fees.....	(19,448)	(21,768)	(21,768)	(+2,320)
Generic animal drug user fees.....	(5,397)	(5,706)	(5,706)	(+309)
Tobacco product user fees.....	(450,000)	(477,000)	(477,000)	(+27,000)
Food and Feed Export Certification user fees.....	---	(12,364)	(12,364)	(+12,364)
Food Reinspection fees.....	---	(14,700)	(14,700)	(+14,700)

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Voluntary qualified importer program fees.....	---	(36,000)	---	---
Subtotal (including user fees).....	(3,650,783)	(4,221,607)	(3,788,336)	(+137,553)
Mammography user fees.....	(19,318)	(19,318)	(19,318)	---
Export certification user fees.....	(10,400)	(10,400)	(11,667)	(+1,267)
Voluntary qualified importer program fees.....	---	---	(71,066)	(+71,066)
Subtotal, FDA (with user fees).....	(3,680,501)	(4,251,325)	(3,890,387)	(+209,886)
FDA New User Fees (Leg. proposals):				
Generic drug review user fees	---	(40,122)	---	---
Reinspection fees.....	---	(14,108)	---	---
International express courier import fees.....	---	(5,338)	---	---
Subtotal, FDA new user fees (Leg Proposals)	---	(59,568)	---	---
Buildings and facilities.....	9,980	13,055	8,788	-1,192
Total, FDA (w/user fees, including proposals)...	(3,690,481)	(4,323,948)	(3,899,175)	(+208,694)
Total, FDA (w/enacted user fees only).....	(3,690,481)	(4,264,380)	(3,899,175)	(+208,694)
Total, FDA (excluding user fees).....	2,457,001	2,743,965	2,505,809	+48,808

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted

INDEPENDENT AGENCIES				
Commodity Futures Trading Commission 1/.....	202,270	308,000	205,294	+3,024
Financial regulation user fees (leg proposal).....	---	(117,000)	---	---
Farm Credit Administration (limitation on administrative expenses).....	(59,400)	(62,000)	(61,000)	(+1,600)
	=====	=====	=====	=====
Total, Title VI, Related Agencies and Food and Drug Administration.....	2,659,271	3,051,965	2,711,103	+51,832
	=====	=====	=====	=====
TITLE VII - GENERAL PROVISIONS				
Limit fruit and vegetable program (Sec.718).....	-117,000	-114,478	-133,000	-16,000
Section 32 (rescission) (Sec.718).....	---	---	-150,000	-150,000
Forestry Incentives program (Sec.722) (rescission)....	---	---	-6,017	-6,017
Great Plains Conservation (Sec.722) (rescission).....	---	---	-547	-547
Supplemental Nutrition Assistance Program				
Employment and Training (rescission) (Sec.723).....	-15,000	---	-11,000	+4,000
Limit Conservation stewardship (Sec.728(1)).....	-39,000	-2,000	-76,516	-37,516
Limit Dam Rehab (Sec.728(2)).....	-165,000	-165,000	-165,000	---
Limit Environmental Quality Incentives program (Sec.728(3)).....	-350,000	-342,000	-350,000	---
Limit Farmland Protection program (Sec.728(4)).....	---	---	-50,000	-50,000
Limit Grasslands reserve (Sec.728(5)).....	---	-50,000	-30,000	-30,000
Limit Wetlands reserve (Sec.728(6)).....	-119,000	-9,000	-200,000	-81,000
Limit Wildlife habitat incentives (Sec.728(7)).....	---	-12,000	-35,000	-35,000
Limit Voluntary Public Access program (Sec.728(8))....	---	---	-17,000	-17,000
Limit Biomass Crop Assistance program (Sec.728(9))....	-134,000	---	-28,000	+106,000
Limit Bioenergy Program for Advanced Biofuels (Sec.728(10)).....	---	---	-40,000	-40,000

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012

(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Limit Renewable Energy for America (Sec.728(11)).....	---	---	-48,000	-48,000
Limit Microenterprise investment program (Sec.728(12))	---	---	-3,000	-3,000
Limit Crop Insurance Good Performance (Sec.728(13))...	-25,000	---	-25,000	---
Limit Agriculture management assistance (section 1524) (Sec.728(14)).....	---	-5,000	-5,000	-5,000
Hardwood Trees (Reforestation Pilot Program).....	639	---	600	-39
Geographic Disadvantaged farmers	1,996	---	1,996	---
Agricultural Research Service, Buildings and and facilities (rescission).....	-229,582	-223,749	---	+229,582
Broadband loan balances (rescission).....	-39,000	---	---	+39,000
NIFA, Buildings and Facilities (rescission).....	-1,037	-1,037	-2,490	-1,453
Wildlife Habitat Incentives unobligated (rescission)..	---	-10,188	---	---
Water Bank Act unobligated (rescission).....	---	-745	---	---
NRCS expired accounts (rescission).....	-13,937	---	---	+13,937
Outreach for socially disadvantaged farmers (rescission).....	-2,137	---	---	+2,137
Rural community advancement program (rescission).....	-993	---	---	+993
Agriculture Marketing Services (rescission).....	-717	---	---	+717
Common Computing Environment (rescission).....	-3,111	---	---	+3,111
Animal and Plant Health Inspection Service (APHIS) Buildings and Facilities (rescission).....	-629	---	---	+629
Agriculture Buildings and Facilities (rescission).....	-45,000	---	---	+45,000
Animal and Plant Health Inspection Service (APHIS) (rescission).....	-10,887	---	---	+10,887
Broadband grants (rescission).....	-25,000	---	---	+25,000
Export credit (rescission).....	-331,000	---	---	+331,000
Trade Adjustment Assistance for for Farmers (Sec.729) (rescission).....	---	---	-90,000	-90,000
Limit Emergency Food Assistance program (Sec.730).....	---	---	---	---
CAO (rescission).....	---	---	-4,000	-4,000

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Ocean freight (rescission).....	---	---	-3,235	-3,235
P.L. 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
Emergency Conservation Program (Disaster Relief).....	---	---	122,700	+122,700
Emergency Forest Restoration (Disaster Relief).....	---	---	28,400	+28,400
Emergency Watershed Protection (Disaster Relief).....	---	---	215,900	+215,900
Total, Title VII, General provisions.....	-1,664,395	-935,197	-1,118,555	+545,840
Grand total 1/.....	125,351,558	132,586,780	137,045,667	+11,694,109
Appropriations.....	(126,276,588)	(133,064,293)	(137,123,802)	(+10,847,214)
Rescissions.....	(-925,030)	(-477,513)	(-445,135)	(+479,895)
Disaster relief 2/	---	---	(367,000)	(+367,000)
(By transfer).....	(831,347)	(799,540)	(790,970)	(-40,377)
(Loan authorization).....	(40,517,401)	(38,564,728)	(40,933,113)	(+415,712)
(Limitation on administrative expenses).....	(172,847)	(179,101)	(177,101)	(+4,254)

1/ Includes CFTC funding for FY2011 provided in Financial Services and General Government Appropriations Act
 2/ Budget Control Act 2011 (Sec.251(b)(2)(D)/PL111-25)

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DIVISION A: AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-RELATED AGENCIES APPROPRIATIONS ACT 2012
 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
RECAPITULATION				
Title I - Agricultural programs.....	29,490,110	25,433,361	24,970,211	-4,519,899
Mandatory.....	(22,604,683)	(18,293,475)	(18,293,475)	(-4,311,208)
Discretionary.....	(6,885,427)	(7,139,886)	(6,676,736)	(-208,691)
Title II - Conservation programs (discretionary).....	889,360	899,558	844,007	-45,353
Title III - Rural development (discretionary).....	2,430,776	2,201,834	2,250,233	-180,543
Title IV - Domestic food programs	89,655,095	99,805,397	105,553,001	+15,897,906
Mandatory.....	(82,526,771)	(91,943,879)	(98,551,898)	(+16,025,127)
Discretionary.....	(7,128,324)	(7,861,518)	(7,001,103)	(-127,221)
Title V - Foreign assistance and related programs (discretionary).....	1,891,341	2,129,862	1,835,667	-55,674
Title VI - Related agencies and Food and Drug Administration (discretionary).....	2,659,271	3,051,965	2,711,103	+51,832
Title VII - General provisions (discretionary).....	-1,664,395	-935,197	-1,118,555	+545,840
Total 1/.....	125,351,558	132,586,780	137,045,667	+11,694,109

1/ Includes CFTC funding for FY2011
 provided in Financial Services and General
 Government Appropriations Act

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DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

The committee of conference approves report language included in House Report 112-169 or Senate Report 112-78 that is not changed by the conference. The statement of managers, 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 and Senate reports address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined the House report and the Senate report are not inconsistent and are to be interpreted accordingly. In cases where the House or Senate report directs the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

The conferees expect 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 2012, and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2012. 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 the statement accompanying this conference agreement, or in the accompanying reports of the House or Senate and not changed by the conference, shall be construed as the position of the conference and shall not be subject to reductions or reprogramming without prior approval of the Committees. The conferees further expect 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.

The conferees note 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 difference 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 538 of this Act, the conferees direct the Departments of Commerce and Justice, the National Aeronautics and Space Administration and the National Science Foundation 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

Reporting requirements.—Unless specifically noted in the following narrative, the conferees adopt by reference all House and Senate language regarding reports requested throughout Title I. These reports shall be submitted to the Committees on Appropriations within 120 days of enactment of this Act.

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The conference agreement includes \$465,000,000 in total resources for the programs of the International Trade Administration (ITA). This amount is offset by \$9,439,000 in estimated fee collections, resulting in a direct appropriation of \$455,561,000.

Travel reports.—The conferees do not adopt House language regarding quarterly reports on ITA employee travel to China. Additional direction on this matter is included in the Departmental Management heading. Instead, per section 112 of this Act, the conferees direct the Secretary to provide monthly reports to the Committees on Appropriations, beginning with October 1, 2011 data, including separate breakouts of funding by bureau, the number of trips, and purposes of travel to China. The conferees expect the first such monthly report to be provided within 30 days of enactment of this Act and within 30 days of the end of each subsequent month.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

The conference agreement includes \$101,000,000 for the Bureau of Industry and Security.

ECONOMIC DEVELOPMENT ADMINISTRATION

The conference agreement includes \$457,500,000 for the programs and administrative expenses of the Economic Development Administration (EDA).

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement includes \$420,000,000 for Economic Development Assistance Programs, including \$200,000,000 for disaster assistance in response to natural disaster declarations during fiscal year 2011. Of the amounts provided for non-disaster programs, 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.....	\$111,640,000
Planning	29,000,000
Technical Assistance.....	12,000,000
Research and Evaluation.....	1,500,000
Trade Adjustment Assistance	15,800,000
Economic Adjustment Assistance.....	50,060,000
Total	220,000,000

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Repatriation grants.—The conference agreement includes funds as proposed by the House for EDA to use its programs as a source for working with U.S. companies to bring their services, manufacturing, and/or research and development activities back to economically distressed regions in the United States.

Technical Assistance.—The conference agreement does not adopt House report language directing that EDA provide a review of the University Center program. Instead, the conferees direct the Secretary of Commerce to commission an independent review of the University Center program within 60 days of enactment of this Act. This review shall gather information requested in both House and Senate reports with respect to an evaluation of the University Center program.

Trade Adjustment Assistance.—The conferees note that funds provided under this activity are for manufacturing firms negatively impacted by import competition.

Economic Adjustment Assistance (EAA).—The conference agreement includes funding for new loan guarantee programs as authorized under sections 26 and 27 of the America COMPETES Act (P.L. 111-358). The America COMPETES Act includes a number of safeguards with respect to these programs and the conferees expect EDA to rigorously abide by

the requirements outlined in this legislation under 15 U.S.C. 3721 and 15 U.S.C. 3722. Specifically, the Secretary, in consultation with the Office of Management and Budget, shall implement accountability measures that strongly protect the financial interest of the United States. Finally, the conferees encourage EDA to use a portion of the funds provided in this Act for programs authorized under section 27 of the America COMPETES Act for science parks. The conferees do not adopt the Senate's separate account line for Regional Innovation Partnerships and instead encourage EDA to support such activities from within the EAA ~~account~~ ^{Program}. In addition, the conference agreement includes up to \$1,000,000 to support innovative, energy efficient grant programs for small businesses. The conferees remind EDA to ensure that award decisions are made at the regional level rather than at headquarters, that award decisions reflect geographic equity and that rural areas are among those chosen when awarding EDA funding.

Base realignment and closure.—The conference agreement does not adopt Senate language regarding base realignment and closure matters.

SALARIES AND EXPENSES

The conference agreement includes \$37,500,000 for EDA salaries and expenses.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The conference agreement includes \$30,339,000 for the Minority Business Development Agency.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The conference agreement includes \$96,000,000 for the Economics and Statistics Administration.

BUREAU OF THE CENSUS

The conference agreement includes \$888,336,000 in direct appropriations for the Bureau of the Census plus \$55,000,000 from the Census Working Capital fund for a total program level of \$943,336,000.

SALARIES AND EXPENSES

The conference agreement includes \$253,336,000 for the salaries and expenses of the Bureau of the Census.

PERIODIC CENSUSES AND PROGRAMS

The conference agreement includes a total of \$690,000,000 for periodic censuses and programs, including \$635,000,000 in direct appropriations and \$55,000,000 from available Census Working Capital Fund balances.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes \$45,568,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA).

Spectrum interference issues.—The conferees adopt by reference House report language regarding the Global Positioning System and direct NTIA to report to the Committees on Appropriations within 60 days of enactment of this Act.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The conference agreement includes language making recoveries and unobligated balances of funds previously appropriated available for the administration of open grants.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes language making available to the United States Patent and Trademark Office (PTO) the full amount of fiscal year 2012 fee collections. The conferees note that PTO has revised its fee estimates downward twice since September 1, 2011, and now estimates that it will collect \$2,516,000,000 or \$190,313,000 less than the President's request of \$2,706,313,000. The conference agreement appropriates all PTO fees in accordance with section 42(c) of title 35, United States Code, as amended by Section 22 the Leahy-Smith (I.C.) of

America Invents Act (P. L. 112-29) and includes language making available to the PTO any excess fee collections above the amount appropriated, subject to section 505 reporting requirements in this Act. The conference agreement does not include a general provision carried in previous years prohibiting funds to issue patents on claims directed to or encompassing a human organism. This language is no longer necessary as a similar permanent prohibition was enacted in the Leahy-Smith America Invents Act (~~Public Law 112-29~~).

National security concerns.—The conferees adopt by reference House report language regarding the need to update security procedures for patent applications that have national security implications and direct PTO to report to the Committees on Appropriations within 60 days of enactment of this Act regarding practices currently used by third parties to safeguard sensitive patent applications. This report shall provide a framework for suggested improvements for security standards used in the private sector.

Establishment of satellite offices.—The conferees encourage PTO to establish satellite offices in areas that are advantageous to both PTO and its customers.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The conference agreement includes \$750,824,000 for the National Institute of Standards and Technology (NIST).

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes \$567,000,000 for NIST's scientific and technical core programs, including \$10,000,000 for a Cybersecurity Center of Excellence and \$16,500,000 for the National Strategy for Trusted Identities in Cyberspace. The conferees do not adopt Senate language regarding specific direction pertaining to greenhouse gas measurements but do encourage NIST to pursue research in this area.

INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes \$128,443,000 for the Hollings Manufacturing Extension Partnership Program.

CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement includes \$55,381,000 for NIST construction. The conferees do not adopt House language designating funds for ongoing construction projects but expect NIST to continue to submit quarterly reports on the status of all construction projects as directed by the Senate.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement includes a total of \$4,893,675,000 in discretionary funds for the National Oceanic and Atmospheric Administration (NOAA). The conference agreement does not establish a NOAA Climate Service as proposed by the Senate.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes a total program level of \$3,139,329,000 under this account for the coastal, fisheries, marine, weather, satellite and other programs of NOAA. This total funding level includes: \$3,022,231,000 in direct appropriations; a transfer of \$109,098,000 from balances in the “Promote and Develop Fishery Products and Research Pertaining to American Fisheries” account; and \$8,000,000 derived from recoveries of prior year obligations.

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

National Ocean Service.—The conference agreement includes \$465,662,000 for National Ocean Service operations, research, and facilities. The conferees adopt by reference Senate report language regarding Integrated Ocean and Coastal Mapping but clarify that NOAA must ensure that proprietary and/or commercially-important fisheries data is kept confidential or is used only in aggregate datasets.

Response and Restoration.—The conferees adopt by reference House report language regarding the funds NOAA expects to receive from BP in response to the Deepwater Horizon oil spill in the Gulf of Mexico and direct NOAA to submit a spending plan to the Committees on Appropriations within 90 days of enactment of this Act. The conferees adopt by reference House

report language regarding the Gulf of Mexico Disaster Response Center and direct NOAA to provide a report to the Committees on Appropriations within 60 days of enactment of this Act.

[INSERT 2a]

National Marine Fisheries Service (NMFS).—The conference agreement includes \$794,210,000 for NMFS operations, research, and facilities.

Fisheries Research and Management.—The conference agreement does not include Senate report language specifying that priority shall be given to international Regional Fishery Management Organizations but instead notes that resources are provided for NMFS to update stock assessments and conduct surveys in fisheries around the U.S. The conferees encourage NMFS to engage the American lobster industry in conducting research and surveys.

Infectious Salmon Anemia.—Not later than six months after enactment of this Act, the National Aquatic Animal Health Task Force shall submit to the Senate Committee on Commerce, Science, and Transportation, the House Committee on Natural Resources and the House and Senate Committees on Appropriations a report assessing the risk Infectious Salmon Anemia poses to wild Pacific salmon and the coastal economies which rely on these fish. For this report, the Task Force shall establish Infectious Salmon Anemia research objectives, in collaboration with the Government of Canada, and Federal, State, and tribal governments, including the Department of Fish and Wildlife of Washington and the Department of Fish and Game of Alaska, to assess: (1) the prevalence of Infectious Salmon Anemia in both wild and aquaculture salmonid populations throughout Alaska, Washington, Oregon, California, and Idaho; (2) genetic susceptibility by population and species; (3) susceptibility of populations to Infectious Salmon Anemia from geographic and oceanographic factors; (4) potential transmission pathways between infectious Canadian sockeye and uninfected salmonid populations in United States waters; (5) management strategies to rapidly respond to potential Infectious Salmon Anemia outbreaks in both wild and aquaculture populations, including securing the water supplies at conservation hatcheries to protect hatchery fish from exposure to

INSERT 9a

NATIONAL OCEAN SERVICE
Operations, Research, and Facilities
(in thousands of dollars)

Program	Conference
Navigation Services	
Mapping and Charting	
Mapping and Charting Base	\$49,700
Hydrographic Research and Technology Development	7,305
Electronic Navigational Charts	6,088
Shoreline Mapping	2,310
Address Survey Backlog/Contracts	28,973
Subtotal, Mapping and Charting	94,376
Geodesy	
Geodesy	26,647
National Height Modernization	2,495
Subtotal, Geodesy	29,142
Tide and Current Data	
Tide and Current Data	27,530
Subtotal, Tide and Current Data	27,530
Total, Navigation Services	151,048
Ocean Resources Conservation and Assessment	
Ocean Assessment Program	
Integrated Ocean Observing System (IOOS)	31,055
NOAA IDDS	6,595
Coastal Services Center	37,099
Coral Reef Program	26,746
Subtotal, Ocean Assessment Program	101,495
Response and Restoration	
Response and Restoration Base	21,531
Estuary Restoration Program	1,000
Marine Debris	5,000
Subtotal, Response and Restoration	27,531
National Centers for Coastal Ocean Science (NCCOS)	
National Centers for Coastal Ocean Science	36,000
Competitive Research	11,061
Subtotal, NCCOS	47,061
Total, Ocean Resources Conservation and Assessment	176,087
Ocean and Coastal Management	
Coastal Management	
CZM Grants	66,146
CZM and Stewardship	8,000
Regional Ocean Partnership Grants	3,500
National Estuarine Research Reserve System	22,281
Marine Protected Areas	2,000
Marine Sanctuary Program	47,600
Total, Ocean and Coastal Management	149,527
Undistributed Reduction	(11,000)
Total, National Ocean Service—ORF	\$465,662

the Infectious Salmon Anemia virus present in incoming surface water; (6) potential economic impacts of Infectious Salmon Anemia; (7) any role foreign salmon farms may have in spreading Infectious Salmon Anemia to wild populations; (8) the identity of any potential Federal, State, tribal, and international research partners; (9) available baseline data, including baseline data available from a collaborating entity; and (10) other Infectious Salmon Anemia research priorities, as determined by the Task Force.

National Research Council review.—The conferees do not adopt House language report regarding a National Research Council review but instead direct NOAA to report to the Committees on Appropriations and the appropriate authorizing committees within 60 days of enactment of this Act regarding appropriate efforts to address the concerns outlined in the letter referenced in the House report.

[INSERT 10a]

Oceanic and Atmospheric Research.—The conference agreement includes \$376,575,000 for Oceanic and Atmospheric Research operations, research, and facilities.

[INSERT 10b]

National Weather Service (NWS).—The conference agreement includes \$903,098,000 for NWS operations, research, and facilities. Within NOAA, the conference agreement prioritizes funding for these core life and safety programs.

NWS Operations.—NOAA shall enter into a contract with an independent organization with experience in assessing Federal agencies for the purposes of evaluating efficiencies that can be made to NWS operations. This review shall include consultations with emergency managers and other user groups as well as NWS employees. Any recommended efficiencies should not

INSERT 10a

NATIONAL MARINE FISHERIES SERVICE
 Operations, Research, and Facilities
 (in thousands of dollars)

Program	Conference
Protected Species Research and Management	
Protected Species Research and Management Programs Base	\$39,850
Species Recovery Grants	2,797
Marine Mammals	49,653
Marine Turtles	12,887
Other Protected Species (Marine Fish, Plants, and Invertebrates)	7,038
Atlantic Salmon	5,660
Pacific Salmon	58,566
Subtotal, Protected Species Research and Management	176,451
Fisheries Research and Management	
Fisheries Research and Management Programs	179,000
National Catch Share Program	28,000
Expand Annual Stock Assessments / Improve Data Collection	63,764
Economics and Social Sciences Research	7,657
Salmon Management Activities	37,451
Regional Councils and Fisheries Commissions	31,855
Fisheries Statistics	23,224
Fish Information Networks	22,087
Survey and Monitoring Projects	21,779
Fisheries Oceanography	2,147
American Fisheries Act	3,888
Interjurisdictional Fisheries Grants	1,157
National Standard 8	1,000
Reduce Fishing Impacts on Essential Fish Habitat	374
Reducing Bycatch	3,428
Product Quality and Safety	6,212
Subtotal, Fisheries Research and Management	433,023
Enforcement and Observers / Training	
Enforcement	66,825
Observers / Training	41,074
Subtotal, Enforcement and Observers / Training	107,899
Habitat Conservation and Restoration	
Sustainable Habitat Management	20,958
Fisheries Habitat Restoration	22,229
Subtotal, Habitat Conservation and Restoration	43,187
Other Activities Supporting Fisheries	
Antarctic Research	1,645
Aquaculture	5,593
Climate Regimes and Ecosystem Productivity	1,747
Computer Hardware and Software	1,796
Cooperative Research	11,000
Information Analyses and Dissemination	15,377
Marine Resources Monitoring, Assessment and Prediction Program	504
National Environmental Policy Act	6,467
NMFS Facilities Maintenance	3,293
Regional Studies	10,228
Subtotal, Other Activities Supporting Fisheries	57,650
Undistributed Reduction	(24,000)
Total, National Marine Fisheries Service—ORF	\$794,210

INSERT 106

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH
Operations, Research, and Facilities
(in thousands of dollars)

Program	Conference
Climate Research	
Laboratories and Cooperative Institutes	\$53,483
Climate Data and Information	10,439
Competitive Research Program	120,000
Climate Operations	911
Total, Climate Research	184,833
Weather and Air Quality Research	
Laboratories and Cooperative Institutes	
Laboratories and Cooperative Institutes	54,505
U.S. Weather Research Program	4,273
Tornado Severe Storm Research / Phased Array Radar	10,037
Total, Weather and Air Quality Research	68,815
Ocean, Coastal, and Great Lakes Research	
Laboratories and Cooperative Institutes	
Laboratories and Cooperative Institutes	24,246
National Sea Grant College Program Base	63,000
Ocean Exploration and Research	26,200
Integrated Ocean Acidification	6,359
Total, Ocean, Coastal, and Great Lakes Research	119,805
Info Tech R&D	
High Performance Computing Initiatives	9,122
Total, Info Tech R&D	9,122
Undistributed Reduction	(6,000)
Total, Office of Oceanic and Atmospheric Research—ORF	\$376,575

result in any degradation of service to the communities served by local forecast offices and River Forecast Centers, nor should such recommendations place the safety of the public at greater risk. This review shall not be undertaken until the National Academy of Sciences completes its review of the NWS modernization, which will include recommendations on the NWS workforce and composition and how NWS can improve current partnerships with Federal and non-Federal partners and incorporate new technologies for improved services. The findings and recommendations of the National Academy of Sciences review should inform this new independent assessment.

National mesonet strategy and operations.—The conferees modify Senate language regarding a national mesonet strategy and operations and instead encourage NOAA to convene a peer-reviewed study to create a national mesonet program plan within NOAA with recommendations for implementation as appropriate. The conference agreement includes \$12,000,000 for the competitive procurement of data to continue the National Mesonet Program, but does not provide specific funding amounts for mesonet activities as directed by the Senate. Instead, the conferees encourage NOAA to support proposals that can improve forecasting of severe weather within local NWS field offices and can achieve effective collaboration among disparate network operators to promote NOAA’s objective of a weather ready nation. NOAA is encouraged to continue competitive programs in this area and to include funding for these activities in subsequent budget requests as appropriate.

Flood forecasts.—The conference agreement does not adopt Senate language directing NOAA to enter into formal agreements with river commissions but does provide increased funding for flood forecasts and encourages NOAA to collaborate with river commissions to continue efforts to ensure that critical data is coordinated and used to provide accurate and timely flood forecasts.

[INSERT ^{11a}]

INSERT 11a

NATIONAL WEATHER SERVICE
Operations, Research, and Facilities
(in thousands of dollars)

Program	Conference
Local Warnings and Forecasts	
Local Warnings and Forecasts	\$641,343
Air Quality Forecasting	5,445
Data Buoys	1,683
Sustain Cooperative Observer Network	1,871
National Mesonet Network	12,000
NOAA Profiler Network	4,841
Strengthen U.S. Tsunami Warning Network	23,541
Pacific Island Compact	3,715
Subtotal, Local Warnings and Forecasts	694,439
Operations and Research	
Advanced Hydrological Prediction Services	8,199
Aviation Weather	21,538
WFO Maintenance	7,446
Weather Radio Transmitters	2,297
Central Forecast Guidance	80,771
Subtotal, Operations and Research	120,251
Total, Local Warnings and Forecasts, Operations and Research	814,690
Systems Operation and Maintenance	
NEXRAD	46,748
Automated Surface Observing Systems	11,302
Advanced Weather Interactive Processing System	39,846
NWS Telecommunication Gateway / CIP	5,512
Total, Systems Operation and Maintenance	103,408
Undistributed Reduction	(15,000)
Total, National Weather Service—ORF	\$903,098

National Environmental Satellite, Data and Information Service.—The conference agreement includes \$180,323,000 for National Environmental Satellite, Data and Information Service (NESDIS) operations, research and facilities. The conferees provide \$68,750,000 for Data Centers and Information Services, of which \$7,000,000 shall be for Regional Climate Services and \$4,600,000 is for the National Coastal Data Development Center.

Satellite outyear cost estimates.—The conferees include new bill language limiting an amount of Operations, Research, and Facilities funding until the NOAA Administrator provides the Committees on Appropriations with revised and detailed lifecycle costs of all satellite programs.

[INSERT ^{12a}]

INSERT 12c

✓ *NOAA facilities.*—The conferees support the requested level for “NOAA Construction” proposed within the NOAA “Procurement, Acquisition and Construction” account but instead provide this funding within the NOAA Facilities line as this request is for salaries and expenses (S&E) costs and not construction. NOAA shall request future S&E funding associated with construction within the Operations, Research, and Facilities account. The conferees clarify Senate report language regarding the NOAA Pacific Regional Center in that the conferees understand that NOAA is in the process of building an accompanying child development facility at the NOAA Pacific Regional Center using previously appropriated funds. ↕ / ↕

[INSERT ^{12b}]

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The conference agreement includes a total program level of \$1,825,094,000 in direct obligations under this heading, of which \$1,817,094,000 is appropriated from the general fund

INSERT 12a

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE
Operations, Research, and Facilities
(in thousands of dollars)

Program	Conference
Environmental Satellite Observing Systems	
Satellite Command and Control	\$39,970
NOAA Satellite Operations Facility Operations	7,944
Subtotal, Satellite Command and Control	47,914
Product Processing and Distribution	
Product Processing and Distribution	36,041
Subtotal, Product Processing and Distribution	36,041
Product Development, Readiness and Application	
Product Development, Readiness and Application	20,771
Product Development, Readiness and Application (Ocean Remote Sensing)	4,023
Joint Center / Accelerate Use of Satellites	3,358
Subtotal, Product Development, Readiness and Application	28,152
Commercial Remote Sensing Licensing and Enforcement	1,308
Office of Space Commercialization	653
Group on Earth Observations	505
Total, Environmental Satellite Observing Systems	114,573
Data Centers and Information Services	68,750
Undistributed Reduction	(3,000)
Total, NESDIS—ORF	\$180,323

INSERT 12b

PROGRAM SUPPORT
 Operations, Research, and Facilities
 (in thousands of dollars)

Program	Conference
Corporate Services	
Under Secretary and Associate Offices Base	27,474
Facilities	24,500
NOAA-Wide Corporate Services and Agency Management Base	115,561
DOC Accounting System	10,200
Payment to the DOC Working Capital Fund	41,944
IT Security	11,059
Total, Corporate Services	230,738
NOAA Education Programs	
Competitive Educational Grants and Programs	31,540
Competitive Educational Grants	(8,040)
<i>Ocean Education Partnerships</i>	(2,500)
<i>Geographic Literacy</i>	(2,000)
Education Partnership Program--Minority Serving Institutions	(14,300)
BWET	(7,200)
Subtotal, Corporate Services and Education	262,278
Marine and Aviation Operations and Maintenance	
Marine Services	
Marine Data Acquisition	129,740
Fleet Planning and Maintenance	
Fleet Planning and Maintenance	22,035
Subtotal, Fleet Planning and Maintenance	22,035
Subtotal, Marine Operations and Maintenance	151,775
Aviation Operations	
Aircraft Services	29,358
Subtotal, Aviation Operations	29,358
Subtotal, Marine and Aviation Operations and Maintenance—ORF	181,133
Undistributed Reduction	(23,950)
Total, Program Support—ORF	\$419,461

Insert Page 12 c

Program Support.--The conference agreement includes \$419,461,000 for Program Support.

and \$8,000,000 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:

Joint Polar Satellite System (JPSS).—The conferees adopt by reference all House and Senate report language regarding JPSS with the exception of Senate report language regarding a lifecycle cost cap. Instead, the conferees direct NOAA to provide outyear funding estimates for this program prior to submission of the fiscal year 2013 budget request. The conferees note that new bill language is included in NOAA’s Operations, Research, and Facilities account which limits the amount of funds that NOAA may obligate pending submission of a revised spend plan for JPSS and NOAA’s other satellite programs. Further, the conferees direct NOAA to outline a framework for developing a compensation policy that would enable NOAA to be reimbursed as appropriate for the use of specialized data products derived from NOAA satellite imagery and data.

[INSERT 13a+b]

PACIFIC COASTAL SALMON RECOVERY

The conference agreement includes \$65,000,000 for Pacific Coastal Salmon Recovery.

FISHERMEN’S CONTINGENCY FUND

The conference agreement includes \$350,000 for the Fishermen’s Contingency Fund.

FISHERIES FINANCE PROGRAM ACCOUNT

The conference agreement 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.

INSERT 13a

PROCUREMENT, ACQUISITION AND CONSTRUCTION
(in thousands of dollars)

Program	Conference
National Ocean Service	
CELCP Acquisition	
Coastal and Estuarine Land Conservation Program	\$5,000
Subtotal, NOS Acquisition	5,000
NERRS Construction	
National Estuarine Research Reserve Construction (NERRS)	1,690
Subtotal, NERRS Construction	1,690
Marine Sanctuaries Construction	
Marine Sanctuaries Base	5,495
Subtotal, Marine Sanctuary Construction	5,495
Subtotal, NOS Construction	7,185
Total, National Ocean Service—PAC	12,185
Oceanic and Atmospheric Research	
Systems Acquisition	
Research Supercomputing / CCRl	10,358
Subtotal, OAR Systems Acquisition	10,358
Total, Oceanic and Atmospheric Research—PAC	10,358
National Weather Service	
Systems Acquisition	
ASOS	1,635
AWIPS	24,364
NEXRAD	5,819
NWSG Legacy Replacement	1,195
Radiosonde Network Replacement	4,014
Weather and Climate Supercomputing	40,169
Cooperative Observer Network Modernization (NERON)	3,727
Complete and Sustain NOAA Weather Radio	5,594
NOAA Profiler Conversion	5,480
Subtotal, NWS Systems Acquisition	91,997
Construction	
WFO Construction	3,150
NWS WFO Construction	3,150
Total, National Weather Service—PAC	95,147
National Environmental Satellite, Data, and Information Service	
Systems Acquisition	
Geostationary Systems—N	33,967
Geostationary Systems—R	617,390
Polar Orbiting Systems—POES	34,632
JASON-3	20,000
Joint Polar Satellite System (formerly NPOESS)	924,014
OSCOVR	30,100
EOS and Advanced Polar Data Processing	990
CIP—single point of failure	2,772
Comprehensive Large Array Data Stewardship System (CLASS)	6,476
NPOESS Preparatory Data Exploitation	4,455
Restoration of Climate Sensors	28,880
Subtotal, NESDIS Systems Acquisition	1,703,676
Construction	
Satellite CDA Facility	2,228
Subtotal, NESDIS Construction	2,228
Total, National Environmental Satellite, Data, and Information Service—PAC	1,705,904

INSUM 136

~~2~~

PROCUREMENT, ACQUISITION AND CONSTRUCTION—Continued
(in thousands of dollars)

Program	Conference
Office of Marine and Aviation Operations	
OMA0—Fleet Replacement	
Fleet Capital Improvements and Tech Infusion	11,100
New Vessel Construction	1,400
Subtotal, OMA0 Fleet Replacement	12,500
Total, Office of Marine and Aviation Operations—PAC	12,500
Undistributed Reduction	(11,000)
GRAND TOTAL, PAC	\$1,825,094

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes \$57,000,000 for Departmental Management salaries and expenses.

Cybersecurity.—The conferees adopt House and Senate report language regarding establishment of a cybersecurity center and expect that each bureau will contribute a pro-rated amount as directed by the House and that a portion of funds realized from data center consolidation will be used in the effort as directed by the Senate.

Cyber-espionage.—The conferees adopt by reference House report language regarding certification of information technology systems but include this reporting requirement as a new general provision in Title V of this Act. The Secretary shall report to the Committees on Appropriations on all such determinations, and the process used to arrive at such determinations, on a quarterly basis beginning 30 days following the second quarter of fiscal year 2012. (i.c.)

Travel reports.—In lieu of the House report language regarding travel of ITA employees the conferees instead expand this language as a Department-wide general provision in this title and direct the Secretary to provide monthly reports to the Committees on Appropriations, beginning with October 1, 2011 data, including separate breakouts of funding by bureau, the number of trips, and purposes of travel to China. The conferees expect the first such monthly report to be provided within 30 days of enactment of this Act and within 30 days of the end of each subsequent month. ^

Cooperatives.—The conferees adopt by reference House report language regarding cooperatives and clarify that the language shall be interpreted as referring to business cooperatives.

RENOVATION AND MODERNIZATION

The conference agreement includes \$5,000,000 for continuing renovation activities at the Herbert C. Hoover Building.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$26,946,000 for the Office of Inspector General. The conferees adopt Senate language transferring \$1,000,000 each from the Bureau of the Census, the PTO and the NOAA PAC account for audits and reviews of these programs.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING RESCISSION)

The conferees adopt the following general provisions for the Department of Commerce:

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.

(RESCISSION)

Section 109 rescinds all balances in the Coastal Zone Management Fund.

Section 110 establishes a fisheries enforcement asset forfeiture fund.

Section 111 establishes a sanctuaries enforcement asset forfeiture fund.

Section 112 establishes a reporting requirement requiring Commerce to provide a

monthly ~~quarterly~~ report on any official travel to China by any Commerce employee.

Section 113 includes a provision regarding the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.

TITLE II
DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes \$110,822,000 for General Administration, Salaries and Expenses.

Terrorism.—The conferees are concerned that the lack of a current policy on terrorist detention may be a disincentive to the capture and interrogation of terrorist suspects, thereby depriving the Department of Justice (DOJ) and other agencies of critical intelligence that could inform and improve counterterrorism efforts. The conferees note that the Attorney General co-chaired the Special Interagency Task Force on Detainee Disposition that was tasked with reviewing policies for the detention of individuals captured or apprehended in connection with armed conflicts and counterterrorism operations. The conferees direct the Department, in consultation with other appropriate Federal agencies, to provide to the Committees on Appropriations, not later than 120 days after the enactment of this Act, an unclassified report on U.S. detention policy, including the legal basis for such policy, as it applies to current and future terrorism detainees. If appropriate, such report may be accompanied by a classified annex.

Prison Rape Elimination Act (PREA).—The conferees affirm language in the House report directing the Department to publish, as soon as possible, a final rule adopting national standards for the detection, prevention, reduction and punishment of prison rape, as mandated by the PREA. Upon adoption of the national standards, the Committees on Appropriations will further examine how the Department will 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 PREA national standards.

With respect to auditing PREA compliance, the conferees strongly encourage the Department to follow the recommendations of the PREA Commission for the reasons outlined in the House report. In addition, the conferees concur with the Commission's proposed standard

requiring correctional facilities to make use of cost-effective and appropriate monitoring technologies.

Obscenity enforcement.—The conferees note the concern expressed in the House report regarding the Department’s incorporation of the responsibilities of the Obscenity Prosecution Task Force into the Child Exploitation and Obscenity Section of the Criminal Division. The conferees support the work of the Department in investigating and prosecuting major producers and distributors of hardcore adult pornography that meets the test for obscenity, as defined by the Supreme Court, and expect that the responsibilities that had been assigned to the Task Force will not be diminished by this reorganization. The conferees direct the Department to submit a report not later than 120 days after the enactment of this Act on its adult obscenity investigation and prosecution workload statistics and accomplishments, including a comparison of workload statistics and accomplishments during the existence of the Obscenity Prosecution Task Force, and in the period of time following its incorporation into the Child Exploitation and Obscenity Section of the Criminal Division.

Gulf Cost Claims Facility (GCCF).—The conference agreement includes language under section 220 requiring that the Department identify an independent auditor to carry out an evaluation of the GCCF. This evaluation should include assessments of matters such as the claims determination methodologies employed by the GCCF and the qualifications of its personnel. The conferees encourage the Department to consult with the Government Accountability Office (GAO) in identifying an auditor.

International Organized Crime (IOC) strategy.—The conferees support the Department’s goal of disrupting and dismantling international criminal organizations that pose the greatest threat to the United States. Given current and anticipated future budget constraints, however, it will be difficult for the Department to set aside funding to expand and enhance the IOC Intelligence and Operations Center (IOC-2), the Organized Crime Council Program Support Office, and IOC resources from other Justice components without impacting staffing levels. If the IOC initiative continues to be a priority in future requests, the Department should develop a strategy for funding this program somewhere other than the executive leadership budget.

Tribal consultation.—The conferees are aware that the Department continues to develop its formal strategy on how to enhance public safety in Indian country. Not later than 120 days after the enactment of this Act, the Attorney General shall provide the Committees on Appropriations a report on how DOJ will use the tribal consultation process to further streamline and coordinate programs and funding opportunities for Native Americans, both within DOJ and with relevant programs of the Department of the Interior.

Violence against law enforcement personnel.—The conferees are concerned about spikes in ambush-style assaults that have taken the lives of law enforcement officers in recent months. The conference agreement includes funds under the State and Local Law Enforcement Assistance account for the Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability Initiative (VALOR), a program designed to improve officer resilience and survivability. The conferees encourage the Department to make available this type of training for Federal law enforcement officers to further enhance the ability of these officers to anticipate and survive a violent encounter.

2012 } fiscal year } *Spending plans.*—The conferees direct the Department to include in its spending plan for a plan for the use of all funding available under this heading, by decision unit and office.

NATIONAL DRUG INTELLIGENCE CENTER

The conference agreement includes \$20,000,000 for the National Drug Intelligence Center (NDIC). The conferees expect that the funds provided will be used only for necessary expenses related to the closing of the NDIC and the reassignment of functions performed at NDIC to other entities if the continuation of such functions is determined to be necessary by the Attorney General. The conferees direct the Department to submit to the Committees on Appropriations, not later than 120 days after the enactment of this Act, a detailed report of its plans regarding the closure of NDIC. The Department should give priority to solutions that minimize the cost to the Government and disruptions to critical counterdrug and intelligence activities.

JUSTICE INFORMATION SHARING TECHNOLOGY

The conference agreement includes \$44,307,000 for Justice Information Sharing Technology.

Cybersecurity—The conferees encourage the Department to prioritize, within the funds provided, efforts to defend proactively against and respond to cyber threats and attacks against DOJ's networks.

TACTICAL LAW ENFORCEMENT WIRELESS COMMUNICATIONS

The conference agreement includes \$87,000,000 for Tactical Law Enforcement Wireless Communications.

The conferees expect DOJ to utilize full and open contracting procedures to the greatest extent possible as it endeavors to migrate from its legacy wideband systems to a standards-based mobile radio system. If the Department determines that it is necessary to award a sole source contract related to this migration, the Department shall report to the Committees on Appropriations on the justification for such action.

The conferees direct the Department to submit a report not later than 120 days after the enactment of this Act to the Committees on Appropriations on the Department's plan for moving forward with the Integrated Wireless Network (IWN) initiative. This plan should identify alternative funding sources and funding options for the provision, deployment, maintenance and operation of a wireless network that addresses security vulnerabilities, improves system reliability, and achieves interoperability with other law enforcement and emergency responder radio infrastructure systems.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$305,000,000 for the Executive Office for Immigration Review (EOIR) and the Office of the Pardon Attorney.

Legal Orientation Program (LOP).—The conferees expect that EOIR will continue its highly successful LOP. Apprehended individuals benefit from better information about immigration removal proceedings, and U.S. taxpayers benefit from reduced detention costs resulting from a more efficient legal process. The conferees encourage EOIR to dedicate funds to the LOP, as necessary and available, to ensure the continuation of this program. In addition, the conferees expect EOIR to seek alien-specific detention costs and duration of detention data from Immigration and Customs Enforcement in order to develop a more accurate estimate of the cost savings to the Federal Government provided by participation in the LOP. The conferees direct EOIR to submit a report to the Committees on Appropriations providing such data, as well as an estimate of the cost savings generated by the LOP, not later than 120 days after the enactment of this Act.

Immigration and border initiatives.—If additional funds are needed to support EOIR's role in immigration and border initiatives, the conferees urge the Department to submit a reprogramming request in 2012 that would reallocate funds from lower priority programs to meet such needs.

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DETENTION TRUSTEE

The conference agreement includes \$1,580,595,000 for the Office of the Federal Detention Trustee (OFDT).

The conferees are aware that OFDT's resource needs are directly impacted by law enforcement and prosecutorial priorities, such as increases in immigration enforcement by the Department of Homeland Security and efforts to combat drug and gun smuggling along the Southwest Border. However, the conferees remain concerned about the Department's ability to anticipate the true funding needs for this account. The conferees expect OFDT to keep the Committees on Appropriations apprised of changes in average daily population forecasts so that resource requirements for fiscal year 2012 and beyond can be verified and refined, particularly with regard to the impacts of law enforcement initiatives on the Southwest Border. The conferees direct OFDT to resume providing quarterly reports to the Committees on Appropriations, which shall include the actual number of individuals in the detention system, the projected number of individuals in the detention system and the annualized associated costs.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$84,199,000 for the Office of Inspector General (OIG).

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$12,833,000 for the salaries and expenses of the United States Parole Commission.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement includes \$863,367,000 for General Legal Activities.

Human trafficking.—The conferees direct the Department to maintain funding for the Human Trafficking and Slavery Prosecution Unit (HTSPU) in the Civil Rights Division at not less than the fiscal year 2011 funding level to continue efforts to fight human trafficking and slavery.

Human rights crimes.—The conferees remain concerned about the large number of suspected human rights violators from foreign countries who have found safe haven in the United States, and direct the Criminal Division to continue its efforts to investigate and prosecute perpetrators of serious human rights crimes, including genocide, torture, use or recruitment of child soldiers, and war crimes. For this purpose, the conferees direct the Department to provide not less than the fiscal year 2011 funding level for attorneys, analysts, and support personnel in the Criminal Division to investigate and prosecute individuals who violate Federal laws regarding serious human rights abuses.

VACCINE INJURY COMPENSATION TRUST FUND

The conference agreement 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

The conference agreement includes \$159,587,000 for the Antitrust Division. This appropriation is offset by \$108,000,000 in pre-merger filing fee collections, resulting in a direct appropriation of \$51,587,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement includes \$1,960,000,000 for the Executive Office for United States Attorneys (EOUSA) and the 94 United States Attorneys' offices.

Human trafficking.—The conference agreement includes language directing each U.S. Attorney to establish or participate in a U.S. Attorney-led human trafficking task force. In instances where it may be preferable, due to geographical or other considerations, to operate joint human trafficking task forces, joint task forces representing no more than two U.S. Attorneys' offices will satisfy the requirement.

The conferees direct such task forces to engage law enforcement, elected leadership, civic and faith-based groups and to convene quarterly, working-level meetings where Federal, State and local law enforcement are represented. Task force meetings should focus specifically on combating human trafficking, with an emphasis on undertaking proactive investigations. Such investigations shall include, for example, the investigation of persons or entities facilitating trafficking in persons through the use of classified advertising on the Internet. The conferees also direct the Department to submit an annual report to the Committees on Appropriations regarding the work of these task forces. This report shall detail the range of efforts by the task forces, and include information on the use of classified advertising on the Internet to facilitate trafficking and a description of policies and task force actions that respond to such practices.

The conferees further direct the EOUSA, in consultation with each U.S. Attorney, to designate a point of contact in each U.S. Attorney's office who shall serve as the coordinator for all activities within that office concerning human trafficking and slavery matters covered by the Trafficking Victims Protection Act.

In addition, the conferees adopt language in the House report directing the Department to undertake outreach efforts in the form of public notices, such as newspaper advertisements, in ethnic communities in the U.S., the home countries of which represent the top ten countries with regard to the prevalence of human trafficking activities and to report to the Committees on Appropriations regarding such outreach efforts.

Intellectual property rights (IPR) enforcement.—The conferees expect the Department to continue to make IPR enforcement an investigative and prosecutorial priority for Federal prosecutors. The conferees direct the Department to provide to the Committees on Appropriations a report on the activities of its Assistant U.S. Attorneys dedicated to investigating intellectual property crimes pursuant to and authorized under section 402 of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403).

Adam Walsh Act implementation.—The conferees expect the EOUSA 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). The conference agreement includes not less than \$41,000,000 for these purposes in fiscal year 2012.

UNITED STATES TRUSTEE SYSTEM FUND

The conference agreement includes \$223,258,000 for the United States Trustee Program (USTP). The appropriation is fully offset by fee collections.

Debtor audits.—The conferees expect the USTP to make debtor audits a priority and delineate, in the Department's fiscal year 2012 spending plan, the allocation of funds for debtor audits.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The conference agreement includes \$2,000,000 for the Foreign Claims Settlement Commission.

FEES AND EXPENSES OF WITNESSES

The conference agreement includes \$270,000,000 for Fees and Expenses of Witnesses.

Expert witnesses.—Within funds provided, the conference agreement includes the requested \$92,000,000 to respond to the increased need for expert witnesses among the litigating divisions and the U.S. Attorneys' offices. The conferees expect that no funds will be expended for expert witness services from any DOJ accounts except Fees and Expenses of Witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The conference agreement includes \$11,456,000 for the Community Relations Service.

ASSETS FORFEITURE FUND

The conference agreement includes \$20,948,000 for the Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The conference agreement includes \$1,174,000,000 for the salaries and expenses of the United States Marshals Service (USMS).

Spending plan.—The conferees expect that the USMS will include in its fiscal year 2012 spending plan a strategy for how it will approach mandatory protective services, as well as how it will respond to critical law enforcement requirements and congressional mandates to address violent crime reduction, enforce the Adam Walsh Act and combat Southwest Border violence. To help remedy possible funding shortfalls, the conferees encourage the USMS to continue exploring and utilizing new technological capabilities in order to further ensure the fair and efficient administration of justice. If additional funds are needed to support the USMS' Adam

Fiscal year } Walsh Act enforcement mission, the conferees urge the Department to submit a reprogramming request in 2012 that would reallocate funds from lower priority programs to meet such needs.

CONSTRUCTION

The conference agreement includes \$15,000,000 for construction and related expenses in space controlled, occupied or utilized by the USMS for prisoner holding and related support.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

The conference agreement includes \$87,000,000 for the salaries and expenses of the National Security Division.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conference agreement includes \$527,512,000 for the Organized Crime and Drug Enforcement Task Forces (OCDETF).

Southwest Border.—The conferees expect OCDETF to prioritize the continuation of support for Assistant U.S. Attorney positions and collocated Strike Forces in the Southwest Border region, and to submit a report to the Committees on Appropriations not later than 90 days after the enactment of this Act showing the current and planned distribution of personnel, by bureau, to each of the collocated Strike Forces.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The conference agreement includes \$8,036,991,000 for the salaries and expenses of the Federal Bureau of Investigation (FBI). The conference agreement incorporates language in the House report on analytic career path training, the Safe Streets/Safe Trails Task Force program, the continuation of positions for Southwest Border law enforcement, the nationwide file

inventory program, and the continuation of positions for the investigation of white collar and financial crime.

Computer intrusions.—In recognition of the FBI’s unique cyber-related authorities and expertise, the conference agreement includes at least the full request, an increase of \$18,628,000 and 42 positions, including 14 special agents, above the fiscal year 2011 enacted level to further the Bureau’s investigatory, intelligence gathering and technological capabilities to address malicious cyber intrusions and protect critical infrastructure in the United States from cyber attacks. The conferees direct the FBI to produce an annual national cyber threat assessment, in both classified and unclassified versions, and submit such report to the Committees on Appropriations not later than 120 days after the enactment of this Act.

National security.—The conference agreement includes program increases totaling \$48,870,000 as described in the House report. The conferees direct the FBI to submit a report to the Committees on Appropriations not later than 120 days after the enactment of this Act detailing the research activities conducted under the auspices of the High-value Detainee Interrogation Group, the results of such research, and any recommendations for the development of new techniques.

Electronic surveillance.—The conference agreement incorporates language in the House report related to increases provided to improve lawful electronic surveillance capabilities. The conference agreement does not include language in the Senate report directing a percentage of these funds to be used for Special Surveillance Groups.

Render Safe.—The conference agreement includes a program increase of \$40,000,000 and 13 positions to support the acquisition and refurbishment of two aircraft to carry out the Render Safe mission. The conferees note that the Senate had approved the use of previously appropriated funding for this same purpose. The FBI shall submit a report to the Committees on Appropriations not later than 120 days after the enactment of this Act on the plan for Render Safe procurement.

Trafficking in persons.—The conferees agree that, within the funding provided, the FBI shall increase activities related to the investigation of severe forms of trafficking in persons. The FBI shall submit a report to the Committees on Appropriations not later than 120 days after the

enactment of this Act on agent utilization and overall staff resources dedicated to trafficking investigations in fiscal years 2010, 2011 and 2012. In addition, the conferees expect the FBI to share trafficking case information on an ongoing basis with other law enforcement agencies and task forces working similar cases. The conferees agree that funds shall be used for conducting investigations into trafficking and slavery and providing victim witness coordinators on an emergency basis when needed.

IPR enforcement.—The conferees agree that the FBI shall continue to prioritize the investigation of IPR cases and coordinate with IPR units at the U.S. Attorneys and the Criminal Division. The FBI shall submit a report, not later than 120 days after the enactment of this Act, on agent utilization and overall staff resources dedicated to investigating intellectual property cases, and an accounting of the agents placed in specific field offices since fiscal year 2010.

DNA programs.—The conferees encourage the FBI to undertake activities to facilitate familial DNA searches of the Combined DNA Index System database of convicted offenders and work with the National DNA Index System (NDIS) Procedures Board to consider the establishment of procedures allowing familial searches only for serious violent and sexual crimes where other investigative leads have been exhausted. The procedures should provide appropriate protections for the privacy rights of those in the NDIS database.

Sentinel.—The conferees continue to monitor closely Sentinel, the FBI's information and investigation case management system, and remain understandably concerned about Sentinel's development. The FBI shall adhere to the language included in the House report regarding the expectation that the FBI will continue all necessary periodic oversight reviews in accordance with recommendations of the Inspector General, and in the Senate report regarding the prohibition on spending anything in excess of \$451,000,000 on Sentinel without first providing notification to the Committees on Appropriations and developing a work breakdown structure. In addition, the conference agreement includes language under section 213 requiring the Attorney General to submit to the Committees on Appropriations a report containing a cost and schedule estimate for the final operating capability of the Sentinel program, and a detailed list of the functionalities included in the final operating capability. The FBI shall submit this report concurrently to the Department's OIG for review and comment.

Criminal alien identification.—The conferees direct the FBI to submit a report to the Committees on Appropriations, not later than 120 days after the enactment of this Act, detailing the FBI’s participation in Federal interagency information sharing efforts to identify criminal aliens.

Cyber training for field agents.—The conferees agree that, within funds provided, the FBI shall expand training for FBI cyber agents involved in national security intrusions cases. Such training should focus on increasing the number of agents qualified to understand current techniques and tactics used by those engaged in illicit cyber activities, and respond to shortfalls identified by the DOJ OIG.

Criminal Justice Information Services Division.—The conference agreement includes the full requested amount of appropriated funds and user fees for the Criminal Justice Information Services Division.

Human rights violations.—The conferees direct the FBI to increase efforts to investigate and support DOJ’s criminal prosecution of serious human rights crimes committed by foreign nationals who are in the United States.

Liaison partnerships.—The conferees support the FBI’s policy prohibiting any formal non-investigative cooperation with unindicted co-conspirators in terrorism cases. The conferees expect the FBI to insist on full compliance with this policy by FBI field offices and to report to the Committees on Appropriations regarding any violation of the policy.

CONSTRUCTION

The conference agreement includes \$80,982,000 for FBI Construction.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes a direct appropriation of \$2,025,000,000 for the salaries and expenses of the Drug Enforcement Administration (DEA). In addition, the DEA expects to derive \$322,000,000 from fees deposited in the Diversion Control Fund to carry out

the Diversion Control Program. The conference agreement does not include language in the House report on synthetic drugs.

Afghanistan operations.—The conference agreement incorporates language in the House report regarding DEA’s Afghanistan operations. The conferees direct the DEA to report to the Committees on Appropriations, not later than 30 days after enactment of this Act, on DEA’s planned presence and operations activities in Afghanistan, expected transfers of funding from other Departments or agencies, and DEA’s direct appropriations requirements for such activities.

Field staffing.—The conference agreement incorporates language in the House report concerning a reporting requirement on personnel vacancy rates. The conferees agree that the DEA shall provide such report to the Committees on Appropriations not later than 120 days after the enactment of this Act.

CONSTRUCTION

The conference agreement includes \$10,000,000 for DEA Construction. The conferees expect this funding level to support an expansion of the El Paso Intelligence Center facility to accommodate approximately 100 additional staff.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The conference agreement includes \$1,152,000,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The conference agreement also includes language permanently prohibiting the Department from consolidating or centralizing the records of the acquisition and disposition of firearms maintained by firearms dealers and permanently prohibiting the Department from electronically retrieving information provided to the Attorney General by firearms dealers that have gone out of business.

Operation Fast and Furious.—The conferees are concerned by allegations that ATF mismanaged a U.S.-Mexico border operation known as Fast and Furious, and expect that the Department’s OIG, to which the investigation of this matter has been referred by the Attorney General, will fulfill its oversight duties by conducting a thorough investigation. The conferees expect the Department and ATF to cooperate fully with all oversight investigations into

Operation Fast and Furious—whether by the OIG, an independent, government-appointed investigator, or Congress—by promptly and thoroughly responding to all requests for information regarding this matter.

Furthermore, the conferees are aware that the Attorney General has instructed, and subsequently reiterated, that Department law enforcement personnel are not knowingly to allow any firearms to be illegally transported into Mexico for any reason. Finally, the conferees note that Operation Fast and Furious is but a small part of ATF's extensive operations along the Southwest Border and should not detract from ATF's efforts to protect Americans from illegal firearms trafficking, gun violence, and parallel drug and human trafficking across the U.S.-Mexico border and into the Nation's interior.

United States-Mexico firearms trafficking.—Beginning in fiscal year 2012 and thereafter, the ATF shall 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 and the number determined to be manufactured in or imported into the United States prior to being recovered in Mexico.

National Integrated Ballistic Information Network (NIBIN).—The conferees continue to support the NIBIN, including the significant investment made by State and local law enforcement partners to build the current NIBIN database. The conferees believe that ATF should move expeditiously to ensure that ballistic imaging technology is routinely refreshed, upgraded and deployed to State and local law enforcement. The conferees urge ATF to prioritize the upgrading and replacement of aging ballistic imaging equipment in its fiscal year 2012 operating plan and in future budget requests. ATF should ensure upgrades and replacements maximize and protect the resources invested by State and local law enforcement.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$6,551,281,000 for the salaries and expenses of the Federal Prison System.

Activations and expansions.—The conference agreement includes funds for the commencement or completion of activation of new prison facilities constructed by the Bureau of Prisons (BOP). The conferees expect BOP to make adherence to the activation schedule for these prisons, as detailed in BOP’s fiscal year 2012 budget submission, a top priority, and to immediately notify the Committees on Appropriations of any changes to this schedule. In addition, as part of the Department’s fiscal year 2012 spending plan, BOP shall include the allocation of funds by decision unit.

Radicalization in Federal prisons.—The conference agreement incorporates language in the House report regarding radicalization in Federal prisons and the conferees instruct the Department to take the necessary actions to eliminate prisoner access to radicalizing material. The conferees further direct the Department to submit a report to the Committees on Appropriations not later than 120 days after the enactment of this Act on its maintenance of a central registry of acceptable materials and the processes employed to ensure that potentially radicalizing materials are not included.

Work in prisons.—The conferees affirm the language in the House report expressing the belief that increasing work opportunities for Federal prisoners is an important priority. Statistics from BOP indicate that inmates who participate in work programs are 24 percent less likely to offend again, 14 percent more likely to find work outside of prison and 23 percent less likely to have misconduct issues in prison. The conferees direct the Department to report to the Committees on Appropriations not later than 120 days after the enactment of this Act on actions taken and planned to increase meaningful work opportunities available to inmates.

Sentence reduction opportunities.—The conferees are concerned that the current upward trend in the prison inmate population is unsustainable and, if left unchecked, will eventually engulf the Department’s budgetary resources. The conferees encourage BOP to work with the authorizing committees on proposals that reduce both recidivism and appropriations requirements.

Employee retaliation.—The conferees are concerned that BOP employees were cited recently by the Equal Employment Opportunity Commission (EEOC) as having the highest and most widespread fear of retaliation compared to the rest of the Federal workforce. The conferees

expect BOP to certify to the Committees on Appropriations that it has implemented and met the recommendations included in the EEOC's November 2010 Final Program Evaluation Report for the Federal Bureau of Prisons, and submit concurrently a report on its compliance with the recommendations to the Department's OIG for review and comment.

BUILDINGS AND FACILITIES

The conference agreement includes \$90,000,000 for the construction, acquisition, modernization, maintenance and repair of prison and detention facilities housing Federal inmates.

Status of construction reports.—The conferees direct BOP to resume providing to the Committees on Appropriations, not later than 30 days after the enactment of this Act, the most recent monthly status of construction report and to notify the Committees on Appropriations of any deviations from the construction and activation schedule identified in that report, including detailed explanations of the causes of delays and actions proposed to address them.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

The conference agreement includes a limitation on administrative expenses of \$2,700,000 for Federal Prison Industries, Incorporated.

Federal Prison Industries (FPI).—In addition to its function as a reentry tool, the conferees believe that FPI, if allowed to enter into partnerships with private businesses, could bring some lost manufacturing back into the United States while providing inmates with opportunities to learn skills that will be marketable after release. Therefore, the conference agreement includes language under section 221 of this Act to allow FPI to carry out pilot projects to produce items that are currently manufactured outside of the United States.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, the conference agreement includes \$2,227,300,000 for State and local law enforcement and crime prevention programs.

Salaries and expenses.—The Omnibus Appropriations Act, 2009 (P.L. 111-8) established a common salaries and expenses appropriation to provide for the cost of all management and administration activities of the Department’s grant offices. The establishment of this account was in response to inadequate agency budgeting mechanisms for management and administration activities and a lack of transparency about the actual costs of those activities. Since fiscal year 2009, the grant offices have made important and marked progress in this regard.

During fiscal year 2012, the conferees direct the Department to support management and administration expenses with program funding subject to the submission of details related to planned management and administration expenses, by program, as part of the Department’s fiscal year 2012 spending plan. In addition, the spending plan should include planned expenses for training and technical assistance, research and statistics activities, interagency agreements, cooperative agreements and peer review, along with any additional general category of expense other than grants. The conferees encourage grant offices to minimize administrative spending in order to maximize the amount of funding that can be used for grants or training and technical assistance.

As part of the budget submission for future fiscal years, the Department is directed to detail the actual costs for each grant office in each of the categories noted above for the prior fiscal year, by program, along with estimates of planned expenditures for each grant office in each of these categories, by program, for the current year and the budget year. In addition, the Office of Justice Programs (OJP), the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) are directed to report to the Committees on Appropriations on their formal definitions of management and administration costs or on the detailed guidance that governs decisions about the types of costs that should be considered management and administration costs.

Workload analysis.—The conferees are aware that OVW, OJP and COPS have each initiated a workload analysis to ensure that their respective staffing levels and mix of personnel accurately reflect workload and requirements. The conferees direct each office to provide a report to the GAO and the Committees on Appropriations not later than 120 days after the enactment of this Act describing its updated staffing model based on the results of its workload analysis. In addition, the conferees direct GAO to examine each office’s staffing model and

report to the Committees on Appropriations, not later than 6 months after the date the offices submit their reports, with an evaluation of the models, and recommendations (as warranted), on how each office's staffing model could be further improved.

Non-compliant grantees.—The conference agreement incorporates language from the Senate report noting that OJP, COPS and OVW appear to be using different sanctions and remedies for grantees that are determined to be out of compliance with grant requirements. The conferees expect the Department to work to consolidate rules and procedures across the three offices in order to produce the most consistent compliance enforcement process possible.

Evidence-based programs.—The conferees strongly urge OJP, COPS and OVW to ensure that, to the greatest extent practicable, competitive grants are used for evidence-based programs and activities.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

The conference agreement includes \$412,500,000 for OVW. These funds are distributed as follows:

[INSERT ^{35a}]

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION, AND STATISTICS

The conference agreement includes \$113,000,000 for the Research, Evaluation, and Statistics account, formerly known as the Justice Assistance account. These funds are distributed as follows:

[INSERT ^{35b}]

INSERT 35a

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS
(in thousands of dollars)

Program	Conference
STOP Grants	\$189,000
Transitional Housing Assistance	25,000
Research and Evaluation on Violence against Women	3,000
Grants to Encourage Arrest Policies	50,000
Homicide Reduction Initiative	(4,000)
Sexual Assault Victims Services	23,000
Rural Domestic Violence and Child Abuse Enforcement	34,000
Violence on College Campuses	9,000
Civil Legal Assistance	41,000
Elder Abuse Grant Program	4,250
Safe Havens Program	11,500
Education and Training for Disabled Female Victims	5,750
Court Training and Improvements Program	4,500
Research on Violence against Indian Women	1,000
Consolidated Youth-oriented Program	10,000
National Resource Center on Workplace Responses	1,000
Indian Country—Sexual Assault Clearinghouse	500
TOTAL, Violence Against Women Prevention and Prosecution Programs	\$412,500

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RESEARCH, EVALUATION, AND STATISTICS
(in thousands of dollars)

Program	Conference
Bureau of Justice Statistics	\$45,000
National Crime Victimization Survey (NCVS)	(26,000)
Redesign Work for the NCVS	(10,000)
Indian Country Statistics	(500)
National Institute of Justice	40,000
Transfer to NIST/DLES for DNA/Forensics	(5,000)
Evaluation Clearinghouse (What Works Repository)	1,000
Regional information sharing activities	27,000
TOTAL, Research, Evaluation, and Statistics	\$113,000

Spending plans.—The conferees direct the Department to include in its spending plan for fiscal year 2012 a plan for the use of all funding administered by the National Institute of Justice (NIJ) and the Bureau of Justice Statistics (BJS), including funding provided for domestic radicalization research under the State and Local Law Enforcement Assistance account. The conferees expect NIJ to carry out new initiatives proposed for fiscal year 2012 to the extent possible within the funds provided, including initiatives in the following areas: maximizing the value of forensic evidence; establishing the effectiveness of criminal justice diversion methods and strategies; eliminating rape kit backlogs (pilots); conducting Indian country crime and victimization research; improving prescription drug monitoring; improving inmate reentry; improving risk-based decision-making in the criminal justice system; and establishing a better understanding of the risk-based factors leading to domestic radicalization and related acts of violence/terrorism, among others.

Evaluation Clearinghouse.—The conferees adopt the language in the Senate report regarding funding for an Evaluation Clearinghouse/What Works Repository.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The conference agreement includes \$1,162,500,000 for State and Local Law Enforcement Assistance programs. These funds are distributed as follows:

[INSERT ³⁶⁹]

Presidential nominating conventions.—The conference agreement includes \$100,000,000 to address extraordinary local law enforcement costs related to the 2012 presidential nominating conventions. The conferees note that the Department failed to request any funding for this activity, and expect that future budget requests will address known resource requirements associated with convention security. The conferees expect that the funds included in this agreement will be used solely for extraordinary law enforcement expenses incurred with respect to local law enforcement's role in providing security for these events. The conferees expect the Department to develop clear guidelines to govern allowable expenses, and all payments or

INSERT 36a

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
(in thousands of dollars)

Program	Conference
Byrne Memorial Justice Assistance Grants	\$470,000
Domestic Radicalization Research	(4,000)
Criminal Justice Reform and Recidivism Reduction	(6,000)
Presidential Nominating Convention Security	(100,000)
State and Local Anti-terrorism Training	(2,000)
State and Local Assistance Help Desk and Diagnostic Center	(4,000)
VALOR Initiative	(2,000)
State Criminal Alien Assistance Program	240,000
Border Prosecutor Initiative	10,000
Byrne Competitive Grants	15,000
Missing Alzheimer's Patients Grants	1,000
Victims of Trafficking Grants	10,500
Drug Courts	35,000
Prescription Drug Monitoring	7,000
Prison Rape Prevention and Prosecution	12,500
Residential Substance Abuse Treatment	10,000
Capital Litigation and Wrongful Conviction Review	3,000
Mentally Ill Offender Act	9,000
Tribal Assistance	38,000
Economic, High-tech and Cybercrime Prevention	7,000
CASA—Special Advocates	4,500
Bulletproof Vests	24,000
Transfer to NIST/OLES	(1,500)
National Instant Criminal Background Check System	5,000
Criminal Records Upgrade	6,000
Second Chance Act/Offender Reentry	63,000
Smart Probation	(4,000)
John R. Justice Grant Program	4,000
Paul Coverdell Forensic Science	12,000
Adam Walsh Act Implementation	20,000
Children Exposed to Violence Initiative	10,000
Byrne Criminal Justice Innovation Program	15,000
Violent Gang and Gun Crime Reduction	5,000
National Sex Offender Public Web Site	1,000
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)
TOTAL, State and Local Law Enforcement Assistance	\$1,162,500

reimbursements shall be reviewed and approved by the Department, as well as audited by the OIG, to ensure efficiency and accountability. Finally, the conferees expect that planning committees for the nominating conventions will assist in addressing security needs to the greatest extent possible from other funding sources.

Human trafficking.—The conference agreement includes \$10,500,000 for human trafficking task force activities and services for U.S. citizens, permanent residents and foreign nationals who are victims of trafficking. The conferees expect that the human trafficking task forces funded by the Department will continue to bring together Federal, State and local law enforcement and 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 2012 spending plan. The plan should be guided by the best information available on the regions of the United States with the highest incidence of trafficking.

Reentry.—The conferees urge OJP to assist in the development of State reentry councils in order to foster State-level advancements in reentry and recidivism reduction.

Second Chance Act.—The conferees direct the Department to submit, as part of its spending plan for fiscal year 2012 a plan for the allocation of funds appropriated for Second Chance Act programs.

Sex offender location, arrest and prosecution/Adam Walsh Act implementation.—The conference agreement includes \$20,000,000 to support the administration's proposal to help States, Indian tribes and territories come into compliance with the Sex Offender Registration and Notification Act (SORNA), as well as provide for sex offender management and treatment. These grants will provide critical support to the comprehensive, nationwide effort to locate, register, monitor, apprehend, prosecute and manage child sexual predators and exploiters that was envisioned by SORNA.

DNA backlog/crime lab improvements.—The conferees continue Congress' strong support for DNA backlog reduction and crime lab improvements by recommending

\$125,000,000 to strengthen and improve Federal and State DNA collection and analysis systems that can be used to accelerate the prosecution of the guilty while simultaneously protecting the innocent from wrongful prosecution. Within the funding provided, the conference agreement includes \$4,000,000 each for Post-Conviction DNA Testing grants, and Sexual Assault Forensic Exam Program grants. The conferees expect that OJP will make funding for DNA analysis and capacity enhancement a priority to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The conferees direct the Department to submit both a spending plan with respect to funds appropriated for DNA-related programs, and a report on the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program, as part of the Department's spending plan for fiscal year 2012.

In addition, the conferees direct the GAO to examine the use of funds awarded for DNA analysis and capacity enhancement in the past five years that were awarded to any entity other than to a State or local public DNA laboratory. GAO's examination should include an evaluation of the methodology employed in creating the solicitations and the process for awarding these funds; the extent to which DOJ has assessed whether the results of the awards are making a measurable impact with respect to reducing backlogs and increasing capacity; and how the objectives of the solicitations have been fulfilled. The study should also include an analysis of how NIJ inventories and compiles grant data and results, including a breakdown of the funds provided to non-government DNA laboratories on an annual basis, and a description of the contribution of NIJ toward increasing capacity and reducing backlogs for government DNA laboratories. Lastly, the study should detail the proportion of DNA funding annually provided to State and local laboratories, non-government entities, NIJ's DNA program office, and other uses by NIJ such as overhead, travel and conferences.

National technical assistance and training.—The conferees affirm language in the Senate report encouraging the Department to continue its efforts to assist States in the development and use of criminal justice information systems that accelerate the automation of identification processes for fingerprints and other criminal justice data, and which improve the compatibility of State and local law enforcement systems with the FBI's Integrated Automated Fingerprint Identification System.

National Motor Vehicle Title Information System (NMVTIS).—The conference agreement incorporates language in the Senate report on the use of NMVTIS as an effective tool to prevent the fraudulent use of vehicle title documents, investigate vehicle thefts and thwart terrorist financing activities.

Tribal assistance.—The conference agreement includes \$38,000,000 for tribal grant programs. The conferees expect OJP to consult closely with tribal stakeholders in determining how tribal assistance funds will be allocated among grant programs that help improve public safety in tribal communities, such as grants for detention facilities under section 20109 of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322), civil and criminal legal assistance as authorized by title I of Public Law 106-559, tribal courts, and alcohol and substance abuse reduction assistance programs. The conferees direct OJP to submit, as part of the Department's spending plan for fiscal year 2012, a plan for the use of these funds that has been informed by such consultation. The conferees note that the conference agreement includes additional grant funding for tribal law enforcement programs through COPS and OVW.

Direct legal representation of crime victims.—The conference agreement incorporates language in the Senate report directing the Office for Victims of Crime to submit a report to the Committees on Appropriations within 60 days of notifying States of their Victims of Crime Act victim assistance formula allocation for fiscal year 2012.

JUVENILE JUSTICE PROGRAMS

S.C.

The conference agreement includes \$262,500,000 for Juvenile Justice programs. These funds are distributed as follows:

[INSERT 396]

Youth mentoring grants.—The conferees direct OJP to submit, as part of the Department's spending plan for fiscal year 2012, a report detailing the criteria and methodology that will be used to award youth mentoring grants and a spending plan for youth mentoring

INSERT 39a

S.C.

JUVENILE JUSTICE PROGRAMS
(in thousands of dollars)

Program	Conference
Part B—State Formula Grants	\$40,000
Youth Mentoring Grants	78,000
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	18,000
Juvenile Accountability Block Grants	30,000
Community-Based Violence Prevention Initiatives	8,000
Missing and exploited children programs	65,000
Training for Judicial Personnel	1,500
National Forum on Youth Violence Prevention	2,000
TOTAL, Juvenile Justice PROGRAMS	\$262,500

funds. The conferees expect that the Office of Juvenile Justice and Delinquency Prevention (OJJDP) will take all steps necessary to ensure fairness and objectivity in the award of these and future competitive grants.

Missing and exploited children/Internet Crimes Against Children (ICAC).—The conference agreement includes \$65,000,000 for missing and exploited children programs, including funds for the ICAC task force program, to continue to expand efforts to protect the Nation’s children, focusing on the areas of locating missing children, and addressing the growing wave of child sexual exploitation facilitated by the Internet. The conferees direct OJP to provide a spending plan for the use of these funds as part of the Department’s spending plan for fiscal year 2012. The conferees are aware that one way OJP addresses the proliferation of Internet crimes against children is through ICAC task forces. With regard to ICAC task forces, the conferees encourage the Department to fund programs with proven training results and low administrative costs.

Victims of Child Abuse Act.—The conference agreement includes \$18,000,000 for the various programs authorized under the Victims of Child Abuse Act (Public Law 101-647). Within the funds provided, \$5,000,000 shall be used to fund Regional Children’s Advocacy Centers Programs.

PUBLIC SAFETY OFFICER BENEFITS

The conference agreement includes \$78,300,000 for the Public Safety Officer Benefits program for fiscal year 2012. 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

The conference agreement includes \$198,500,000 for COPS programs, as follows:

4/19
[INSERT]

Tribal Resources Grant Program (TRGP).—The conference agreement provides a total of \$35,000,000 in funding targeted entirely to tribal communities through the TRGP. Within the TRGP, \$20,000,000 is provided through direct appropriations and \$15,000,000 is provided by transfer from the COPS Hiring program. The conferees note that all funds available to the TRGP may be used for equipment and hiring or training of tribal law enforcement.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The conference agreement 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 the conference agreement's requirements and procedures for transfer proposals.

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

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

INSERT 41a

COMMUNITY ORIENTED POLICING SERVICES
(in thousands of dollars)

Program	Conference
Transfer to DEA for Methamphetamine Lab Cleanups	12,500
Tribal Resources Grant Program	20,000
COPS Hiring Grants	166,000
Transfer to Tribal Resources Grant Program	(15,000)
Community Policing Development/Training and Technical Assistance	(10,000)
TOTAL, Community Oriented Policing Services	\$198,500

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 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 requires a cost and schedule report on the Sentinel program.

Section 214 prohibits U.S. Attorneys from holding additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 215 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.

Section 216 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; and drug treatment programs.

Section 217 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 218 permits the use of appropriated funds for travel and healthcare of personnel serving abroad.

Section 219 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 220 requires the Attorney General to identify an auditor to evaluate the GCCF.

Section 221 allows Federal Prison Industries to participate in the Prison Industries Enhancement Certification program and allows FPI to carry out pilot projects to produce items that are no longer produced in the United States.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The conference agreement includes \$4,500,000 for the Office of Science and Technology Policy (OSTP).

Cooperation with China.—In fiscal year 2011, OSTP, acting on guidance from the Department of Justice and the Office of White House Counsel, engaged in bilateral activities with the Chinese government that the Government Accountability Office (GAO) found to be prohibited by section 1340 of the Department of Defense and Full Year Continuing Appropriations Act, 2011 (P.L. 112-10). Section 1340 was enacted due to congressional concern that our scientific cooperation with the Chinese government was failing to sufficiently take into account the risks posed by such activities. These risks include the transfer of sensitive technology, data and other information that could adversely impact our national security or disadvantage American companies relative to their Chinese counterparts.

The conference agreement contains language restricting any OSTP activities that would carry the risk of such transfers to China while allowing (subject to certification and notification requirements) other activities to proceed. This should enable OSTP to engage in beneficial collaborative endeavors, such as public health planning or disaster response activities, while providing greater protection for U.S. economic and national security interests.

Science, Technology, Engineering and Math (STEM) education.—The conferees support OSTP's recent efforts to improve and better coordinate Federal STEM education programs and to develop a government-wide STEM education strategic plan. The conferees encourage OSTP to include in the strategic plan goals relating to the improved dissemination of STEM education research and best practices.

Neuroscience.—The conferees believe there is a potential in the near future for significant, transformative advances in our fundamental understanding of learning, brain development, and brain health and recovery. Such advances will require enhanced tools to better understand the working of the brain, enhanced data and data infrastructure, and expanded

interdisciplinary and large-scale research efforts. Neuroscience research is supported by the National Institutes of Health, the National Science Foundation (NSF), the Department of Veterans Affairs, the Department of Defense and other Federal agencies. The conferees encourage OSTP to establish, through the National Science and Technology Council (NSTC), an interagency working group to coordinate Federal investments in neuroscience research. The interagency working group should help focus and enhance Federal efforts toward: developing future clinical treatments for traumatic and acquired brain injuries; better understanding cognition and learning, and applying that understanding to improving education and learning; and improving our understanding of and developing better therapies for Alzheimer's disease, childhood developmental disorders and other neurological conditions.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The conference agreement includes \$17,800,000,000 for the National Aeronautics and Space Administration (NASA).

Fiscal oversight.—In order to promote strong fiscal oversight, the Committees on Appropriations have been pursuing with NASA a number of crosscutting issues, including cost estimation and control, financial management, acquisition reform and grants management. The conferees direct NASA to stay engaged in these ongoing efforts and to comply with all related reporting requirements and directives on these topics that were contained in the House and Senate reports.

Budget structure.—Funds have been allocated according to an account and program structure that generally conforms to the structure proposed in the budget request. After several consecutive years of major structural modifications, however, the conferees expect that NASA will refrain from proposing additional account changes unless directed to do so by the Committees.

The conferees' table of recommendations for NASA is delineated below. Additional detail may be found under the relevant account headings.

45^a
[INSERT]

INSERT 45a

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
(in thousands of dollars)

Program	Conference
Science:	
Earth Science	\$1,765,700
Planetary Science	1,500,400
Astrophysics	672,000
James Webb Space Telescope	529,600
Heliophysics	622,300
Total, Science	<u>5,090,000</u>
Aeronautics	<u>569,900</u>
Space Technology	<u>575,000</u>
Exploration:	
Human Exploration Capabilities	3,060,000
Orion Multi-Purpose Crew Vehicle	(1,200,000)
Space Launch System	(1,860,000)
Commercial Crew	406,000
Exploration Research and Development	304,800
Total, Exploration	<u>3,770,800</u>
Space Operations:	
Space Shuttle	573,000
International Space Station	2,830,000
Space and Flight Support	830,600
21st Century Launch Complex	(168,000)
Total, Space Operations	<u>4,233,600</u>
Education:	
Aerospace Research and Career Development	58,400
NASA Space Grant	(40,000)
EPSCoR	(18,400)
STEM Education and Accountability	80,000
Minority University Research Education Program	(30,000)
STEM Education and Accountability Projects	(40,000)
Informal STEM Education	(10,000)
Total, Education	<u>138,400</u>
Gross Agency Support	<u>2,995,000</u>
Construction and Environmental Compliance and Restoration	<u>390,000</u>
Inspector General	<u>37,300</u>
Total, NASA	<u>\$17,800,000</u>

SCIENCE

The conference agreement includes \$5,090,000,000 for Science.

Program, project and activity level funding designations.—The conferees have not included a detailed, line-item funding table for the Science Mission Directorate. Instead, the conference table provides totals for Earth Science, Planetary Science, Astrophysics, the James Webb Space Telescope and Heliophysics. Using these totals, as well as any additional funding direction provided below, NASA should develop a budget plan for each division that incorporates any necessary reductions and submit these proposals as part of the spending plan required by section 538 of this Act. In proposing reductions, NASA should take care to protect, to the extent possible, high priority missions of the decadal surveys, as well as missions with near-term launch readiness dates. In addition, NASA should be careful to propose a funding portfolio that maintains an essential balance between actual spaceflight projects and the critical mission-enabling activities (research and data analysis, data application, etc.) that support and enhance the value of those projects.

Earth Science.—The conference agreement adopts, by reference, language from the Senate report on carbon monitoring systems and the Deformation, Ecosystem Structure and Dynamics of Ice mission.

Planetary Science.—The conference agreement includes no less than \$581,700,000 for Mars Exploration. Within the amount provided, NASA shall continue working to define, plan and execute future Mars missions and continue seeking and taking advantage of opportunities for international cooperation on such missions.

The conference agreement also includes \$43,000,000 for outer planets flagship missions. The conferees understand that required descoping studies for planetary flagship missions are at or near completion and direct that those studies be submitted to the Committees on Appropriations as soon as possible. NASA is also directed to continue working on a detailed definition of an appropriately descoped flagship mission, consistent with the findings of the most recent planetary science decadal survey.

Astrophysics.—The conference agreement adopts, by reference, language from the Senate report regarding the Hubble Space Telescope and the Explorer Program.

The Wide Field Infrared Survey Telescope (WFIRST) was identified as the first priority of the most recent astronomy and astrophysics decadal survey. NASA should build on the work of the Joint Dark Energy Mission project and pursue WFIRST to the extent that foreseeable budget resources can accommodate this mission.

James Webb Space Telescope (JWST).—According to the recent JWST budget replan, the program's lifecycle cost estimate is now \$8,835,000,000 (with formulation and development costs totaling \$8,000,000,000). This represents an increase of \$1,208,000,000 over the previous lifecycle cost estimate, including an increase of \$156,000,000 above the budget request for fiscal year 2012. In order to accommodate that increase in this agreement, the conferees received input from the Administration and made reductions to the requested levels for Earth and planetary science, astrophysics and the agency's budget for institutional management. Although the amounts provided for these other science activities still constitute an increase over the fiscal year 2011 levels, the conferees note that keeping JWST on schedule from fiscal year 2013 through the planned launch in fiscal year 2018 will require NASA to identify another \$1,052,000,000 over previous JWST estimates while simultaneously working to meet the deficit reduction requirements of the Budget Control Act of 2011 (P.L. 112-25). As a result, outyear work throughout the agency may need to be reconsidered. The conferees expect the Administration to come forward with a realistic long-term budget plan that conforms to anticipated resources as part of its fiscal year 2013 budget request.

To provide additional assurances that JWST's management and funding problems are under control, the conference agreement includes language strictly limiting JWST formulation and development costs to the current estimate of \$8,000,000,000 and requiring any increase above that amount to be treated according to procedures established for projects in 30% breach of their lifecycle cost estimates.

In addition, the conferees direct the GAO to continually assess the program and to report to the Committees on Appropriations on key issues relating to program and risk management; achievement of cost and schedule goals; and program technical status. For its first report, the

conferees direct the Comptroller General to assess: (1) the risks and technological challenges faced by JWST; (2) the adequacy of NASA's revised JWST cost estimate based on GAO's cost assessment best practices; and (3) the extent to which NASA has provided adequate resources for and is performing oversight of the JWST project to better ensure mission success. The first report should be provided to the Committees no later than December 1, 2012, with reports continuing on an annual basis thereafter. Periodic updates should also be provided to the Committees upon request or whenever a significant new finding has been made. NASA is directed to cooperate fully and to provide timely access to analyses, data, applications, databases, portals, reviews, milestone decision meetings, and contractor and agency personnel.

Heliophysics.—The conference agreement adopts, by reference, language from the Senate report regarding the Explorer Program, Magnetospheric Multiscale Mission and Solar Probe Plus.

Flagship management.—The conferees believe that flagship missions are an important component of a balanced science mission portfolio but are concerned by NASA's history of problematic management of these projects. Without substantial improvements in cost estimation, requirements definition, cost discipline and other practices, management problems will persist and, ultimately, erode support for NASA's pursuit of these missions. NASA has many sources of expertise, both internal and external, on which to draw for ideas about how to address its problems in flagship management, and the conferees urge NASA to do so. In particular, the conferees encourage NASA to look at lessons learned from reviews of the challenges of prior flagship projects; identify those lessons that address universal management issues; and implement those lessons in flagship projects across the Directorate.

AERONAUTICS

The conference agreement includes \$569,900,000 for Aeronautics.

SPACE TECHNOLOGY

The conference agreement includes \$575,000,000 for Space Technology. All funds under this heading should be prioritized toward the continuation of ongoing programs and activities.

Exploration Technology Development.—Within amounts provided, no less than \$190,000,000 shall be dedicated to Exploration Technology Development, which directly supports the achievement of human exploration goals.

Satellite servicing.—The conference agreement provides no less than \$25,000,000 for satellite servicing activities. This funding will contribute to the planned competitive satellite servicing demonstration mission and shall be managed by the Human Exploration and Operations (HEO) Mission Directorate.

EXPLORATION

The conference agreement includes \$3,770,800,000 for Exploration.

Orion Multipurpose Crew Vehicle (MPCV).—The conference agreement provides \$1,200,000,000 for the Orion MPCV. The MPCV is intended both to be launched on the heavy lift rocket system in furtherance of NASA's beyond Earth orbit (BEO) exploration goals and to provide an alternative means of cargo and crew delivery to the International Space Station (ISS) in the event that commercial or partner-supplied vehicles are unable to perform those functions. The MPCV will begin uncrewed and crewed flight operations in conjunction with the Space Launch System (SLS) within the next decade, but the conferees understand that NASA may want to pursue an earlier MPCV flight test utilizing a commercially available launch vehicle. The conferees have no objection to necessary and useful testing as long as the costs of procuring the launch vehicle and executing the test flight can be accommodated within the MPCV budget. Within the larger MPCV program, components should be procured via fixed price contracts wherever possible in order to improve cost control and maximize the impact of all available dollars.

Space Launch System.—The conference agreement provides \$1,860,000,000 for the SLS, which is a sustained, evolvable heavy lift vehicle utilizing a common core. While this evolvable approach will enable NASA to achieve the earliest possible initial flight capability by using a 70 ton SLS configuration, only the 130 ton configuration will allow NASA to achieve its BEO exploration goals. Consequently, NASA is directed to ensure that all work done on the early configurations of the evolvable vehicle is in service of the eventual BEO capability. Similarly, NASA is reminded of its legal obligation to design the system from inception to the 130 ton

standard and to proceed with simultaneous development of the core and upper stages. Wherever possible, SLS components should be procured via fixed price contracts in order to improve cost control and maximize the impact of all available dollars.

The conferees note the need for additional clarity on the amount of money being allocated to the development of each major component of the SLS. In order to address this need, NASA is directed to provide quarterly reports to the Committees on Appropriations showing anticipated and actual SLS obligations and outlays by major component (core stage, upper stage, engines, boosters, avionics/instrumentation). NASA is further directed to work with the Committees to refine the content and format of these reports.

Adjustments to MPCV and SLS funding.—Funds provided in this Act for MPCV and SLS are intended for the actual design and development of the vehicles themselves. Therefore, the conferees direct that the charging of related expenses to these program lines be kept to a minimum. Any funds deducted from the total to pay for civil service labor, headquarters program support, program integration, mission operations, extravehicular activities or other related expenses must be separately delineated both in the spending plan submitted pursuant to section 538 of this Act and in all future requests. The conference agreement provides a statutory set-aside for SLS ground operations; therefore, no additional charges to SLS funding for this purpose is permitted. All activities funded with the ground operations set-aside shall primarily serve the SLS program.

The conferees note that the recently completed Independent Cost Assessment (ICA) for the exploration program utilized a different budgetary structure than NASA's fiscal year 2011 operating plan or its fiscal year 2012 budget request. In the ICA, funds were divided into three separate streams: MPCV; SLS, exclusive of any ground operations; and 21st Century Ground Systems, which incorporates all SLS ground operations as well as exploration-related ground systems and infrastructure activities from the 21st Century Launch Complex program. The conferees appreciate that this structure makes a clearer distinction between SLS vehicle development work and ground operations and that it unites all exploration-related ground systems spending in a single account (while leaving ground operations and infrastructure in support of multi-user programs within the 21st Century Launch Complex appropriation). NASA is directed to submit its fiscal year 2013 budget request and all future requests using the structure

laid out in the ICA. To assist in the transition to this new structure, the fiscal year 2013 request should include a crosswalk between the new and old structures.

Cost caps.—The conferees believe the human exploration programs should be managed under strict cost caps based on NASA’s analysis and the recently completed 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, MPCV and ground systems. As part of this report, NASA shall recommend separate cost caps for the SLS, MPCV and associated ground systems (consistent with the funding streams as identified in the ICA) through fiscal year 2017 and shall manage each program to remain within those caps.

Exploration destinations and goals.—The conferees believe that NASA needs to better articulate a set of specific, scientifically meritorious exploration goals to focus its program and provide a common vision for future achievements. Consequently, the conferees direct NASA to develop and report to the Committees on Appropriations a set of science-based exploration goals; a target destination or destinations that will enable the achievement of those goals; a schedule for the proposed attainment of these goals; and a plan for any proposed collaboration with international partners. Proposed international collaboration should enhance NASA’s exploration plans rather than replace capabilities NASA is developing with current funds. This report shall be submitted no later than 180 days after the enactment of this Act.

Commercial crew funding.—While significant unanswered questions remain about the long-term viability of the commercial space market, the conferees agree with NASA that the support of domestic aerospace jobs and the provision of redundant access to the ISS are worthy goals. Consequently, the conference agreement provides \$406,000,000 for the commercial crew development program. The agreement withholds \$100,000,000 of these funds pending the completion of specified acquisitions milestones in the human exploration program. The conferees expect, however, that the timely completion of these milestones will result in the prompt release of all withheld funds without any negative impact on the commercial crew program.

Commercial crew management.—All of the commercial crew management and acquisition plans submitted by NASA to date have been predicated on receiving funding far in excess of the authorized level. The conferees are concerned that NASA has not devoted sufficient time to developing a detailed management plan for alternate scenarios. NASA is directed to work expeditiously to alter its management and acquisition strategy for the program as necessary to make the best use of available resources and to define the most cost effective path to the achievement of a commercial crew capability. NASA is encouraged to consider, as part of an altered strategy, an accelerated down-select process that would concentrate and maximize the impact of each appropriated dollar.

The conferees understand that NASA has several mechanisms in place to ensure that the risk associated with commercial crew development activities is not carried solely by the government. Consistent with normal procurement practices, NASA evaluates through responsibility and commitment assessments the financial stability of potential contractors. In addition, NASA will structure awards to ensure that payments are made only after the achievement of specified performance milestones and to protect the government's ability to retain and use data derived from an award in the event that the contractor defaults or otherwise chooses to discontinue participation in the program. These practices limit the financial exposure of the government and maximize the value of all payments made.

Commercial safety requirements.—The conferees are pleased by NASA's commitment to hold all human-rated launch vehicles and crew systems, including those developed via both the commercial crew program and the Human Exploration Capabilities program, to the same safety requirements regarding the potential loss of crew (LOC) or loss of mission (LOM). The conferees direct NASA to ensure that any tailoring of specific safety standards and procedures going forward does not affect this uniform application of LOC/LOM requirements.

Apollo heritage sites.—Future human and robotic exploration of the Moon poses a threat to the preservation of historically and scientifically significant sites there, including the locations of the first and last Apollo lunar landings. The conferees support NASA's efforts to establish guidelines for the protection of Apollo "heritage sites" and direct NASA to keep the Committees on Appropriations informed of further progress in this area.

SPACE OPERATIONS

The conference agreement includes \$4,233,600,000 for Space Operations.

Space Shuttle.—The conference agreement provides a total of \$573,000,000 for the Space Shuttle program, including \$470,000,000 to cover NASA's liability pursuant to the termination of the pension plan under the Space Program Operations Contract (SPOC). The conferees have derived their numbers from the most recently available actuarial estimate of SPOC liability needs, as provided by NASA. The government is legally obligated to make these payments. If the final calculated pension shortfall differs from this amount, NASA may address the difference by either adding to or deducting from remaining Space Shuttle transition and retirement funds.

The conference agreement adopts, by reference, language in the House report requiring NASA to undertake specified actions relating to the transition of the Shuttle workforce and to provide status reports on the progress of its Space Shuttle orbiter disposition efforts.

International Space Station (ISS).—The conferees support the decision to extend ISS research and operations through 2020. In support of the ISS program, the conference agreement provides \$2,830,000,000 for ISS operations, research and cargo supply.

Satellite servicing.—The conference agreement includes \$50,000,000 from Space Operations to continue satellite servicing activities. These funds are in addition to \$25,000,000 for satellite servicing in the Space Technology account. The HEO Mission Directorate shall continue to be responsible for the overall direction and management of all agency satellite servicing activities, which are undertaken as a joint project of the HEO, Space Technology and Science mission directorates. Satellite servicing activities shall include mission architecture design, robotic system development, autonomous rendezvous and capture sensor testing, fluid transfer demonstrations and spacecraft design.

Funds are to be used to continue work on a competitive project to develop, in collaboration with a U.S. commercial partner, a satellite servicing mission capable of operating in geosynchronous Earth orbit. The goal for such a mission is to achieve an on-orbit servicing of an observatory-class government satellite by 2016. Any U.S. commercial partner should be willing to invest its own resources in this mission, as it is intended to foster the creation of an

ongoing commercial capability that could meet the needs of NASA, other Federal agencies, the commercial satellite sector and the scientific community.

21st Century Launch Complex.—The conference agreement adopts, by reference, language from the Senate report regarding the 21st Century Launch Complex program. As noted under the Exploration heading, the conferees intend to confine the 21st Century Launch Complex appropriation to multi-user projects beginning in fiscal year 2013. Any 21st Century funds that support the ground operations and infrastructure of the human exploration program will be included in the new 21st Century Ground Systems funding stream in future years.

Tracking and Data Relay Satellite-M (TDRS-M).—NASA has authority to fund research and development programs and projects on an incremental basis. However, the conferees understand that TDRS-M, unlike prior TDRS System projects, does not qualify as research and development. In order to remain consistent with historical precedent on TDRS funding, therefore, the conferees have provided bill language permitting NASA to treat TDRS-M as a research and development project for the purposes of incremental funding for the duration of the project.

Launch site infrastructure.—NASA is directed to facilitate the efficient and beneficial re-purposing of vacant or underutilized facilities, equipment and other property at NASA-owned launch sites. To accomplish this re-purposing, NASA is directed to employ all authorities granted by Congress and to involve, to the extent practical, field-level personnel in the decision making.

EDUCATION

The conference agreement includes \$138,400,000 for Education.

Portfolio structure and funding levels.—The conferees have constructed an education portfolio that strikes a balance between NASA's desire to restructure and streamline elements of the portfolio with the need to provide sufficient support to successful existing programs such as Space Grant, the Experimental Program to Stimulate Competitive Research (EPSCoR) and the Minority University Research and Education Program. The conferees direct NASA to consider this balance when developing future education budget requests. The conferees also note the existence of significant educational resources built into the mission directorate budgets and

encourage NASA to take all necessary steps to ensure that these educational activities are well integrated with the programs funded under this heading.

Informal Education.—The conferees have provided \$10,000,000 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 (P.L. 109-155), and/or at NASA Visitors Centers. In selecting grants, NASA shall prioritize projects according to their links to NASA’s missions.

CROSS AGENCY SUPPORT

The conference agreement includes \$2,995,000,000 for Cross Agency Support (CAS).

Civil service labor.—NASA’s CAS request included funding for nearly 700 programmatic FTE that had not yet been allocated to a mission directorate. Since the time of the budget submission, NASA has provided updated data showing the appropriate distribution of these FTE. The conference agreement reflects this updated distribution by reallocating both the FTE and associated funding out of the CAS account.

Background investigations.—All members of the NASA workforce, including both civil servants and contractors, should be appropriately and regularly screened to validate their right to access NASA physical or virtual resources. The conferees support the implementation of all necessary security procedures to achieve this goal.

Employee Performance Communications System (EPCS).—The conference agreement adopts, by reference, language in the Senate report requiring a GAO assessment of specified elements of the implementation of the EPCS.

Cybersecurity.—The conference agreement adopts, by reference, language from the House report regarding authorities of the Chief Information Officer to address cybersecurity vulnerabilities.

Independent Verification and Validation (IV&V).—The conference agreement adopts, by reference, language from the Senate report regarding IV&V.

Budget justifications.—The conferees understand that NASA is undertaking changes to the format and content of its annual budget justifications. The Committees on Appropriations should be involved in the discussion about what changes are necessary in order to ensure that the end product is as useful as possible for the conduct of the Committees' work. Consequently, NASA is directed to work jointly with the Committees to define the scope and content of needed changes and to implement those changes in all future budget justifications.

Comprehensive independent assessment.—NASA has a broad mandate to execute a balanced space program that includes science, technology development, aeronautics research, human spaceflight and education. NASA regularly receives management and programmatic recommendations from GAO; the Office of Inspector General (OIG) and various commissions and other entities, as well as outside advice on scientific and technical priorities from the National Academies. While each of these reviews is useful on its own, they are generally targeted to a specific issue or program and therefore do not provide a comprehensive assessment of NASA's activities. ~~The Committee believes that such an agency-wide assessment will provide a means to evaluate whether NASA's overall strategic direction remains viable and whether agency management is optimized to support that direction. Accordingly, the Committee~~ ^(conferees n/a) ~~recommendation~~ ^(conference agreement e) includes \$1,000,000, to be provided by transfer to the OIG, to commission a comprehensive independent assessment of NASA's strategic direction and agency management.

The assessment should consider the relevance and feasibility of NASA's strategic goals; the appropriateness of the budgetary balance between NASA's various programs; and the adequacy of NASA's internal policies, procedures, controls and organizational structures that support and prioritize its mission activities. Any recommendations made pursuant to the assessment should be predicated on the assumption that NASA's outyear budget profile will be constrained due to continuing deficit reduction efforts. Such recommendations should also take into account the need for a common, unifying vision for NASA's strategic direction that encompasses NASA's varied missions. A report summarizing the conclusions of the assessment and any relevant recommendations shall be provided to the Congress and the President no later than 120 days after the enactment of this Act.

To conduct this assessment, the Inspector General shall choose an organization that will convene individuals with recognized relevant expertise and whose collective credentials

sufficiently cover the entire range of NASA's mission activities, including space and Earth science; aeronautics; advanced technology development; space exploration; spaceflight operations and support; STEM education; and/or management of any of these activities. In order to promote objectivity, the Inspector General shall define and implement any conflict of interest protocols deemed necessary, but, at a minimum, the selected individuals shall not be currently employed or retained by NASA or any outside entity that competes for or receives NASA funding.

Working Capital Fund (WCF).—NASA's WCF was initially authorized in fiscal year 2003. In fiscal year 2012, NASA has expanded its use of the WCF to cover activities such as major agency-wide information technology services. The conferees are concerned that such an expansion of the uses of the WCF without adequate advance notification through the normal budget process undermines the oversight role of the Committees on Appropriations. Accordingly, the conferees direct that NASA, as part of its annual congressional budget justification, detail any expected WCF activity for the coming fiscal year, including the source and amount of expected WCF transfers, all expected uses of the Fund, and any balances on hand or expected to remain at the end of the fiscal year. NASA shall also provide quarterly to the Committees an accounting of that quarter's expenditures along with the amount of any unobligated balances in the Fund.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

The conference agreement includes \$390,000,000 for Construction and Environmental Compliance and Restoration (CECR).

Integrated facilities master planning.—The conference agreement adopts, by reference, language from the House report directing the submission of an integrated facilities master plan.

Hangar 1, Moffett Field.—The conference agreement adopts, by reference, language from the House report regarding Hangar 1 at Moffett Field.

Mission-related construction.—NASA continues to request funds for construction of facilities within both the Space Operations and the Exploration accounts. This is an inefficient practice which requires significant post-enactment transfers of funds between accounts. The conference agreement permits such transfers in specified amounts from Space Operations and

Exploration in fiscal year 2012, but NASA is directed to ensure that all construction funds in future years are requested solely within the CECR account.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$37,300,000 for the Office of Inspector General.

ADMINISTRATIVE PROVISIONS

The conference agreement includes the following administrative provisions for NASA:

The agreement includes a provision that makes funds for announced prizes available without fiscal year limitation until the prize is claimed or the offer is withdrawn.

The agreement includes a provision that establishes terms and conditions for the transfer of funds.

The agreement includes a provision that allows the transfer of balances under previous appropriations account structures to the new appropriations account structure.

The agreement includes a provision related to the expenditure of interest earned from balances in the Endeavor Teacher Fellowship Trust Fund.

The agreement includes a provision permitting NASA to accept in-kind consideration as part of the Enhanced Use Lease program under specified circumstances. NASA is directed to include in its annual budget justification a description of any in-kind consideration accepted and an estimate of the market value of that consideration.

The agreement includes a provision that subjects the NASA spending plan and specified changes to that spending plan to reprogramming procedures under section 505 of this Act.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

The conference agreement includes \$5,719,000,000 for Research and Related Activities (R&RA).

Research priorities.—The conferees appreciate NSF’s commitment to reviewing its portfolio of programs and proposing reductions or terminations where appropriate. Such proposals provide a more fiscally sustainable way to support new or expanded programs. Accordingly, the conference agreement incorporates all of NSF’s R&RA termination and reduction proposals except for the requested reduction to the radio astronomy program.

By accepting NSF’s proposal to eliminate funding for the Deep Underground Science and Engineering Laboratory (DUSEL), the conference agreement completes a multi-year phase-out of NSF involvement in this project. NSF is directed to report to the Committees on Appropriations about future efforts or commitments, if any, to collaborate with the Department of Energy on a deep underground lab.

Advanced manufacturing.—The conference agreement adopts, by reference, language in the House report regarding advanced manufacturing.

Neuroscience.— NSF is uniquely positioned to advance the non-medical aspects of cognitive sciences and neurosciences, particularly through interdisciplinary science, computational models, visualization techniques, innovative technologies, and the underlying data and data infrastructure needed to transform our understanding of these areas, and the conferees encourage NSF to sustain and expand its investments in these areas. In addition, to better focus the agency’s efforts and guide future budget submissions, NSF is encouraged to establish a cognitive sciences and neurosciences crosscutting theme. The conferees note that language is included under the OSTP heading encouraging OSTP to establish a NSTC working group to coordinate Federal investments in neuroscience research.

Giant Segmented Mirror Telescope (GSMT).—The direction in this section is provided in lieu of any language in the Senate report relating to the GSMT program. NSF has decided to proceed with the selection of a viable GSMT project, consistent with the National Research Council’s (NRC) 2010 astronomy and astrophysics decadal survey recommendations. The conferees expect that this selection will be made expeditiously and utilize a fully competitive process, with a solicitation issued no later than the end of calendar year 2011 and a result announced no later than July 31, 2012.

Cybersecurity research.—The conference agreement adopts, by reference, language from the Senate report regarding cybersecurity research.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

The conference agreement includes \$167,055,000 for Major Research Equipment and Facilities Construction (MREFC).

Project priorities.—With the MREFC funding provided either directly or via potential transfer from the R&RA account, NSF will be able to achieve significant progress on its current portfolio of construction projects, but some prioritization of funds will still be necessary. The conferees expect that NSF will dedicate funds first to the completion of projects that are already in the final stages of construction, with remaining funds allocated to projects in earlier phases of development.

Project funding profiles.—NSF should promptly review its current portfolio of MREFC projects and their outyear funding profiles to ensure they are consistent with fiscal year 2011 and 2012 appropriations. If adjustments to the portfolio in either of those fiscal years will necessitate a revision of the outyear funding profiles for any current or planned project, NSF is directed to immediately report the revised profiles to the Committees on Appropriations and to include the new profiles in the fiscal year 2013 budget request.

Construction funding management.—The conferees remain concerned about how NSF and its grantees are defining, estimating and managing construction funding, particularly contingency funds. Stronger management and oversight of these funds could result in improved project efficiencies and, ultimately, cost savings. NSF is directed to report to the Committees on Appropriations on the steps it is taking to impose tighter controls on the drawdown and use of contingencies, as well as steps intended to incentivize grantees to complete construction under budget, for projects managed through the MREFC appropriation and for other large facility projects. This report should be submitted no later than 90 days after the enactment of this Act.

EDUCATION AND HUMAN RESOURCES

The conference agreement includes \$829,000,000 for Education and Human Resources (EHR).

Program changes.—In parallel with terminations and reductions proposed in the R&RA account, NSF has proposed a number of program reductions or terminations within EHR. For the most part, these cuts were proposed not due to any dissatisfaction with the programs in question but rather because NSF would prefer to implement new initiatives. The conferees have no objection to this approach, with the exception of the proposed reductions to the Robert Noyce Scholarship Program and the Math and Science Partnership program. The conferees do not believe that those cuts are warranted solely to make room for new activities.

Broadening Participation at the Core.—The conference agreement adopts, by reference, language from the House report regarding funding levels for the existing Broadening Participation at the Core programs.

Best practices in K-12 STEM education.—NSF is encouraged to find more effective mechanisms for disseminating the results of its education research to the K-12 STEM education community. Such mechanisms could include partnerships with nonprofits and professional associations, webinars, newsletters and workshops, drawing when possible on the resources of existing networks.

In particular, NSF is directed to ensure that the NRC report entitled *Successful K-12 STEM Education: Identifying Effective Approaches in Science, Technology, Engineering, and Mathematics* is widely distributed within the educational and scientific communities. In addition, NSF is directed to begin work to identify methods for tracking and evaluating the implementation of the recommendations in the NRC's report. NSF and its collaborators should provide an evaluation plan to the Committees on Appropriations within 12 months of the enactment of this Act that describes these methods and recommends the necessary steps that should be taken by NSF and other Federal agencies to implement that plan. Within the amounts available in this account, up to \$500,000 should be used for the formulation of the evaluation plan.

Hispanic Serving Institutions.—The conference agreement adopts, by reference, language from the House report on Hispanic Serving Institutions.

Federal Cyber Service: Scholarships for Service.—The conferees adopt the Senate recommendation to expand the Federal Cyber Service: Scholarships for Service program. The

agreement provides \$45,000,000 for this program, which is \$20,000,000 above the requested level.

AGENCY OPERATIONS AND AWARD MANAGEMENT

The conference agreement includes \$299,400,000 for Agency Operations and Award Management.

OFFICE OF THE NATIONAL SCIENCE BOARD

The conference agreement includes \$4,440,000 for the National Science Board.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$14,200,000 for the OIG.

ADMINISTRATIVE PROVISION

The conference agreement 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)

The conference agreement includes \$9,193,000 for the Commission on Civil Rights.

Improving oversight.— For fiscal year 2012, the conference agreement establishes an inspector general (IG) function for the Commission on Civil Rights and provides 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. The conference agreement provides funding for these operations, in the amount of \$250,000, by direct transfer to Office of the Inspector General of the GAO. 2

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$360,000,000 for the Equal Employment Opportunity Commission (EEOC). The conference agreement directs that \$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.

Backlog reduction.—In order to advance EEOC's backlog reduction goals, the conferees expect the EEOC to prioritize efforts both to address the inventory of private sector charges, such as through hiring or backfilling positions of frontline mission critical staff, and to examine new ways to address the backlog and increase productivity.

To assist in the monitoring of EEOC's hiring progress, the conferees direct the EEOC to continue submitting quarterly staffing reports, consistent with the direction provided in the statement accompanying Public Law 111-117.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$80,000,000 for the International Trade Commission (ITC).

The conferees adopt by reference House report language regarding internal control, financial management and information technology security weaknesses and direct the ITC to submit a report to the Committees on Appropriations not later than 120 days ~~of enactment of this~~ (after) Act.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The conference agreement includes \$348,000,000 for the Legal Services Corporation (LSC).

Pro bono legal services.—The conferees are pleased that LSC launched a pro bono task force in 2011 and urge the LSC to implement the recommendations of this task force as it continues to work with LSC-funded programs to adopt measures aimed at increasing the involvement of private attorneys in the delivery of legal services to its clients.

Legal aid fellowships.—The conferees understand that LSC is considering a proposal to create a fellowship program for retirees or recent law school graduates who will commit to working in legal aid for a designated period of time. The conferees direct LSC to conduct a study of this proposal in order to further develop how such a fellowship program would work and how much it would cost to implement. LSC shall report to the Committees on Appropriations with the results of that study not later than 120 days after the enactment of this Act.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

Unauthorized uses of funds.— The conferees encourage the Inspector General of the LSC 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 conferees also recommend the removal of funds from any LSC grantee determined by the Inspector General to have engaged in political activity.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$3,025,000 for the Marine Mammal Commission.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The conference agreement includes \$51,251,000 for the Office of the U.S. Trade Representative (USTR). The conferees expect that funds provided will be used to vigorously enforce existing trade agreements.

Monitoring and enforcement.—The conferees direct the USTR, from funds provided in this Act, to hire no less than four additional staff for the office of the Assistant USTR for Monitoring and Enforcement. These staff, who shall be fluent in Chinese, shall monitor and enforce China's compliance with its WTO obligations and assist in early stage identification and review of Chinese measures arising out of its Five Year Plans.

Responsiveness.—The conferees note that the USTR Office of Legislative Affairs does not respond in a timely manner to requests for information from the Committees on Appropriations. Indifference shown by USTR Legislative Affairs in providing yearly budget justifications or in responding to information requests hampers the ability of the Congress to evaluate proposals and conduct oversight. Accordingly, the conferees direct the USTR to submit its detailed fiscal year 2013 budget request to the Committees on Appropriations not later than two days after the President's fiscal year 2013 budget request is submitted.

Critical vacancies.—The conferees adopt by reference House report language regarding a report on critical vacancies and direct the USTR to provide a report to the Committees on Appropriations not later than 60 days after enactment of this Act.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The conference agreement includes \$5,121,000 for the State Justice Institute.

TITLE V
GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

The conference agreement 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 ^{(this} 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.

Section 506 permanently prohibits funds from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion similar to proposed guidelines published by the EEOC in October 1993.

Section 507 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 508 requires quarterly reporting to Congress on the status of balances of appropriations.

Section 509 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 with 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 510 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 511 permanently prohibits funds from being used to implement a Federal user fee for background checks conducted pursuant to the Brady Handgun Control Act of 1993, and to implement a background check system that does not require and result in the destruction of certain information within 24 hours.

Section 512 delays the obligations of any receipts deposited into the Crime Victims Fund in excess of \$705,000,000 until the following fiscal year. This language is continued to ensure a

stable source of funds will remain available for the program, despite inconsistent levels of criminal fines deposited annually into the Fund.

Section 513 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 514 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 515 provides that funds provided for E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

Section 516 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 517 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 518 prohibits funds for information technology acquisitions unless the acquiring department or agency has assessed the risk of cyber-espionage or sabotage. Each department or agency covered under section 518 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 519 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 520 prohibits the use of funds in this Act to require certain export licenses.

Section 521 prohibits the use of funds in this Act to deny certain import applications regarding "curios or relics" firearms, parts, or ammunition.

Section 522 prohibits the use of funds to include certain language in trade agreements.

Section 523 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 524 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 525 deems funds for intelligence or intelligence-related activities as authorized by the Congress until the enactment of the Intelligence Authorization Act for fiscal year 2012.

Section 526 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 527 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 528 provides for rescissions of unobligated balances in certain departments and agencies funded in this Act. 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, the conferees expect that rescissions will be from grant deobligations and recoveries.

Section 529 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 530 prohibits the use of funds in this Act for the purchase of first class or premium air travel.

Section 531 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 532 includes language regarding detainees held at Guantanamo Bay.

Section 533 includes language regarding facilities for housing detainees held at Guantanamo Bay.

Section 534 prohibits the distribution of funds contained in this Act to the Association of Community Organizations for Reform Now or its subsidiaries.

Section 535 includes language regarding the purchase of light bulbs.

Section 536 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 537 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 538 requires the Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation to submit spending plans.

Section 539 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 540 specifies reporting requirements for certain conferences held by any department, agency, board or commission funded by this Act.

Section 541 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 542 prohibits the use of funds to establish or maintain a computer network that does not block pornography, except for law enforcement purposes.

Section 543 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 544 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 545 specifies reporting requirements regarding vehicle fleets for all agencies and departments funded by this Act.

Section 546 prohibits any funds from being used to implement, administer, or enforce the “Wage Methodology for the Temporary Non-agricultural Employment H-2B Program” prior to January 1, 2012, to allow time for Congress to address this rulemaking. In making prevailing wage determinations for the H-2B nonimmigrant visa program for employment prior to January 1, 2012, the conferees direct the Secretary of Labor to continue to apply the rule entitled “Labor Certification Process and Enforcement for Temporary Employment in Occupations Other Than Agriculture or Registered Nursing in the United States (H-2B Workers); and Other Technical

Changes" published by the Department of Labor on December 19, 2008 (73 Fed. Reg. 78020 et seq.)

INSEAT 73b-0

DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF COMMERCE				
International Trade Administration				
Operations and administration.....	450,106	526,091	465,000	+14,894
Offsetting fee collections.....	-9,439	-9,439	-9,439	---
Direct appropriation.....	440,667	516,652	455,561	+14,894
Bureau of Industry and Security				
Operations and administration.....	66,862	79,845	69,721	+859
Defense function.....	31,279	31,342	31,279	---
Total, Bureau of Industry and Security.....	100,141	111,187	101,000	+859
Economic Development Administration				
Economic Development Assistance Programs.....	245,508	284,300	220,000	-25,508
Disaster relief category.....	---	---	200,000	+200,000
Subtotal.....	245,508	284,300	420,000	+174,492
Salaries and expenses.....	37,924	40,631	37,500	-424
Total, Economic Development Administration.....	283,432	324,931	457,500	+174,068

11-15-11
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DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Minority Business Development Agency				
Minority Business Development.....	30,339	32,322	30,339	---
Economic and Statistical Analysis				
Salaries and expenses.....	97,060	112,937	96,000	-1,060
Bureau of the Census				
Salaries and expenses.....	258,506	272,054	253,336	-5,170
Periodic censuses and programs.....	891,214	752,711	635,000	-256,214
Total, Bureau of the Census.....	1,149,720	1,024,765	888,336	-261,384
National Telecommunications and Information Administration				
Salaries and expenses.....	40,568	55,827	45,568	+5,000
Public Telecommunications Facilities, Planning and Construction.....	1,000	---	---	-1,000
Total, National Telecommunications and Information Administration.....	41,568	55,827	45,568	+4,000

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DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
United States Patent and Trademark Office				
Salaries and expenses, current year fee funding.....	2,090,000	2,678,000	2,678,000	+588,000
Offsetting fee collections.....	-2,090,000	-2,678,000	-2,678,000	-588,000
Total, United States Patent and Trademark Office	---	---	---	---
National Institute of Standards and Technology				
Scientific and Technical Research and Services.....	506,984	678,943	567,000	+80,016
(Transfer out).....	(-9,000)	(-9,000)	(-9,000)	---
Industrial Technology Services.....	173,253	237,622	128,443	-44,810
Manufacturing extension partnerships.....	(128,443)	(142,616)	(128,443)	---
Technology innovation program.....	(44,810)	(74,973)	---	(-44,810)
Baldrige performance excellence program.....	---	(7,727)	---	---
Advanced manufacturing technology consortia.....	---	(12,306)	---	---
Construction of research facilities.....	69,860	84,565	55,381	-14,479
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---
Total, National Institute of Standards and Technology.....	750,097	1,001,130	750,824	+727

CONFERENCE REPORT
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DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
National Oceanic and Atmospheric Administration				
Operations, Research, and Facilities.....	3,179,511	3,377,807	3,022,231	-157,280
(by transfer).....	(90,239)	(88,200)	(109,098)	(+18,859)
Promote and Develop Fund (transfer out).....	(-90,239)	(-88,200)	(-109,098)	(-18,859)
Coastal zone management transfer.....	3,000	---	---	-3,000
Subtotal.....	3,182,511	3,377,807	3,022,231	-180,280
Procurement, Acquisition and Construction.....	1,332,882	2,052,777	1,817,094	+484,412
Pacific Coastal Salmon Recovery.....	79,840	85,000	85,000	-14,840
Fishermen's Contingency Fund.....	---	350	350	+350
Coastal Zone Management Fund.....	-1,000	---	---	+1,000
Fisheries Finance Program Account.....	-8,000	-10,000	-11,000	-5,000
Fisheries Enforcement Asset Forfeiture Fund.....	---	8,000	8,000	+8,000
Offsetting receipts.....	---	-8,000	-8,000	-8,000
Sanctuaries Enforcement Asset Forfeiture Fund.....	---	1,000	1,000	+1,000
Offsetting receipts.....	---	-1,000	-1,000	-1,000
Total, National Oceanic and Atmospheric Administration.....	4,588,033	5,485,734	4,893,875	+305,842
Departmental Management				
Salaries and expenses.....	57,884	84,871	57,000	-884
Renovation and Modernization.....	14,970	18,150	5,000	-9,970

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DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of Inspector General.....	26,948	33,520	26,946	---
Enterprise cybersecurity monitoring and operations....	---	22,812	---	---
Total, Departmental Management.....	99,800	137,153	88,946	-10,854
Total, title I, Department of Commerce.....	7,580,857	8,802,638	7,807,749	+226,892
Appropriations.....	(7,580,857)	(8,802,638)	(7,607,749)	(+26,892)
Disaster relief category.....	---	---	(200,000)	(+200,000)
(by transfer).....	(99,239)	(75,200)	(118,098)	(+18,859)
(transfer out).....	(-99,239)	(-75,200)	(-118,098)	(-18,859)

TITLE II - DEPARTMENT OF JUSTICE

General Administration

Salaries and expenses.....	118,251	134,225	110,822	-7,429
National Drug Intelligence Center.....	33,955	25,000	20,000	-13,955
Justice Information Sharing Technology.....	60,164	54,307	44,307	-15,857
Tactical Law Enforcement Wireless Communications.....	99,800	102,751	87,000	-12,800
Total, General Administration.....	312,170	316,283	282,129	-50,041
Administrative review and appeals.....	300,084	332,583	305,000	+4,916
Transfer from immigration examinations fee account	-4,000	-4,000	-4,000	---
Direct appropriation.....	296,084	328,583	301,000	+4,918

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DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Detention Trustee.....	1,515,626	1,595,360	1,580,595	+64,969
Office of Inspector General.....	84,199	85,057	84,199	---
United States Parole Commission				
Salaries and expenses.....	12,833	13,213	12,833	---
Legal Activities				
Salaries and expenses, general legal activities.....	863,367	955,391	863,367	---
Vaccine Injury Compensation Trust Fund.....	7,833	7,833	7,833	---
Salaries and expenses, Antitrust Division.....	162,844	166,221	159,587	-3,257
Offsetting fee collections - current year.....	-96,000	-108,000	-108,000	-12,000
Direct appropriation.....	66,844	58,221	51,587	-15,257
Salaries and expenses, United States Attorneys.....	1,930,135	1,995,149	1,960,000	+29,865
United States Trustee System Fund.....	218,811	234,115	223,258	+4,447
Offsetting fee collections.....	-214,250	-234,115	-223,258	-9,008
Direct appropriation.....	4,561	---	---	-4,561
Salaries and expenses, Foreign Claims Settlement Commission.....	2,113	2,124	2,000	-113

DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Fees and expenses of witnesses.....	270,000	270,000	270,000	---
Salaries and expenses, Community Relations Service....	11,456	12,967	11,456	---
Assets Forfeiture Fund.....	20,948	20,990	20,948	---
Total, Legal Activities.....	3,177,257	3,322,675	3,187,191	+9,934
United States Marshals Service				
Salaries and expenses.....	1,123,511	1,243,570	1,174,000	+50,489
Construction.....	16,592	15,625	15,000	-1,592
Total, United States Marshals Service.....	1,140,103	1,259,195	1,189,000	+48,897
National Security Division				
Salaries and expenses.....	87,762	87,882	87,000	-762
Interagency Law Enforcement				
Interagency Crime and Drug Enforcement.....	527,512	540,966	527,512	---
Federal Bureau of Investigation				
Salaries and expenses.....	3,385,216	3,358,000	3,376,000	-9,216
Overseas contingency operations (emergency).....	101,066	---	---	-101,066
Counterintelligence and national security.....	4,332,873	4,636,991	4,660,991	+328,118
Subtotal.....	7,819,155	7,994,991	8,036,991	+217,836

DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Construction.....	107,095	80,982	80,982	-26,113
Total, Federal Bureau of Investigation.....	7,926,250	8,075,973	8,117,973	+191,723
Drug Enforcement Administration				
Salaries and expenses.....	2,305,947	2,354,114	2,347,000	+41,053
Diversion control fund.....	-290,304	-322,000	-322,000	-31,696
Subtotal.....	2,015,643	2,032,114	2,025,000	+9,357
Construction.....	---	10,000	10,000	+10,000
Total, Drug Enforcement Administration.....	2,015,643	2,042,114	2,035,000	+19,357
Bureau of Alcohol, Tobacco, Firearms and Explosives				
Salaries and expenses.....	1,112,542	1,147,295	1,152,000	+39,458
Federal Prison System				
Salaries and expenses.....	6,282,410	6,724,266	6,551,281	+268,871
Buildings and facilities.....	98,957	99,394	90,000	-8,957
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,700	2,700	---
Total, Federal Prison System.....	6,384,067	6,826,360	6,643,981	+259,914

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DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
State and Local Law Enforcement Activities				
Office on Violence Against Women:				
Prevention and prosecution programs.....	417,663	431,750	412,500	-5,163
Salaries and expenses (by transfer).....	---	(23,148)	---	---
Subtotal.....	417,663	454,898	412,500	-5,163
Office of Justice Programs:				
Research, evaluation and statistics.....	234,530	178,500	113,000	-121,530
State and local law enforcement assistance.....	1,117,845	1,173,500	1,162,500	+44,655
Juvenile justice programs.....	275,423	280,000	262,500	-12,923
Salaries and expenses.....	---	271,833	---	---
(transfer out).....	---	(-63,478)	---	---
Subtotal.....	---	208,355	---	---
Public safety officer benefits:				
Death benefits.....	61,000	62,000	62,000	+1,000
Disability and education benefits.....	9,082	16,300	16,300	+7,218
Subtotal.....	70,082	78,300	78,300	+8,218
Total, Office of Justice Programs.....	1,697,880	1,918,655	1,616,300	-81,580

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DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Exploration.....	3,800,683	3,948,700	3,770,800	-29,883
Space Operations.....	5,497,483	4,346,900	4,233,600	-1,263,883
Education.....	145,508	138,400	138,400	-7,108
Cross-agency Support.....	3,105,177	3,192,000	2,995,000	-110,177
Construction and environmental compliance and restoration.....	393,511	450,400	390,000	-3,511
Office of Inspector General.....	36,327	37,500	37,300	+973
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Total, National Aeronautics and Space Administration.....	18,448,028	18,724,300	17,800,000	-648,028
<hr/>				
National Science Foundation				
Research and related activities.....	5,496,011	6,185,540	5,651,000	+154,989
Defense function.....	67,864	68,000	68,000	+136
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Subtotal.....	5,563,875	6,253,540	5,719,000	+155,125
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Major Research Equipment and Facilities Construction..	117,055	224,680	167,055	+50,000
Education and Human Resources.....	861,034	911,200	829,000	-32,034
Agency Operations and Award Management.....	299,400	357,740	299,400	---
Office of the National Science Board.....	4,531	4,840	4,440	-91
Office of Inspector General.....	13,972	15,000	14,200	+228
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Total, National Science Foundation.....	6,859,867	7,767,000	7,033,095	+173,228
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Total, title III, Science.....	25,314,542	26,497,950	24,837,595	-476,947
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DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE IV - RELATED AGENCIES				
Commission on Civil Rights				
Salaries and expenses.....	9,381	9,429	9,193	-188
Equal Employment Opportunity Commission				
Salaries and expenses.....	366,568	385,520	360,000	-6,568
State and local assistance.....	---	---	---	---
Total, Equal Employment Opportunity Commission....	366,568	385,520	360,000	-6,568
International Trade Commission				
Salaries and expenses.....	81,696	87,000	80,000	-1,696
Payment to the Legal Services Corporation				
Salaries and expenses.....	404,190	450,000	348,000	-56,190
Marine Mammal Commission				
Salaries and expenses.....	3,243	3,025	3,025	-218

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DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of the U.S. Trade Representative				
Salaries and expenses.....	47,730	51,251	51,251	+3,521
State Justice Institute				
Salaries and expenses.....	5,121	5,131	5,121	---
=====				
Total, title IV, Related Agencies.....	917,929	991,356	856,590	-61,339
=====				

TITLE V - RESCISSIONS

Emergency steel, oil gas guarantees prgm (rescission).	-48,000	-43,064	-700	+47,300
NTIA, Information Infrastructure grants (rescission)..	---	-2,000	-2,000	-2,000
NTIA, Public Telecommunications Facilities, Planning and Construction.....	---	---	-2,750	-2,750
NTIA, Spectrum Fund (rescission).....	-4,800	---	---	+4,800
Bureau of the Census (rescission).....	-1,740,000	---	---	+1,740,000
Census, Working capital fund (rescission).....	-50,000	---	---	+50,000
Foreign Fishing Observer Fund (rescission).....	---	-350	-350	-350
Digital TV Transition Public Safety Fund (rescission).	---	-4,300	-4,300	-4,300
DOJ, Working Capital Fund (rescission).....	-26,000	-40,000	-40,000	-14,000
DOJ, Assets Forfeiture Fund (rescission).....	-495,000	-620,000	-675,000	-180,000
US Marshals Service, salaries and expenses (rescission)	---	-7,200	-2,200	-2,200
DEA, Salaries and expenses (rescission).....	---	-30,000	-10,000	-10,000

DIVISION B - COMMERCE JUSTICE SCIENCE AND RELATED AGENCIES
 APPROPRIATIONS BILL 2012
 (Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
FPS, Buildings and facilities (rescission).....	---	-35,000	-45,000	-45,000
Office of Justice programs (rescission).....	-42,000	-42,600	-55,000	-13,000
Community oriented policing services (rescission).....	-10,200	-10,200	-23,605	-13,405
Violence against women prevention and prosecution programs (rescission).....	---	-5,000	-15,000	-15,000
NASA (rescission).....	---	---	-30,000	-30,000
	=====	=====	=====	=====
Total, title V, Rescissions.....	-2,416,000	-839,714	-905,905	+1,510,095
	=====	=====	=====	=====
Grand total.....	58,786,478	64,176,569	60,003,742	+1,217,264
Appropriations.....	(61,101,412)	(65,016,283)	(60,709,647)	(-391,765)
Disaster relief category.....	---	---	(200,000)	(+200,000)
Emergency appropriations.....	(101,066)	---	---	(-101,066)
Rescissions.....	(-2,416,000)	(-839,714)	(-905,905)	(+1,510,095)
(by transfer).....	(99,239)	(138,678)	(118,098)	(+18,859)
(transfer out).....	(-99,239)	(-138,678)	(-118,098)	(-18,859)
	=====	=====	=====	=====

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DIVISION C – TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND
RELATED AGENCIES APPROPRIATIONS ACT, 2012

CONGRESSIONAL DIRECTIVES

The legislative intent in the House and Senate versions in H.R. 2112 set forth in the accompanying Senate report (S. Rept. 112-93) and in the report approved by the House Transportation, Housing and Urban Development, and Related Agencies Subcommittee on September 8, 2011 should be complied with unless specifically addressed to the contrary in the conference report and the statement of the managers. Report language included by the House, which is not changed by the report of the Senate or this statement of managers, and Senate report language, which is not changed by this statement of managers, is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or the Senate has directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations. The conferees direct the Department of Transportation and the Department of Housing and Urban Development to notify the House and Senate Committees on Appropriations seven days prior to the announcement of a new program or authority.

The conferees reiterate direction included in the Senate report regarding the definitions of program, project and activity; reductions made pursuant to sequestration; reprogramming guidelines and requirements; operating plans; working capital funds; and budget justifications. Further, the conferees direct each department to include justifications on each administrative and general provision requested in the budget request materials.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

The conference agreement provides \$102,481,000 for the salaries and expenses of the Office of the Secretary of Transportation as an overall funding level as proposed by the House rather than \$102,202,000 as proposed by the Senate. The agreement includes funding by office as specified below:

Immediate Office of the Secretary	\$2,618,000
Immediate Office of the Deputy Secretary	984,000
Office of the Executive Secretariat	1,595,000
Office of the Under Secretary for Transportation Policy	10,107,000
Office of Small and Disadvantaged Business Utilization	1,369,000
Office of Intelligence, Security, and Emergency Response	10,778,000
Office of the Chief Information Officer	14,988,000
Office of the General Counsel	19,515,000
Office of the Assistant Secretary for Governmental Affairs	2,500,000
Office of the Assistant Secretary for Budget and Programs	10,538,000
Office of the Assistant Secretary for Administration	25,469,000
Office of Public Affairs	2,020,000
Office of Workforce Development	--

The conferees direct the Office of General Counsel to provide a continued level of effort to protect airline passengers.

NATIONAL INFRASTRUCTURE INVESTMENTS

The conference agreement provides \$500,000,000 for capital investments in surface transportation infrastructure, instead of \$550,000,000 as proposed by the Senate. The House did not propose funding for this account. The conferees direct the Secretary to focus on road, transit, rail and port projects. No funds are provided for planning activities and the Department is limited to \$20,000,000 for program administration.

FINANCIAL MANAGEMENT CAPITAL

The conference agreement provides \$4,990,000 for the financial management capital program as proposed by the Senate, instead of \$5,000,000 as proposed by the House.

CYBER SECURITY INITIATIVES

The conference agreement provides \$10,000,000 for cyber security initiatives as proposed by the Senate. The House did not propose funding for this account.

OFFICE OF CIVIL RIGHTS

The conference agreement provides \$9,384,000 for the office of civil rights as proposed by the House, instead of \$9,648,000 as proposed by the Senate.

TRANSPORTATION PLANNING, RESEARCH AND DEVELOPMENT

The conference agreement provides \$9,000,000 for transportation planning, research and development as proposed by the House and Senate. The conferees agree to provide not more than \$1,000,000 to do a complete study authorized in Section 9007 of Public Law 109-59.

WORKING CAPITAL FUND

The conference agreement includes a limitation of \$172,000,000 for working capital fund activities, rather than \$147,596,000 as proposed by the House and the Senate. The conferees include language allowing for the transfer of funds to the Working Capital Fund upon a majority approval of the Working Capital Fund Steering Committee.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

The conference agreement provides a total appropriation of \$922,000 as proposed by the House for the minority business center program, instead of \$921,000 as proposed by the Senate. Within the funds provided \$333,000 is for the costs of guaranteed loans for short-term working capital and \$589,000 is provided for administrative expenses. The bill limits loans made under this program to \$18,367,000 as proposed by the House and Senate.

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MINORITY BUSINESS OUTREACH

The conference agreement provides \$3,068,000 for minority business outreach as proposed by the House and Senate.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$143,000,000 for payments to air carriers as proposed by the Senate instead of \$100,000,000 as proposed by the House. In addition to these funds, the program will receive \$50,000,000 in mandatory spending pursuant to the Federal Aviation Authorization Act of 1996. The agreement includes language, as proposed by the Senate, that would limit funds to communities that received subsidy or received a 90-day notice of intent to terminate service and the Secretary required the air carrier to continue providing service any time between September 30, 2010, and September 30, 2011. The conference agreement also includes language to direct the Secretary to transfer such sums as may be necessary from the Office of the Secretary if funding is insufficient to meet the costs of the program.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

Section 101 prohibits funds in this Act available to the Department of Transportation from being obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 102 allows the Secretary of Transportation or his designee to engage with states to consider proposals related to the reduction of motorcycle fatalities.

Section 103 prohibits funds from being obligated or expended to establish or implement a program where essential air service communities are required to assume subsidy costs commonly referred to as local participation.

Section 104 authorizes the Department of Transportation to provide payments in advance to vendors for the Federal transit pass fringe benefit program.

Section 105 requires the Secretary of Transportation to post on the DOT website a schedule and an agenda of all Credit Council meetings. The conferees direct the Department to maintain records of the factors and criteria leading to funding determinations on applications.

Section 106 rescinds unobligated balances made available by section 185 of Public Law 109-115.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes \$9,653,395,000 for operations of the Federal Aviation Administration instead of \$9,673,962,000 as proposed by the House and \$9,635,710,000 as proposed by the Senate. Of the total amount provided, \$5,060,694,000 is to be derived from the airport and airway trust fund. Funds are distributed in the bill by budget activity. The Conference agreement includes all Operations base transfers requested in the budget, and the

conferees expect that FAA’s fiscal year 2013 budget will provide the same level of detail on the offices within the new Finance and Management organization as in previous years. In addition, the conferees direct that FAA move the Office of Audit and Evaluation (AAE) from within Office of the Chief Counsel (AGC) and realign it as an independent Staff Office reporting directly to the FAA Administrator.

The following table compares the conference agreement to the levels proposed in the House and Senate bills by budget activity, pursuant to the reorganizational reprogramming activity approved by the Committees in September:

<i>(all dollars in thousands)</i>			
<i>Program</i>	<i>House</i>	<i>Senate</i>	<i>Conference Agreement</i>
Air Traffic Organization	7,618,352	7,560,815	7,442,738
Aviation Safety	1,250,514	1,253,381	1,252,991
Commercial Space	13,000	15,005	16,271
Finance and Management	582,117
NextGen	60,134
Human Resources	99,005	98,858	98,858
Staff Offices	186,347	207,065	200,286
		<i>Conference Total.....</i>	9,653,395

Justification of general provisions.—The conference agreement directs the FAA to provide a justification for each general provision proposed in the fiscal year 2013 budget.

Air Traffic Controller Optimum Training Solution (ATCOTS).—The conference agreement directs the FAA to report back within 60 days on modifications to the ATCOTS program that will accommodate training for all required new controllers and facilitate modern learning principles.

Workforce diversity.—The conferees direct FAA to continue to provide a report detailing data and information on the agency’s recruitment outreach and hiring efforts in minority communities. The letter report should also include a year-to-year comparison of hiring statistics and shall be submitted to the House and Senate Appropriations Committees by January 15, 2012.

En Route Automation Modernization (ERAM) Operations funding.—The conference agreement provides no additional funding for ERAM related cost increases and directs the FAA to pay for all ERAM related program activities from the Facilities and Equipment account until operational readiness is achieved at Salt Lake or Seattle Center, consistent with prior program management practice.

Aviation safety (AVS).—The conference agreement provides \$1,252,991,000 for aviation safety, which includes an increase of 35 additional flight standards inspectors and related safety staff and 20 aircraft certification personnel.

Special use airspace of unmanned aerial system (UAS).—The conferees direct FAA to provide a progress report to the House and Senate Appropriations Committees, no later than 60 days after enactment, which describes and assesses the establishment of special use airspace to fill defense research needs related to UASs, particularly in the development of detection techniques for small unmanned aerial vehicles.

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes \$2,730,731,000 for FAA facilities and equipment instead of \$2,798,250,000 as proposed by the House and \$2,630,731,000 as proposed by the Senate. Of the total amount available, \$475,000,000 is available until September 30, 2012, and \$2,255,731,000 is available until September 30, 2014. The bill includes language directing FAA to transmit a detailed five-year capital investment plan to Congress with its fiscal year 2013 budget submission.

The following table provides a breakdown of the House and Senate bills and the conference agreement by program:

	<i>House Bill</i>	<i>Senate Bill</i>	<i>Conference</i>
Activity 1, Engineering, Development, Test and Evaluation:			
Advanced Technology Development and Prototyping	31,900,000	24,000,000	29,000,000
NAS Improvement of System Support Laboratory	1,000,000	1,000,000	1,000,000
William J. Hughes Technical Center Facilities	15,000,000	14,000,000	14,000,000
William J. Hughes Technical Center Infrastructure Sustainment	7,500,000	7,500,000	7,500,000
Next Generation Network Enabled Weather (NNEW)	0	18,000,000	0
Data Communications in support of Next Generation Air Transportation System	143,000,000	109,000,000	143,000,000
Next Generation Transportation System Demonstration and Infrastructure Development	16,900,000	15,000,000	15,000,000
Next Generation Transportation System - System Development	90,000,000	70,000,000	85,000,000
Next Generation Transportation System - Trajectory Based Operations	9,300,000	7,000,000	7,000,000
Next Generation Transportation System - Weather Reduction Impact	15,600,000	10,000,000	15,600,000
Next Generation Transportation System - High Density Arrivals/Departures	14,300,000	10,000,000	12,000,000
Next Generation Transportation System - Collaborative ATM	28,000,000	22,000,000	24,000,000
Next Generation Transportation System - Flexible Terminals and Airports	36,300,000	32,000,000	33,300,000

Next Generation Transportation System - Safety Security and Environment	0	0	0
Next Generation Transportation System - Networked Facilities	9,000,000	5,000,000	5,000,000
Next Generation Air transportation System-Future Facilities	19,500,000	10,000,000	15,000,000
Joint Planning and Development Office (JPDO)	0	3,000,000	0
Performance Based Navigation	29,200,000	26,200,000	29,200,000
Total, Activity 1	466,500,000	383,700,000	435,600,000

Activity 2, Air Traffic Control Facilities and Equipment:

En Route Programs

En Route Automation Modernization (ERAM)	148,000,000	148,500,000	155,000,000
En Route Automation Modernization (ERAM)-PER3	0	3,356,000	0
En Route Communications Gateway (ECG)	2,000,000	2,000,000	2,000,000
Next Generation Weather Radar (NEXRAD) - Provide	2,800,000	2,800,000	2,800,000
Air Traffic Control System Command Center (ATCSCC) - Relocation	3,600,000	3,600,000	3,600,000
ARTCC Building Improvements/Plant Improvements	46,000,000	36,000,000	41,000,000
Air Traffic Management (ATM)	7,500,000	7,500,000	7,500,000
Air/Ground Communications Infrastructure	4,800,000	4,800,000	4,800,000
Air Traffic Control En Route Radar Facilities Improvements	5,800,000	5,800,000	5,800,000
Voice Switching and Control System (VSCS)	1,000,000	1,000,000	1,000,000
Oceanic Automation System	6,000,000	4,000,000	4,000,000
Next Generation Very High Frequency Air/Ground Communications System (NEXCOM)	45,150,000	45,150,000	45,150,000
System-Wide Information Management (SWIM)	66,350,000	66,350,000	66,350,000
ADS - B NAS Wide Implementation	285,100,000	285,100,000	285,100,000
Windshear Detection Services	1,000,000	1,000,000	1,000,000
Weather and Radar Processor (WARP)	2,500,000	2,500,000	2,500,000
Collaborative Air Traffic Management Technologies	41,500,000	41,500,000	41,500,000
Colorado Wide Area Multilateration (WAM)	3,800,000	3,800,000	3,800,000
Automated terminal Information Service (ATIS)	1,000,000	1,000,000	1,000,000
Time-Based Flow Management (TBFM)	38,700,000	38,700,000	38,700,000
Subtotal En Route Programs	712,600,000	704,456,000	712,600,000

Terminal Programs

Airport Surface Detection Equipment - Model X (ASDE-X)	2,200,000	2,200,000	2,200,000
Terminal Doppler Weather Radar (TDWR)	7,700,000	6,000,000	7,700,000
Standard Terminal Automation Replacement System (STARS) (TAMR Phase 1)	25,000,000	25,000,000	25,000,000
Terminal Automation Modernization/Replacement Program (TAMR Phase 3)	108,750,000	98,750,000	108,750,000
Terminal Automation Program	2,500,000	2,500,000	2,500,000
Terminal Air Traffic Control Facilities - Replace	51,600,000	51,600,000	51,600,000
ATCT/Terminal Radar Approach Control (TRACON) Facilities - Improve	56,900,000	45,000,000	52,000,000
Terminal Voice Switch Replacement (TVSR)	10,000,000	8,000,000	8,000,000

NAS Facilities OSHA and Environmental Standards Compliance	26,000,000	20,000,000	24,600,000
Airport Surveillance Radar (ASR-9)	6,000,000	6,000,000	6,000,000
Terminal Digital Radar (ASR-11)	3,900,000	3,900,000	3,900,000
Runway Status Lights	29,800,000	20,000,000	29,800,000
National Airspace System Voice Switch (NVS)	19,800,000	9,000,000	9,000,000
Integrated Display System (IDS)	8,800,000	8,800,000	8,800,000
Remote Maintenance and Logging System (RMLS)	4,200,000	4,200,000	4,200,000
ASR-8 Service Life Extension Program (SLEP)	0	0	0
Mode S Service Life Extension Program (SLEP)	4,000,000	4,000,000	4,000,000
Subtotal Terminal Programs	367,150,000	314,950,000	348,050,000
Flight Service Programs			
Automated Surface Observing System (ASOS)	2,500,000	2,500,000	2,500,000
Flight Service Station (FSS) Modernization - Alaska Flight Service Modernization (AFSM)	4,500,000	4,500,000	4,500,000
Weather Camera Program	1,500,000	4,800,000	4,800,000
Subtotal Flight Service Programs	8,500,000	11,800,000	11,800,000
Landing and Navigational Aids Program			
VHF Omnidirectional Radio Range (VOR) with Distance Measuring Equipment (DME)	5,000,000	5,000,000	5,000,000
Instrument Landing System (ILS) - Establish	5,000,000	5,000,000	5,000,000
Wide Area Augmentation System (WAAS) for GPS	85,000,000	110,000,000	95,000,000
Runway Visual Range (RVR)	5,000,000	5,000,000	5,000,000
Approach Lighting System Improvement Program (ALSIP)	5,000,000	5,000,000	5,000,000
Distance Measuring Equipment (DME)	5,000,000	5,000,000	5,000,000
Visual NAVAIDS - Establish/Expand	3,400,000	3,400,000	3,400,000
Instrument Flight Procedures Automation (IFPA)	2,200,000	2,200,000	2,200,000
Navigation and Landing Aids - Service Life Extension Program (SLEP)	6,000,000	7,000,000	7,000,000
VASI Replacement - Replace with Precision Approach Path Indicator	7,000,000	8,000,000	8,000,000
GPS Civil Requirements	19,000,000	36,000,000	19,000,000
Runway Safety Areas - Navigational Mitigation	25,000,000	23,000,000	25,000,000
Subtotal Landing and Navigational Aids Programs	172,600,000	214,600,000	184,600,000
Other ATC Facilities Programs			
Fuel Storage Tank Replacement and Monitoring	6,400,000	4,400,000	5,400,000
Unstaffed Infrastructure Sustainment	18,000,000	15,000,000	18,000,000
Aircraft Related Equipment Program	11,700,000	11,700,000	11,700,000
Airport Cable Loop Systems - Sustained Support	5,000,000	5,000,000	5,000,000
Alaskan Satellite telecommunications Infrastructure (ASTI)	16,000,000	15,500,000	15,500,000
Facilities Decommissioning	5,000,000	5,000,000	5,000,000
Electrical Power Systems - Sustain/Support	85,600,000	68,000,000	77,581,000
Aircraft Fleet Modernization	9,000,000	6,000,000	9,000,000
FAA employee housing and Life Safety Shelter System Service	2,500,000	2,500,000	2,500,000
Subtotal Other ATC Facilities Programs	159,200,000	133,100,000	149,681,000

Total, Activity 2

1,420,050,000	1,378,906,000	1,406,731,000

Activity 3, Non-Air Traffic Control Facilities and Equipment:**Support Equipment**

Hazardous Materials Management	20,000,000	20,000,000	20,000,000
Aviation Safety Analysis System (ASAS)	30,100,000	30,100,000	30,100,000
Logistics Support System and Facilities (LSSF)	10,000,000	10,000,000	10,000,000
National Airspace System Recovery Communications (RCOM)	12,000,000	12,000,000	12,000,000
Facility Security Risk Management	18,000,000	16,000,000	16,000,000
Information Security	17,000,000	15,000,000	15,200,000
System Approach for Safety Oversight	23,600,000	23,600,000	23,600,000
Aviation Safety Knowledge Management Environment (ASKME)	17,200,000	17,200,000	17,200,000
Data Center Operations	1,000,000	0	1,000,000
Aerospace Medical System Support	12,000,000	10,000,000	10,000,000
Subtotal Support Equipment	160,900,000	153,900,000	155,100,000

Training, Equipment and Facilities

Aeronautical Center Infrastructure Modernization	18,000,000	15,000,000	16,500,000
Distance Learning	1,500,000	1,500,000	1,500,000
National Airspace System (NAS) Training - Simulator			
Subtotal Training, Equipment and Facilities	19,500,000	16,500,000	18,000,000

Total, Activity 3

180,400,000	170,400,000	173,100,000

Activity 4, Facilities and Equipment Mission Support:**System Support and Services**

System Engineering and Development Support	32,900,000	28,500,000	32,900,000
Program Support Leases	41,700,000	40,000,000	40,000,000
Logistics Support Services (LSS)	11,700,000	10,100,000	11,700,000
Mike Monroney Aeronautical Center Leases	17,000,000	17,000,000	17,000,000
Transition Engineering Support	13,000,000	11,300,000	13,000,000
Technical Support Services Contract (TSSC)	22,000,000	19,100,000	22,000,000
Resource Tracking Program (RTP)	4,000,000	4,000,000	4,000,000
Center for Advanced Aviation System Development (CAASD)	80,800,000	71,000,000	78,000,000
Aeronautical Information Management Program	26,300,000	20,224,000	20,200,000
Permanent Change of Station (PCS) Moves	2,500,000	2,500,000	1,500,000
Total, Activity 4	251,900,000	223,724,000	240,300,000

Activity 5, Personnel and Related Expenses:

Personnel and Related Expenses -	480,000,000	474,000,000	475,000,000
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Total, All Activities

2,798,850,000	2,630,730,000	2,730,731,000
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Performance Based Navigation.—The conference agreement provides \$29,200,000 for Performance Based Navigation, as proposed by the House. The agreement provides \$3,000,000 over the request for a demonstration project to utilize third parties to design, deploy and maintain public use Required Navigation Performance (RNP) procedures at five mid-sized airports where aircraft flying RNP arrivals would achieve measurable benefit.

System-wide information management system (SWIM).—The conference agreement includes \$66,350,000 for the SWIM program. The conferees direct FAA to provide a progress report to the House and Senate Committees on Appropriations by February 15, 2012 on FAA’s development and deployment of Segment 1 capabilities and the expected requirements, development and deployment of Segment 2.

Navigation and landing aids-service life extension program (SLEP).—The conference agreement includes \$7,000,000 for navigation and landing aids. Within the amount provided, \$1,000,000 is for the procurement and installation of additional runway end identification light (REIL) systems.

VASI replacement-replace with precision approach path indicator.—The conference agreement includes \$8,000,000 for the replacement of VASI systems with Precision Approach Path Indicator (PAPI) systems. Within the amount provided, \$1,000,000 is for the procurement of additional PAPI systems.

Alternate positioning, navigation and timing (APNT).—The conferees understand FAA is conducting a review of APNT capabilities that support communication, navigation, and surveillance applications in the event of a loss of Global Navigation Satellite Services (GNSS) to ensure that operations are appropriately supported and consistent with the evolution to NextGen. The conferees support this review and encourage the FAA to move forward with research, development and potential implementation of systems, avionics, processes, and procedures that leverage available assets to minimize the impact to system capacity and efficiency during periods of GNSS interference.

RESEARCH, ENGINEERING AND DEVELOPMENT

The bill provides \$167,556,000 for the FAA’s research, engineering, and development activities, instead of \$175,000,000 as proposed by the House and \$157,000,000 as proposed by the Senate. The following table compares the House and Senate bills with the conference agreement by budget activity:

<i>Program</i>	<i>House Bill</i>	<i>Senate Bill</i>	<i>Conference Agreement</i>
Improve Aviation Safety	94,249,000	87,775,000	89,314,000
Fire research and safety	8,157,000	7,158,000	7,158,000
Propulsion and fuel systems	3,611,000	2,300,000	2,300,000
Advanced materials/structural safety	2,605,000	2,534,000	2,534,000
Atmospheric hazards/digital system safety	5,404,000	5,404,000	5,404,000
Aging aircraft	12,589,000	10,632,000	11,600,000
Aircraft catastrophic failure prevention	1,502,000	1,147,000	1,147,000
Flightdeck safety/systems integration	6,162,000	6,162,000	6,162,000
Aviation safety risk analysis	10,027,000	10,027,000	10,027,000
ATC/AF human factors	10,634,000	10,364,000	10,364,000
Aeromedical research	11,617,000	11,000,000	11,000,000
Weather research	16,366,000	16,043,000	16,043,000
Unmanned aircraft system	3,504,000	3,504,000	3,504,000
NextGen Alternative Fuels for General Aviation	2,071,000	1,500,000	2,071,000

[] (Airport and Airway Trust Fund) ¹⁴ []

Improve Efficiency of the ATC System	33,905,000	28,134,000	34,174,000
Joint program and development office	0	6,500,000	5,000,000
Wake turbulence	10,674,000	9,064,000	10,674,000
NextGen --Air Ground Integration	10,545,000	5,303,000	7,000,000
NextGen --Self Separation	3,500,000	5,060,000	3,500,000
NextGen--Weather Technology in the Cockpit	9,186,000	2,207,000	8,000,000
Reduce Environmental Impacts	41,351,000	35,597,000	38,574,000
Environment and energy	16,351,000	15,074,000	15,074,000
NextGen Environmental Research - Aircraft Technologies, Fuels and Metrics	25,000,000	20,523,000	23,500,000
Mission Support	5,495,000	5,494,000	5,494,000
System planning and resource management	1,718,000	1,717,000	1,717,000
Technical laboratory facilities	3,777,000	3,777,000	3,777,000
Total	175,000,000	157,000,000	167,556,000

NextGen environmental research--aircraft technologies, fuels and metrics.—The conference agreement includes \$23,500,000 for the FAA's NextGen environmental research aircraft technologies, fuels and metrics program. The conferees direct FAA to use funds above the budget request to expedite the development of viable alternative fuels that can be used in aircraft and to continue the efforts of FAA's continuous, lower energy, emissions, and noise program (CLEEN). These additional funds are designated as an item of congressional interest and the conferees direct FAA not to reprogram these funds without the specific approval of the House and Senate Committees on Appropriations.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

](Including ^vTransfer of Funds)[

The conference agreement includes a liquidating cash appropriation of \$3,435,000,000; an obligation limitation of \$3,350,000,000; a limitation on administrative expenses of not more than \$101,000,000; no less than \$15,000,000 for the airport cooperative research program; and no less than \$29,250,000 for airport technology research.

Small community air service development pilot program.—The bill includes \$6,000,000 under the obligation limitation to continue the small community air service development pilot (*SCASDP*) program and directs the FAA to transfer funds to OST salaries and expenses appropriation.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Section 110 allows no more than 600 technical staff-years at the Center for Advanced Aviation Systems Development as proposed by the House and Senate.

Section 111 prohibits funds for adopting guidelines or regulations requiring airport sponsors to provide FAA “without cost” building construction or space as proposed by the House and Senate.

Section 112 allows the FAA to be reimbursed for amounts made available for 49 U.S.C. 41742(a)(1) as fees are collected and credited under 49 U.S.C. 45303 as proposed by the House and Senate.

Section 113 allows reimbursement of funds for providing technical assistance to foreign aviation authorities to be credited to the operations account as proposed by the House and Senate.

Section 114 prohibits funds limited in this Act for the Airport Improvement Program to be provided to an airport that refuses a request from the Secretary of Transportation to use public space at the airport for the purpose of conducting outreach on air passenger rights as proposed by the House and Senate.

Section 115 prohibits funds for Sunday premium pay unless work was actually performed on a Sunday as proposed by the House and Senate.

Section 116 prohibits funds in the Act from being used to buy store gift cards with Government issued credit cards as proposed by the House and Senate.

Section 117 allows all airports experiencing the required level of boardings through charter and scheduled air service to be eligible for funds under 49 U.S.C. 47114(c) as proposed by the Senate.

Section 118 prohibits funds from being obligated or expended for retention bonuses for FAA employees without prior written approval of the DOT Deputy Assistant Secretary for Administration.

Section 119 limits to 20 percent the cost share required under the contract tower cost-share program.

Section 119A reverses changes made to the Block Aircraft Registry Request program and prohibits future changes to the program, as proposed by the House and Senate.

Section 119B prohibits funds from being used to change weight restrictions or prior permission rules at Teterboro Airport in New Jersey as proposed by the House.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
(INCLUDING TRANSFER OF FUNDS)

The conference agreement limits obligations for administrative expenses of the Federal Highway Administration (FHWA) to \$412,000,000, which is equal to the annualized level of contract authority under the latest surface extension, P.L. 112-30, plus \$3,144,750 in carryover contract authority, plus \$16,000,000 in funds that the Secretary may transfer from the 14 discretionary highway programs, if necessary, to ensure proper oversight. The 14 programs impacted are: Delta Region Transportation Development; Ferry Boats Discretionary Projects; Highways for LIFE Demo Projects; Innovative Bridge Research & Deployment; Interstate Maintenance Discretionary; National Historic Covered Bridge Preservation; National Scenic Byways; Public Lands Highway Discretionary; Railway-Highway Crossings Hazard Elimination in HSR Corridors; Transportation, Community, and System Preservation; Truck Parking Pilot Program; Disadvantaged Business Enterprises Services; On-the-Job Training Services; and, Value Pricing Pilot Program.

In addition, the conferees provide \$3,220,000 in contract authority above this limitation for the administrative expenses of the Appalachian Regional Commission pursuant to 23 U.S.C. 104.

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Information Technology Improvements.—The conferees recommend at least \$2,000,000 of funds provided should be for the Delphi system and accounting services, the IPv6 transition, and FHWA’s share in the implementation of the financial management business transformation. These are important improvements to the administration of the federal-aid highways program.

FEDERAL-AID HIGHWAYS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

The conference agreement limits obligations for the federal-aid highways program to \$39,143,582,670 in fiscal year 2012, which is the annualized level of contract authority under the latest surface extension, P.L. 112-30.

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Solvency of Highway Trust Fund.—The conferees acknowledge this obligation limitation will deplete almost all resources from the Highway Trust Fund by the end of fiscal year 2012, causing the FHWA to begin cash-management procedures that may result in States not receiving timely reimbursement of highway construction expenses. Further, without enactment of a new surface transportation authorization bill with large amounts of additional revenues this year, the Highway Trust Fund will be unable to support a highway program in fiscal year 2013. The conferees strongly urge the committees of jurisdiction to enact surface transportation legislation that provides substantial long-term funding to continue the federal-aid highways program.

Commercial Motor Vehicle Parking.—The conferees direct FHWA to study the shortage of commercial motor vehicle parking, including the impact of such on operators’ compliance with federal safety requirements, and to report findings to the Committees on Appropriations within 180 days of enactment of this Act.

The conference agreement does not include a requirement for FHWA to report on transportation construction projects impacting local roads as proposed by the House.

Additionally, the conference agreement does not include a requirement for FHWA to investigate developing a comprehensive, department-wide corrosion analysis mitigation tool or a requirement for FHWA to report on the viability and cost-savings of developing such tool as proposed by the House.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides a liquidating cash appropriation of \$39,882,582,670, which is available until expended, to pay the outstanding obligations of the various highway programs at the levels provided in this Act and prior appropriations Act. This level reflects the annualized contract authority provided under the latest surface extension, P.L. 112-30, including contract authority both subject to and exempt from the obligation limitation.

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EMERGENCY RELIEF

1,662,000,000

The conference agreement appropriates \$1,762,000,000 additional funds for the Emergency Relief Program, which is available until expended, for qualifying emergency repair expenses relating to major disasters declared pursuant to the Stafford Act, 42 U.S.C. 5122(2).

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5121 et seq

The conference agreement waives the per-State, per-disaster cap of \$100,000,000 for certain disaster events in fiscal year 2011 relating to Hurricane Irene and flooding of the Missouri River. The conference agreement also directs the Secretary to extend the 180-day time period under 23

U.S.C. 120(e), in consideration of delays in a State's ability to access damaged facilities to evaluate damages and estimate the cost of such repairs, for eligible disasters in fiscal years 2011 and 2012.

RESCISSION

The conference agreement does not include a rescission of \$73,000,000 as proposed by the Senate.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

Section 120 retains the provision as proposed by the Senate that distributes the federal-aid highways program obligation limitation.

Section 121 retains the provision as proposed by the House and the Senate that allows funds received by the Bureau of Transportation Statistics from the sale of data products to be credited to the federal-aid highways account.

Section 122 retains the provision as proposed by the House and the Senate that provides requirements for any waiver of Buy American requirements.

Section 123 retains the provision as proposed by the House and the Senate that prohibits tolling in Texas, with exceptions.

Section 124 retains with modification the provision proposed by the House that directs GAO to study how States and public transit authorities use their authority to transfer federal funds between the highway and transit programs and to submit a report within a year of enactment.

Section 125 retains with modification the provision proposed by the Senate that allows the State laws of Maine and Vermont regarding vehicle weight limitations to apply to all portions of the Interstate Highway System within each State, notwithstanding the requirements of 23 U.S.C. 127(a)(11), for a time period of approximately twenty years.

Section 126 is a new provision that allows the Secretary to transfer up to \$16,000,000 from discretionary federal-aid highway programs to the FHWA administrative expenses account.

The conference agreement does not include Sections 124 or 128, as proposed by the Senate.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement includes a liquidation of contract authorization and a limitation on obligations of \$247,724,000 for the operating and program expenses of the Federal Motor Carrier Safety Administration (FMCSA). Of this limitation, \$8,543,000 is to remain available for obligation until September 30, 2014, as proposed by the Senate; \$191,918,800 is recommended for operating expenses; and \$47,262,200 is recommended for program expenses. The conference agreement modifies the Senate direction to FMCSA to report on March 30, 2012 on the agency's ability to meet its requirement to conduct compliance safety reviews on high risk carriers.

MOTOR CARRIER SAFETY GRANTS
 (LIQUIDATION OF CONTRACT AUTHORIZATION)
 (LIMITATION ON OBLIGATIONS)
 (HIGHWAY TRUST FUND)
 (INCLUDING RESCISSION)

The conference agreement provides a liquidating cash appropriation and a limitation on obligations of \$307,000,000 for motor carrier safety grants, as proposed by the Senate, modified to provide \$29,000,000 for the audits of new entrant motor carriers, as proposed by the House.

The conference agreement provides funding for motor carrier safety grants as follows:

<i>Program</i>	<i>Funding</i>
Motor carrier safety assistance program.....	\$212,000,000
Commercial driver's license (CDL) program improvement grants.....	30,000,000
Border enforcement grants.....	32,000,000
Performance and registration information system management grant.....	5,000,000
Commercial vehicle information systems and networks deployment.....	25,000,000
Safety data improvement grants.....	3,000,000

The conference agreement also permanently rescinds \$1,000,000 in prior-year unobligated balances, as proposed by the Senate, to cover costs associated with FMCSA Administrative Provision 131.

Section 130 retains the provision proposed by the House and the Senate that subjects funds appropriated in this Act to the terms and conditions of section 350 of Public Law 107–87 and section 6901 of Public Law 110–28, including that the Secretary submit a report on Mexico-domiciled motor carriers.

Section 131 retains the provision proposed by the Senate that does not require repayment of certain Commercial Vehicle Information Systems and Networks (CVISN) grant funds that were awarded improperly by FMCSA to States between 2006 and 2010.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
OPERATIONS AND RESEARCH

The conference agreement provides \$140,146,000 from the general fund for operations and research, as proposed by the Senate. Of this amount, a total of \$20,000,000 shall remain available until September 30, 2013, as proposed by the Senate.

OPERATIONS AND RESEARCH
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

The conference agreement provides a liquidating cash appropriation and an obligation limitation of \$109,500,000, to remain available until expended. Of the total, \$105,500,000 is provided for the highway safety research and development programs under 23 U.S.C. 403 and \$4,000,000 is provided for the National Driver Register under 49 U.S.C. 303, as proposed by the

House and the Senate. Of the total limitation, \$20,000,000 shall remain available until September 30, 2013, and shall be in addition to any limitation imposed on obligations in future fiscal years, as proposed by the Senate.

Repurposed Seatbelt Grants Funding – The conferees repurpose \$25,000,000 of the Safety Belt Performance Grants to fully fund the modernization of the National Automotive Sampling System (NASS). The conferees direct NHTSA to follow all directives contained in the Senate Committee report relating to the NASS modernization, including those relating to enhanced data collection and new reporting requirements.

The conferees do not provide any repurposed Safety Belt Performance Grants funding to enhance the ongoing cooperative research effort between NHTSA and the Automotive Coalition for Traffic Safety to develop driver alcohol detection systems, or for the distracted driver program as proposed by the Senate.

Unsecured loads – The conferees direct the GAO to report to the Committees on Appropriations on the various State laws, associated penalties, exemptions, and enforcement actions associated with unsecured loads within one year of enactment of this Act. Further, NHTSA is directed to collect and classify data from automobile accidents involving road debris as proposed by the Senate.

HIGHWAY TRAFFIC SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

The conference agreement provides a liquidating cash appropriation and an obligation limitation of \$550,328,000 for highway traffic safety grants, to remain available until expended, as proposed by the Senate. The conference agreement recommends as follows:

	Amount
Highway Safety Programs (section 402)	\$235,000,000
Occupant Protection Incentive Grants (section 405)	25,000,000
Safety Belt Performance Grants (section 406)	28,500,000
National Automotive Sampling System	25,000,000
State Traffic Safety Information System Improvement Grants (section 408)	34,500,000
Alcohol-Impaired Driving Countermeasures Incentive Grants (section 410)	139,000,000
Motorcyclist Safety Grants (section 2010)	7,000,000
Child Safety and Child Booster Seat Safety Incentive Grants (section 2011)	7,000,000
High Visibility Enforcement Program (section 2009)	29,000,000
Administrative Expenses	25,328,000

Distracted Driver – The conferees direct NHTSA, in conjunction with the Centers for Disease Control (CDC), to conduct an analysis of available research on distracted driving, and to report on the extent to which electronic devices can be causally linked to the reported rise in fatal accidents or injuries involving distracted driving, as well as the impact distracted driving prevention laws and enforcement actions can have on motorist behavior.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

~~(INCLUDING RESCISSIONS)~~

Section 140 retains the provision as proposed by the House and the Senate that provides funding for travel and related expenses for state management reviews and highway safety core competency development training.

Section 141 retains the provision as proposed by the House and the Senate that exempts obligation authority that was made available in previous public laws for multiple years from the limitations on obligations set for the current year.

Section 142 retains the provision as proposed by the House and Senate that prohibits the use of funds to implement 23 U.S.C. 404.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

The conference agreement provides \$178,596,000 for safety and operations of the Federal Railroad Administration (FRA) instead of \$180,867,000 proposed by the House and \$176,596,000 proposed by the Senate. Of the funds provided, \$12,300,000 is available until expended as proposed by the Senate.

Positive Train Control.—The conferees expect the FRA to complete the necessary PTC rulemakings, and directs the FRA to report to the House and Senate Appropriations Committees, by March 1, 2012, on (a) the status of the revisions under consideration and (b) the FRA

assessment of the progress being made by the railroad carriers in complying with the PTC statutory deadlines.

RAILROAD RESEARCH AND DEVELOPMENT

The conference agreement provides \$35,000,000 for railroad research and development, instead of \$35,030,000 as proposed by the House and \$30,000,000 as proposed by the Senate.

The conferees include funding for the research accounts as proposed by the House with the exception of R&D facilities and test equipment, shall be \$2,345,000.

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RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The conference agreement authorizes the Secretary to issue notes or other obligations pursuant to section 512 of P.L. 94-210 as proposed by both the House and Senate.

NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

The conference agreement provides a total of \$1,418,000,000 for the operations, capital improvements and debt service to the National Railroad Passenger Corporation (Amtrak).

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Subsidy

The conference agreement provides \$466,000,000 in operating grants to Amtrak instead of \$227,000,000 proposed by the House and \$544,000,000 proposed by the Senate.

Business plan.—The conference agreement includes language as proposed by the House that requires Amtrak to provide semiannual reports in electronic format regarding the pending business plan as well as progress against the milestones and target dates contained in its financial performance improvement plan provided in fiscal year 2012. Further, these plans shall include a

2011)

comprehensive fleet plan which shall establish year-specific goals and milestones and discuss potential, current and preferred financing options for all such activities.

The conference agreement includes bill language as proposed by the House which prohibits Amtrak from discounting tickets at more than 50 percent off the normal, peak fare after March 1, 2012, unless the operating loss due to the discounted fare is covered by a State. The Senate did not propose a similar provision.

The conferees encourage Amtrak to carry ~~\$200 million~~ in reserves within their Operating account, and encourage use of any favorable ticket revenue to get to this amount before using this favorable ticket revenue on Capital expenses unless such Capital expenses are necessary to ensure the safe operation and maintenance of the passenger rail system. \$200,000,000

The conference agreement does not include a requirement for the Amtrak IG to report quarterly on Amtrak operational efficiencies and overhead expenses as proposed by the House as Section 207 of the Passenger Rail Investment and Improvement Act requires similar reporting requirements by the Federal Railroad Administration.

The conference agreement does not require Amtrak to report on plans to improve food and beverage service and first class service as proposed by the House.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

The conference agreement provides \$952,000,000 for capital and debt service payment grants to Amtrak, instead of \$890,954,000 as proposed by the House, and \$936,778,000 as proposed by the Senate. Within the funds provided, the conference agreement includes

\$271,000,000 for Amtrak's debt service payment as proposed by the House and the Senate, and \$15,000,000 shall be for Northeast Corridor Gateway projects as proposed by the Senate. The agreement adopts the Senate bill requirement that grants made after the first \$200,000,000 be provided only on a reimbursable basis.

Americans with Disabilities Act.—Under its compliance plan ~~for~~ with the Americans with Disabilities Act (ADA), Amtrak would invest \$175,000,000 during fiscal year 2010 for necessary capital investments. The conferees understand that events outside of Amtrak's control ~~might delay~~ these investments. However, the conferees direct Amtrak to the best of its ability to maintain this plan for complying with the requirements of ADA, and modify bill language requiring Amtrak to invest no less than \$50,000,000 for ADA capital investments.

The conference agreement allows the Secretary to retain up to one-half of one percent of the funds provided to fund the costs of project management oversight of capital projects as proposed by the House, instead of one-fourth of one percent, as proposed by the Senate.

The conference agreement also allows the Secretary to retain up to one-half of one percent of the funds provided to fund the costs associated with implementing section 212 of division B of Public Law 110-432.

The conferees direct Amtrak to report back within 60 days on the process and procedures that are being implemented to improve financial controls for on-time performance incentive payments, and to establish accountability for the host railroad billing.

CAPITAL ASSISTANCE FOR HIGH SPEED RAIL CORRIDORS PASSENGER RAIL SERVICE

The conferees provide no funds for the Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service Program as proposed by the House. The Senate provided \$100

million for the program. The conference agreement does not require GAO to report on a vision

and operational plan for high speed and intercity passenger rail service or on ~~states~~ capabilities to develop and operate high speed and intercity passenger rail service.

[states']

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

Section 150 retains a provision that ceases the availability of Amtrak funds if the railroad contracts for services outside the United States for any service performed by a full-time or part-time Amtrak employee as of July 1, 2006, as proposed by the House and Senate.

Section 151 retains a provision that allows FRA to receive and use cash or spare parts to repair and replace damaged track inspection cars as proposed by the House and Senate.

Section 152 retains a provision that authorizes the Secretary of Transportation to allow issuers of any preferred stock to redeem or repurchase preferred stock sold to the Department of Transportation.

Section 153 limits overtime to \$35,000 per employee, allows Amtrak's president to waive this restriction for specific employees for safety or operational efficiency reasons, and requires notification to the House and Senate Committees on Appropriations within 30 days of granting such waivers.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

The conference agreement provides \$98,713,000 for the administrative expenses of the Federal Transit Administration (FTA) as proposed by the Senate instead of \$94,413,000 as

proposed by the House. The conferees provided funds directly to the Office of Inspector General for financial statement audits and did not specify a dollar amount for travel.

in] The conferees direct FTA to include its operating plan a specific allocation of administrative expenses resources, including a delineation of full time equivalent employees, as proposed by the House. The conference agreement also requires transfers exceeding 5 percent to be approved by the House and Senate Appropriations Committees through the reprogramming process outlined by the Senate. The conferees direct FTA to include in DOT's operating plan how much will be allocated for travel in fiscal year 2012.

FORMULA AND BUS GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement limits obligations from the Mass Transit Account for the formula and bus grant program to \$8,360,565,000 as proposed by the Senate, instead of \$5,200,000,000 as proposed by the House. The conferees acknowledge that the specific programmatic distribution of formula and bus grant funds will be determined through legislation extending or reauthorizing the surface transportation programs. The conference agreement includes a liquidating cash appropriation of \$9,400,000,000.

The conferees have directed that funding for bus rapid transit projects proposed in the fiscal year 2012 budget request under the capital investment grants account instead be funded in the

Bus and Bus Facilities program, where they are also eligible. Projects requested in the Administration’s budget to be funded from the formula are as follows:

CA Fresno, Fresno Area Express	\$17,800,000
CA Oakland, East Bay BRT	25,000,000
CA San Francisco, Van Ness Ave BRT	30,000,000
FL Jacksonville, JTA BRT	6,443,200
MI Grand Rapids, Silver Line BRT	12,887,943
TX El Paso, Mesa Corridor BRT	13,540,000
WA King County, RapidRide E BRT	21,629,000
WA King County, RapidRide F BRT	15,880,000
CT Hartford-New Britain Busway	45,000,000

RESEARCH AND UNIVERSITY RESEARCH CENTERS

The conference agreement provides ~~\$45,000,000~~ 44,000,000 for research activities as proposed by the House ~~instead of~~ instead of \$40,000,000 as proposed by the Senate. Of the amounts provided, \$3,500,000 is for the National Transit Institute, \$6,500,000 is for transit cooperative research programs and \$4,000,000 is for the university centers program. The conferees direct FTA to report on all 2011 and 2012 FTA-sponsored research by May 15, 2012. The agreement also provides \$25,000,000 for FTA to support the development of cutting-edge new bus and transit technologies.

Rural transit.—In rural communities across the nation, the conferees believe that transit plays an important role in getting families and individuals from their homes to work, medical appointments and day-to-day activities. In order for rural transit service to be efficient, the

community must effectively coordinate transit services among human service agencies and job providers. The conferees support continuing FTA efforts to develop and demonstrate initiatives that will assist rural and small communities in providing transit service that will help individuals to get from home to the workplace.

CAPITAL INVESTMENT GRANTS

(INCLUDING RESCISSION)

The conference agreement provides \$1,955,000,000 for capital investment grants as proposed by the Senate instead of \$1,554,077,000 as proposed by the House. Of the amounts provided, \$35,481,000 is for the small starts program, \$21,004,000 is for administrative oversight activities, \$1,368,515,000 is for payouts for full funding grant agreements, \$510,000,000 is for projects entering into full funding grant agreements in calendar year 2012 payable upon grant award, \$5,000,000 is for the Denali Commission, and \$15,000,000 is for Alaska and Hawaii ferries. Oversight and audit activities performed by the Office of Inspector General are funded out of the OIG account. Further, \$58,500,000 of prior year unobligated balances are rescinded.

The conferees direct FTA to refrain from signing any full funding grant agreement with a new starts share greater than 60% as recommended in the Senate report. The House proposed limiting FTA to projects with a 50% or less Federal share.

The conference agreement provides the following payouts for new starts projects:

NY Long Island Rail Road East Side Access	\$203,424,000
NY Second Avenue Subway	186,566,000
TX Dallas Northwest/Southeast	81,606,000
UT Salt Lake City Mid Jordan LRT	78,889,510
UT Salt Lake City Weber County	52,047,490

VA Northern VA Dulles	90,832,000
WA Seattle University Link LRT	104,078,000
MN Central Corridor LRT	93,144,000
FL Orlando Central Florida	47,308,000
CO Denver Eagle	140,920,000
TX Houston North Corridor	94,616,000
TX Houston Southeast Corridor	94,616,000
UT Salt Lake City Draper	100,468,000

GRANTS FOR ENERGY EFFICIENCY AND GREENHOUSE GAS REDUCTIONS

The conference agreement does not include funds for energy efficiency grants as proposed by the House. The Senate proposed \$25,000,000 under this ~~provision~~ *heading.*

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

The conference agreement provides \$150,000,000 as proposed by the House and Senate to carry out section 601 of division B of Public Law 110-432 to remain available until expended. The conferees direct WMATA to continue with capital improvement plans and not defer capital and safety investments to offset operating costs.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

Section 160 exempts previously made transit obligations from limitations on obligations.

Section 161 allows funds provided in this Act for (1) projects under “Capital Investment Grants” and (2) bus and bus facilities under “Formula and Bus Grants” that remain unobligated by September 30, 2014 to be available for projects eligible to use the funds for the purposes for which they were originally provided.

Section 162 allows for the transfer of appropriations made prior to October 1, 2011 from older accounts to be merged into new accounts with similar current activities.

Section 163 allows unobligated funds in prior year appropriations for new fixed guideway systems under “Federal Transit Administration, Capital Investment Grants” to be used in the current fiscal year to satisfy expenses for activities eligible in the year the funds were appropriated.

Section 164 requires unobligated funds or recoveries under 49 U.S.C. 5309 that are available for reallocation shall be directed to projects eligible to use the funds for which they were originally intended.

Section 165 allows the Secretary to use one percent of section 5316 funds for program management oversight.

Section 166 provides funds for Alaska or Hawaii ferry boats or ferry terminal facilities pursuant to 49 U.S.C. 5309(m)(2)(B) may be used to construct new vessels and facilities, or to improve existing vessels and facilities as proposed by the Senate. The House proposed prohibiting funds for 49 U.S.C. 5309(m)(6)(B). and (c).

Section 167 modifies a provision proposed by the House limiting FTA to signing full funding grant agreements (FFGAs) with a new starts share of 60% or less. The House proposed limiting

new FFGAs to projects with a Federal share of 50% or less. The Senate did not include a similar provision.

Section 168 modifies a provision proposed by the House permitting fuel and utilities for vehicle operations to be treated as a capital maintenance item for grants made under section 5307 in fiscal year 2012, up to ~~\$100 million~~. The Senate did not include a similar provision.

\$100,000,000.

Section 169 modifies a provision proposed by the Senate regarding the enforcement of the charter bus rule for an area in Washington State. The House did not include a similar provision.

Section 169A allows the Secretary to consider significant private contributions when calculating the non-Federal share of capital costs for new starts projects as proposed by the Senate. The House did not include a similar provision.

Section 169B modifies a provision proposed by the Senate specifying all bus rapid transit projects recommended in the fiscal year 2012 budget request under “Capital Investment Grants” in this Act shall instead be funded from the formula bus program. The House did not include a similar provision.

(HARBOR MAINTENANCE TRUST FUND)

The conference agreement includes \$32,259,000 for the operations, maintenance, and capital asset renewal of the Saint Lawrence Seaway Development Corporation (SLSDC) as proposed by the House instead of \$34,000,000 as proposed by the Senate.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

The conference agreement includes \$174,000,000 for the maritime security program, as proposed by the House and Senate.

OPERATIONS AND TRAINING

(Including Rescission)

The conference agreement includes \$156,258,000 for the Maritime Administration's (MARAD) operations and training account, instead of \$151,889,000 as proposed by the House and \$154,886,000 as proposed by the Senate. Further, the agreement rescinds \$980,000 from prior year funds instead of \$1,000,000 as proposed by the Senate. The House did not propose a rescission from this account.

The conferees provide a total of \$85,168,000 for the U.S. Merchant Marine Academy (USMMA). Of the funds provided, \$62,268,000 is for Academy operations and \$22,900,000 is for the capital improvement program (CIP) of which \$17,000,000 is for capital improvements and \$5,900,000 is for facilities maintenance, repairs and equipment. The conferees did not provide funds for replacing the midshipman fees or the recruitment initiative, but did allocate an additional \$250,000 for up to 5 additional staff to support and manage the CIP and facility maintenance. The conferees do not include a prohibition on the expenditure of funds for the commencement of architectural and engineering studies as proposed by the House. The

conferees direct MARAD to provide a staff organizational chart for the USMMA as directed by the Senate with the fiscal year 2013 budget materials.

The conferees provide a total of \$17,100,000 for the state maritime academies, of which \$3,600,000 is for direct payments, \$2,400,000 is for student incentive payments and \$11,100,000 is for scholarship maintenance and repair.

The conferees provide a total of \$54,000,000 for MARAD operations: \$49,000,000 for headquarters operations, \$4,000,000 for environment and compliance, and \$1,000,000 for Marview. The conferees direct MARAD to provide a report on the number of vacancies at MARAD headquarters and regional offices, and the duties associated with each vacancy concurrent with the fiscal year 2013 budget submission.

SHIP DISPOSAL

The conference agreement includes \$5,500,000 for the disposal of obsolete vessels of the National Defense Reserve Fleet as proposed by the House instead of \$10,000,000 as proposed by the Senate. The conferees recommend \$3,000,000 for the NS Savannah as requested.

The conferees direct MARAD to make best value determinations and award ship recycling contracts no later than 90 days from the ~~close~~ the ship specific solicitation. Upon award announcement, MARAD shall disclose, in addition to the price, other factors and criteria used to determine best value of the winning award. The conference agreement does not require MARAD to provide a full accounting of ship disposal activities as proposed by the House since such actions are identified in the annual vessel disposal report to Congress.

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ASSISTANCE TO SMALL SHIPYARDS

The conference agreement includes \$9,980,000 for assistance to small shipyards as proposed by the Senate. The House did not propose funding this account.

MARITIME GUARANTEED LOAN PROGRAM ✓ Account
(INCLUDING RESCISSION AND TRANSFER OF FUNDS) (Title XI)

The conference agreement includes \$3,740,000 for administrative expenses for the maritime guaranteed loan program (title XI) as proposed by the House. The Senate proposed \$4,000,000 for the same purpose. The conferees agree to rescind \$35,000,000 of prior year unobligated balances as proposed by the Senate. The House proposed rescinding \$54,100,000.

ADMINISTRATIVE PROVISIONS – MARITIME ADMINISTRATION

Section 170 authorizes MARAD to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of MARAD, and allow payments received to be credited to the Treasury.

Section 171 modifies a provision proposed by the House prohibiting a fee-for-service contract for vessel disposal, scrapping or recycling unless a qualified domestic ship recycler will pay for the vessel. The Senate did not propose a similar provision.

Section 172 modifies a provision proposed by the Senate restricting the use of funds for non-availability determinations under 46 USC 501 for oil releases from the Strategic Petroleum Reserve if United States-flag vessels of single or collective capacity are available unless, under

exceptional circumstances, the Secretary of Transportation provides a written justification for not using such United States-flag vessel or vessels. The House did not propose a similar provision.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(PIPELINE SAFETY FUND)

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$21,360,000 for the necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration (PHMSA). Of the amount provided, \$639,000 is to be derived from the Pipeline Safety Fund, and \$1,000,000 is to be transferred to Pipeline Safety to fund Pipeline Safety Information Grants to Communities, as proposed by the House and the Senate.

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Information Technology Modernization.—The conferees recognize the importance of PHMSA’s five-year information technology modernization effort, which began in fiscal year 2010. The conferees recommend at least \$2,550,000 of operating expenses be used to further these efforts, as proposed in PHMSA’s budget.

HAZARDOUS MATERIALS SAFETY

The conference agreement provides \$42,338,000 for the agency’s hazardous materials safety functions. Of this amount \$1,716,000 shall be available until September 30, 2014, as proposed by the House and the Senate.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

The conference agreement provides a total of \$109,252,000 for the pipeline safety program. Of that amount, \$18,573,000 is derived from the Oil Spill Liability Trust Fund, to remain available until September 30, 2014, and \$90,679,000 is derived from the Pipeline Safety Fund, of which \$48,191,000 is available until September 30, 2014 for multi-year grants and research and development contracts. The conference agreement directs no less than \$1,058,000 of the funds provided shall be used for the state one-call grant program, as proposed by the House.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

The conference agreement provides \$188,000, to remain available until September 30, 2013, and an obligation limitation of ~~\$23,318,000~~ for emergency preparedness grants, as proposed by the House and the Senate.

ADMINISTRATIVE PROVISION – PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

COST RECOVERY FOR DESIGN REVIEWS

Section 180, as proposed by the Senate, is not retained in the conference agreement. As such, the conferees do not include any directives on how a new pipeline design review fee should be implemented, if enacted. The conferees urge the committees of jurisdiction to consider the merits of such fee, as proposed in PHMSA's budget.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

] Research and Development [

The conference agreement provides \$15,981,000 to continue research and development activities. Of the funds provided, \$9,007,000 shall be available for the research and development program until September 30, 2014.

Activity	Conference level
Salaries and Administrative Expense	\$6,974,000
Alternative Fuels Safety Research and Development	499,000
RD&T Coordination	509,000
Nationwide Differential Global Positioning System [NDGPS]	7,600,000
Positioning, Navigation, and Timing	399,000

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement includes \$79,624,000 for the Office of Inspector General and prohibits the transfer or expenditure of funds from modal agencies or the National Transportation Safety Board. The conference agreement did not include report language proposed by the House that expects a minimal reduction in current FTE levels among other modifications in overhead expenses.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

The conference agreement provides \$29,310,000 for salaries and expenses of the Surface Transportation Board. The conference agreement permits the collection of up to \$1,250,000 in user fees to be credited to this appropriation as proposed by the House and Senate. The

conference agreement provides that the general fund appropriation be reduced on a dollar-for-dollar basis by the actual amount collected in user fees to result in a final appropriation from the general fund estimated at no more than \$28,060,000.

Of the total amount provided, \$300,000 is for the Uniform Railroad Costing System modernization initiative as proposed by the Senate.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

Section 180 allows the Department of Transportation to use funds for aircraft, motor vehicles, liability insurance, uniforms, or allowances, as authorized by law as proposed by the House and Senate.

Section 181 limits appropriations for services authorized by 5 U.S.C. 3109 to the rate for an Executive Level IV as proposed by the House and Senate.

Section 182 prohibits funds from being used for salaries and expenses of more than 110 political and Presidential appointees in DOT. The provision also requires that none of the personnel covered by this provision may be assigned on temporary detail outside DOT as proposed by the House and Senate.

Section 183 prohibits recipients of funds made available in this Act from releasing certain personal information and photographs from a driver's license or motor vehicle record, without express consent of the person to whom such information pertains; and prohibits the withholding

of funds provided in this Act for any grantee if a State is in noncompliance with this provision as proposed by the House and Senate.

Section 184 permits funds received by specified DOT agencies from States or other private or public sources for expenses incurred for training to be credited to certain specified agency accounts as proposed by the House and Senate.

Section 185 prohibits funds from being used to make a grant unless the Secretary of Transportation notifies the House and the Senate Committees on Appropriations no less than three days in advance of any discretionary grant award, letter of intent, or full funding grant agreement totaling \$1,000,000 or more, and directs the Secretary to give concurrent notification for any “quick release” of funds from the Federal Highway Administration’s emergency relief program as proposed by the House and Senate.

Section 186 allows funds received from rebates, refunds, and similar sources to be credited to appropriations of the DOT as proposed by the House and Senate.

Section 187 allows amounts from improper payments to a third party contractor that are lawfully recovered by the DOT to be available to cover expenses incurred in the recovery of such payments as proposed by the House and Senate.

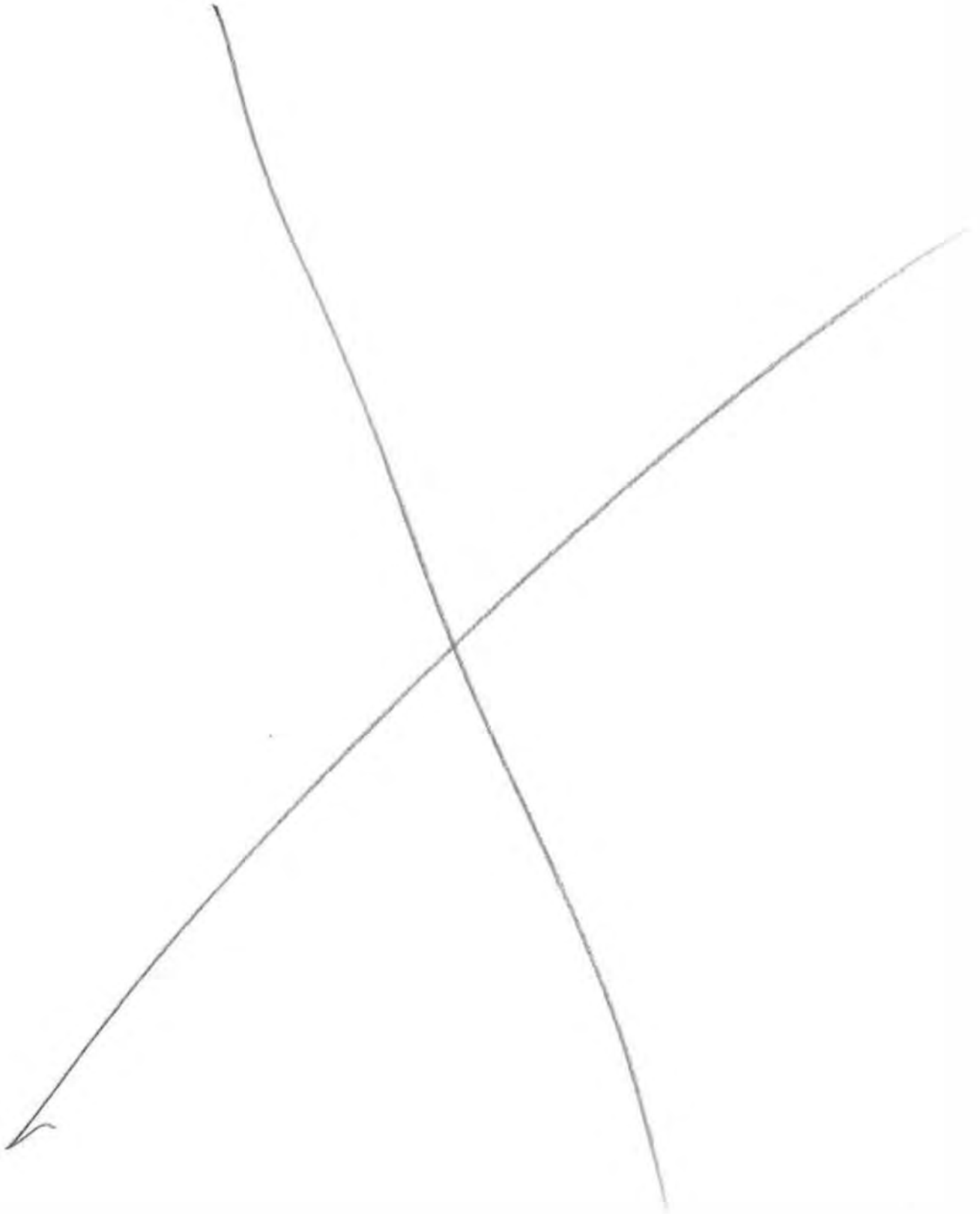
Section 188 mandates that reprogramming actions are to be approved or denied solely by the House and Senate Committees on Appropriations as proposed by the House and Senate.

Section 189 caps the amount of fees the Surface Transportation Board can charge and collect for rate complaints filed at the amount authorized for court civil suit filing fees as proposed by the House and Senate.

Section 190 allows funds appropriated to the modal administrators to be obligated for the Office of the Secretary regarding reimbursable agreements as proposed by the House.

Section 191 modifies a provision proposed by the House which alters the number of members on the Metropolitan Washington Airports Authority (MWAA) board; limits board members to no more than two terms; allows the appointing executives to remove board members with cause consistent with the laws of relevant jurisdictions; and, requires board members to vacate their position upon the immediate expiration of the board member's term(s). The Senate did not propose a similar provision. The conferees expect the jurisdictions to expeditiously implement these modifications. In addition, the conferees are greatly concerned about reports of careless recordkeeping on the part of MWAA and will carefully review the DOT Inspector General's anticipated report on MWAA's management and operations.

Section 192 prohibits the use of funds to enforce certain minimum standards for traffic signs as proposed by the House. The Senate did not include a similar provision.



TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

The conference agreement includes \$1,331,500,000 for the salaries and expenses to the Department, and modifies language proposed by the House and Senate. Through a modified structure, funding is included under the headings “Administration, Operations and Management” and “Program Office Salaries and Expenses”. The conferees expect the Department to use this account structure in presenting the fiscal year 2013 budget justification and all future budgets.

The conference agreement includes language as proposed by the House that requires detailed budget justifications for each office within the Department, including an organizational chart for each operating area within the Department. Further, these justifications must include a detailed justification for existing staff, the incremental funding increases, decreases and FTE fluctuations being requested by program, project or activity. The conferees also reiterate that information requested in the Senate report should also be included in budget documents.

The conference agreement includes a provision that requires that the Department modify and improve its Resource Estimation and Allocation Program (REAP) or other resource allocation model to improve its assessment of staffing needs and full-time equivalent (FTE) allocations. The provision also requires that beginning with the fiscal year 2014 congressional justification, budget estimates for existing staff and new staff requests shall be submitted to the Committees on Appropriations using a current, updated or new resource estimation and allocation model.

To facilitate the use of a resource estimation and allocation model for future budget estimates and submissions, the conferees request that the Government Accountability Office (GAO)

review the current REAP model to evaluate its capability to produce reliable data on full-time equivalent allocations and utilization for specific programs, and identify information gaps and other challenges. The conferees also request that GAO test the revised REAP or new resource estimation and allocation model, comparing it to actual FTE allocations in select Departmental programs. This GAO study and any recommendations resulting from the study should form the basis for the fiscal year 2014 budget submission. The conferees request that GAO also assess the Department's ongoing efforts to improve staffing and departmental management.

The conferees reiterate House direction on staffing reporting requirements.

The conferees direct HUD to provide one month prior notice of office, program or activity reorganizations.

ADMINISTRATION, OPERATIONS, AND MANAGEMENT

The conference agreement provides \$537,789,000 for Management and Operations, instead of \$494,739,000 as proposed by the House and \$549,499,000 as proposed by the Senate. Funds are provided as follows:

Immediate Office of the Secretary	\$3,572,000
Office of the Deputy Secretary and the Chief Operating Officer	1,200,000
Office of Hearings and Appeals	1,700,000
Office of Small and Disadvantaged Business Utilization	741,000
Office of Congressional and Intergovernmental Relations	2,400,000

Office of Public Affairs	3,515,000
Office of Departmental Operations and Coordination	10,475,000
Office of Field Policy and Management	47,500,000
Office of the Chief Procurement Officer	14,700,000
Office of the Chief Financial Officer	47,980,000
Office of the General Counsel	94,000,000
Office of Equal Employment Opportunity	3,610,000
Center for Faith-Based and Community Initiatives	1,448,000
Office of Sustainable Housing and Communities	2,627,000
Office of Strategic Planning and Management	5,000,000
Office of the Chief Information Officer	41,885,000
Office of the Chief Human Capital Officer	255,436,000

The conference agreement directs HUD to maintain the responsibilities of the appropriations attorneys under the Office of the Chief Financial Officer.

The conference agreement directs that the Office of the Assistant Secretary for Congressional and Intergovernmental Relations shall have no more than 20 FTEs.

The conference agreement directs ~~the~~ HUD to establish within the Departmental budget office, an appropriations liaison branch through the realignment of existing staff to be submitted by January 1, 2012.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

The conference agreement provides \$200,000,000 for the salaries and expenses for this account, instead of \$182,500,000 as proposed by the House and \$201,233,000 as proposed by the Senate.

COMMUNITY PLANNING AND DEVELOPMENT

The conference agreement provides \$100,000,000 for the salaries and expenses for this account, instead of \$91,000,000 as proposed by the House and \$101,076,000 as proposed by the Senate.

HOUSING

The conference agreement provides \$391,500,000 for the salaries and expenses for this account, instead of \$392,796,000 as proposed by the Senate and \$353,126,000 as proposed by the House. The conference agreement also provides that at least \$8,200,000 is for the Office of Risk and Regulatory Affairs as proposed by the Senate.

POLICY DEVELOPMENT AND RESEARCH

The conference agreement provides \$22,211,000 for the salaries and expenses for this account, instead of \$17,716,000 as proposed by the House and \$23,016,000 as proposed by the Senate.

FAIR HOUSING AND EQUAL OPPORTUNITY

The conference agreement provides \$72,600,000 for the salaries and expenses for this account, instead of \$66,697,000 as proposed by the House and \$74,766,000 as proposed by the Senate.

OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL

The conference agreement provides \$7,400,000 for the salaries and expenses for this account, instead of \$6,974,000 as proposed by the House and \$7,502,000 as proposed by the Senate.

RENTAL ASSISTANCE DEMONSTRATION

The conference agreement includes language for a Rental Assistance Demonstration, as proposed by the Senate with modifications. The conference agreement includes modifications to allow for participation of moderate rehabilitation. The conference agreement also includes language ensuring that tenant rights are protected in instances of conversion and that affordability of such housing is preserved under the demonstration. The conference agreement also includes language allowing for the project basing of tenant protection vouchers for rent supplemental and rental assistance projects in fiscal years 2012 and 2013, and requires a GAO review.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

The conference agreement provides \$18,914,369,000 for all tenant-based Section 8 activities under the Tenant-Based Rental Assistance Account, instead of \$18,467,883,000 as proposed by the House and \$18,872,357,000 as proposed by the Senate. Language is included designating funds provided as follows:

Activity	Conference level
Voucher Renewals	\$17,242,351,000
Tenant Protection Vouchers	75,000,000
Administrative Fees	1,350,000,000
HUD-VASH Incremental Vouchers	75,000,000
Section 811 Vouchers	112,018,000
Family Self-Sufficiency Coordinators	60,000,000

The bill does not include language related to a homeless demonstration as proposed by the Senate.

The conferees direct HUD to monitor and provide quarterly briefings to the House and Senate Committees on Appropriations ~~section 8~~ program, including data on leasing and trends or changes in rents or tenant income.

The conferees direct HUD to issue guidance to housing agencies administering mainstream (811) vouchers to continue to serve people with disabilities upon turnover.

on the Section

The conferees expect HUD to follow Treasury's rules on cash management in this account.

The conferees reiterate direction included by the Senate on tracking the housing stability of veterans utilizing the HUD-VASH program, addressing the needs of rural areas and sharing best practices with grantees. The conferees also direct HUD to report on HUD-VASH utilization rates, challenges encountered with the program and efforts to increase veteran self-sufficiency by January 15, 2012, as proposed by the House.

HOUSING CERTIFICATE FUND

(RESCISSION)

The conference agreement includes a \$200,000,000 rescission, as proposed by Senate.

the

PUBLIC HOUSING CAPITAL FUND

The conference agreement provides \$1,875,000,000 for the Public Housing Capital Fund, as proposed by the Senate. The conference agreement also provides \$50,000,000 for supportive services, service coordinators and congregate services as proposed by the Senate. The amount also includes \$20,000,000 for emergency capital needs, as proposed by the Senate, and \$10,000,000 for the public housing financial and physical assessment activities of REAC as proposed by the Senate instead of \$15,345,000 as proposed by the House.

\$

The conferees direct the Department to report quarterly to the House and Senate Committees on Appropriations on the progress made at each PHA under receivership.

PUBLIC HOUSING OPERATING FUND

The conference agreement provides \$3,961,850,000 for the Public Housing Operating Fund as proposed by the Senate. The agreement provides that the Secretary shall not offset excess

reserves by more than \$750,000,000, as proposed by the Senate. The language also provides for a process for PHAs to appeal reserve offsets, and a set-aside of \$20,000,000 to assist any PHAs that encounter financial hardship as a result of this offset.

The conferees direct HUD to submit an implementation plan to offset 2012 allocations based on reserve balances to the Committees on Appropriations within 30 days of the enactment of this Act. The conferees further direct HUD to include in its report a clear methodology for determining excessive reserves and the impact of the plan on each PHA.

PHAs
The conference agreement includes language proposed by the Senate allowing for the Secretary to provide flexibility to PHA on the use of excess operating reserves for capital improvements. The conferees direct the Secretary to establish clear guidance on how operating reserves can be used going forward, and in the interim expects this flexibility to be granted to PHAs to make capital improvements, but not to include large modernization projects.

CHOICE NEIGHBORHOODS INITIATIVE

The conference agreement provides \$120,000,000 for the Choice Neighborhoods Initiative, as proposed by the Senate. The conference agreement includes modifications to the language to ensure that the use of such funds doesn't result in housing units unintentionally being deemed as public housing, and ensuring the long-term affordability of rehabilitated housing units.

NATIVE AMERICAN HOUSING BLOCK GRANTS

The conference agreement provides \$650,000,000 for the Native American Housing Block Grants, as proposed by the Senate. These funds will remain available for obligation by HUD until September 30, 2016. When combined with a standard five-year contract term, tribes will

have approximately ten years to spend these funds. The conference agreement directs HUD to notify grantees of the availability of funds within 60 days of enactment of this Act.

Timely Expenditure of Funds. — The conferees find it unconscionable that while there is significant need for affordable housing in Indian country, some tribes and TDHEs have not spent large amounts of block grant funding for several years, resulting in large accumulated balances and reduced housing activities on tribal lands. For this reason, the conferees provide a time limit for this funding and strongly urge tribes to address housing needs in a timely manner.

\$1,000,000,000

The conferees note this account had nearly a billion in unexpended balances at the beginning of fiscal year 2011, with almost half of that amount belonging to a single tribe. This tribe currently has over \$375,000,000 in unexpended funds, with funds dating back twelve fiscal years, and a HUD official testified this tribe was unresponsive to HUD's encouragement to address the backlog. Such large accumulated balances and decade-old unexpended funds call into question the present need for funding in this account. In times of scarce federal funding, all accounts come under closer scrutiny. It is in the interest of all 555 tribes that receive these grants to reduce the unexpended balances and to demonstrate current need through use of these funds.

GAO Study of Tribal Housing Challenges.—The conferees realize there are significant and unique challenges associated with tribal housing, many of which are not within the control of tribes. For this reason, the conferees direct GAO to study the unique barriers and challenges in tribal housing activities.

Technical Assistance.—Of the funds provided, the conference agreement includes \$2,000,000 to support inspection of Indian housing units, contract expertise, training, and technical

assistance by HUD. The conferees direct HUD to provide valuable assistance to tribes, especially those with capacity challenges and those receiving small grant awards. Such assistance should reflect the unique needs and culture of Native Americans and include services necessary to improve data collection and increase leveraging.

In addition, the conference agreement includes \$2,000,000 for national or regional organizations representing Native American housing interests to provide training and technical assistance to Indian housing authorities and tribally designated housing entities. The conferees intend these funds to be distributed through a competitive process.

The conference agreement does not include a requirement for HUD's Office of Policy Development and Research to submit a report to the House and Senate Committees on Appropriations proposing alternative data sources for the block grant formula, as proposed by the House.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

The conference agreement provides \$13,000,000 for the Native Hawaiian Housing Block Grant, to remain available until expended, as proposed by the Senate.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

The conference agreement provides \$6,000,000 to remain available until expended, to subsidize a guaranteed loan level of \$360,000,000, as proposed by the House.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

The conference agreement provides \$386,000 to remain available until expended, to subsidize a guaranteed loan level of \$41,504,000, as proposed by the Senate.

COMMUNITY PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)

The conference agreement provides \$332,000,000 for the Housing Opportunities for Persons with AIDS (HOPWA) program. The conference agreement directs HUD to notify grantees of the availability of funds within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

The conference agreement provides \$3,308,090,000 for the Community Development Fund, to remain available until September 30, 2014. Of the total, the conference agreement provides no less than \$2,948,090,000 in formula funding and \$60,000,000 for Indian tribes.

The conference agreement includes language allowing 20 percent of formula funds to be used for planning, management, and administration, as proposed by the Senate. The conferees direct the Government Accountability Office to issue a report on how communities use these funds.

Matching Funds – The conferees direct the Department to provide an analysis of how much CDBG funding is used by grantees as matching dollars for other federal programs. The conferees also direct the Department to gather data on the use of fiscal year 2012 CDBG funds to

match other federal programs, including which programs are being matched, in what amounts, for what purposes, whether other funds are leveraged, and any other relevant data.

Sustainable Communities – The conference agreement does not include funding for the ^{Senate proposed} Sustainable Communities Initiative ~~as proposed by the Senate~~, and does not include language proposed by the House prohibiting the use of any funds for the Sustainable Communities Initiative. While direct funding for the Sustainable Communities Initiative is not included in the conference agreement, the conferees remind the Secretary and CDBG formula fund recipients that sustainable activities are an eligible use of formula funds. The conferees support coordination by the Departments of Transportation and Housing and Urban Development to reduce duplication of federal investments. The Secretary may use the Office of Sustainable Housing and Communities and the technical assistance resources of the Transformation Initiative to identify opportunities for communities to work together to integrate transportation and housing and to assist local grantees in performing these activities.

The conferees do not include any directives relating to Regional Integrated Planning Grants, which are not funded in the conference agreement.

Disaster Funding – The conference agreement provides that of the funds made available for the Community Development Fund, up to \$300,000,000 is available for necessary and eligible expenses related to disaster relief and long-term recovery in the most impacted and distressed areas resulting from major disasters in 2011, as declared pursuant to the Stafford Act. The conference agreement further provides that these funds may not be used on activities for which funding already is made available by FEMA or the Army Corps of Engineers.

plus an additional \$100,000,000 in disaster funds

COMMUNITY DEVELOPMENT LOAN GUARANTEES

PROGRAM ACCOUNT

The conference agreement provides \$5,952,000, to remain available until September 30, 2013, for costs associated with section 108 loan guarantees, to subsidize a loan guarantee level of \$240,000,000.

HOME INVESTMENT PARTNERSHIP PROGRAM

The conference agreement provides \$1,000,000,000 for this account, as proposed by the Senate. These funds will remain available until September 30, 2014.

Program Oversight – The conferees direct HUD, in its report to the Committees on Appropriations pursuant to HUD General Provision Section 232, to include an explanation of how HUD is monitoring and evaluating grantee performance in the HOME program, including how participating jurisdictions get approval to restart a stalled or cancelled project.

of this Act

The conferees also direct HUD to provide a report by March 16, 2012, and annually thereafter, on all HOME funds that are 5 years old or older.

SELF-HELP AND ASSISTED HOMEOWNERSHIP PROGRAMS

Opportunity

The conference agreement provides \$53,500,000 for this account, to remain available until September 30, 2014. Of the total, \$13,500,000 is provided for the SHOP program and \$35,000,000 is provided for the second, third and fourth capacity building activities authorized under section 4(b)(3), of which not less than \$5,000,000 may be for rural capacity building activities. In addition, \$5,000,000 is provided for capacity building activities by national organizations with expertise in rural housing, as similarly proposed by the House and the Senate.

The conference agreement directs HUD to notify grantees of the availability of funds within 60 days of the date of enactment of this Act.

CAPACITY BUILDING

The conference agreement does not include funding for Section 4 Capacity Building as a separate account, as proposed by the House.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$1,901,190,000 for Homeless Assistance Grants, as proposed by the House and the Senate. Of the amount provided, not less than \$250,000,000 is for the emergency solutions grants (ESG) program; not less than \$1,593,000,000 is for the continuum of care and rural housing stability assistance program; and \$7,000,000 is for the national homeless data analysis project. The conferees have provided sufficient funding to ensure the renewal of all eligible projects under the continuum of care competition. The conferees direct any remaining funding to be put towards the ESG and rural housing stability programs.

Delayed Implementation of HEARTH – The conferees note it has been two and a half years since the HEARTH Act amended the homeless assistance grant programs. The conferees express concern that HUD continued to implement pre-HEARTH grant programs in fiscal year 2011, due to a lack of regulations. The conferees direct HUD to publish at least interim guidelines for the Emergency Solutions Grants and Continuum of Care this fiscal year and to implement the new grant programs as soon as possible, so that the updated policies and practices

in HEARTH can begin to govern the delivery of homeless assistance funding.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

~~(INCLUDING TRANSFER OF FUNDS)~~

The conference agreement provides \$9,339,672,000 for project-based rental assistance activities, as opposed to \$9,428,672,000 as proposed by the House and \$9,418,672,000 as proposed by the Senate. The conference agreement also provides an advance appropriation of \$400,000,000 for fiscal year 2013. The conference agreement provides \$9,050,672,000 for contract renewals and not to exceed \$289,000,000 for contract administrators. This funding level reflects revised cost estimates from HUD based on updated projections and programmatic reforms that result in significant cost savings.

HOUSING FOR THE ELDERLY

The conference agreement provides \$374,627,000,000 for the section 202 program, instead of \$600,000,000 as proposed by the House and \$369,627,000 as proposed by the Senate. The conference agreement provides that up to \$91,000,000 shall be for service coordinators and existing congregate service grants as proposed by the Senate, and up to \$25,000,000 shall be for the conversion of eligible projects to assisted living or emergency capital repairs as proposed by the House. The conference agreement does not include funds for new construction.

HOUSING FOR PERSONS WITH DISABILITIES

165,000,000

The conference agreement provides \$ [REDACTED] for the section 811 program, instead of \$196,000,000 as proposed by the House and \$150,000,000 as proposed by the Senate. The conference agreement does not include funds for new construction. The conference agreement also provides the Secretary with the authority to fund activities authorized under section 811(b)(3) of the Cranston-Gonzalez National Affordable Housing Act to allow for project rental assistance to State housing finance agencies and other appropriate entities.

HOUSING COUNSELING ASSISTANCE

The conference agreement provides \$45,000,000 for Housing Counseling Assistance, instead of \$60,000,000 as proposed by the Senate. The House did not propose funding this account. The conference agreement includes Senate language requiring HUD to award this funding within 120 days of enactment.

The conferees direct HUD to submit a report on the reforms HUD is proposing in establishing a new Housing Counseling Office within the Office of Housing. This report, due within 90 days of enactment, should address how the Department is prepared to expend funds effectively, how HUD will focus its activities to reduce duplication of other government-funded programs; how many FTE will be needed for this activity; and what steps will be taken to streamline the grant making process.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

The conference agreement provides \$1,300,000 for Section 236 payments to State-aided, non-insured projects, as proposed by the Senate, instead of \$15,733,000 proposed by the House.

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RENT SUPPLEMENT

(RESCISSION)

The conference agreement rescinds \$231,600,000 from the Rent Supplement account, as proposed by Senate.

Payment To

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MANUFACTURED HOUSING FEES TRUST FUND

The conference agreement provides \$6,500,000 for authorized activities, of which \$4,000,000 is to be derived from the Manufactured Housing Fees Trust Fund, instead of \$7,000,000 to be fully funded by the Trust fund as proposed by the House, and \$9,000,000, of which \$4,000,000 to be funded by the trust fund as proposed by the Senate.

The conferees are perplexed by the paucity of information provided in the Congressional Justification for the Manufactured Housing Fees Trust Fund. Given the information HUD has provided, it is hard to make a rational case for any funding for the Fund. Fortunately, HUD has provided the Committees with additional information that illuminates the uniquely Federal role the Fund plays in the housing market. HUD must provide the Congress with adequate, appropriate and accurate information in its future budget justifications.

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

The conference agreement establishes a limitation of \$400,000,000 on commitments to guarantee single-family loans during fiscal year 2012, as proposed by the House and Senate.

The conference agreement provides \$207,000,000 for administrative contract expenses, as proposed by the House, instead of \$206,586,000 as proposed by the Senate. Of this amount, \$71,500,000 may be transferred to the Working Capital Fund, instead of \$72,000,000 as proposed by the House and \$70,652,000 as proposed by the Senate.

(Including Transfers of Funds)

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

The conference agreement establishes a \$25,000,000 limitation on multifamily and specialized loan guarantees during fiscal year 2012, as proposed by the House and Senate. The conference agreement does not provide a subsidy, as proposed by the Senate, instead of \$8,600,000 in subsidy as proposed by the House.

Insert 65A

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

The conference agreement includes up to \$500,000,000 for new commitments, as proposed by the House and Senate. The conference agreement provides \$19,500,000 for personnel compensation and benefits, and other administrative expenses of the Government National Mortgage Association, instead of \$19,000,000 as proposed by the House, and \$20,000,000 as proposed by the Senate. The conference agreement also modifies language included in the Senate allowing for additional administrative expenses if Ginnie Mae reaches \$155,000,000 by April 1, 2012.

Insert 65A

The conferees direct the Department to provide a report to the House and Senate Committees on Appropriations within 90 days of the enactment of this Act on its efforts to streamline inspections of facilities insured under Section 232 of the National Housing Act and those which the state or local government already inspects in accordance with the guidance of the Centers for Medicare & Medicaid Services (CMS) or applicable state or local law. This report should include timeframes for issuing rules related these inspections and implementation of new procedures. 10

Insert 65A

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

The conference agreement provides \$46,000,000 for policy development and research instead of \$47,904,000 as proposed by the House and \$45,825,000 as proposed by the Senate. The conference agreement also includes language proposed by the Senate requiring at least a 50 percent contribution from HUD's research partners and that all non-competitive agreements comply with the Federal Funding Accountability and Transparency Act of 2006. The conferees have not included funding for the doctoral research grant program or the young scholars post doctoral program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

The conference agreement provides \$70,847,000 for the fair housing program as proposed by the Senate instead of \$72,000,000 as proposed by the House. Of this amount, \$42,500,000 is for the Fair Housing Initiatives Program and \$28,347,000 is for the Fair Housing Assistance Program.

The conference agreement includes \$300,000 to continue the translation and promotion of materials to assist persons with limited English proficiency, as proposed by the Senate.

OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

The conference agreement provides \$120,000,000 for the Lead Hazard Reduction program, as proposed by the Senate. Of this amount, the conference agreement includes up to \$10,000,000 for the Healthy Homes Initiative, as similarly proposed by the House, and \$45,000,000 for areas with the highest lead abatement needs, as proposed by the Senate.

WORKING CAPITAL FUND

The conference agreement includes \$199,035,000 for the Working Capital Fund (WCF), instead of \$218,460,000 as proposed by the House and \$192,475,000 as proposed by the Senate. The conferees concur with the Senate proposal to fund the salaries and expenses of the WCF under the administration, operations and management account and the requirement that GAO continues to audit, evaluate and report on HUD's IT spend plans, program oversight and IT management.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides \$124,000,000 for the Office of Inspector General, as opposed to \$115,000,000 as proposed by the House and \$124,750,000 as proposed by the Senate.

The conferees are concerned about the number of HUD IG field offices and their associated costs, and direct the IG to conduct a review of its field office location policy. In conducting this review, the IG should look for opportunities to achieve efficiencies in its operations, and use existing performance measures such as cases and audits opened and closed, total dollars recovered, convictions made, program improvements identified, and other pertinent measures to determine potential cost savings and office consolidation. This review shall be completed within

180 days of enactment of this Act and delivered to the Committees on Appropriations in the House and Senate.

of

TRANSFORMATION INITIATIVE

The conference agreement provides \$50,000,000 for activities of the Transformation Initiative (TI), instead of \$49,745,000 as proposed by the House and a 0.5 percent takedown and transfer as proposed by the Senate. Funds are available until September 30, 2014.

Of the funds provided, the conference agreement recommends funding the following activities: biennial NOFAs; continuation of the study on the impact of housing on young children; the disciplinary research team; continuation of the pre-purchase counseling study; continuation of the rent reform demonstration; independent PHA assessments, physical needs assessments, and technical assistance for troubled PHAs; the joint core skills certification proposal; Office of Native American Programs technical assistance; and the fair housing and equal opportunity assessment. Further, at least \$23,000,000 shall be for OneCPD.

The conferees will allow up to \$5,000,000 to be used for the National Resource Bank, provided that the Department can demonstrate a similar level of effort by its other Federal partners.

The Secretary may amend the activities proposed for the fiscal year 2012 Transformation Initiative through the reprogramming process with approval from the House and Senate Committees on Appropriations.

General

ADMINISTRATIVE PROVISIONS

Department of Housing and Urban Development

(15)

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

Section 201 splits overpayments evenly between Treasury and State HFAs, as proposed by the House and Senate.

Section 202 precludes the use of funds to prosecute or investigate legal activities under the Fair Housing Act, as proposed by the House and Senate.

Section 203 continues language to correct anomalies for HOPWA and specifies jurisdictions in New York and New Jersey and uses three year average, as proposed by the House and Senate.

are Section 204 requires that funds to be subject to competition unless specified otherwise in statute, as proposed by the House and Senate.

Section 205 allows HUD to use funds for services to reimburse the Government National Mortgage Association (GNMA), Fannie Mae and other Federal entities for facilities as proposed by the House and Senate.

Section 206 requires HUD to comport with the budget estimates except as otherwise provided in this Act or through an approved reprogramming, as proposed by the House and Senate.

Section 207 provides authorization for HUD corporations to utilize funds under certain conditions and restrictions, as proposed by the House and Senate.

Section 208 requires a report on unexpended balances each quarter, as proposed by the House and Senate.

Section 209 specifies the distribution of AIDS funds to New Jersey and North Carolina, as proposed by the House and Senate.

Section 210 requires that the Administration's budget and the Department's budget justifications for fiscal year 2013 shall be submitted in the identical account and sub-account structure provided in this Act, as proposed by the House and Senate.

Section 211 exempts PHA Boards in Alaska, Iowa, and Mississippi and the County of Los Angeles from public housing resident representation requirement, as proposed by the House and Senate.

Section 212 authorizes HUD to transfer debt and use agreements from an obsolete project to a viable project, provided that no additional costs are incurred, and other conditions are met, as proposed by the Senate. Similar language was proposed by the House.

Section 213 distributes Native American Housing Block grant funds to the same Native Alaskan recipients as 2005, as proposed by the House and Senate.

Section 214 prohibits the HUD Inspector General from changing the basis on which the audit of GNMA is conducted, as proposed by the House and Senate.

Section 215 modifies a provision proposed by the House and Senate on the requirements for eligibility for Section 8 voucher assistance, and includes a consideration for persons with disabilities.

Section 216 authorizes the Secretary to insure mortgages under Section 255 of the National Housing Act, as proposed by the House and Senate. (s)

Section 217 instructs HUD on managing and disposing of any multifamily property that is owned by HUD, similar to what was proposed by the House and Senate.

Section 218 provides that the Secretary shall report quarterly on HUD's use of all sole source contracts, as proposed by the House and Senate.

Section 219 authorizes the Secretary to waive certain requirements on adjusted income for certain assisted living projects for counties in Michigan, as proposed by the Senate.

Section 220 continues to allow the recipient of a section 202 grant to establish a single-asset non-profit entity to own the project and may lend the grant funds to such entity, as proposed by the House and Senate.

Section 221 continues to allow amounts provided under Section 108 loan guarantee program to be used to guarantee notes, as proposed by the House. the

Section 222 extends the HOPE VI program until 2012, as proposed by the Senate.

Section 223 allows PHAs that own and operate 400 units or fewer of public housing to be exempt from asset management requirements, as proposed by the House and Senate.

Section 224 restricts the Secretary from imposing any requirement or guideline relating to asset management that restricts or limits the use of capital funds for central office costs, up to the limit established in QWHRA, as proposed by the House and Senate.

Section 225 directs that no employee shall be designated as an allotment holder unless the CFO determines that they have received training, and that the CFO shall ensure that trained allotment holders are designated within 90 days of enactment, as proposed by the House and Senate.

Section 226 requires that the Secretary shall report quarterly on the status of all Project-Based Section 8 housing, as proposed by the House and Senate.

Section 227 provides that funding for indemnities is limited to non-programmatic litigation, as proposed by the House and Senate.

Section 228 provides that the Secretary shall publish all NOFAs on the internet, as proposed by the House and Senate.

16/ Section 229 modifies the reprogramming guidelines for Administration, Operations and Management Account, Program Office Salaries and Expenses, and transfers between the two.

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the
account

Section 230 continues the provision that allows the Disaster Housing Assistance Program to be considered a program of HUD for the purpose of income verification, as proposed by the House and Senate.

Section 231 modifies a provision to require the Comptroller General to conduct a study of CPD block grants, as proposed by the House.

Section 232 requires the Secretary to improve data quality, data management, and grantee oversight and accountability at the Office of Community Planning and Development, as proposed by the House.

Section 233 allows the Secretary to transfer up to \$10,000,000 of salaries and expenses funds to the "Working Capital Fund" as proposed by the Senate.

Section 234 modifies a provision that limits Section 8 (tenant-based rental assistance only) and Section 9 funds from being used to compensate PHA employee salaries that exceed the annual rate of basic pay payable for a position at level IV of the Executive Schedule for fiscal year 2012.

Section 235 strikes the “Flexible Subsidy Fund” provision from Title II of division I of Public Law 108-447 and title III of Public Law 109-115, as proposed by the Senate.

Section 236 modifies a provision proposed by the ~~House~~ ^{Senate} to rescind \$650,000,000 from the advance appropriation provided for Tenant-Based Rental Assistance in fiscal year 2011.

10/
Section 237 extends the Mark-to-Market program under the Multifamily Assisted Housing Reform ~~And~~ Affordability Act until October 1, 2015, as proposed by the Senate.

Section 238 raises the FHA loan limits through December 31, 2013, modifying a provision proposed by the Senate.

Section 239 provides that up to \$300,000,000 of the funds provided for the Community Development Fund shall be available for disaster relief.

plus an additional \$100,000,000 in disaster funds

TITLE III—RELATED AGENCIES

~~ACCESS BOARD~~ ACCESS BOARD

SALARIES AND EXPENSES

The conference agreement includes \$7,400,000 for the salaries and expenses of the Access Board.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$24,100,000 for the salaries and benefits of the Federal Maritime Commission as proposed by the Senate, instead of \$24,087,000 as proposed by the House. Of the funds provided, not more than \$2,000 can be used for official reception and representation expenses. The conference agreement does not include an FTE cap as proposed by the House.

CSC
NATIONAL RAILROAD PASSENGER CORPORATION OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$20,500,000 for Amtrak's Office of the Inspector General (Amtrak OIG), instead of \$22,000,000 as proposed by the House, and \$19,311,000 as proposed by the Senate. The agreement requires Amtrak OIG to submit a comprehensive budget justification for fiscal year 2013 in similar format and substance to those submitted by other agencies of the federal government.

Salaries and Expenses

SC

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

The conference agreement provides \$102,400,000 for the salaries and expenses of the National Transportation Safety Board (NTSB), as proposed by the House. Of this amount, no more than \$2,000 may be used for official reception and representation expenses, as proposed by both the House and the Senate.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

The conference agreement provides \$215,300,000 for the Neighborhood Reinvestment Corporation, as proposed by the House, instead of \$200,000,000 as proposed by the Senate.

The conference agreement includes \$80,000,000 for the National Foreclosure Mitigation Counseling (NFMC) program as proposed by the House instead of \$65,000,000 as proposed by the Senate. The conferees modify both House and Senate language to allow 5 percent of NFMC funds go towards administrative costs.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

The conference agreement provides \$3,300,000. The conferees recommend the increase in this account to be used for the transfer of 5 FTE from HUD to the Interagency Council on Homelessness (ICH).

Homeless Veterans.—The conferees reiterate language in the Senate report, which directs ICH to continue working with HUD, the Department of Veterans Affairs, and other federal and local partners to improve the HUD-VASH program and address veteran homelessness. The conferees direct ICH provide a report to the Committees on Appropriations and the relevant authorizing committees on progress being made and opportunities for improvement in the specific areas identified in the Senate report.

to

TITLE IV—GENERAL PROVISIONS, THIS ACT

~~(INCLUDING TRANSFERS OF FUNDS)~~

Section 401 continues the provision as proposed by the House and the Senate requiring pay raises to be funded within appropriated levels in this Act or previous Appropriations Acts.

Section 402 continues the provision as proposed by the House and the Senate prohibiting pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 403 continues the provision as proposed by the House and the Senate prohibiting obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 404 continues the provision as proposed by the House and the Senate requiring consulting service expenditures of public record in procurement contracts.

Section 405 continues the provision as proposed by the House and the Senate specifying reprogramming procedures by subjecting the establishment of new offices and reorganizations to the reprogramming process.

Section 406 continues the provision as proposed by the Senate providing that fifty percent of unobligated S&E balances may remain available for certain purposes.

Section 407 continues the provision as proposed by the House and the Senate requiring agencies and departments funded herein to report on sole source contracts.

Section 408 continues the provision as proposed by the House and the Senate prohibiting Federal training not directly related to the performance of official duties.

Section 409 continues the provision as proposed by the House and the Senate that prohibits funds from being used for any project that seeks to use the power of eminent domain unless eminent domain is employed only for a public use.

Section 410 continues a provision as proposed by the House and the Senate that denies the transfer of funds made available in this Act to any instrumentality of the United States Government except as authorized by this Act or any other Appropriations Act.

Section 411 continues a provision as proposed by the House and the Senate that prohibits funds in this Act from being used to permanently replace an employee intent on returning to his past occupation after completion of military service.

Section 412 continues a provision as proposed by the House and the Senate that prohibits funds in this Act from being used unless the expenditure is in compliance with the Buy American Act.

Section 413 continues a provision as proposed by the House and the Senate that prohibits funds from being appropriated or made available to any person or entity that has been found to violate the Buy American Act.

Section 414 prohibits funds for first-class airline accommodations in contravention of section 301-10.122 and 301-10.123 of title 41 CFR as proposed by the House.

this Act

Section 415 prohibits funds in the bill from going to the group ACORN or its subsidiaries as proposed by the House and Senate.

Section 416 requires all agencies and departments funded in this bill to report vehicle fleet inventory and associated costs to Congress at the end of fiscal year 2012.

Act

insert table

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF TRANSPORTATION				
Office of the Secretary				
Salaries and expenses.....	102,481	118,842	102,481	---
Immediate Office of the Secretary.....	(2,626)	---	(2,618)	(-8)
Immediate Office of the Deputy Secretary.....	(984)	---	(984)	---
Office of the General Counsel.....	(20,318)	---	(19,515)	(-803)
Office of the Under Secretary of Transportation for Policy.....	(11,078)	---	(10,107)	(-971)
Office of the Assistant Secretary for Budget and Programs.....	(10,538)	---	(10,538)	---
Office of the Assistant Secretary for Governmental Affairs.....	(2,499)	---	(2,500)	(+1)
Office of the Assistant Secretary for Administration.....	(25,469)	---	(25,469)	---
Office of Public Affairs.....	(2,051)	---	(2,020)	(-31)
Office of the Executive Secretariat.....	(1,655)	---	(1,595)	(-60)
Office of Small and Disadvantaged Business Utilization.....	(1,496)	---	(1,369)	(-127)
Office of Intelligence, Security, and Emergency Response.....	(10,579)	---	(10,778)	(+199)
Office of the Chief Information Officer.....	(13,189)	---	(14,988)	(+1,799)
Subtotal.....	102,481	118,842	102,481	---
National infrastructure investments.....	526,944	---	500,000	-26,944
Multi-year investment initiative.....	---	2,000,000	---	---

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Livable communities initiative.....	---	10,000	---	---
Financial management capital.....	4,990	17,000	4,990	---
Cyber security initiatives.....	---	---	10,000	+10,000
Office of Civil Rights.....	9,648	9,661	9,384	-264
Transportation planning, research, and development....	9,799	9,824	9,000	-799
Working capital fund.....	(147,301)	(192,000)	(172,000)	(+24,699)
Minority business resource center program.....	921	922	922	+1
(Limitation on guaranteed loans).....	(18,330)	(18,367)	(18,367)	(+37)
Minority business outreach.....	3,068	3,100	3,068	---
Payments to air carriers (Airport & Airway Trust Fund)	149,700	123,254	143,000	-6,700
Rescission of excess compensation for general aviation operations (Sec. 106).....	---	-3,000	-3,254	-3,254
Total, Office of the Secretary.....	807,551	2,289,603	779,591	-27,960
National infrastructure bank (investment initiative)..	---	5,000,000	---	---
Federal Aviation Administration				
Operations.....	9,513,962	9,823,000	9,653,395	+139,433
Air traffic organization.....	(7,473,299)	---	(7,442,738)	(-30,561)
Aviation safety.....	(1,253,020)	---	(1,252,991)	(-29)
Commercial space transportation.....	---	---	(16,271)	(+16,271)
Finance and management.....	---	---	(582,117)	(+582,117)
Human resources programs.....	---	---	(98,858)	(+98,858)
Region and center operations.....	---	---	---	---
Staff offices.....	---	---	(200,286)	(+200,286)
Information services.....	---	---	---	---
NextGen.....	---	---	(60,134)	(+60,134)

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Facilities & equipment (Airport & Airway Trust Fund)..	2,730,731	2,870,000	2,730,731	---
Multi-year investment initiative.....	---	250,000	---	---
Research, engineering, and development (Airport & Airway Trust Fund.....	169,660	190,000	167,556	-2,104
Grants-in-aid for airports (Airport and Airway Trust Fund)(Liquidation of contract authorization).....	(3,550,000)	(3,600,000)	(3,435,000)	(-115,000)
(Limitation on obligations).....	(3,515,000)	(3,515,000)	(3,350,000)	(-165,000)
Administration.....	(93,422)	(101,000)	(101,000)	(+7,578)
Airport Cooperative Research Program.....	(15,000)	(15,000)	(15,000)	---
Airport technology research.....	(22,472)	(29,250)	(29,250)	(+6,778)
Small community air service development program...	(6,000)	---	(6,000)	---
Multi-year investment initiative.....	---	(3,100,000)	---	---
Aviation insurance revolving fund (Sec. 115).....	---	-1,000	---	---
Total, Federal Aviation Administration.....	12,414,353	13,132,000	12,551,682	+137,329
(Limitations on obligations).....	(3,515,000)	(3,515,000)	(3,350,000)	(-165,000)
Total budgetary resources.....	(15,929,353)	(16,647,000)	(15,901,682)	(-27,671)

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Federal Highway Administration				
Limitation on administrative expenses.....	(413,533)	(437,172)	(412,000)	(-1,533)
Federal-aid highways (Highway Trust Fund):				
(Liquidation of contract authorization).....	(41,846,000)	(70,414,000)	(39,882,583)	(-1,963,417)
(Limitation on obligations).....	(41,107,000)	(42,025,000)	(39,143,583)	(-1,963,417)
(Exempt contract authority).....	(739,000)	(739,000)	(739,000)	---
Multi-year investment initiative.....	---	(27,650,000)	---	---
Emergency relief (disaster relief category).....	---	---	1,662,000	+1,662,000
Rescission of contract authority (Highway Trust Fund).....	-2,500,000	---	---	+2,500,000
Rescission of old demos.....	-630,000	-630,000	---	+630,000
Total, Federal Highway Administration.....	-3,130,000	-630,000	1,662,000	+4,792,000
Appropriations.....	---	---	---	---
Rescissions of contract authority.....	(-3,130,000)	(-630,000)	---	(+3,130,000)
(Limitations on obligations).....	(41,107,000)	(69,675,000)	(39,143,583)	(-1,963,417)
(Exempt contract authority).....	(739,000)	(739,000)	(739,000)	---
Total budgetary resources.....	(38,716,000)	(69,784,000)	(41,544,583)	(+2,828,583)
Federal Motor Carrier Safety Administration				
Motor carrier safety operations and programs (Highway Trust Fund)(Liquidation of contract authorization).....	(245,000)	(276,000)	(247,724)	(+2,724)
(Limitation on obligations).....	(245,000)	(276,000)	(247,724)	(+2,724)
Motor carrier safety grants (Highway Trust Fund)				
(Liquidation of contract authorization).....	(310,070)	(330,000)	(307,000)	(-3,070)
(Limitation on obligations).....	(310,070)	(330,000)	(307,000)	(-3,070)

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
CVISN contract authority (Sec. 131).....	---	---	1,000	+1,000
Rescission of contract authority.....	---	---	-1,000	-1,000
<hr/>				
Total, Federal Motor Carrier Safety Administration.....	---	---	---	---
(Limitations on obligations).....	(555,070)	(606,000)	(554,724)	(-346)
<hr/>				
National Highway Traffic Safety Administration				
Operations and research (general fund).....	140,146	---	140,146	---
Vehicle safety.....	---	170,709	---	---
Operations and research (Highway Trust Fund) (Liquidation of contract authorization).....	(105,500)	(133,191)	(109,500)	(+4,000)
(Limitation on obligations).....	(105,500)	(133,191)	(109,500)	(+4,000)
<hr/>				
Subtotal.....	140,146	170,709	140,146	---
<hr/>				
National driver register (Highway Trust Fund) (Liquidation of contract authorization).....	(4,000)	---	---	(-4,000)
(Limitation on obligations).....	(4,000)	---	---	(-4,000)
National driver register modernization.....	3,343	---	---	-3,343
<hr/>				
Highway traffic safety grants (Highway Trust Fund) (Liquidation of contract authorization).....	(619,500)	(556,100)	(550,328)	(-69,172)
(Limitation on obligations).....	(619,500)	(556,100)	(550,328)	(-69,172)
Highway safety programs (23 USC 402).....	(235,000)	(235,000)	(235,000)	---
Occupant protection incentive grants(23 USC 405) Safety belt performance grants (23 USC 406).....	(25,000)	(35,000)	(25,000)	---
Distracted driving prevention.....	(124,500)	---	(48,500)	(-76,000)
	---	(50,000)	---	---

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
State traffic safety information system				
Improvement(23 USC 408).....	(34,500)	(34,500)	(34,500)	---
Impaired driving countermeasures (23 USC 410)...	(139,000)	(139,000)	(139,000)	---
Grant administration.....	(18,500)	(18,600)	(25,328)	(+6,828)
High visibility enforcement.....	(29,000)	(37,000)	(29,000)	---
Child safety and booster seat grants.....	(7,000)	---	(7,000)	---
Motorcyclist safety.....	(7,000)	(7,000)	(7,000)	---
Rescission of contract authority	-76,000	---	---	+76,000
Total, National Highway Traffic Safety Admin....	67,489	170,709	140,146	+72,657
Appropriations.....	(143,489)	---	(140,146)	(-3,343)
Rescissions of contract authority.....	(-76,000)	---	---	(+76,000)
(Limitations on obligations).....	(729,000)	(689,291)	(659,828)	(-69,172)
Total budgetary resources.....	(796,489)	(860,000)	(799,974)	(+3,485)
Federal Railroad Administration				
Safety and operations.....	176,596	223,034	178,596	+2,000
Offsetting fee collections.....	---	-40,000	---	---
Subtotal.....	176,596	183,034	178,596	+2,000
Railroad research and development.....	35,030	40,000	35,000	-30
Rail line relocation and improvement program.....	10,511	---	---	-10,511

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
System preservation.....	---	1,546,000	---	---
Multi-year investment initiative.....	---	2,500,000	---	---
Subtotal.....	---	4,046,000	---	---
Network Development.....	---	1,000,000	---	---
Multi-year investment initiative.....	---	3,000,000	---	---
Subtotal.....	---	4,000,000	---	---
Capital assistance for high speed rail corridors and intercity passenger rail service.....	---	---	---	---
Rescission.....	-400,000	---	---	+400,000
National Railroad Passenger Corporation:				
Operating grants to the National Railroad Passenger Corporation.....	561,874	---	466,000	-95,874
Capital and debt service grants to the National Railroad Passenger Corporation.....	921,778	---	952,000	+30,222
Subtotal.....	1,483,652	---	1,418,000	-65,652
Total, Federal Railroad Administration.....	1,305,789	8,269,034	1,631,596	+325,807
Federal Transit Administration				
Administrative expenses.....	98,713	---	98,713	---
Formula and Bus Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization).....	(9,400,000)	---	(9,400,000)	---
(Limitation on obligations).....	(8,343,171)	---	(8,360,565)	(+17,394)

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Research and technology deployment.....	---	166,472	---	---
Transit Formula Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization).....	---	(10,000,000)	---	---
(Limitation on obligations).....	---	(4,691,986)	---	---
Multi-year investment initiative.....	---	(3,000,000)	---	---
Transit expansion and livable communities (liquidation of contract authorization).....	---	(600,000)	---	---
(limitation on obligations).....	---	(233,514)	---	---
Capital investment grants.....	---	2,235,556	---	---
Multi-year investment initiative.....	---	1,000,000	---	---
Subtotal.....	---	3,235,556	---	---
Operations and safety.....	---	166,294	---	---
Administrative programs.....	---	(129,700)	---	---
Rail transit safety programs.....	---	(36,594)	---	---
Research and University Research Centers.....	58,882	---	44,000	-14,882
Bus and rail state of good repair (liquidation of contract authorization).....	---	(3,000,000)	---	---
(limitation on obligations).....	---	(3,207,178)	---	---
Multi-year investment initiative.....	---	(7,500,000)	---	---
Capital investment grants.....	1,596,800	---	1,955,000	+358,200
Energy efficiency and greenhouse gas reduction grants.	49,900	---	---	-49,900
Rescission.....	-280,000	---	-58,500	+221,500

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Washington Metropolitan Area Transit Authority				
capital and preventive maintenance.....	149,700	150,000	150,000	+300
Total, Federal Transit Administration.....	1,673,995	3,718,322	2,189,213	+515,218
(Limitations on obligations).....	(8,343,171)	(18,632,678)	(8,360,565)	(+17,394)
Total budgetary resources.....	(10,017,166)	(22,351,000)	(10,549,778)	(+532,612)
Saint Lawrence Seaway Development Corporation				
Operations and maintenance (Harbor Maintenance Trust Fund).....	32,259	33,996	32,259	---
Maritime Administration				
Maritime security program.....	173,652	174,000	174,000	+348
Operations and training.....	151,446	161,539	156,258	+4,812
Rescission.....	---	---	-980	-980
Ship disposal.....	14,970	18,500	5,500	-9,470
Assistance to small shipyards.....	9,980	---	9,980	---
Vessel operations revolving fund.....	---	---	---	---
Maritime Guaranteed Loan (Title XI) Program Account:				
Administrative expenses.....	3,992	3,740	3,740	-252
Rescission.....	---	-54,100	-35,000	-35,000
Guaranteed loans subsidy.....	4,990	---	---	-4,990
Subtotal.....	8,982	-50,360	-31,260	-40,242
Total, Maritime Administration.....	359,030	303,679	313,498	-45,532

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Pipeline and Hazardous Materials Safety Administration				
Administrative expenses:				
General Fund.....	21,454	21,519	20,721	-733
Pipeline Safety Fund.....	638	639	639	+1
Pipeline Safety information grants to communities.	(998)	(1,000)	(1,000)	(+2)
Subtotal.....	22,092	22,158	21,360	-732
Hazardous materials safety.....	39,020	50,089	42,338	+3,318
Offsetting collections (legislative proposal).....	---	-12,000	---	---
Subtotal.....	39,020	38,089	42,338	+3,318
Pipeline safety:				
Pipeline Safety Fund.....	87,838	93,854	90,679	+2,841
Oil Spill Liability Trust Fund.....	18,867	21,510	18,573	-294
Pipeline Safety Design Review Fund (leg proposal).	---	4,000	---	---
Pipeline Safety Special Permit Fund (leg proposal)	---	500	---	---
Subtotal.....	18,691	19,371	17,934	-757
Emergency preparedness grants:				
Limitation on emergency preparedness fund.....	(28,318)	(28,318)	(28,318)	---
(Emergency preparedness fund).....	(188)	(188)	(188)	---
Total, Pipeline and Hazardous Materials Safety Administration.....	79,803	79,618	81,632	+1,829

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Research and Innovative Technology Administration				
Research and development.....	12,981	17,600	15,981	+3,000
Office of Inspector General				
Salaries and expenses.....	74,964	89,185	79,624	+4,660
Surface Transportation Board				
Salaries and expenses.....	29,010	31,250	29,310	+300
Offsetting collections.....	-1,250	-1,250	-1,250	---
Total, Surface Transportation Board.....	27,760	30,000	28,060	+300
=====				
Total, title I, Department of Transportation....	13,725,974	32,503,746	19,505,282	+5,779,308
Appropriations.....	(17,611,974)	(33,190,846)	(17,942,016)	(+330,042)
Rescissions.....	(-680,000)	(-57,100)	(-97,734)	(+582,266)
Disaster relief category.....	---	---	(1,662,000)	(+1,662,000)
Rescissions of contract authority.....	(-3,206,000)	(-630,000)	(-1,000)	(+3,205,000)
(Limitations on obligations).....	(54,249,241)	(96,217,969)	(52,068,700)	(-2,180,541)
Total budgetary resources.....	(67,975,215)	(128,721,715)	(71,573,982)	(+3,598,767)
=====				

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE II - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT				
Management and Administration				
Executive direction.....	26,801	30,408	---	-26,801
Administration, operations and management.....	523,990	530,117	537,789	+13,799
Program Office Salaries and Expenses:				
Public and Indian Housing.....	188,696	189,610	200,000	+11,304
Community Planning and Development.....	96,795	99,815	100,000	+3,205
Housing.....	381,123	397,660	391,500	+10,377
Policy Development and Research.....	19,100	21,390	22,211	+3,111
Fair Housing and Equal Opportunity.....	71,656	70,733	72,600	+944
Office of Healthy Homes and Lead Hazard Control...	7,137	7,167	7,400	+263
Office of Sustainable Housing and Communities.....	---	3,100	---	---
Subtotal.....	764,507	789,475	793,711	+29,204
Total, Management and Administration.....	1,315,298	1,350,000	1,331,500	+16,202
Public and Indian Housing				
Tenant-based rental assistance:				
Renewals.....	16,669,283	17,143,837	17,242,351	+573,068
Tenant protection vouchers.....	109,780	75,000	75,000	-34,780
Administrative fees.....	1,447,100	1,647,780	1,350,000	-97,100
Family self-sufficiency coordinators.....	59,880	60,000	60,000	+120
Veterans affairs supportive housing.....	49,900	75,000	75,000	+25,100
Sec. 811 Mainstream voucher renewals.....	34,930	114,046	112,018	+77,088

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Disaster housing assistance program.....	---	50,000	---	---
Homeless vouchers demonstration program.....	---	56,906	---	---
Subtotal (available this fiscal year).....	18,370,873	19,222,569	18,914,369	+543,496
Advance appropriations.....	4,000,000	4,000,000	4,000,000	---
Less appropriations from prior year advances.....	-3,992,000	-4,000,000	-4,000,000	-8,000
Total, Tenant-based rental assistance appropriated in this bill.....	18,378,873	19,222,569	18,914,369	+535,496
Transforming rental assistance demonstration program..	---	200,000	---	---
Public Housing Capital Fund.....	2,040,112	2,405,345	1,875,000	-165,112
Public Housing Operating Fund.....	4,616,748	3,961,850	3,961,850	-654,898
Revitalization of severely distressed public housing..	99,800	---	---	-99,800
Choice neighborhoods.....	---	250,000	120,000	+120,000
Native American housing block grants.....	648,700	700,000	650,000	+1,300
Native Hawaiian housing block grant.....	12,974	10,000	13,000	+26
Indian housing loan guarantee fund program account....	6,986	7,000	6,000	-986
(Limitation on guaranteed loans).....	(919,000)	(428,000)	(360,000)	(-559,000)
Native Hawaiian loan guarantee fund program account...	1,042	---	386	-656
(Limitation on guaranteed loans).....	(41,504)	---	(41,504)	---
Housing Certificate Fund.....	---	50,000	---	---
Rescission.....	---	-50,000	-200,000	-200,000
Total, Public and Indian Housing.....	25,805,235	26,756,764	25,340,605	-464,630

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Community Planning and Development				
Housing opportunities for persons with AIDS.....	334,330	335,000	332,000	-2,330
Community development fund.....	3,500,984	3,781,368	2,948,090	-552,894
Indian COBG.....	---	---	60,000	+60,000
Disaster relief.....	---	---	300,000	+300,000
(Disaster relief category).....	---	---	100,000	+100,000
Subtotal.....	3,500,984	3,781,368	3,408,090	-92,894
Community development loan guarantees (Section 108):				
(Limitation on guaranteed loans).....	(275,000)	(500,000)	(240,000)	(-35,000)
Credit subsidy.....	5,988	---	5,952	-36
HOME investment partnerships program.....	1,606,780	1,650,000	1,000,000	-606,780
Self-help and assisted homeownership opportunity program.....	81,836	---	53,500	-28,336
Capacity building.....	---	50,000	---	---
Homeless assistance grants.....	1,901,190	2,372,000	1,901,190	---
Total, Community Planning and Development.....	7,431,108	8,188,368	6,700,732	-730,376

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted

Housing Programs				
Project-based rental assistance:				
Renewals.....	8,932,100	9,139,672	9,050,672	+118,572
Contract administrators.....	325,348	289,000	289,000	-36,348
Subtotal (available this fiscal year).....	9,257,448	9,426,672	9,339,672	+82,224
Advance appropriations.....	400,000	400,000	400,000	---
Less appropriations from prior year advances.....	-392,885	-400,000	-400,000	-7,115
Total, Project-based rental assistance appropriated in this bill.....	9,264,563	9,428,672	9,339,672	+75,109
Housing for the elderly.....	399,200	757,000	374,627	-24,573
Housing for persons with disabilities.....	149,700	196,000	165,000	+15,300
Housing counseling assistance.....	---	88,000	45,000	+45,000
Rental housing assistance.....	39,920	15,733	1,300	-36,620
Rent supplement (rescission).....	-40,600	-6,600	-231,600	-191,000
Manufactured housing fees trust fund.....	15,982	14,000	6,500	-9,482
Offsetting collections.....	-7,000	-7,000	-4,000	+3,000
Subtotal.....	8,962	7,000	2,500	-6,482
Total, Housing Programs.....	9,821,765	10,465,805	9,696,499	-125,266
Appropriations.....	(9,869,365)	(10,499,405)	(9,932,099)	(+62,734)
Rescissions.....	(-40,600)	(-6,600)	(-231,600)	(-191,000)
Offsetting collections.....	(-7,000)	(-7,000)	(-4,000)	(+3,000)

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Federal Housing Administration				
FHA - Mutual mortgage insurance program account:				
(Limitation on guaranteed loans).....	(399,200,000)	(400,000,000)	(400,000,000)	(+800,000)
(Limitation on direct loans).....	(50,000)	(50,000)	(50,000)	---
Offsetting receipts.....	-960,000	-4,427,000	-4,427,000	-3,467,000
Proposed offsetting receipts (HECM)(Sec. 210).....	---	-286,000	-286,000	-286,000
Additional offsetting receipts.....	-2,076,000	---	---	+2,076,000
Additional offsetting receipts (Sec. 145).....	-35,000	---	---	+35,000
Additional offsetting receipts (Sec. 238).....	---	---	-59,000	-59,000
Administrative contract expenses.....	206,586	230,000	207,000	+414
Working capital fund (transfer out).....	---	(-72,000)	(-71,500)	(-71,500)
FHA - General and special risk program account:				
(Limitation on guaranteed loans).....	(20,000,000)	(25,000,000)	(25,000,000)	(+5,000,000)
(Limitation on direct loans).....	(20,000)	(20,000)	(20,000)	---
Offsetting receipts.....	-315,000	-400,000	-400,000	-85,000
Credit subsidy.....	8,583	8,600	---	-8,583
Total, Federal Housing Administration.....	-3,170,831	-4,874,400	-4,965,000	-1,794,169
Government National Mortgage Association (GNMA)				
Guarantees of mortgage-backed securities loan guarantee program account:				
(Limitation on guaranteed loans).....	(500,000,000)	(500,000,000)	(500,000,000)	---
Administrative expenses (legislative proposal)....	11,073	30,000	19,500	+8,427
Offsetting receipts (legislative proposal).....	---	-100,000	-100,000	-100,000
Offsetting receipts.....	-720,000	-521,000	-521,000	+199,000
Offsetting receipts (Sec. 145).....	-9,000	---	---	+9,000

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Offsetting receipts (Sec. 238).....	---	---	-5,000	-5,000
Proposed offsetting receipts (HECM) (Sec. 210)....	---	-24,000	-24,000	-24,000
Total, Gov't National Mortgage Association....	-717,927	-615,000	-630,500	+87,427
Policy Development and Research				
Research and technology.....	47,904	57,000	46,000	-1,904
Fair Housing and Equal Opportunity				
Fair housing activities.....	71,856	72,000	70,847	-1,009
Office of Lead Hazard Control and Healthy Homes				
Lead hazard reduction.....	119,760	140,000	120,000	+240
Office of Sustainable Housing and Communities				
Sustainable Housing Initiative.....	---	150,000	---	---
Management and Administration				
Working capital fund.....	199,600	243,000	199,035	-565
(By transfer).....	---	(72,000)	(71,500)	(+71,500)

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of Inspector General.....	124,750	126,455	124,000	-750
Transformation initiative.....	70,858	---	50,000	-20,858
Total, Management and Administration.....	395,208	369,455	373,035	-22,173
(Grand total, Management and Administration)..	(1,710,506)	(1,719,455)	(1,704,535)	(-5,971)
General Provisions				
Rescission of prior year advance (Sec. 235).....	---	---	-650,000	-650,000
Total, title II, Department of Housing and Urban Development.....				
Appropriations.....	(40,881,976)	(43,501,592)	(39,841,318)	(-1,040,658)
Rescissions.....	(-40,600)	(-56,600)	(-431,600)	(-391,000)
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	---
Rescissions of prior year advances.....	---	---	(-650,000)	(-650,000)
Offsetting receipts.....	(-4,115,000)	(-5,758,000)	(-5,622,000)	(-1,707,000)
Offsetting collections.....	(-7,000)	(-7,000)	(-4,000)	(+3,000)
(By transfer).....	---	(72,000)	(71,500)	(+71,500)
(Transfer out).....	---	(-72,000)	(-71,500)	(-71,500)
(Limitation on direct loans).....	(70,000)	(70,000)	(70,000)	---
(Limitation on guaranteed loans).....	(920,435,504)	(925,928,000)	(925,641,504)	(+5,206,000)

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
TITLE III - OTHER INDEPENDENT AGENCIES				
Access Board.....	7,285	7,400	7,400	+115
Federal Maritime Commission.....	24,087	26,265	24,100	+13
Amtrak Office of Inspector General.....	19,311	22,000	20,500	+1,189
National Transportation Safety Board				
Salaries and expenses.....	97,854	102,400	102,400	+4,546
Neighborhood Reinvestment Corporation.....	232,734	215,300	215,300	-17,434
United States Interagency Council on Homelessness.....	2,675	3,880	3,300	+625
Fannie Mae/Freddie Mac (Sec. 146).....	155,000	---	---	-155,000
Total, title III, Other Independent Agencies....	538,946	377,245	373,000	-165,946

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES
(Amounts in thousands)

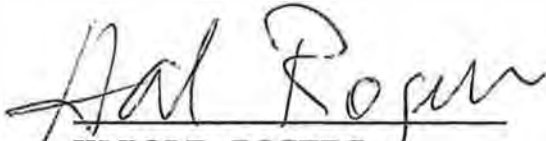
	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Grand total (net).....	55,384,296	74,960,983	57,312,000	+1,927,704
Appropriations.....	(59,032,896)	(77,069,683)	(58,156,334)	(-876,562)
Rescissions.....	(-720,600)	(-113,700)	(-529,334)	(+191,266)
Disaster relief category.....	---	---	(1,762,000)	(+1,762,000)
Rescissions of contract authority.....	(-3,206,000)	(-630,000)	(-1,000)	(+3,205,000)
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	---
Rescissions of prior year advances.....	---	---	(-650,000)	(-650,000)
Negative subsidy receipts.....	(-4,115,000)	(-5,758,000)	(-5,822,000)	(-1,707,000)
Offsetting collections.....	(-7,000)	(-7,000)	(-4,000)	(+3,000)
(Limitation on obligations).....	(54,249,241)	(96,217,969)	(52,068,700)	(-2,180,541)
(By transfer).....	---	(72,000)	(71,500)	(+71,500)
(Transfer out).....	---	(-72,000)	(-71,500)	(-71,500)
Total budgetary resources.....	(109,633,537)	(171,178,952)	(109,380,700)	(-252,837)
Discretionary total.....	(55,367,000)	(74,960,983)	(55,550,000)	(+183,000)

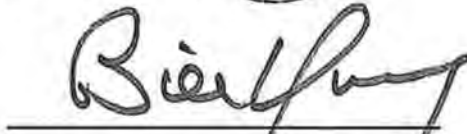
DIVISION D -- FURTHER CONTINUING APPROPRIATIONS, 2012

The conference agreement includes an extension of continuing appropriations for fiscal year 2012 through December 16, 2011. No new continuing resolution anomalies are included.


The conferees direct the Department of Defense to continue to carry out, for the duration of the continuing resolution, the counternarcotics programs conducted in fiscal year 2011 and reauthorized in the National Defense Authorization Act for Fiscal Year 2012 as passed by the House of Representatives (Sections 1011, 1012, and 1014) and reported by the Senate Committee on Armed Services (Sections 1011, 1014, and 1015).

Managers on the part of the
HOUSE


HAROLD ROGERS


C.W. BILL YOUNG


JERRY LEWIS

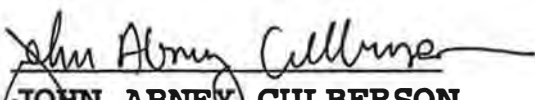

FRANK R. WOLF


JACK KINGSTON


TOM LATHAM


ROBERT B. ADERHOLT


JO ANN EMERSON


JOHN ABNEY CULBERSON


JOHN R. CARTER

Managers on the part of the
Senate


Herb Kohl


Tom Harkin


Dianne Feinstein


Tim Johnson


Ben Nelson


Mark Pryor


Sherrod Brown


Daniel K. Inouye


Patty Murray


Barbara A. Mikulski

Jo Bonner

JO BONNER

Steven C. Latourette

STEVEN C. LATOURETTE

Norman D. Dicks

NORMAN D. DICKS

Rosa L. DeLauro

ROSA L. DeLAURO

John W. Olver

JOHN W. OLVER

Ed Pastor

ED PASTOR

David E. Price

DAVID E. PRICE

Sam Farr

SAM FARR

Chaka Fattah

CHAKA FATTAH

Adam B. Schiff

ADAM B. SCHIFF

Roy Blunt

Roy Blunt

Thad Cochran

Thad Cochran

Mitch McConnell

Mitch McConnell

Susan Collins

Susan Collins

Jerry Moran

Jerry Moran

John Hoeven

John Hoeven

Kay Bailey Hutchison

Kay Bailey Hutchison

~~Richard C. Shelby~~