

Calendar No. 170112TH CONGRESS
1ST SESSION**S. 1572****[Report No. 112-78]**

Making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2012, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2011

Ms. MIKULSKI, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2012, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for De-
5 partments of Commerce and Justice, and Science, and Re-
6 lated Agencies for the fiscal year ending September 30,
7 2012, and for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF COMMERCE
3 INTERNATIONAL TRADE ADMINISTRATION
4 OPERATIONS AND ADMINISTRATION

5 For necessary expenses for international trade activi-
6 ties of the Department of Commerce provided for by law,
7 and for engaging in trade promotional activities abroad,
8 including expenses of grants and cooperative agreements
9 for the purpose of promoting exports of United States
10 firms, without regard to 44 U.S.C. 3702 and 3703; full
11 medical coverage for dependent members of immediate
12 families of employees stationed overseas and employees
13 temporarily posted overseas; travel and transportation of
14 employees of the International Trade Administration be-
15 tween two points abroad, without regard to 49 U.S.C.
16 40118; employment of Americans and aliens by contract
17 for services; rental of space abroad for periods not exceed-
18 ing 10 years, and expenses of alteration, repair, or im-
19 provement; purchase or construction of temporary de-
20 mountable exhibition structures for use abroad; payment
21 of tort claims, in the manner authorized in the first para-
22 graph of 28 U.S.C. 2672 when such claims arise in foreign
23 countries; not to exceed \$245,250 for official representa-
24 tion expenses abroad; purchase of passenger motor vehi-
25 cles for official use abroad, not to exceed \$45,000 per vehi-

1 cle; obtaining insurance on official motor vehicles; and
2 rental of tie lines, \$441,104,000, to remain available until
3 September 30, 2013, of which \$9,439,000 is to be derived
4 from fees to be retained and used by the International
5 Trade Administration, notwithstanding 31 U.S.C. 3302:
6 *Provided further*, That the provisions of the first sentence
7 of section 105(f) and all of section 108(c) of the Mutual
8 Educational and Cultural Exchange Act of 1961 (22
9 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out
10 these activities without regard to section 5412 of the Om-
11 nibus Trade and Competitiveness Act of 1988 (15 U.S.C.
12 4912); and that for the purpose of this Act, contributions
13 under the provisions of the Mutual Educational and Cul-
14 tural Exchange Act of 1961 shall include payment for as-
15 sessments for services provided as part of these activities:
16 *Provided further*, That up to \$2,500,000 from amounts
17 provided herein may be available for necessary expenses
18 of the Commercial Law Development Program, including
19 those authorized under section 636(a) of the Foreign As-
20 sistance Act of 1961 (22 U.S.C. 2396(a)).

21 BUREAU OF INDUSTRY AND SECURITY

22 OPERATIONS AND ADMINISTRATION

23 For necessary expenses for export administration and
24 national security activities of the Department of Com-
25 merce, including costs associated with the performance of

1 export administration field activities both domestically and
2 abroad; full medical coverage for dependent members of
3 immediate families of employees stationed overseas; em-
4 ployment of Americans and aliens by contract for services
5 abroad; payment of tort claims, in the manner authorized
6 in the first paragraph of 28 U.S.C. 2672 when such claims
7 arise in foreign countries; not to exceed \$11,250 for offi-
8 cial representation expenses abroad; awards of compensa-
9 tion to informers under the Export Administration Act of
10 1979, and as authorized by 22 U.S.C. 401(b); and pur-
11 chase of passenger motor vehicles for official use and
12 motor vehicles for law enforcement use with special re-
13 quirement vehicles eligible for purchase without regard to
14 any price limitation otherwise established by law,
15 \$98,138,000, to remain available until expended, of which
16 \$31,279,000 shall be for inspections and other activities
17 related to national security: *Provided*, That the provisions
18 of the first sentence of section 105(f) and all of section
19 108(c) of the Mutual Educational and Cultural Exchange
20 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply
21 in carrying out these activities: *Provided further*, That
22 payments and contributions collected and accepted for ma-
23 terials or services provided as part of such activities may
24 be retained for use in covering the cost of such activities,
25 and for providing information to the public with respect

1 to the export administration and national security activi-
2 ties of the Department of Commerce and other export con-
3 trol programs of the United States and other govern-
4 ments.

5 ECONOMIC DEVELOPMENT ADMINISTRATION

6 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

7 For grants for economic development assistance as
8 provided by the Public Works and Economic Development
9 Act of 1965, for trade adjustment assistance, and for
10 grants authorized by section 27 of the Stevenson-Wydler
11 Technology Innovation Act of 1980 (15 U.S.C. 3701 et
12 seq.), as added by section 603 of the America COM-
13 PETES Reauthorization Act of 2010 (Public Law 111-
14 358), \$220,000,000, to remain available until expended.

15 For an additional amount for “Economic Develop-
16 ment Assistance Programs” for expenses related to dis-
17 aster relief, long-term recovery, and restoration of infra-
18 structure in areas that received a major disaster designa-
19 tion in 2011 pursuant to the Robert T. Stafford Disaster
20 Relief and Emergency Assistance Act (42 U.S.C.
21 5122(2)), \$135,000,000, to remain available until ex-
22 pended: *Provided*, That such amount is designated by Con-
23 gress as being for disaster relief pursuant to section
24 251(b)(2)(D) of the Balanced Budget and Emergency

1 Deficit Control Act of 1985 (Public Law 99–177), as
2 amended.

3 SALARIES AND EXPENSES

4 For necessary expenses of administering the eco-
5 nomic development assistance programs as provided for by
6 law, \$37,166,000: *Provided*, That these funds may be used
7 to monitor projects approved pursuant to title I of the
8 Public Works Employment Act of 1976, title II of the
9 Trade Act of 1974, and the Community Emergency
10 Drought Relief Act of 1977.

11 MINORITY BUSINESS DEVELOPMENT AGENCY

12 MINORITY BUSINESS DEVELOPMENT

13 For necessary expenses of the Department of Com-
14 merce in fostering, promoting, and developing minority
15 business enterprise, including expenses of grants, con-
16 tracts, and other agreements with public or private organi-
17 zations, \$29,732,000.

18 ECONOMIC AND STATISTICAL ANALYSIS

19 SALARIES AND EXPENSES

20 For necessary expenses, as authorized by law, of eco-
21 nomic and statistical analysis programs of the Department
22 of Commerce, \$95,119,000.

1 BUREAU OF THE CENSUS
2 SALARIES AND EXPENSES

3 For expenses necessary for collecting, compiling, ana-
4 lyzing, preparing, and publishing statistics, provided for
5 by law, \$253,336,000: *Provided*, That from amounts pro-
6 vided herein, funds may be used for promotion, outreach,
7 and marketing activities.

8 PERIODIC CENSUSES AND PROGRAMS
9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses to collect and publish statis-
11 ties for periodic censuses and programs provided for by
12 law, \$690,000,000, to remain available until September
13 30, 2013: *Provided*, That from amounts provided herein,
14 funds may be used for additional promotion, outreach, and
15 marketing activities: *Provided further*, That within the
16 amounts appropriated, \$1,000,000 shall be transferred to
17 the Office of the Inspector General for activities associated
18 with carrying out investigations and audits related to the
19 Bureau of the Census.

20 NATIONAL TELECOMMUNICATIONS AND INFORMATION
21 ADMINISTRATION
22 SALARIES AND EXPENSES

23 For necessary expenses, as provided for by law, of
24 the National Telecommunications and Information Ad-
25 ministration (NTIA), \$45,568,000, to remain available

1 until September 30, 2013: *Provided*, That, notwith-
2 standing 31 U.S.C. 1535(d), the Secretary of Commerce
3 shall charge Federal agencies for costs incurred in spec-
4 trum management, analysis, operations, and related serv-
5 ices, and such fees shall be retained and used as offsetting
6 collections for costs of such spectrum services, to remain
7 available until expended: *Provided further*, That the Sec-
8 retary of Commerce is authorized to retain and use as off-
9 setting collections all funds transferred, or previously
10 transferred, from other Government agencies for all costs
11 incurred in telecommunications research, engineering, and
12 related activities by the Institute for Telecommunication
13 Sciences of NTIA, in furtherance of its assigned functions
14 under this paragraph, and such funds received from other
15 Government agencies shall remain available until ex-
16 pended.

17 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
18 AND CONSTRUCTION

19 For the administration of prior-year grants, recov-
20 eries and unobligated balances of funds previously appro-
21 priated are hereafter available for the administration of
22 all open grants until their expiration.

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the United States Patent
5 and Trademark Office (USPTO) provided for by law, in-
6 cluding defense of suits instituted against the Under Sec-
7 retary of Commerce for Intellectual Property and Director
8 of the USPTO, \$2,706,313,000 to remain available until
9 expended: *Provided*, That the sum herein appropriated
10 from the general fund shall be reduced as offsetting collec-
11 tions assessed and collected pursuant to 15 U.S.C. 1113
12 and 35 U.S.C. 41 and 376 are received during fiscal year
13 2012, so as to result in a fiscal year 2012 appropriation
14 from the general fund estimated at \$0: *Provided further*,
15 That during fiscal year 2012, should the total amount of
16 offsetting fee collections and the surcharge provided herein
17 be less than \$2,706,313,000 this amount shall be reduced
18 accordingly: *Provided further*, That any amount received
19 in excess of \$2,706,313,000 in fiscal year 2012 and depos-
20 ited in the Patent and Trademark Fee Reserve Fund shall
21 remain available until expended: *Provided further*, That
22 the Director of the Patent and Trademark Office shall
23 submit a spending plan to the Committees on Appropria-
24 tions of the House of Representatives and the Senate for
25 any amounts made available by the preceding proviso and

1 such spending plan shall be treated as a reprogramming
2 under section 505 of this Act and shall not be available
3 for obligation or expenditure except in compliance with the
4 procedures set forth in that section: *Provided further*, That
5 from amounts provided herein, not to exceed \$750 shall
6 be made available in fiscal year 2012 for official reception
7 and representation expenses: *Provided further*, That in fis-
8 cal year 2012 from the amounts made available for “Sala-
9 ries and Expenses” for the USPTO, the amounts nec-
10 essary to pay: (1) the difference between the percentage
11 of basic pay contributed by the USPTO and employees
12 under section 8334(a) of title 5, United States Code, and
13 the normal cost percentage (as defined by section
14 8331(17) of that title) as provided by the Office of Per-
15 sonnel Management (OPM) for USPTO’s specific use, of
16 basic pay, of employees subject to subchapter III of chap-
17 ter 83 of that title; and (2) the present value of the other-
18 wise unfunded accruing costs, as determined by OPM for
19 USPTO’s specific use of post-retirement life insurance
20 and post-retirement health benefits coverage for all
21 USPTO employees who are enrolled in Federal Employees
22 Health Benefits (FEHB) and Federal Employees Group
23 Life Insurance (FEGLI), shall be transferred to the Civil
24 Service Retirement and Disability Fund, the Employees
25 Life Insurance Fund, and the Employees Health Benefits

1 Fund, as appropriate, and shall be available for the au-
2 thorized purposes of those accounts: *Provided further*,
3 That any differences between the present value factors
4 published in OPM's yearly 300 series benefit letters and
5 the factors that OPM provides for PTO's specific use shall
6 be recognized as an imputed cost on PTO's financial state-
7 ments, where applicable: *Provided further*, That sections
8 801, 802, and 803 of division B, Public Law 108-447
9 shall remain in effect during fiscal year 2012: *Provided*
10 *further*, That the Director may, this year, reduce by regu-
11 lation fees payable for documents in patent and trademark
12 matters, in connection with the filing of documents filed
13 electronically in a form prescribed by the Director: *Pro-*
14 *vided further*, That there shall be a surcharge of 15 per-
15 cent, as provided for by section 11(i) of the Leahy-Smith
16 America Invents Act: *Provided further*, That hereafter the
17 Director shall reduce fees for providing prioritized exam-
18 ination of utility and plant patent applications by 50 per-
19 cent for small entities that qualify for reduced fees under
20 35 U.S.C. 41(h)(1), so long as the fees of the prioritized
21 examination program are set to recover the estimated cost
22 of the program: *Provided further*, That the receipts col-
23 lected as a result of these surcharges shall be available
24 within the amounts provided herein to the United States
25 Patent and Trademark Office without fiscal year limita-

1 tion, for all authorized activities and operations of the Of-
 2 fice: *Provided further*, That within the amounts appro-
 3 priated, \$1,000,000 shall be transferred to the Office of
 4 Inspector General for activities associated with carrying
 5 out investigations and audits related to the USPTO.

6 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
 7 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

8 For necessary expenses of the National Institute of
 9 Standards and Technology, \$500,000,000, to remain
 10 available until expended, of which not to exceed
 11 \$9,000,000 may be transferred to the “Working Capital
 12 Fund”: *Provided*, That not to exceed \$5,000 shall be for
 13 official reception and representation expenses.

14 INDUSTRIAL TECHNOLOGY SERVICES

15 For necessary expenses of the Industrial Technology
 16 Services, \$120,000,000 to remain available until ex-
 17 pended: *Provided*, That of the amounts appropriated here-
 18 in, \$120,000,000 shall be for the Hollings Manufacturing
 19 Extension Partnership.

20 CONSTRUCTION OF RESEARCH FACILITIES

21 For construction of new research facilities, including
 22 architectural and engineering design, and for renovation
 23 and maintenance of existing facilities, not otherwise pro-
 24 vided for the National Institute of Standards and Tech-

1 nology, as authorized by 15 U.S.C. 278c–278e,
2 \$60,000,000, to remain available until expended.

3 NATIONAL OCEANIC AND ATMOSPHERIC
4 ADMINISTRATION
5 OPERATIONS, RESEARCH, AND FACILITIES
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses of activities authorized by law
8 for the National Oceanic and Atmospheric Administration,
9 including maintenance, operation, and hire of aircraft and
10 vessels; grants, contracts, or other payments to nonprofit
11 organizations for the purposes of conducting activities
12 pursuant to cooperative agreements; and relocation of fa-
13 cilities, \$3,134,327,000, to remain available until Sep-
14 tember 30, 2013, except for funds provided for cooperative
15 enforcement, which shall remain available until September
16 30, 2014: *Provided*, That fees and donations received by
17 the National Ocean Service for the management of na-
18 tional marine sanctuaries may be retained and used for
19 the salaries and expenses associated with those activities,
20 notwithstanding 31 U.S.C. 3302: *Provided further*, That
21 in addition, \$109,098,000 shall be derived by transfer
22 from the fund entitled “Promote and Develop Fishery
23 Products and Research Pertaining to American Fish-
24 eries”: *Provided further*, That of the \$3,250,425,000 pro-
25 vided for in direct obligations under this heading

1 \$3,134,327,000 is appropriated from the general fund,
2 and \$109,098,000 is provided by transfer and \$7,000,000
3 is derived from recoveries of prior year obligations: *Pro-*
4 *vided further*, That payments of funds made available
5 under this heading to the Department of Commerce Work-
6 ing Capital Fund including Department of Commerce
7 General Counsel legal services shall not exceed
8 \$41,105,000: *Provided further*, That the total amount
9 available for the National Oceanic and Atmospheric Ad-
10 ministration corporate services administrative support
11 costs shall not exceed \$219,291,000: *Provided further*,
12 That any deviation from the amounts designated for spe-
13 cific activities in the explanatory statement accompanying
14 this Act, or any use of deobligated balances of funds pro-
15 vided under this heading in previous years, shall be subject
16 to the procedures set forth in section 505 of this Act: *Pro-*
17 *vided further*, That in allocating grants under sections 306
18 and 306A of the Coastal Zone Management Act of 1972,
19 as amended, no coastal State shall receive more than 5
20 percent or less than 1 percent of increased funds appro-
21 priated over the previous fiscal year.

22 In addition, for necessary retired pay expenses under
23 the Retired Serviceman's Family Protection and Survivor
24 Benefits Plan, and for payments for the medical care of
25 retired personnel and their dependents under the Depend-

1 ents Medical Care Act (10 U.S.C. 55), such sums as may
2 be necessary.

3 PROCUREMENT, ACQUISITION AND CONSTRUCTION

4 For procurement, acquisition and construction of
5 capital assets, including alteration and modification costs,
6 of the National Oceanic and Atmospheric Administration
7 (NOAA), \$1,833,594,000, to remain available until Sep-
8 tember 30, 2014, except funds provided for construction
9 of facilities which shall remain available until expended:
10 *Provided*, That of the \$1,841,594,000 provided for in di-
11 rect obligations under this heading, \$1,833,594,000 is ap-
12 propriated from the general fund and \$8,000,000 is pro-
13 vided from recoveries of prior year obligations: *Provided*
14 *further*, That any deviation from the amounts designated
15 for specific activities in the explanatory statement accom-
16 panying this Act, or any use of deobligated balances of
17 funds provided under this heading in previous years, shall
18 be subject to the procedures set forth in section 505 of
19 this Act: *Provided further*, That the Secretary of Com-
20 merce shall include in budget justification materials that
21 the Secretary submits to Congress in support of the De-
22 partment of Commerce budget (as submitted with the
23 budget of the President under section 1105(a) of title 31,
24 United States Code) an estimate for each NOAA Procure-
25 ment, Acquisition or Construction project having a total

1 of more than \$5,000,000 and simultaneously the budget
2 justification shall include an estimate of the budgetary re-
3 quirements for each such project for each of the 5 subse-
4 quent fiscal years.

5 PACIFIC COASTAL SALMON RECOVERY FUND

6 For necessary expenses associated with the restora-
7 tion of Pacific salmon populations, \$65,000,000, to re-
8 main available until September 30, 2013: *Provided*, That
9 of the funds provided herein the Secretary of Commerce
10 may issue grants to the States of Washington, Oregon,
11 Idaho, Nevada, California, and Alaska, and Federally rec-
12 ognized tribes of the Columbia River and Pacific Coast
13 (including Alaska) for projects necessary for conservation
14 of salmon and steelhead populations, for restoration of
15 populations that are listed as threatened or endangered,
16 or identified by a State as at-risk to be so-listed, for main-
17 taining populations necessary for exercise of tribal treaty
18 fishing rights or native subsistence fishing, or for con-
19 servation of Pacific coastal salmon and steelhead habitat,
20 based on guidelines to be developed by the Secretary of
21 Commerce: *Provided further*, That all funds shall be allo-
22 cated based on scientific and other merit principles and
23 shall not be available for marketing activities: *Provided*
24 *further*, That funds disbursed to States shall be subject

1 to a matching requirement of funds or documented in-kind
2 contributions of at least 33 percent of the Federal funds.

3 FISHERMEN'S CONTINGENCY FUND

4 For carrying out the provisions of title IV of Public
5 Law 95-372, not to exceed \$350,000, to be derived from
6 receipts collected pursuant to that Act, to remain available
7 until expended.

8 FISHERIES FINANCE PROGRAM ACCOUNT

9 Subject to section 502 of the Congressional Budget
10 Act of 1974, during fiscal year 2012, obligations of direct
11 loans may not exceed \$24,000,000 for Individual Fishing
12 Quota loans and not to exceed \$59,000,000 for traditional
13 direct loans as authorized by the Merchant Marine Act
14 of 1936: *Provided*, That none of the funds made available
15 under this heading may be used for direct loans for any
16 new fishing vessel that will increase the harvesting capac-
17 ity in any United States fishery.

18 DEPARTMENTAL MANAGEMENT

19 SALARIES AND EXPENSES

20 For expenses necessary for the departmental manage-
21 ment of the Department of Commerce provided for by law,
22 including not to exceed \$5,000 for official reception and
23 representation, \$56,726,000.

1 RENOVATION AND MODERNIZATION

2 For expenses necessary, including blast windows, for
3 the renovation and modernization of Department of Com-
4 merce facilities, \$5,000,000, to remain available until ex-
5 pended.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978 (5 U.S.C. App.) (as amended),
10 \$26,946,000.

11 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

12 SEC. 101. During the current fiscal year, applicable
13 appropriations and funds made available to the Depart-
14 ment of Commerce by this Act shall be available for the
15 activities specified in the Act of October 26, 1949 (15
16 U.S.C. 1514), to the extent and in the manner prescribed
17 by the Act, and, notwithstanding 31 U.S.C. 3324, may
18 be used for advanced payments not otherwise authorized
19 only upon the certification of officials designated by the
20 Secretary of Commerce that such payments are in the
21 public interest.

22 SEC. 102. During the current fiscal year, appropria-
23 tions made available to the Department of Commerce by
24 this Act for salaries and expenses shall be available for
25 hire of passenger motor vehicles as authorized by 31

1 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
2 3109; and uniforms or allowances therefor, as authorized
3 by law (5 U.S.C. 5901–5902).

4 SEC. 103. Not to exceed 5 percent of any appropria-
5 tion made available for the current fiscal year for the De-
6 partment of Commerce in this Act may be transferred be-
7 tween such appropriations, but no such appropriation shall
8 be increased by more than 10 percent by any such trans-
9 fers: *Provided*, That any transfer pursuant to this section
10 shall be treated as a reprogramming of funds under sec-
11 tion 505 of this Act and shall not be available for obliga-
12 tion or expenditure except in compliance with the proce-
13 dures set forth in that section: *Provided further*, That the
14 Secretary of Commerce shall notify the Committees on Ap-
15 propriations at least 15 days in advance of the acquisition
16 or disposal of any capital asset (including land, structures,
17 and equipment) not specifically provided for in this Act
18 or any other law appropriating funds for the Department
19 of Commerce: *Provided further*, That for the National Oce-
20 anic and Atmospheric Administration this section shall
21 provide for transfers among appropriations made only to
22 the National Oceanic and Atmospheric Administration
23 and such appropriations may not be transferred and re-
24 programmed to other Department of Commerce bureaus
25 and appropriation accounts.

1 SEC. 104. Any costs incurred by a department or
2 agency funded under this title resulting from personnel
3 actions taken in response to funding reductions included
4 in this title or from actions taken for the care and protec-
5 tion of loan collateral or grant property shall be absorbed
6 within the total budgetary resources available to such de-
7 partment or agency: *Provided*, That the authority to trans-
8 fer funds between appropriations accounts as may be nec-
9 essary to carry out this section is provided in addition to
10 authorities included elsewhere in this Act: *Provided fur-*
11 *ther*, That use of funds to carry out this section shall be
12 treated as a reprogramming of funds under section 505
13 of this Act and shall not be available for obligation or ex-
14 penditure except in compliance with the procedures set
15 forth in that section.

16 SEC. 105. The requirements set forth by section 112
17 of division B of Public Law 110–161 are hereby adopted
18 by reference.

19 SEC. 106. Notwithstanding any other law, the Sec-
20 retary may furnish services (including but not limited to
21 utilities, telecommunications, and security services) nec-
22 essary to support the operation, maintenance, and im-
23 provement of space that persons, firms or organizations
24 are authorized pursuant to the Public Buildings Coopera-
25 tive Use Act of 1976 or other authority to use or occupy

1 in the Herbert C. Hoover Building, Washington, DC, or
2 other buildings, the maintenance, operation, and protec-
3 tion of which has been delegated to the Secretary from
4 the Administrator of General Services pursuant to the
5 Federal Property and Administrative Services Act of
6 1949, as amended, on a reimbursable or non-reimbursable
7 basis. Amounts received as reimbursement for services
8 provided under this section or the authority under which
9 the use or occupancy of the space is authorized, up to
10 \$200,000, shall be credited to the appropriation or fund
11 which initially bears the costs of such services.

12 SEC. 107. Nothing in this title shall be construed to
13 prevent a grant recipient from deterring child pornog-
14 raphy, copyright infringement, or any other unlawful ac-
15 tivity over its networks.

16 SEC. 108. The administration of the National Oce-
17 anic and Atmospheric Administration is authorized to use,
18 with their consent, with reimbursement and subject to the
19 limits of available appropriations, the land, services, equip-
20 ment, personnel, and facilities of any department, agency
21 or instrumentality of the United States, or of any State,
22 local government, Indian tribal government, Territory or
23 possession, or of any political subdivision thereof, or of
24 any foreign government or international organization for
25 purposes related to carrying out the responsibilities of any

1 statute administered by the National Oceanic and Atmos-
2 pheric Administration.

3 SEC. 109. All balances in the Coastal Zone Manage-
4 ment Fund, whether unobligated or unavailable, are here-
5 by permanently cancelled, and notwithstanding section
6 308(b) of the Coastal Zone Management Act of 1972, as
7 amended (16 U.S.C. 1456a), any future payments to the
8 Fund made pursuant to sections 307 (16 U.S.C. 1456)
9 and 308 (16 U.S.C. 1456a) of the Coastal Zone Manage-
10 ment Act of 1972, as amended, shall, in this fiscal year
11 and any future fiscal years, be treated in accordance with
12 the Federal Credit Reform Act of 1990, as amended.

13 SEC. 110. There is established in the Treasury a non-
14 interest bearing fund to be known as the “Fisheries En-
15 forcement Asset Forfeiture Fund”, which shall consist of
16 all sums received as fines, penalties, and forfeitures of
17 property for violations of any provisions of 16 U.S.C.
18 chapter 38 or of any other marine resource law enforced
19 by the Secretary of Commerce, including the Lacey Act
20 Amendments of 1981 (16 U.S.C. 3371 et seq.) and with
21 the exception of collections pursuant to 16 U.S.C. 1437,
22 which are currently deposited in the Operations, Research,
23 and Facilities account: *Provided*, That all unobligated bal-
24 ances that have been collected pursuant to 16 U.S.C. 1861
25 or any other marine resource law enforced by the Sec-

1 retary of Commerce with the exception of 16 U.S.C. 1437
2 shall be transferred from the Operations, Research, and
3 Facilities account into the Fisheries Enforcement Asset
4 Forfeiture Fund and shall remain available until ex-
5 pended.

6 SEC. 111. There is established in the Treasury a non-
7 interest bearing fund to be known as the “Sanctuaries En-
8 forcement Asset Forfeiture Fund”, which shall consist of
9 all sums received as fines, penalties, and forfeitures of
10 property for violations of any provisions of 16 U.S.C.
11 chapter 38, which are currently deposited in the Oper-
12 ations, Research, and Facilities account: *Provided*, That
13 all unobligated balances that have been collected pursuant
14 to 16 U.S.C. 1437 shall be transferred from the Oper-
15 ations, Research, and Facilities account into the Sanc-
16 tuaries Enforcement Asset Forfeiture Fund and shall re-
17 main available until expended.

18 SEC. 112. Notwithstanding any other provision of
19 law, the National Oceanic and Atmospheric Administra-
20 tion is authorized to receive and expend funds made avail-
21 able by any Federal agency, State or subdivision thereof,
22 public or private organization, or individual to carry out
23 any statute administered by the National Oceanic and At-
24 mospheric Administration: *Provided*, That use of funds to
25 carry out this section shall be treated as a reprogramming

1 of funds under section 505 of this Act and shall not be
2 available for obligation or expenditure except in compli-
3 ance with the procedures set forth in that section.

4 SEC. 113. (a) The Secretary of State shall ensure
5 participation in the Commission for the Conservation and
6 Management of Highly Migratory Fish Stocks in the
7 Western and Central Pacific Ocean (“Commission”) and
8 its subsidiary bodies by American Samoa, Guam, and the
9 Northern Mariana Islands (collectively, the U.S. Partici-
10 pating Territories) to the same extent provided to the ter-
11 ritories of other nations.

12 (b) The U.S. Participating Territories are each au-
13 thorized to use, assign, allocate, and manage catch limits
14 of highly migratory fish stocks, or fishing effort limits,
15 agreed to by the Commission for the participating terri-
16 tories of the Convention for the Conservation and Manage-
17 ment of Highly Migratory Fish Stocks in the Western and
18 Central Pacific Ocean, through arrangements with U.S.
19 vessels with permits issued under the Pelagics Fishery
20 Management Plan of the Western Pacific Region. Vessels
21 under such arrangements are integral to the domestic fish-
22 eries of the U.S. Participating Territories provided that
23 such arrangements shall impose no requirements regard-
24 ing where such vessels must fish or land their catch and
25 shall be funded by deposits to the Western Pacific Sus-

1 tainable Fisheries Fund in support of fisheries develop-
2 ment projects identified in a Territory's Marine Conserva-
3 tion Plan and adopted pursuant to section 204 of the Mag-
4 nuson-Stevens Fishery Conservation and Management Act
5 (16 U.S.C. 1824). The Secretary of Commerce shall at-
6 tribute catches made by vessels operating under such ar-
7 rangements to the U.S. Participating Territories for the
8 purposes of annual reporting to the Commission.

9 (c) The Western Pacific Regional Fisheries Manage-
10 ment Council—

11 (1) is authorized to accept and deposit into the
12 Western Pacific Sustainable Fisheries Fund funding
13 for arrangements pursuant to subsection (b);

14 (2) shall use amounts deposited under para-
15 graph (1) that are attributable to a particular U.S.
16 Participating Territory only for implementation of
17 that Territory's Marine Conservation Plan adopted
18 pursuant to section 204 of the Magnuson-Stevens
19 Fishery Conservation and Management Act (16
20 U.S.C. 1824); and

21 (3) shall recommend an amendment to the
22 Pelagics Fishery Management Plan for the Western
23 Pacific Region, and associated regulations, to imple-
24 ment this section.

1 (d) Subsection (b) shall remain in effect until such
2 time as—

3 (1) the Western Pacific Regional Fishery Man-
4 agement Council recommends an amendment to the
5 Pelagics Fishery Management Plan for the Western
6 Pacific Region, and implementing regulations, to the
7 Secretary of Commerce that authorize use, assign-
8 ment, allocation, and management of catch limits of
9 highly migratory fish stocks, or fishing effort limits,
10 established by the Commission and applicable to
11 U.S. Participating Territories;

12 (2) the Secretary of Commerce approves the
13 amendment as recommended; and

14 (3) such implementing regulations become ef-
15 fective.

16 This title may be cited as the “Department of Com-
17 merce Appropriations Act, 2012”.

18 TITLE II

19 DEPARTMENT OF JUSTICE

20 GENERAL ADMINISTRATION

21 SALARIES AND EXPENSES

22 For expenses necessary for the administration of the
23 Department of Justice, \$115,886,000, of which not to ex-
24 ceed \$4,000,000 for security and construction of Depart-
25 ment of Justice facilities shall remain available until ex-

1 pended: *Provided*, That the Attorney General is authorized
2 to transfer funds appropriated within General Administra-
3 tion to any office in this account: *Provided further*, That
4 \$18,903,000 is for Department Leadership; \$8,311,000 is
5 for Intergovernmental Relations/External Affairs;
6 \$12,925,000 is for Executive Support/Professional Re-
7 sponsibility; and \$75,747,000 is for the Justice Manage-
8 ment Division: *Provided further*, That any change in
9 amounts specified in the preceding proviso greater than
10 5 percent shall be submitted for approval to the House
11 and Senate Committees on Appropriations consistent with
12 the terms of section 505 of this Act: *Provided further*,
13 That this transfer authority is in addition to transfers au-
14 thorized under section 505 of this Act.

15 NATIONAL DRUG INTELLIGENCE CENTER

16 For necessary expenses of the National Drug Intel-
17 ligence Center, including reimbursement of Air Force per-
18 sonnel for the National Drug Intelligence Center to sup-
19 port the Department of Defense's counter-drug intel-
20 ligence responsibilities, \$20,000,000: *Provided*, That the
21 National Drug Intelligence Center shall maintain the per-
22 sonnel and technical resources to provide timely support
23 to law enforcement authorities and the intelligence com-
24 munity by conducting document and computer exploitation
25 of materials collected in Federal, State, and local law en-

1 enforcement activity associated with counter-drug, counter-
2 terrorism, and national security investigations and oper-
3 ations.

4 JUSTICE INFORMATION SHARING TECHNOLOGY

5 For necessary expenses for information sharing tech-
6 nology, including planning, development, deployment and
7 departmental direction, \$47,000,000, to remain available
8 until expended.

9 TACTICAL LAW ENFORCEMENT WIRELESS

10 COMMUNICATIONS

11 For the costs of developing and implementing a na-
12 tionwide Integrated Wireless Network supporting Federal
13 law enforcement communications, and for the costs of op-
14 erations and maintenance of existing Land Mobile Radio
15 legacy systems, \$87,000,000, to remain available until ex-
16 pended: *Provided*, That the Attorney General shall trans-
17 fer to this account all funds made available to the Depart-
18 ment of Justice for the purchase of portable and mobile
19 radios: *Provided further*, That any transfer made under
20 the preceding proviso shall be subject to section 505 of
21 this Act.

22 ADMINISTRATIVE REVIEW AND APPEALS

23 (INCLUDING TRANSFER OF FUNDS)

24 For expenses necessary for the administration of par-
25 don and clemency petitions and immigration-related activi-

1 ties, \$294,082,000, of which \$4,000,000 shall be derived
2 by transfer from the Executive Office for Immigration Re-
3 view fees deposited in the “Immigration Examinations
4 Fee” account.

5 DETENTION TRUSTEE

6 For necessary expenses of the Federal Detention
7 Trustee, \$1,563,453,000, to remain available until ex-
8 pended: *Provided*, That the Trustee shall be responsible
9 for managing the Justice Prisoner and Alien Transpor-
10 tation System: *Provided further*, That not to exceed
11 \$20,000,000 shall be considered “funds appropriated for
12 State and local law enforcement assistance” pursuant to
13 18 U.S.C. 4013(b).

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General, \$84,199,000, including not to exceed \$10,000 to
17 meet unforeseen emergencies of a confidential character.

18 UNITED STATES PAROLE COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses of the United States Parole
21 Commission as authorized, \$12,577,000.

22 LEGAL ACTIVITIES

23 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

24 For expenses necessary for the legal activities of the
25 Department of Justice, not otherwise provided for, includ-

1 ing not to exceed \$20,000 for expenses of collecting evi-
2 dence, to be expended under the direction of, and to be
3 accounted for solely under the certificate of, the Attorney
4 General; and rent of private or Government-owned space
5 in the District of Columbia, \$846,099,000, of which not
6 to exceed \$10,000,000 for litigation support contracts
7 shall remain available until expended: *Provided*, That of
8 the total amount appropriated, not to exceed \$7,500 shall
9 be available to INTERPOL Washington for official recep-
10 tion and representation expenses: *Provided further*, That
11 notwithstanding section 205 of this Act, upon a deter-
12 mination by the Attorney General that emergent cir-
13 cumstances require additional funding for litigation activi-
14 ties of the Civil Division, the Attorney General may trans-
15 fer such amounts to “Salaries and Expenses, General
16 Legal Activities” from available appropriations for the
17 current fiscal year for the Department of Justice, as may
18 be necessary to respond to such circumstances: *Provided*
19 *further*, That any transfer pursuant to the previous pro-
20 viso shall be treated as a reprogramming under section
21 505 of this Act and shall not be available for obligation
22 or expenditure except in compliance with the procedures
23 set forth in that section: *Provided further*, That of the
24 amount appropriated, such sums as may be necessary
25 shall be available to reimburse the Office of Personnel

1 Management for salaries and expenses associated with the
2 election monitoring program under section 8 of the Voting
3 Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*,
4 That of the amounts provided under this heading for the
5 election monitoring program \$3,390,000, shall remain
6 available until expended.

7 In addition, for reimbursement of expenses of the De-
8 partment of Justice associated with processing cases
9 under the National Childhood Vaccine Injury Act of 1986,
10 not to exceed \$7,833,000, to be appropriated from the
11 Vaccine Injury Compensation Trust Fund.

12 SALARIES AND EXPENSES, ANTITRUST DIVISION

13 For expenses necessary for the enforcement of anti-
14 trust and kindred laws, \$159,587,000, to remain available
15 until expended: *Provided*, That notwithstanding any other
16 provision of law, fees collected for premerger notification
17 filings under the Hart-Scott-Rodino Antitrust Improve-
18 ments Act of 1976 (15 U.S.C. 18a), regardless of the year
19 of collection (and estimated to be \$108,000,000 in fiscal
20 year 2012), shall be retained and used for necessary ex-
21 penses in this appropriation, and shall remain available
22 until expended: *Provided further*, That the sum herein ap-
23 propriated from the general fund shall be reduced as such
24 offsetting collections are received during fiscal year 2012,

1 so as to result in a final fiscal year 2012 appropriation
2 from the general fund estimated at \$51,587,000.

3 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

4 For necessary expenses of the Offices of the United
5 States Attorneys, including inter-governmental and coop-
6 erative agreements, \$1,891,532,000: *Provided*, That of the
7 total amount appropriated, not to exceed \$6,000 shall be
8 available for official reception and representation ex-
9 penses: *Provided further*, That not to exceed \$25,000,000
10 shall remain available until expended: *Provided further*,
11 That of the amount provided under this heading, not less
12 than \$43,184,000 shall be used for salaries and expenses
13 for assistant U.S. Attorneys to carry out section 704 of
14 the Adam Walsh Child Protection and Safety Act of 2006
15 (Public Law 109–248) concerning the prosecution of of-
16 fenses relating to the sexual exploitation of children.

17 UNITED STATES TRUSTEE SYSTEM FUND

18 For necessary expenses of the United States Trustee
19 Program, as authorized, \$234,115,000, to remain avail-
20 able until expended and to be derived from the United
21 States Trustee System Fund: *Provided*, That notwith-
22 standing any other provision of law, deposits to the Fund
23 shall be available in such amounts as may be necessary
24 to pay refunds due depositors: *Provided further*, That, not-
25 withstanding any other provision of law, \$234,115,000 of

1 offsetting collections pursuant to 28 U.S.C. 589a(b) shall
2 be retained and used for necessary expenses in this appro-
3 priation and shall remain available until expended: *Pro-*
4 *vided further*, That the sum herein appropriated from the
5 Fund shall be reduced as such offsetting collections are
6 received during fiscal year 2012, so as to result in a final
7 fiscal year 2012 appropriation from the Fund estimated
8 at \$0.

9 SALARIES AND EXPENSES, FOREIGN CLAIMS

10 SETTLEMENT COMMISSION

11 For expenses necessary to carry out the activities of
12 the Foreign Claims Settlement Commission, including
13 services as authorized by section 3109 of title 5, United
14 States Code, \$2,071,000.

15 FEES AND EXPENSES OF WITNESSES

16 For fees and expenses of witnesses, for expenses of
17 contracts for the procurement and supervision of expert
18 witnesses, for private counsel expenses, including ad-
19 vances, and for expenses of foreign counsel, \$270,000,000,
20 to remain available until expended: *Provided*, That not to
21 exceed \$10,000,000 may be made available for construc-
22 tion of buildings for protected witness safesites: *Provided*
23 *further*, That not to exceed \$3,000,000 may be made avail-
24 able for the purchase and maintenance of armored and
25 other vehicles for witness security caravans: *Provided fur-*

1 *ther*, That not to exceed \$11,000,000 may be made avail-
2 able for the purchase, installation, maintenance, and up-
3 grade of secure telecommunications equipment and a se-
4 cure automated information network to store and retrieve
5 the identities and locations of protected witnesses.

6 SALARIES AND EXPENSES, COMMUNITY RELATIONS

7 SERVICE

8 For necessary expenses of the Community Relations
9 Service, \$11,227,000: *Provided*, That notwithstanding sec-
10 tion 205 of this Act, upon a determination by the Attorney
11 General that emergent circumstances require additional
12 funding for conflict resolution and violence prevention ac-
13 tivities of the Community Relations Service, the Attorney
14 General may transfer such amounts to the Community Re-
15 lations Service, from available appropriations for the cur-
16 rent fiscal year for the Department of Justice, as may be
17 necessary to respond to such circumstances: *Provided fur-*
18 *ther*, That any transfer pursuant to the preceding proviso
19 shall be treated as a reprogramming under section 505
20 of this Act and shall not be available for obligation or ex-
21 penditure except in compliance with the procedures set
22 forth in that section.

1 ASSETS FORFEITURE FUND

2 For expenses authorized by 28 U.S.C. 524(e)(1)(B),
3 (F), and (G), \$20,990,000, to be derived from the Depart-
4 ment of Justice Assets Forfeiture Fund.

5 UNITED STATES MARSHALS SERVICE

6 SALARIES AND EXPENSES

7 For necessary expenses of the United States Mar-
8 shals Service, \$1,101,041,000; of which not to exceed
9 \$6,000 shall be available for official reception and rep-
10 resentation expenses; and of which not to exceed
11 \$20,000,000 shall remain available until expended.

12 CONSTRUCTION

13 For construction in space controlled, occupied or uti-
14 lized by the United States Marshals Service for prisoner
15 holding and related support, \$12,000,000, to remain avail-
16 able until expended; of which not less than \$9,696,000
17 shall be available for the costs of courthouse security
18 equipment, including furnishings, relocations, and tele-
19 phone systems and cabling.

20 NATIONAL SECURITY DIVISION

21 SALARIES AND EXPENSES

22 For expenses necessary to carry out the activities of
23 the National Security Division, \$86,007,000; of which not
24 to exceed \$5,000,000 for information technology systems
25 shall remain available until expended: *Provided*, That not-

1 withstanding section 205 of this Act, upon a determina-
2 tion by the Attorney General that emergent circumstances
3 require additional funding for the activities of the National
4 Security Division, the Attorney General may transfer such
5 amounts to this heading from available appropriations for
6 the current fiscal year for the Department of Justice, as
7 may be necessary to respond to such circumstances: *Pro-*
8 *vided further*, That any transfer pursuant to the preceding
9 proviso shall be treated as a reprogramming under section
10 505 of this Act and shall not be available for obligation
11 or expenditure except in compliance with the procedures
12 set forth in that section.

13 INTERAGENCY LAW ENFORCEMENT

14 INTERAGENCY CRIME AND DRUG ENFORCEMENT

15 For necessary expenses for the identification, inves-
16 tigation, and prosecution of individuals associated with the
17 most significant drug trafficking and affiliated money
18 laundering organizations not otherwise provided for, to in-
19 clude inter-governmental agreements with State and local
20 law enforcement agencies engaged in the investigation and
21 prosecution of individuals involved in organized crime drug
22 trafficking, \$516,962,000, of which \$50,000,000 shall re-
23 main available until expended: *Provided*, That any
24 amounts obligated from appropriations under this heading

1 may be used under authorities available to the organiza-
2 tions reimbursed from this appropriation.

3 FEDERAL BUREAU OF INVESTIGATION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Bureau of In-
6 vestigation for detection, investigation, and prosecution of
7 crimes against the United States, \$7,785,000,000, of
8 which not to exceed \$150,000,000 shall remain available
9 until expended: *Provided*, That not to exceed \$153,750
10 shall be available for official reception and representation
11 expenses.

12 CONSTRUCTION

13 For all necessary expenses, to include the cost of
14 equipment, furniture, and information technology require-
15 ments, related to construction or acquisition of buildings,
16 facilities and sites by purchase, or as otherwise authorized
17 by law; conversion, modification and extension of Feder-
18 ally owned buildings; and preliminary planning and design
19 of projects; \$75,000,000, to remain available until ex-
20 pended.

21 DRUG ENFORCEMENT ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Drug Enforcement Ad-
24 ministration, including not to exceed \$70,000 to meet un-
25 foreseen emergencies of a confidential character pursuant

1 to 28 U.S.C. 530C; and expenses for conducting drug edu-
2 cation and training programs, including travel and related
3 expenses for participants in such programs and the dis-
4 tribution of items of token value that promote the goals
5 of such programs, \$1,900,084,000; of which not to exceed
6 \$75,000,000 shall remain available until expended; and of
7 which not to exceed \$75,000 shall be available for official
8 reception and representation expenses.

9 CONSTRUCTION

10 For necessary expenses, to include the cost of equip-
11 ment, furniture, and information technology requirements,
12 related to construction or acquisition of buildings; and op-
13 eration and maintenance of secure work environment fa-
14 cilities and secure networking capabilities; \$10,000,000, to
15 remain available until expended.

16 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND

17 EXPLOSIVES

18 SALARIES AND EXPENSES

19 For necessary expenses of the Bureau of Alcohol, To-
20 bacco, Firearms and Explosives, not to exceed \$30,000 for
21 official reception and representation expenses; for training
22 of State and local law enforcement agencies with or with-
23 out reimbursement, including training in connection with
24 the training and acquisition of canines for explosives and
25 fire accelerants detection; and for provision of laboratory

1 assistance to State and local law enforcement agencies,
2 with or without reimbursement, \$1,090,292,000, of which
3 not to exceed \$1,000,000 shall be available for the pay-
4 ment of attorneys' fees as provided by section 924(d)(2)
5 of title 18, United States Code; and of which not to exceed
6 \$20,000,000 shall remain available until expended: *Pro-*
7 *vided*, That no funds appropriated herein shall be available
8 for salaries or administrative expenses in connection with
9 consolidating or centralizing, within the Department of
10 Justice, the records, or any portion thereof, of acquisition
11 and disposition of firearms maintained by Federal fire-
12 arms licensees: *Provided further*, That no funds appro-
13 priated herein shall be used to pay administrative expenses
14 or the compensation of any officer or employee of the
15 United States to implement an amendment or amend-
16 ments to 27 CFR 478.118 or to change the definition of
17 "Curios or relics" in 27 CFR 478.11 or remove any item
18 from ATF Publication 5300.11 as it existed on January
19 1, 1994: *Provided further*, That none of the funds appro-
20 priated herein shall be available to investigate or act upon
21 applications for relief from Federal firearms disabilities
22 under 18 U.S.C. 925(c): *Provided further*, That such funds
23 shall be available to investigate and act upon applications
24 filed by corporations for relief from Federal firearms dis-
25 abilities under section 925(c) of title 18, United States

1 Code: *Provided further*, That no funds made available by
2 this or any other Act may be used to transfer the func-
3 tions, missions, or activities of the Bureau of Alcohol, To-
4 bacco, Firearms and Explosives to other agencies or De-
5 partments in fiscal year 2012: *Provided further*, That, be-
6 ginning in fiscal year 2012 and thereafter, no funds ap-
7 propriated under this or any other Act may be used to
8 disclose part or all of the contents of the Firearms Trace
9 System database maintained by the National Trace Center
10 of the Bureau of Alcohol, Tobacco, Firearms and Explo-
11 sives or any information required to be kept by licensees
12 pursuant to section 923(g) of title 18, United States Code,
13 or required to be reported pursuant to paragraphs (3) and
14 (7) of such section 923(g), except to: (1) a Federal, State,
15 local, or tribal law enforcement agency, or a Federal,
16 State, or local prosecutor; or (2) a foreign law enforcement
17 agency solely in connection with or for use in a criminal
18 investigation or prosecution; or (3) a Federal agency for
19 a national security or intelligence purpose; unless such dis-
20 closure of such data to any of the entities described in
21 (1), (2) or (3) of this proviso would compromise the iden-
22 tity of any undercover law enforcement officer or confiden-
23 tial informant, or interfere with any case under investiga-
24 tion; and no person or entity described in (1), (2) or (3)
25 shall knowingly and publicly disclose such data; and all

1 such data shall be immune from legal process, shall not
2 be subject to subpoena or other discovery, shall be inad-
3 missible in evidence, and shall not be used, relied on, or
4 disclosed in any manner, nor shall testimony or other evi-
5 dence be permitted based on the data, in a civil action
6 in any State (including the District of Columbia) or Fed-
7 eral court or in an administrative proceeding other than
8 a proceeding commenced by the Bureau of Alcohol, To-
9 bacco, Firearms and Explosives to enforce the provisions
10 of chapter 44 of such title, or a review of such an action
11 or proceeding; except that this proviso shall not be con-
12 strued to prevent: (A) the disclosure of statistical informa-
13 tion concerning total production, importation, and expor-
14 tation by each licensed importer (as defined in section
15 921(a)(9) of such title) and licensed manufacturer (as de-
16 fined in section 921(a)(10) of such title); (B) the sharing
17 or exchange of such information among and between Fed-
18 eral, State, local, or foreign law enforcement agencies,
19 Federal, State, or local prosecutors, and Federal national
20 security, intelligence, or counterterrorism officials; or (C)
21 the publication of annual statistical reports on products
22 regulated by the Bureau of Alcohol, Tobacco, Firearms
23 and Explosives, including total production, importation,
24 and exportation by each licensed importer (as so defined)
25 and licensed manufacturer (as so defined), or statistical

1 aggregate data regarding firearms traffickers and traf-
2 ficking channels, or firearms misuse, felons, and traf-
3 ficking investigations: *Provided further*, That no funds
4 made available by this or any other Act shall be expended
5 to promulgate or implement any rule requiring a physical
6 inventory of any business licensed under section 923 of
7 title 18, United States Code: *Provided further*, That no
8 funds under this Act may be used to electronically retrieve
9 information gathered pursuant to 18 U.S.C. 923(g)(4) by
10 name or any personal identification code: *Provided further*,
11 That no funds authorized or made available under this or
12 any other Act may be used to deny any application for
13 a license under section 923 of title 18, United States Code,
14 or renewal of such a license due to a lack of business activ-
15 ity, provided that the applicant is otherwise eligible to re-
16 ceive such a license, and is eligible to report business in-
17 come or to claim an income tax deduction for business ex-
18 penses under the Internal Revenue Code of 1986.

19 FEDERAL PRISON SYSTEM

20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Prison System
22 for the administration, operation, and maintenance of
23 Federal penal and correctional institutions, including pur-
24 chase (not to exceed 835, of which 808 are for replacement
25 only) and hire of law enforcement and passenger motor

1 vehicles, and for the provision of technical assistance and
2 advice on corrections related issues to foreign govern-
3 ments, \$6,589,781,000: *Provided*, That the Attorney Gen-
4 eral may transfer to the Health Resources and Services
5 Administration such amounts as may be necessary for di-
6 rect expenditures by that Administration for medical relief
7 for inmates of Federal penal and correctional institutions:
8 *Provided further*, That the Director of the Federal Prison
9 System, where necessary, may enter into contracts with
10 a fiscal agent or fiscal intermediary claims processor to
11 determine the amounts payable to persons who, on behalf
12 of the Federal Prison System, furnish health services to
13 individuals committed to the custody of the Federal Prison
14 System: *Provided further*, That not to exceed \$4,500 shall
15 be available for official reception and representation ex-
16 penses: *Provided further*, That not to exceed \$50,000,000
17 shall remain available for necessary operations until Sep-
18 tember 30, 2013: *Provided further*, That, of the amounts
19 provided for contract confinement, not to exceed
20 \$20,000,000 shall remain available until expended to
21 make payments in advance for grants, contracts and reim-
22 bursable agreements, and other expenses authorized by
23 section 501(c) of the Refugee Education Assistance Act
24 of 1980 (8 U.S.C. 1522 note), for the care and security
25 in the United States of Cuban and Haitian entrants: *Pro-*

1 *vided further*, That the Director of the Federal Prison Sys-
2 tem may accept donated property and services relating to
3 the operation of the prison card program from a not-for-
4 profit entity which has operated such program in the past
5 notwithstanding the fact that such not-for-profit entity
6 furnishes services under contracts to the Federal Prison
7 System relating to the operation of pre-release services,
8 halfway houses, or other custodial facilities.

9 BUILDINGS AND FACILITIES

10 For planning, acquisition of sites and construction of
11 new facilities; purchase and acquisition of facilities and re-
12 modeling, and equipping of such facilities for penal and
13 correctional use, including all necessary expenses incident
14 thereto, by contract or force account; and constructing,
15 remodeling, and equipping necessary buildings and facili-
16 ties at existing penal and correctional institutions, includ-
17 ing all necessary expenses incident thereto, by contract or
18 force account, \$90,000,000, to remain available until ex-
19 pended, of which not less than \$66,965,000 shall be avail-
20 able only for modernization, maintenance and repair, and
21 of which not to exceed \$14,000,000 shall be available to
22 construct areas for inmate work programs: *Provided*, That
23 labor of United States prisoners may be used for work
24 performed under this appropriation: *Provided further*,
25 That none of the funds provided under this heading in

1 this or any prior Act shall be available for the acquisition
2 of any facility that is to be used wholly or in part for the
3 incarceration or detention of any individual detained at
4 Naval Station, Guantanamo Bay, Cuba, as of June 24,
5 2009.

6 FEDERAL PRISON INDUSTRIES, INCORPORATED

7 The Federal Prison Industries, Incorporated, is here-
8 by authorized to make such expenditures, within the limits
9 of funds and borrowing authority available, and in accord
10 with the law, and to make such contracts and commit-
11 ments, without regard to fiscal year limitations as pro-
12 vided by section 9104 of title 31, United States Code, as
13 may be necessary in carrying out the program set forth
14 in the budget for the current fiscal year for such corpora-
15 tion, including purchase (not to exceed five for replace-
16 ment only) and hire of passenger motor vehicles.

17 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
18 PRISON INDUSTRIES, INCORPORATED

19 Not to exceed \$2,700,000 of the funds of the Federal
20 Prison Industries, Incorporated shall be available for its
21 administrative expenses, and for services as authorized by
22 section 3109 of title 5, United States Code, to be com-
23 puted on an accrual basis to be determined in accordance
24 with the corporation's current prescribed accounting sys-
25 tem, and such amounts shall be exclusive of depreciation,

1 payment of claims, and expenditures which such account-
2 ing system requires to be capitalized or charged to cost
3 of commodities acquired or produced, including selling and
4 shipping expenses, and expenses in connection with acqui-
5 sition, construction, operation, maintenance, improvement,
6 protection, or disposition of facilities and other property
7 belonging to the corporation or in which it has an interest.

8 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

9 OFFICE ON VIOLENCE AGAINST WOMEN

10 VIOLENCE AGAINST WOMEN PREVENTION AND

11 PROSECUTION PROGRAMS

12 For grants, contracts, cooperative agreements, and
13 other assistance for the prevention and prosecution of vio-
14 lence against women, as authorized by the Omnibus Crime
15 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
16 et seq.) (“the 1968 Act”); the Violent Crime Control and
17 Law Enforcement Act of 1994 (Public Law 103–322)
18 (“the 1994 Act”); the Victims of Child Abuse Act of 1990
19 (Public Law 101–647) (“the 1990 Act”); the Prosecu-
20 torial Remedies and Other Tools to end the Exploitation
21 of Children Today Act of 2003 (Public Law 108–21); the
22 Juvenile Justice and Delinquency Prevention Act of 1974
23 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims
24 of Trafficking and Violence Protection Act of 2000 (Public
25 Law 106–386) (“the 2000 Act”); and the Violence

1 Against Women and Department of Justice Reauthoriza-
2 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);
3 and for related victims services, \$417,663,000, to remain
4 available until expended: *Provided*, That except as other-
5 wise provided by law, not to exceed 3 percent of funds
6 made available under this heading may be used for ex-
7 penses related to evaluation, training, and technical assist-
8 ance: *Provided further*, That of the amount provided—

9 (1) \$194,000,000 is for grants to combat vio-
10 lence against women, as authorized by part T of the
11 1968 Act, of which, notwithstanding such part T,
12 \$10,000,000 shall be available for programs relating
13 to children exposed to violence;

14 (2) \$25,000,000 is for transitional housing as-
15 sistance grants for victims of domestic violence,
16 stalking or sexual assault as authorized by section
17 40299 of the 1994 Act;

18 (3) \$3,000,000 is for the National Institute of
19 Justice for research and evaluation of violence
20 against women and related issues addressed by
21 grant programs of the Office on Violence Against
22 Women;

23 (4) \$10,000,000 is for a grant program to pro-
24 vide services to advocate for and respond to youth
25 victims of domestic violence, dating violence, sexual

1 assault, and stalking; assistance to children and
2 youth exposed to such violence; programs to engage
3 men and youth in preventing such violence; and as-
4 sistance to middle and high school students through
5 education and other services related to such violence:
6 *Provided*, That unobligated balances available for the
7 programs authorized by sections 41201, 41204,
8 41303 and 41305 of the 1994 Act shall be available
9 for this program: *Provided further*, That 10 percent
10 of the total amount available for this grant program
11 shall be available for grants under the program au-
12 thORIZED by section 2015 of the 1968 Act;

13 (5) \$45,913,000 is for grants to encourage ar-
14 rest policies as authorized by part U of the 1968
15 Act, of which \$5,000,000 is for a homicide initiative;

16 (6) \$25,000,000 is for sexual assault victims
17 assistance, as authorized by section 41601 of the
18 1994 Act;

19 (7) \$34,000,000 is for rural domestic violence
20 and child abuse enforcement assistance grants, as
21 authorized by section 40295 of the 1994 Act;

22 (8) \$9,000,000 is for grants to reduce violent
23 crimes against women on campus, as authorized by
24 section 304 of the 2005 Act;

1 (9) \$45,000,000 is for legal assistance for vic-
2 tims, as authorized by section 1201 of the 2000 Act;

3 (10) \$4,000,000 is for enhanced training and
4 services to end violence against and abuse of women
5 in later life, as authorized by section 40802 of the
6 1994 Act;

7 (11) \$11,250,000 is for the safe havens for
8 children program, as authorized by section 1301 of
9 the 2000 Act;

10 (12) \$5,000,000 is for education and training
11 to end violence against and abuse of women with
12 disabilities, as authorized by section 1402 of the
13 2000 Act;

14 (13) \$4,000,000 is for the court training and
15 improvements program, as authorized by section
16 41002 of the 1994 Act, of which \$1,000,000 is to
17 be used for a family court initiative;

18 (14) \$1,000,000 is for the National Resource
19 Center on Workplace Responses to assist victims of
20 domestic violence, as authorized by section 41501 of
21 the 1994 Act;

22 (15) \$1,000,000 is for analysis and research on
23 violence against Indian women, as authorized by sec-
24 tion 904 of the 2005 Act; and

1 (16) \$500,000 is for the Office on Violence
2 Against Women to establish a national clearinghouse
3 that provides training and technical assistance on
4 issues relating to sexual assault of American Indian
5 and Alaska Native women.

6 SALARIES AND EXPENSES

7 For necessary expenses, not elsewhere specified in
8 this title, for management and administration of programs
9 within the Office on Violence Against Women,
10 \$20,580,000.

11 OFFICE OF JUSTICE PROGRAMS

12 RESEARCH, EVALUATION, AND STATISTICS

13 (INCLUDING TRANSFER OF FUNDS)

14 For grants, contracts, cooperative agreements, and
15 other assistance authorized by title I of the Omnibus
16 Crime Control and Safe Streets Act of 1968 (“the 1968
17 Act”); the Juvenile Justice and Delinquency Prevention
18 Act of 1974 (“the 1974 Act”); the Missing Children’s As-
19 sistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial
20 Remedies and Other Tools to end the Exploitation of Chil-
21 dren Today Act of 2003 (Public Law 108–21); the Justice
22 for All Act of 2004 (Public Law 108–405); the Violence
23 Against Women and Department of Justice Reauthoriza-
24 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);
25 the Victims of Child Abuse Act of 1990 (Public Law 101–

1 647); the Second Chance Act of 2007 (Public Law 110–
2 199); the Victims of Crime Act of 1984 (Public Law 98–
3 473); the Adam Walsh Child Protection and Safety Act
4 of 2006 (Public Law 109–248) (“the Adam Walsh Act”);
5 the PROTECT Our Children Act of 2008 (Public Law
6 110–401); subtitle D of title II of the Homeland Security
7 Act of 2002 (Public Law 107–296) (“the 2002 Act”); and
8 other programs; \$121,000,000, to remain available until
9 expended, of which—

10 (1) \$45,000,000 is for criminal justice statistics
11 programs, and other activities, as authorized by part
12 C of title I of the 1968 Act, of which \$36,000,000
13 is for the administration and redesign of the Na-
14 tional Crime Victimization Survey;

15 (2) \$40,000,000 is for research, development,
16 and evaluation programs, and other activities as au-
17 thorized by part B of title I of the 1968 Act and
18 subtitle D of title II of the 2002 Act: *Provided*, That
19 of the amounts provided under this heading,
20 \$5,000,000 is transferred directly to the National
21 Institute of Standards and Technology’s Office of
22 Law Enforcement Standards from the National In-
23 stitute of Justice for research, testing and evaluation
24 programs;

1 (3) \$1,000,000 is for an evaluation clearing-
2 house program; and

3 (4) \$35,000,000 is for regional information
4 sharing activities, as authorized by part M of title I
5 of the 1968 Act.

6 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

7 (INCLUDING TRANSFER OF FUNDS)

8 For grants, contracts, cooperative agreements, and
9 other assistance authorized by the Violent Crime Control
10 and Law Enforcement Act of 1994 (Public Law 103–322)
11 (“the 1994 Act”); the Omnibus Crime Control and Safe
12 Streets Act of 1968 (“the 1968 Act”); the Justice for All
13 Act of 2004 (Public Law 108–405); the Victims of Child
14 Abuse Act of 1990 (Public Law 101–647) (“the 1990
15 Act”); the Trafficking Victims Protection Reauthorization
16 Act of 2005 (Public Law 109–164); the Violence Against
17 Women and Department of Justice Reauthorization Act
18 of 2005 (Public Law 109–162) (“the 2005 Act”); the
19 Adam Walsh Child Protection and Safety Act of 2006
20 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-
21 tims of Trafficking and Violence Protection Act of 2000
22 (Public Law 106–386); the NICS Improvement Amend-
23 ments Act of 2007 (Public Law 110–180); subtitle D of
24 title II of the Homeland Security Act of 2002 (Public Law
25 107–296) (“the 2002 Act”); the Second Chance Act of

1 2007 (Public Law 110–199); the Prioritizing Resources
2 and Organization for Intellectual Property Act of 2008
3 (Public Law 110–403); the Victims of Crime Act of 1984
4 (Public Law 98–473); the Mentally Ill Offender Treat-
5 ment and Crime Reduction Reauthorization and Improve-
6 ment Act of 2008 (Public Law 110–416); and other pro-
7 grams; \$1,063,498,000, to remain available until ex-
8 pended as follows—

9 (1) \$395,000,000 for the Edward Byrne Memo-
10 rial Justice Assistance Grant program as authorized
11 by subpart 1 of part E of title I of the 1968 Act
12 (except that section 1001(c), and the special rules
13 for Puerto Rico under section 505(g), of title I of
14 the 1968 Act shall not apply for purposes of this
15 Act); and, notwithstanding such subpart 1, to sup-
16 port innovative, place-based, evidence-based ap-
17 proaches to fighting crime and improving public
18 safety, of which \$3,000,000 is for a program to im-
19 prove State and local law enforcement intelligence
20 capabilities including antiterrorism training and
21 training to ensure that constitutional rights, civil lib-
22 erties, civil rights, and privacy interests are pro-
23 tected throughout the intelligence process,
24 \$4,000,000 is for a State and local assistance help
25 desk and diagnostic center program, \$5,000,000 is

1 for a program to improve State, local and tribal pro-
2 bation supervision efforts and strategies, and
3 \$3,000,000 is for a Preventing Violence Against
4 Law Enforcement Officer Resilience and Surviv-
5 ability Initiative (VALOR): *Provided*, That funds
6 made available under this heading may be used at
7 the discretion of the Assistant Attorney General for
8 the Office of Justice Programs to train Federal law
9 enforcement under the VALOR Officer Safety
10 Training Initiative;

11 (2) \$273,000,000 for the State Criminal Alien
12 Assistance Program, as authorized by section
13 241(i)(5) of the Immigration and Nationality Act (8
14 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction
15 shall request compensation for any cost greater than
16 the actual cost for Federal immigration and other
17 detainees housed in State and local detention facili-
18 ties;

19 (3) \$20,000,000 for the Northern and South-
20 west Border Prosecutor Initiatives to reimburse
21 State, county, parish, tribal or municipal govern-
22 ments for costs associated with the prosecution of
23 criminal cases declined by local offices of the United
24 States Attorneys;

1 (4) \$21,000,000 for competitive grants to im-
2 prove the functioning of the criminal justice system,
3 to prevent or combat juvenile delinquency, and to as-
4 sist victims of crime (other than compensation);

5 (5) \$10,500,000 for victim services programs
6 for victims of trafficking, as authorized by section
7 107(b)(2) of Public Law 106–386 and for programs
8 authorized under Public Law 109–164: *Provided*,
9 That no less than \$4,690,000 shall be for victim
10 services grants for foreign national victims of traf-
11 ficking;

12 (6) \$35,000,000 for Drug Courts, as authorized
13 by section 1001(25)(A) of title I of the 1968 Act;

14 (7) \$9,000,000 for mental health courts and
15 adult and juvenile collaboration program grants, as
16 authorized by parts V and HH of title I of the 1968
17 Act, and the Mentally Ill Offender Treatment and
18 Crime Reduction Reauthorization and Improvement
19 Act of 2008 (Public Law 110–416);

20 (8) \$10,000,000 for grants for Residential Sub-
21 stance Abuse Treatment for State Prisoners, as au-
22 thorized by part S of title I of the 1968 Act;

23 (9) \$4,000,000 for the Capital Litigation Im-
24 provement Grant Program, as authorized by section
25 426 of Public Law 108–405;

1 (10) \$10,000,000 for economic, high technology
2 and Internet crime prevention grants, as authorized
3 by section 401 of Public Law 110–403;

4 (11) \$5,000,000 for a student loan repayment
5 assistance program pursuant to section 952 of Pub-
6 lic Law 110–315;

7 (12) \$23,000,000 for activities, including sex
8 offender management assistance, authorized by the
9 Adam Walsh Act and the Violent Crime Control Act
10 of 1994 (Public Law 103–322);

11 (13) \$10,000,000 for an initiative relating to
12 children exposed to violence;

13 (14) \$20,000,000 for an Edward Byrne Memo-
14 rial criminal justice innovation program;

15 (15) \$24,850,000 for the matching grant pro-
16 gram for law enforcement armor vests, as authorized
17 by section 2501 of title I of the 1968 Act: *Provided,*
18 That \$1,500,000 is transferred directly to the Na-
19 tional Institute of Standards and Technology’s Of-
20 fice of Law Enforcement Standards for research,
21 testing and evaluation programs;

22 (16) \$1,000,000 for the National Sex Offender
23 Public Web site;

1 (17) \$10,000,000 for competitive and evidence-
2 based programs to reduce gun crime and gang vio-
3 lence;

4 (18) \$10,000,000 for grants to assist State and
5 tribal governments as authorized by the NICS Im-
6 provement Amendments Act of 2007 (Public Law
7 110–180);

8 (19) \$8,000,000 for the National Criminal His-
9 tory Improvement Program for grants to upgrade
10 criminal records;

11 (20) \$15,000,000 for Paul Coverdell Forensic
12 Sciences Improvement Grants under part BB of title
13 I of the 1968 Act;

14 (21) \$131,000,000 for DNA-related and foren-
15 sic programs and activities, of which—

16 (A) \$123,000,000 is for the purposes of
17 DNA analysis and DNA capacity enhancement
18 as defined in the DNA Analysis Backlog Elimini-
19 nation Act of 2000 (the Debbie Smith DNA
20 Backlog Grant Program), of which not less
21 than \$85,500,000 is to be used for grants to
22 crime laboratories for purposes under 42 U.S.C.
23 14135, section (a); not less than \$11,000,000 is
24 to be used for the purposes of the Solving Cold
25 Cases with DNA Grant Program; not less than

1 \$11,000,000 is to be used to audit and report
2 on the extent of the backlog; and the remainder
3 of funds appropriated under this paragraph
4 may be used to support training programs spe-
5 cific to the needs of DNA laboratory personnel,
6 and for programs outlined in sections 303, 304,
7 305 and 308 of Public Law 108–405;

8 (B) \$4,000,000 is for the purposes de-
9 scribed in the Kirk Bloodsworth Post-Convic-
10 tion DNA Testing Program (Public Law 108–
11 405, section 412); and

12 (C) \$4,000,000 is for Sexual Assault Fo-
13 rensic Exam Program Grants as authorized by
14 section 304 of Public Law 108–405.

15 (22) \$2,500,000 for the court-appointed special
16 advocate program, as authorized by section 217 of
17 the 1990 Act;

18 (23) \$1,500,000 for child abuse training pro-
19 grams for judicial personnel and practitioners, as
20 authorized by section 222 of the 1990 Act; and

21 (24) \$3,000,000 for grants and technical assist-
22 ance in support of the National Forum on Youth Vi-
23 olence Prevention:

24 *Provided*, That if a unit of local government uses any of
25 the funds made available under this heading to increase

1 the number of law enforcement officers, the unit of local
2 government will achieve a net gain in the number of law
3 enforcement officers who perform non-administrative pub-
4 lic sector safety service.

5 JUVENILE JUSTICE PROGRAMS

6 For grants, contracts, cooperative agreements, and
7 other assistance authorized by the Juvenile Justice and
8 Delinquency Prevention Act of 1974 (“the 1974 Act”); the
9 Omnibus Crime Control and Safe Streets Act of 1968
10 (“the 1968 Act”); the Violence Against Women and De-
11 partment of Justice Reauthorization Act of 2005 (Public
12 Law 109–162) (“the 2005 Act”); the Missing Children’s
13 Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial
14 Remedies and Other Tools to end the Exploitation of Chil-
15 dren Today Act of 2003 (Public Law 108–21); the Victims
16 of Child Abuse Act of 1990 (Public Law 101–647) (“the
17 1990 Act”); the Adam Walsh Child Protection and Safety
18 Act of 2006 (Public Law 109–248) (“the Adam Walsh
19 Act”); the PROTECT Our Children Act of 2008 (Public
20 Law 110–401); and other juvenile justice programs,
21 \$251,000,000, to remain available until expended as fol-
22 lows—

23 (1) \$45,000,000 for programs authorized by
24 section 221 of the 1974 Act, and for training and

1 technical assistance to assist small, non-profit orga-
2 nizations with the Federal grants process;

3 (2) \$55,000,000 for youth mentoring grants;

4 (3) \$33,000,000 for delinquency prevention, as
5 authorized by section 505 of the 1974 Act, of which,
6 pursuant to sections 261 and 262 thereof—

7 (A) \$15,000,000 shall be for the Tribal
8 Youth Program;

9 (B) \$8,000,000 shall be for gang and
10 youth violence education, prevention and inter-
11 vention, and related activities; and

12 (C) \$10,000,000 shall be for programs and
13 activities to enforce State laws prohibiting the
14 sale of alcoholic beverages to minors or the pur-
15 chase or consumption of alcoholic beverages by
16 minors, for prevention and reduction of con-
17 sumption of alcoholic beverages by minors, and
18 for technical assistance and training;

19 (4) \$20,000,000 for programs authorized by
20 the Victims of Child Abuse Act of 1990;

21 (5) \$30,000,000 for the Juvenile Accountability
22 Block Grants program as authorized by part R of
23 title I of the 1968 Act and Guam shall be considered
24 a State;

1 (6) \$8,000,000 for community-based violence
2 prevention initiatives; and

3 (7) \$60,000,000 for missing and exploited chil-
4 dren programs, including as authorized by sections
5 404(b) and 405(a) of the 1974 Act:

6 *Provided*, That not more than 10 percent of each amount
7 may be used for research, evaluation, and statistics activi-
8 ties designed to benefit the programs or activities author-
9 ized: *Provided further*, That not more than 2 percent of
10 each amount may be used for training and technical as-
11 sistance: *Provided further*, That the previous two provisos
12 shall not apply to grants and projects authorized by sec-
13 tions 261 and 262 of the 1974 Act.

14 SALARIES AND EXPENSES

15 For necessary expenses, not elsewhere specified in
16 this title, for management and administration of programs
17 within the Office of Justice Programs, \$118,572,000.

18 PUBLIC SAFETY OFFICER BENEFITS

19 For payments and expenses authorized under section
20 1001(a)(4) of title I of the Omnibus Crime Control and
21 Safe Streets Act of 1968, such sums as are necessary (in-
22 cluding amounts for administrative costs, which amounts
23 shall be paid to the “Salaries and Expenses” account), to
24 remain available until expended; and \$16,300,000 for pay-
25 ments authorized by section 1201(b) of such Act and for

1 educational assistance authorized by section 1218 of such
 2 Act, to remain available until expended: *Provided*, That
 3 notwithstanding section 205 of this Act, upon a deter-
 4 mination by the Attorney General that emergent cir-
 5 cumstances require additional funding for such disability
 6 and education payments, the Attorney General may trans-
 7 fer such amounts to “Public Safety Officer Benefits” from
 8 available appropriations for the current fiscal year for the
 9 Department of Justice as may be necessary to respond
 10 to such circumstances: *Provided further*, That any transfer
 11 pursuant to the previous proviso shall be treated as a re-
 12 programming under section 505 of this Act and shall not
 13 be available for obligation or expenditure except in compli-
 14 ance with the procedures set forth in that section.

15 COMMUNITY ORIENTED POLICING SERVICES

16 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

17 (INCLUDING TRANSFERS OF FUNDS)

18 For activities authorized by the Violent Crime Con-
 19 trol and Law Enforcement Act of 1994 (Public Law 103–
 20 322); the Omnibus Crime Control and Safe Streets Act
 21 of 1968 (“the 1968 Act”); and the Violence Against
 22 Women and Department of Justice Reauthorization Act
 23 of 2005 (Public Law 109–162) (“the 2005 Act”),
 24 \$231,500,000, to remain available until expended: *Pro-*
 25 *vided*, That any balances made available through prior

1 year deobligations shall only be available in accordance
2 with section 505 of this Act. Of the amount provided:

3 (1) \$1,500,000 is for research, testing, and
4 evaluation programs regarding law enforcement
5 technologies and interoperable communications, and
6 related law enforcement and public safety equip-
7 ment, which shall be transferred directly to the Na-
8 tional Institute of Standards and Technology's Of-
9 fice of Law Enforcement Standards from the Com-
10 munity Oriented Policing Services Office;

11 (2) \$10,000,000 is for anti-methamphetamine-
12 related activities, which shall be transferred to the
13 Drug Enforcement Administration upon enactment
14 of this Act;

15 (3) \$20,000,000 is for improving tribal law en-
16 forcement, including hiring, equipment, training, and
17 anti-methamphetamine activities; and

18 (4) \$200,000,000 is for grants under section
19 1701 of title I of the 1968 Act (42 U.S.C. 3796dd)
20 for the hiring and rehiring of additional career law
21 enforcement officers under part Q of such title not-
22 withstanding subsection (i) of such section: *Provided,*
23 That notwithstanding subsection (g) of the 1968 Act
24 (42 U.S.C. 3796dd), the Federal share of the costs
25 of a project funded by such grants may not exceed

1 75 percent unless the Director of the Office of Com-
2 munity Oriented Policing Services waives, wholly or
3 in part, the requirement of a non-Federal contribu-
4 tion to the costs of a project: *Provided further*, That
5 notwithstanding 42 U.S.C. 3796dd-3(c), funding for
6 hiring or rehiring a career law enforcement officer
7 may not exceed \$125,000, unless the Director of the
8 Office of Community Oriented Policing Services
9 grants a waiver from this limitation: *Provided fur-*
10 *ther*, That within the amounts appropriated,
11 \$28,000,000 shall be used for the hiring and rehir-
12 ing of tribal law enforcement officers: *Provided fur-*
13 *ther*, That within the amounts appropriated,
14 \$10,000,000 is for community policing development
15 activities.

16 SALARIES AND EXPENSES

17 For necessary expenses, not elsewhere specified in
18 this title, for management and administration of programs
19 within the Community Oriented Policing Services Office,
20 \$24,500,000.

21 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

22 SEC. 201. In addition to amounts otherwise made
23 available in this title for official reception and representa-
24 tion expenses, a total of not to exceed \$50,000 from funds
25 appropriated to the Department of Justice in this title

1 shall be available to the Attorney General for official re-
2 ception and representation expenses.

3 SEC. 202. None of the funds appropriated by this
4 title shall be available to pay for an abortion, except where
5 the life of the mother would be endangered if the fetus
6 were carried to term, or in the case of rape: *Provided*,
7 That should this prohibition be declared unconstitutional
8 by a court of competent jurisdiction, this section shall be
9 null and void.

10 SEC. 203. None of the funds appropriated under this
11 title shall be used to require any person to perform, or
12 facilitate in any way the performance of, any abortion.

13 SEC. 204. Nothing in the preceding section shall re-
14 move the obligation of the Director of the Bureau of Pris-
15 ons to provide escort services necessary for a female in-
16 mate to receive such service outside the Federal facility:
17 *Provided*, That nothing in this section in any way dimin-
18 ishes the effect of section 203 intended to address the phil-
19 osophical beliefs of individual employees of the Bureau of
20 Prisons.

21 SEC. 205. Not to exceed 5 percent of any appropria-
22 tion made available for the current fiscal year for the De-
23 partment of Justice in this Act may be transferred be-
24 tween such appropriations, but no such appropriation, ex-
25 cept as otherwise specifically provided, shall be increased

1 by more than 10 percent by any such transfers: *Provided*,
2 That any transfer pursuant to this section shall be treated
3 as a reprogramming of funds under section 505 of this
4 Act and shall not be available for obligation except in com-
5 pliance with the procedures set forth in that section.

6 SEC. 206. The Attorney General is authorized to ex-
7 tend through September 30, 2013, the Personnel Manage-
8 ment Demonstration Project transferred to the Attorney
9 General pursuant to section 1115 of the Homeland Secu-
10 rity Act of 2002, Public Law 107–296 (28 U.S.C. 599B)
11 without limitation on the number of employees or the posi-
12 tions covered.

13 SEC. 207. Notwithstanding any other provision of
14 law, Public Law 102–395 section 102(b) shall extend to
15 the Bureau of Alcohol, Tobacco, Firearms and Explosives
16 in the conduct of undercover investigative operations and
17 shall apply without fiscal year limitation with respect to
18 any undercover investigative operation by the Bureau of
19 Alcohol, Tobacco, Firearms and Explosives that is nec-
20 essary for the detection and prosecution of crimes against
21 the United States.

22 SEC. 208. None of the funds made available to the
23 Department of Justice in this Act may be used for the
24 purpose of transporting an individual who is a prisoner
25 pursuant to conviction for crime under State or Federal

1 law and is classified as a maximum or high security pris-
2 oner, other than to a prison or other facility certified by
3 the Federal Bureau of Prisons as appropriately secure for
4 housing such a prisoner.

5 SEC. 209. (a) None of the funds appropriated by this
6 Act may be used by Federal prisons to purchase cable tele-
7 vision services, to rent or purchase videocassettes, video-
8 cassette recorders, or other audiovisual or electronic equip-
9 ment used primarily for recreational purposes.

10 (b) The preceding sentence does not preclude the
11 renting, maintenance, or purchase of audiovisual or elec-
12 tronic equipment for inmate training, religious, or edu-
13 cational programs.

14 SEC. 210. None of the funds made available under
15 this title shall be obligated or expended for any new or
16 enhanced information technology program having total es-
17 timated development costs in excess of \$100,000,000, un-
18 less the Deputy Attorney General and the investment re-
19 view board certify to the Committees on Appropriations
20 that the information technology program has appropriate
21 program management and contractor oversight mecha-
22 nisms in place, and that the program is compatible with
23 the enterprise architecture of the Department of Justice.

24 SEC. 211. The notification thresholds and procedures
25 set forth in section 505 of this Act shall apply to devi-

1 ations from the amounts designated for specific activities
2 in this Act and accompanying statement, and to any use
3 of deobligated balances of funds provided under this title
4 in previous years.

5 SEC. 212. None of the funds appropriated by this Act
6 may be used to plan for, begin, continue, finish, process,
7 or approve a public-private competition under the Office
8 of Management and Budget Circular A-76 or any suc-
9 cessor administrative regulation, directive, or policy for
10 work performed by employees of the Bureau of Prisons
11 or of Federal Prison Industries, Incorporated.

12 SEC. 213. Notwithstanding any other provision of
13 law, no funds shall be available for the salary, benefits,
14 or expenses of any United States Attorney assigned dual
15 or additional responsibilities by the Attorney General or
16 his designee that exempt that United States Attorney
17 from the residency requirements of 28 U.S.C. 545.

18 SEC. 214. At the discretion of the Attorney General,
19 and in addition to any amounts that otherwise may be
20 available (or authorized to be made available) by law, with
21 respect to funds appropriated by this Act under the head-
22 ings for “Research Evaluation and Statistics”, “State and
23 Local Law Enforcement Assistance”, and “Juvenile Jus-
24 tice Programs”—

1 (1) Up to 3 percent of funds made available for
2 grant or reimbursement programs may be used to
3 provide training and technical assistance;

4 (2) Up to 3 percent of funds made available for
5 grant or reimbursement programs under such head-
6 ings, except for amounts appropriated specifically for
7 research, evaluation, or statistical programs adminis-
8 tered by the National Institute of Justice and the
9 Bureau of Justice Statistics, shall be transferred to
10 and merged with funds provided to the National In-
11 stitute of Justice and the Bureau of Justice Statis-
12 tics, to be used by them for research, evaluation or
13 statistical purposes, without regard to the authoriza-
14 tions for such grant or reimbursement programs,
15 and of such amounts, \$1,300,000 shall be trans-
16 ferred to the Bureau of Prisons for Federal inmate
17 research and evaluation purposes; and

18 (3) 7 percent of funds made available for grant
19 or reimbursement programs:

20 (A) under the heading “State and Local
21 Law Enforcement Assistance”; or

22 (B) under the headings “Research, Evalua-
23 tion and Statistics” and “Juvenile Justice Pro-
24 grams”, to be transferred to and merged with
25 funds made available under the heading “State

1 and Local Law Enforcement Assistance”, shall
2 be available for tribal criminal justice assistance
3 without regard to the authorizations for such
4 grant or reimbursement programs.

5 SEC. 215. Notwithstanding any other provision of
6 law, section 20109(a), in subtitle A of title II of the Vio-
7 lent Crime Control and Law Enforcement Act of 1994 (42
8 U.S.C. 13709(a)), shall not apply to amounts made avail-
9 able by this title.

10 SEC. 216. Section 530A of title 28, United States
11 Code, is hereby amended by replacing “appropriated” with
12 “used from appropriations”, and by inserting “(2),” be-
13 fore “(3)”.

14 SEC. 217. (a) Within 30 days of enactment of this
15 Act, the Attorney General shall report to the Committees
16 on Appropriations of the House of Representatives and the
17 Senate a cost and schedule estimate for the final operating
18 capability of the Federal Bureau of Investigation’s Sen-
19 tinel program, including the costs of Bureau employees en-
20 gaged in development work, the costs of operating and
21 maintaining Sentinel for 2 years after achievement of the
22 final operating capability, and a detailed list of the
23 functionalities included in the final operating capability
24 compared to the functionalities included in the previous
25 program baseline.

1 (b) The report described in subsection (a) shall be
2 submitted concurrently to the Department of Justice Of-
3 fice of Inspector General (OIG) and, within 60 days of
4 receiving such report, the OIG shall provide an assessment
5 of such report to the Committees on Appropriations of the
6 House of Representatives and the Senate.

7 This title may be cited as the “Department of Justice
8 Appropriations Act, 2012”.

9 TITLE III

10 SCIENCE

11 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

12 For necessary expenses of the Office of Science and
13 Technology Policy, in carrying out the purposes of the Na-
14 tional Science and Technology Policy, Organization, and
15 Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of
16 passenger motor vehicles, and services as authorized by
17 5 U.S.C. 3109, not to exceed \$2,100 for official reception
18 and representation expenses, and rental of conference
19 rooms in the District of Columbia, \$6,000,000.

20 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

21 SCIENCE

22 For necessary expenses, not otherwise provided for,
23 in the conduct and support of science research and devel-
24 opment activities, including research, development, oper-
25 ations, support, and services; maintenance and repair, fa-

1 cility planning and design; space flight, spacecraft control,
2 and communications activities; program management; per-
3 sonnel and related costs, including uniforms or allowances
4 therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-
5 penses; purchase and hire of passenger motor vehicles; and
6 purchase, lease, charter, maintenance, and operation of
7 mission and administrative aircraft, \$5,100,000,000, to
8 remain available until September 30, 2013, of which up
9 to \$10,000,000 shall be available for a reimbursable agree-
10 ment with the Department of Energy for the purpose of
11 re-establishing facilities to produce fuel required for radio-
12 isotope thermoelectric generators to enable future mis-
13 sions: *Provided*, That the development cost (as defined
14 under 51 U.S.C. 30104) for the James Webb Space Tele-
15 scope shall not exceed \$8,000,000,000: *Provided further*,
16 That should the individual identified under subparagraph
17 (c)(2)(E) of section 30104 of title 51 as responsible for
18 the James Webb Space Telescope determine that the de-
19 velopment cost of the program is likely to exceed that limi-
20 tation, the individual shall immediately notify the Admin-
21 istrator and the increase shall be treated as if it meets
22 the 30 percent threshold described in subsection (f) of sec-
23 tion 30104 of title 51.

1 AERONAUTICS

2 For necessary expenses, not otherwise provided for,
3 in the conduct and support of aeronautics research and
4 development activities, including research, development,
5 operations, support, and services; maintenance and repair,
6 facility planning and design; space flight, spacecraft con-
7 trol, and communications activities; program manage-
8 ment; personnel and related costs, including uniforms or
9 allowances therefor, as authorized by 5 U.S.C. 5901–
10 5902; travel expenses; purchase and hire of passenger
11 motor vehicles; and purchase, lease, charter, maintenance,
12 and operation of mission and administrative aircraft,
13 \$501,000,000, to remain available until September 30,
14 2013.

15 SPACE TECHNOLOGY

16 For necessary expenses, not otherwise provided for,
17 in the conduct and support of space research and tech-
18 nology development activities, including research, develop-
19 ment, operations, support, and services; maintenance and
20 repair, facility planning and design; space flight, space-
21 craft control, and communications activities; program
22 management; personnel and related costs, including uni-
23 forms or allowances therefor, as authorized by 5 U.S.C.
24 5901–5902; travel expenses; purchase and hire of pas-
25 senger motor vehicles; and purchase, lease, charter, main-

1 tenance, and operation of mission and administrative air-
2 craft, \$637,000,000, to remain available until September
3 30, 2013.

4 EXPLORATION

5 For necessary expenses, not otherwise provided for,
6 in the conduct and support of exploration research and
7 development activities, including research, development,
8 operations, support, and services; maintenance and repair,
9 facility planning and design; space flight, spacecraft con-
10 trol, and communications activities; program manage-
11 ment, personnel and related costs, including uniforms or
12 allowances therefor, as authorized by 5 U.S.C. 5901–
13 5902; travel expenses; purchase and hire of passenger
14 motor vehicles; and purchase, lease, charter, maintenance,
15 and operation of mission and administrative aircraft,
16 \$3,775,000,000, to remain available until September 30,
17 2013: *Provided*, That not less than \$1,200,000,000 shall
18 be for the Orion multipurpose crew vehicle, not less than
19 \$1,800,000,000 shall be for the heavy lift launch vehicle
20 system which shall have a lift capacity not less than 130
21 tons and which shall have an upper stage and other core
22 elements developed simultaneously, \$500,000,000 shall be
23 for commercial spaceflight activities, and \$275,000,000
24 shall be for exploration research and development: *Pro-*
25 *vided further*, That \$192,600,000 of the funds provided

1 for commercial spaceflight activities shall only be available
2 after the NASA Administrator certifies to the Committees
3 on Appropriations, in writing, that NASA has published
4 the required notifications of NASA contract actions imple-
5 menting the acquisition strategy for the heavy lift launch
6 vehicle system identified in section 302 of Public Law
7 111–267 and has begun to execute relevant contract ac-
8 tions in support of development of the heavy lift launch
9 vehicle system: *Provided further*, That funds made avail-
10 able under this heading within this Act may be transferred
11 to “Construction and Environmental Compliance and Res-
12 toration” for construction activities related to the Orion
13 multipurpose crew vehicle and the heavy lift launch vehicle
14 system: *Provided further*, That funds so transferred shall
15 be subject to the 5 percent but shall not be subject to
16 the 10 percent transfer limitation described under the Ad-
17 ministrative Provisions in this Act for the National Aero-
18 nautics and Space Administration, shall be available until
19 September 30, 2017, and shall be treated as a reprogram-
20 ming under section 505 of this Act.

21 SPACE OPERATIONS

22 For necessary expenses, not otherwise provided for,
23 in the conduct and support of space operations research
24 and development activities, including research, develop-
25 ment, operations, support and services; space flight, space-

1 craft control and communications activities including oper-
2 ations, production, and services; maintenance and repair,
3 facility planning and design; program management; per-
4 sonnel and related costs, including uniforms or allowances
5 therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-
6 penses; purchase and hire of passenger motor vehicles; and
7 purchase, lease, charter, maintenance and operation of
8 mission and administrative aircraft, \$4,285,000,000, to
9 remain available until September 30, 2013: *Provided*,
10 That of the amounts provided under this heading, not
11 more than \$650,900,000 shall be for Space Shuttle oper-
12 ations, production, research, development, and support,
13 not more than \$2,803,500,000 shall be for International
14 Space Station operations, production, research, develop-
15 ment, and support, not more than \$168,000,000 shall be
16 for the 21st Century Launch Complex, and not more than
17 \$662,600,000 shall be for Space and Flight Support: *Pro-*
18 *vided further*, That funds made available under this head-
19 ing for 21st Century Launch Complex may be transferred
20 to “Construction and Environmental Compliance and Res-
21 toration” for construction activities only at NASA-owned
22 facilities: *Provided further*, That funds so transferred shall
23 not be subject to the transfer limitations described in the
24 Administrative Provisions in this Act for the National Aer-
25 onautics and Space Administration, shall be available until

1 September 30, 2017, and shall be treated as a reprogram-
2 ming under section 505 of this Act.

3 EDUCATION

4 For necessary expenses, not otherwise provided for,
5 in carrying out aerospace and aeronautical education re-
6 search and development activities, including research, de-
7 velopment, operations, support, and services; program
8 management; personnel and related costs, uniforms or al-
9 lowances therefor, as authorized by 5 U.S.C. 5901–5902;
10 travel expenses; purchase and hire of passenger motor ve-
11 hicles; and purchase, lease, charter, maintenance, and op-
12 eration of mission and administrative aircraft,
13 \$138,400,000, to remain available until September 30,
14 2013.

15 CROSS AGENCY SUPPORT

16 For necessary expenses, not otherwise provided for,
17 in the conduct and support of science, aeronautics, explo-
18 ration, space operations and education research and devel-
19 opment activities, including research, development, oper-
20 ations, support, and services; maintenance and repair, fa-
21 cility planning and design; space flight, spacecraft control,
22 and communications activities; program management; per-
23 sonnel and related costs, including uniforms or allowances
24 therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-
25 penses; purchase and hire of passenger motor vehicles; not

1 to exceed \$52,500 for official reception and representation
2 expenses; and purchase, lease, charter, maintenance, and
3 operation of mission and administrative aircraft,
4 \$3,043,073,000: *Provided*, That not less than
5 \$39,100,000 shall be available for independent verification
6 and validation activities: *Provided further*, That contracts
7 may be entered into under this heading in fiscal year 2012
8 for maintenance and operation of facilities, and for other
9 services, to be provided during the next fiscal year.

10 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
11 RESTORATION

12 For necessary expenses for construction of facilities
13 including repair, rehabilitation, revitalization, and modi-
14 fication of facilities, construction of new facilities and ad-
15 ditions to existing facilities, facility planning and design,
16 and restoration, and acquisition or condemnation of real
17 property, as authorized by law, and environmental compli-
18 ance and restoration, \$422,000,000, to remain available
19 until September 30, 2017: *Provided*, That hereafter, not-
20 withstanding section 315 of the National Aeronautics and
21 Space Act of 1958 (42 U.S.C. 2459j), all proceeds from
22 leases entered into under that section shall be deposited
23 into this account and shall be available for a period of
24 5 years, to the extent provided in annual appropriations
25 Acts: *Provided further*, That such proceeds shall be avail-

1 able for obligation for fiscal year 2012 in an amount not
2 to exceed \$3,960,000: *Provided further*, That each annual
3 budget request shall include an annual estimate of gross
4 receipts and collections and proposed use of all funds col-
5 lected pursuant to section 315 of the National Aeronautics
6 and Space Act of 1958 (42 U.S.C. 2459j).

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the Inspector General Act of 1978,
10 \$37,300,000.

11 ADMINISTRATIVE PROVISIONS

12 Funds for announced prizes otherwise authorized
13 shall remain available, without fiscal year limitation, until
14 the prize is claimed or the offer is withdrawn.

15 Not to exceed 5 percent of any appropriation made
16 available for the current fiscal year for the National Aero-
17 nautics and Space Administration in this Act may be
18 transferred between such appropriations, but no such ap-
19 propriation, except as otherwise specifically provided, shall
20 be increased by more than 10 percent by any such trans-
21 fers. Balances so transferred shall be merged with and
22 available for the same purposes and the same time period
23 as the appropriations to which transferred. Any transfer
24 pursuant to this provision shall be treated as a reprogram-
25 ming of funds under section 505 of this Act and shall not

1 be available for obligation except in compliance with the
2 procedures set forth in that section.

3 The unexpired balances of previous accounts, for ac-
4 tivities for which funds are provided under this Act, may
5 be transferred to the new accounts established in this Act
6 that provide such activity. Balances so transferred shall
7 be merged with the funds in the newly established ac-
8 counts, but shall be available under the same terms, condi-
9 tions and period of time as previously appropriated.

10 Section 40902 of title 51, United States Code, is
11 amended by adding at the end the following:

12 “(d) AVAILABILITY OF FUNDS.—The interest accru-
13 ing from the National Aeronautics and Space Administra-
14 tion Endeavor Teacher Fellowship Trust Fund principal
15 shall be available in fiscal year 2012 for the purpose of
16 the Endeavor Science Teacher Certificate Program.”.

17 Section 20145(b)(1) of title 51 is amended by insert-
18 ing “(A)” before “A person” and adding at the end there-
19 of the following new subparagraph (B) as follows:

20 “(B) Notwithstanding subparagraph (A),
21 the Administrator may accept in-kind consider-
22 ation for leases entered into for the purpose of
23 developing renewable energy production facili-
24 ties.”.

1 The spending plan required by section 540 of this Act
2 shall be provided by NASA at the theme, program, project
3 and activity level. The spending plan, as well as any subse-
4 quent change of an amount established in that spending
5 plan that meets the notification requirements of section
6 505 of this Act, shall be treated as a reprogramming
7 under section 505 of this Act and shall not be available
8 for obligation or expenditure except in compliance with the
9 procedures set forth in that section.

10 NATIONAL SCIENCE FOUNDATION
11 RESEARCH AND RELATED ACTIVITIES

12 For necessary expenses in carrying out the National
13 Science Foundation Act of 1950, as amended (42 U.S.C.
14 1861–1875), and the Act to establish a National Medal
15 of Science (42 U.S.C. 1880–1881); services as authorized
16 by 5 U.S.C. 3109; maintenance and operation of aircraft
17 and purchase of flight services for research support; acqui-
18 sition of aircraft; and authorized travel; \$5,443,000,000,
19 to remain available until September 30, 2013, of which
20 not to exceed \$550,000,000 shall remain available until
21 expended for polar research and operations support, and
22 for reimbursement to other Federal agencies for oper-
23 ational and science support and logistical and other re-
24 lated activities for the United States Antarctic program:
25 *Provided*, That receipts for scientific support services and

1 materials furnished by the National Research Centers and
2 other National Science Foundation supported research fa-
3 cilities may be credited to this appropriation: *Provided fur-*
4 *ther*, That not less than \$146,830,000 shall be available
5 for activities authorized by section 7002(c)(2)(A)(iv) of
6 Public Law 110–69: *Provided further*, That up to
7 \$100,000,000 of funds made available under this heading
8 within this Act may be transferred to “Major Research
9 Equipment and Facilities Construction”: *Provided further*,
10 That funds so transferred shall not be subject to the
11 transfer limitations described in the Administrative Provi-
12 sions in this Act for the National Science Foundation, and
13 shall be available until expended only after notification of
14 such transfer to the Committees on Appropriations.

15 MAJOR RESEARCH EQUIPMENT AND FACILITIES

16 CONSTRUCTION

17 For necessary expenses for the acquisition, construc-
18 tion, commissioning, and upgrading of major research
19 equipment, facilities, and other such capital assets pursu-
20 ant to the National Science Foundation Act of 1950, as
21 amended (42 U.S.C. 1861–1875), including authorized
22 travel, \$117,055,000, to remain available until expended:
23 *Provided*, That none of the funds may be used to reim-
24 burse the Judgment Fund.

1 EDUCATION AND HUMAN RESOURCES

2 For necessary expenses in carrying out science, math-
3 ematics and engineering education and human resources
4 programs and activities pursuant to the National Science
5 Foundation Act of 1950, as amended (42 U.S.C. 1861–
6 1875), including services as authorized by 5 U.S.C. 3109,
7 authorized travel, and rental of conference rooms in the
8 District of Columbia, \$829,000,000, to remain available
9 until September 30, 2013: *Provided*, That not less than
10 \$54,890,000 shall be available until expended for activities
11 authorized by section 7030 of Public Law 110–69.

12 AGENCY OPERATIONS AND AWARD MANAGEMENT

13 For agency operations and award management nec-
14 essary in carrying out the National Science Foundation
15 Act of 1950, as amended (42 U.S.C. 1861–1875); services
16 authorized by 5 U.S.C. 3109; hire of passenger motor ve-
17 hicles; not to exceed \$6,900 for official reception and rep-
18 resentation expenses; uniforms or allowances therefor, as
19 authorized by 5 U.S.C. 5901–5902; rental of conference
20 rooms in the District of Columbia; and reimbursement of
21 the Department of Homeland Security for security guard
22 services; \$290,400,000: *Provided*, That contracts may be
23 entered into under this heading in fiscal year 2012 for
24 maintenance and operation of facilities, and for other serv-
25 ices, to be provided during the next fiscal year.

1 OFFICE OF THE NATIONAL SCIENCE BOARD

2 For necessary expenses (including payment of sala-
3 ries, authorized travel, hire of passenger motor vehicles,
4 the rental of conference rooms in the District of Columbia,
5 and the employment of experts and consultants under sec-
6 tion 3109 of title 5, United States Code) involved in car-
7 rying out section 4 of the National Science Foundation
8 Act of 1950, as amended (42 U.S.C. 1863) and Public
9 Law 86-209 (42 U.S.C. 1880 et seq.), \$4,440,000: *Pro-*
10 *vided*, That not to exceed \$2,100 shall be available for offi-
11 cial reception and representation expenses.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General as authorized by the Inspector General Act of
15 1978, as amended, \$14,200,000.

16 ADMINISTRATIVE PROVISION

17 Not to exceed 5 percent of any appropriation made
18 available for the current fiscal year for the National
19 Science Foundation in this Act may be transferred be-
20 tween such appropriations, but no such appropriation shall
21 be increased by more than 10 percent by any such trans-
22 fers. Any transfer pursuant to this section shall be treated
23 as a reprogramming of funds under section 505 of this
24 Act and shall not be available for obligation except in com-
25 pliance with the procedures set forth in that section.

1 spector General of the Equal Employment Opportunity
2 Commission (EEOC) shall, by virtue of such appointment,
3 also hold the position of Inspector General of the Commis-
4 sion on Civil Rights: *Provided further*, That the Inspector
5 General of the Commission on Civil Rights shall utilize
6 personnel of the Office of Inspector General of EEOC in
7 performing the duties of the Inspector General of the
8 Commission on Civil Rights, and shall not appoint any in-
9 dividuals to positions within the Commission on Civil
10 Rights: *Provided further*, That of the amounts made avail-
11 able in this paragraph, \$800,000 shall be transferred di-
12 rectly to the Office of Inspector General of EEOC upon
13 enactment of this Act for salaries and expenses necessary
14 to carry out the duties of the Inspector General of the
15 Commission on Civil Rights.

16 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Equal Employment
19 Opportunity Commission as authorized by title VII of the
20 Civil Rights Act of 1964, the Age Discrimination in Em-
21 ployment Act of 1967, the Equal Pay Act of 1963, the
22 Americans with Disabilities Act of 1990, the Civil Rights
23 Act of 1991, the Genetic Information Non-Discrimination
24 Act (GINA) of 2008 (Public Law 110–233), the ADA
25 Amendments Act of 2008 (Public Law 110–325), and the

1 Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–
2 2), including services as authorized by 5 U.S.C. 3109; hire
3 of passenger motor vehicles as authorized by 31 U.S.C.
4 1343(b); and nonmonetary awards to private citizens,
5 \$329,837,000: *Provided*, That the Commission is author-
6 ized to make available for official reception and represen-
7 tation expenses not to exceed \$1,875 from available funds:
8 *Provided further*, That the Commission may take no action
9 to implement any workforce repositioning, restructuring,
10 or reorganization until such time as the Committees on
11 Appropriations have been notified of such proposals, in ac-
12 cordance with the reprogramming requirements of section
13 505 of this Act: *Provided further*, That the Chair is au-
14 thorized to accept and use any gift or donation to carry
15 out the work of the Commission.

16 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

17 For payments to State and local enforcement agen-
18 cies for authorized services to the Commission,
19 \$29,400,000.

20 INTERNATIONAL TRADE COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the International Trade
23 Commission, including hire of passenger motor vehicles,
24 and services as authorized by 5 U.S.C. 3109, and not to

1 exceed \$1,875 for official reception and representation ex-
2 penses, \$80,062,000, to remain available until expended.

3 LEGAL SERVICES CORPORATION

4 PAYMENT TO THE LEGAL SERVICES CORPORATION

5 For payment to the Legal Services Corporation to
6 carry out the purposes of the Legal Services Corporation
7 Act of 1974, \$396,106,000, of which \$370,506,000 is for
8 basic field programs and required independent audits;
9 \$4,200,000 is for the Office of Inspector General, of which
10 such amounts as may be necessary may be used to conduct
11 additional audits of recipients; \$17,000,000 is for manage-
12 ment and grants oversight; \$3,400,000 is for client self-
13 help and information technology; and \$1,000,000 is for
14 loan repayment assistance: *Provided*, That the Legal Serv-
15 ices Corporation may continue to provide locality pay to
16 officers and employees at a rate no greater than that pro-
17 vided by the Federal Government to Washington, DC-
18 based employees as authorized by 5 U.S.C. 5304, notwith-
19 standing section 1005(d) of the Legal Services Corpora-
20 tion Act, 42 U.S.C. 2996(d): *Provided further*, That the
21 authorities provided in section 205 of this Act shall be
22 applicable to the Legal Services Corporation.

1 ADMINISTRATIVE PROVISION—LEGAL SERVICES
2 CORPORATION

3 None of the funds appropriated in this Act to the
4 Legal Services Corporation shall be expended for any pur-
5 pose prohibited or limited by, or contrary to any of the
6 provisions of, sections 501, 502, 503, 504, 505, and 506
7 of Public Law 105–119, and all funds appropriated in this
8 Act to the Legal Services Corporation shall be subject to
9 the same terms and conditions set forth in such sections,
10 except that all references in sections 502 and 503 to 1997
11 and 1998 shall be deemed to refer instead to 2011 and
12 2012, respectively.

13 Section 504 of the Departments of Commerce, Jus-
14 tice, and State, the Judiciary, and Related Agencies Ap-
15 propriations Act, 1996 (as contained in Public Law 104–
16 134) is amended:

17 (1) in subsection (a), in the matter preceding
18 paragraph (1), by inserting after “)” the following:
19 “that uses Federal funds (or funds from any source
20 with regard to paragraphs (14) and (15) in a man-
21 ner”;

22 (2) by striking subsection (d); and

23 (3) by redesignating subsections (e) and (f) as
24 subsections (d) and (e), respectively.

1 MARINE MAMMAL COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Marine Mammal Com-
4 mission as authorized by title II of Public Law 92-522,
5 \$3,025,000.

6 OFFICE OF THE UNITED STATES TRADE

7 REPRESENTATIVE

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the United
10 States Trade Representative, including the hire of pas-
11 senger motor vehicles and the employment of experts and
12 consultants as authorized by 5 U.S.C. 3109, \$46,775,000,
13 of which \$1,000,000 shall remain available until expended:
14 *Provided*, That not to exceed \$93,000 shall be available
15 for official reception and representation expenses.

16 STATE JUSTICE INSTITUTE

17 SALARIES AND EXPENSES

18 For necessary expenses of the State Justice Institute,
19 as authorized by the State Justice Institute Authorization
20 Act of 1984 (42 U.S.C. 10701 et seq.) \$5,019,000, of
21 which \$500,000 shall remain available until September 30,
22 2013: *Provided*, That not to exceed \$1,875 shall be avail-
23 able for official reception and representation expenses.

1 COMMISSION ON WARTIME RELOCATION AND INTERN-
2 MENT OF LATIN AMERICANS OF JAPANESE DE-
3 SCENT

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out the activities of
6 the Commission on Wartime Relocation and Internment
7 of Latin Americans of Japanese Descent, as authorized
8 by section 541 of this Act, \$1,700,000 shall be available
9 until expended.

10 TITLE V

11 GENERAL PROVISIONS

12 SEC. 501. No part of any appropriation contained in
13 this Act shall be used for publicity or propaganda purposes
14 not authorized by the Congress.

15 SEC. 502. No part of any appropriation contained in
16 this Act shall remain available for obligation beyond the
17 current fiscal year unless expressly so provided herein.

18 SEC. 503. The expenditure of any appropriation
19 under this Act for any consulting service through procure-
20 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
21 to those contracts where such expenditures are a matter
22 of public record and available for public inspection, except
23 where otherwise provided under existing law, or under ex-
24 isting Executive order issued pursuant to existing law.

1 SEC. 504. If any provision of this Act or the applica-
2 tion of such provision to any person or circumstances shall
3 be held invalid, the remainder of the Act and the applica-
4 tion of each provision to persons or circumstances other
5 than those as to which it is held invalid shall not be af-
6 fected thereby.

7 SEC. 505. (a) None of the funds provided under this
8 Act, or provided under previous appropriations Acts to the
9 agencies funded by this Act that remain available for obli-
10 gation or expenditure in fiscal year 2012, or provided from
11 any accounts in the Treasury of the United States derived
12 by the collection of fees available to the agencies funded
13 by this Act, shall be available for obligation or expenditure
14 through the reprogramming of funds that—

15 (1) creates or initiates a new program, project
16 or activity, unless the House and Senate Committees
17 on Appropriations are notified 15 days in advance of
18 such reprogramming of funds;

19 (2) eliminates a program, project or activity,
20 unless the House and Senate Committees on Appro-
21 priations are notified 15 days in advance of such re-
22 programming of funds;

23 (3) increases funds or personnel by any means
24 for any project or activity for which funds have been
25 denied or restricted by this Act, unless the House

1 and Senate Committees on Appropriations are noti-
2 fied 15 days in advance of such reprogramming of
3 funds;

4 (4) relocates an office or employees, unless the
5 House and Senate Committees on Appropriations
6 are notified 15 days in advance of such reprogram-
7 ming of funds;

8 (5) reorganizes or renames offices, programs or
9 activities, unless the House and Senate Committees
10 on Appropriations are notified 15 days in advance of
11 such reprogramming of funds;

12 (6) contracts out or privatizes any functions or
13 activities presently performed by Federal employees,
14 unless the House and Senate Committees on Appro-
15 priations are notified 15 days in advance of such re-
16 programming of funds;

17 (7) proposes to use funds directed for a specific
18 activity by either the House or Senate Committee on
19 Appropriations for a different purpose, unless the
20 House and Senate Committees on Appropriations
21 are notified 15 days in advance of such reprogram-
22 ming of funds;

23 (8) augments funds for existing programs,
24 projects or activities in excess of \$500,000 or 10
25 percent, whichever is less, or reduces by 10 percent

1 funding for any program, project or activity, or
2 numbers of personnel by 10 percent as approved by
3 Congress, unless the House and Senate Committees
4 on Appropriations are notified 15 days in advance of
5 such reprogramming of funds; or

6 (9) results from any general savings, including
7 savings from a reduction in personnel, which would
8 result in a change in existing programs, projects or
9 activities as approved by Congress, unless the House
10 and Senate Committees on Appropriations are noti-
11 fied 15 days in advance of such reprogramming of
12 funds.

13 (b) None of the funds in provided under this Act, or
14 provided under previous appropriations Acts to the agen-
15 cies funded by this Act that remain available for obligation
16 or expenditure in fiscal year 2012, or provided from any
17 accounts in the Treasury of the United States derived by
18 the collection of fees available to the agencies funded by
19 this Act, shall be available for obligation or expenditure
20 through the reprogramming of funds after August 1, ex-
21 cept in extraordinary circumstances, and only after the
22 House and Senate Committees on Appropriations are noti-
23 fied 30 days in advance of such reprogramming of funds.

24 SEC. 506. Hereafter, none of the funds made avail-
25 able in this or any other Act may be used to implement,

1 administer, or enforce any guidelines of the Equal Em-
2 ployment Opportunity Commission covering harassment
3 based on religion, when it is made known to the Federal
4 entity or official to which such funds are made available
5 that such guidelines do not differ in any respect from the
6 proposed guidelines published by the Commission on Octo-
7 ber 1, 1993 (58 Fed. Reg. 51266).

8 SEC. 507. If it has been finally determined by a court
9 or Federal agency that any person intentionally affixed a
10 label bearing a “Made in America” inscription, or any in-
11 scription with the same meaning, to any product sold in
12 or shipped to the United States that is not made in the
13 United States, the person shall be ineligible to receive any
14 contract or subcontract made with funds made available
15 in this Act, pursuant to the debarment, suspension, and
16 ineligibility procedures described in sections 9.400 through
17 9.409 of title 48, Code of Federal Regulations.

18 SEC. 508. The Departments of Commerce and Jus-
19 tice, the National Science Foundation, and the National
20 Aeronautics and Space Administration, shall provide to
21 the House and Senate Committees on Appropriations a
22 quarterly accounting of the cumulative balances of any un-
23 obligated funds that were received by such agency during
24 any previous fiscal year.

1 SEC. 509. Any costs incurred by a department or
2 agency funded under this Act resulting from, or to pre-
3 vent, personnel actions taken in response to funding re-
4 ductions included in this Act shall be absorbed within the
5 total budgetary resources available to such department or
6 agency: *Provided*, That the authority to transfer funds be-
7 tween appropriations accounts as may be necessary to
8 carry out this section is provided in addition to authorities
9 included elsewhere in this Act: *Provided further*, That use
10 of funds to carry out this section shall be treated as a
11 reprogramming of funds under section 505 of this Act and
12 shall not be available for obligation or expenditure except
13 in compliance with the procedures set forth in that section.

14 SEC. 510. None of the funds provided by this Act
15 shall be available to promote the sale or export of tobacco
16 or tobacco products, or to seek the reduction or removal
17 by any foreign country of restrictions on the marketing
18 of tobacco or tobacco products, except for restrictions
19 which are not applied equally to all tobacco or tobacco
20 products of the same type.

21 SEC. 511. None of the funds appropriated pursuant
22 to this Act or any other provision of law may be used for—
23 (1) the implementation of any tax or fee in con-
24 nection with the implementation of subsection 922(t)
25 of title 18, United States Code; and

1 (2) any system to implement subsection 922(t)
2 of title 18, United States Code, that does not re-
3 quire and result in the destruction of any identifying
4 information submitted by or on behalf of any person
5 who has been determined not to be prohibited from
6 possessing or receiving a firearm no more than 24
7 hours after the system advises a Federal firearms li-
8 censee that possession or receipt of a firearm by the
9 prospective transferee would not violate subsection
10 (g) or (n) of section 922 of title 18, United States
11 Code, or State law.

12 SEC. 512. Notwithstanding any other provision of
13 law, amounts deposited or available in the Fund estab-
14 lished under 42 U.S.C. 10601 in any fiscal year in excess
15 of \$705,000,000 shall not be available for obligation until
16 the following fiscal year.

17 SEC. 513. None of the funds made available to the
18 Department of Justice in this Act may be used to discrimi-
19 nate against or denigrate the religious or moral beliefs of
20 students who participate in programs for which financial
21 assistance is provided from those funds, or of the parents
22 or legal guardians of such students.

23 SEC. 514. None of the funds made available in this
24 Act may be transferred to any department, agency, or in-
25 strumentality of the United States Government, except

1 pursuant to a transfer made by, or transfer authority pro-
2 vided in, this Act or any other appropriations Act.

3 SEC. 515. Any funds provided in this Act used to im-
4 plement E-Government Initiatives shall be subject to the
5 procedures set forth in section 505 of this Act.

6 SEC. 516. (a) Tracing studies conducted by the Bu-
7 reau of Alcohol, Tobacco, Firearms and Explosives are re-
8 leased without adequate disclaimers regarding the limita-
9 tions of the data.

10 (b) The Bureau of Alcohol, Tobacco, Firearms and
11 Explosives shall include in all such data releases, language
12 similar to the following that would make clear that trace
13 data cannot be used to draw broad conclusions about fire-
14 arms-related crime:

15 (1) Firearm traces are designed to assist law
16 enforcement authorities in conducting investigations
17 by tracking the sale and possession of specific fire-
18 arms. Law enforcement agencies may request fire-
19 arms traces for any reason, and those reasons are
20 not necessarily reported to the Federal Government.
21 Not all firearms used in crime are traced and not all
22 firearms traced are used in crime.

23 (2) Firearms selected for tracing are not chosen
24 for purposes of determining which types, makes, or
25 models of firearms are used for illicit purposes. The

1 firearms selected do not constitute a random sample
2 and should not be considered representative of the
3 larger universe of all firearms used by criminals, or
4 any subset of that universe. Firearms are normally
5 traced to the first retail seller, and sources reported
6 for firearms traced do not necessarily represent the
7 sources or methods by which firearms in general are
8 acquired for use in crime.

9 SEC. 517. (a) The Inspectors General of the Depart-
10 ment of Commerce, the Department of Justice, the Na-
11 tional Aeronautics and Space Administration, the Na-
12 tional Science Foundation, and the Legal Services Cor-
13 poration shall conduct audits, pursuant to the Inspector
14 General Act (5 U.S.C. App.), of grants or contracts for
15 which funds are appropriated by this Act, and shall submit
16 reports to Congress on the progress of such audits, which
17 may include preliminary findings and a description of
18 areas of particular interest, within 180 days after initi-
19 ating such an audit and every 180 days thereafter until
20 any such audit is completed.

21 (b) Within 60 days after the date on which an audit
22 described in subsection (a) by an Inspector General is
23 completed, the Secretary, Attorney General, Adminis-
24 trator, Director, or President, as appropriate, shall make
25 the results of the audit available to the public on the Inter-

1 net website maintained by the Department, Administra-
2 tion, Foundation, or Corporation, respectively. The results
3 shall be made available in redacted form to exclude—

4 (1) any matter described in section 552(b) of
5 title 5, United States Code; and

6 (2) sensitive personal information for any indi-
7 vidual, the public access to which could be used to
8 commit identity theft or for other inappropriate or
9 unlawful purposes.

10 (c) A grant or contract funded by amounts appro-
11 priated by this Act may not be used for the purpose of
12 defraying the costs of a banquet or conference that is not
13 directly and programmatically related to the purpose for
14 which the grant or contract was awarded, such as a ban-
15 quet or conference held in connection with planning, train-
16 ing, assessment, review, or other routine purposes related
17 to a project funded by the grant or contract.

18 (d) Any person awarded a grant or contract funded
19 by amounts appropriated by this Act shall submit a state-
20 ment to the Secretary of Commerce, the Attorney General,
21 the Administrator, Director, or President, as appropriate,
22 certifying that no funds derived from the grant or contract
23 will be made available through a subcontract or in any
24 other manner to another person who has a financial inter-
25 est in the person awarded the grant or contract.

1 (e) The provisions of the preceding subsections of this
2 section shall take effect 30 days after the date on which
3 the Director of the Office of Management and Budget, in
4 consultation with the Director of the Office of Government
5 Ethics, determines that a uniform set of rules and require-
6 ments, substantially similar to the requirements in such
7 subsections, consistently apply under the executive branch
8 ethics program to all Federal departments, agencies, and
9 entities.

10 SEC. 518. None of the funds appropriated or other-
11 wise made available under this Act may be used to issue
12 patents on claims directed to or encompassing a human
13 organism.

14 SEC. 519. None of the funds made available in this
15 Act shall be used in any way whatsoever to support or
16 justify the use of torture by any official or contract em-
17 ployee of the United States Government.

18 SEC. 520. (a) Notwithstanding any other provision
19 of law or treaty, none of the funds appropriated or other-
20 wise made available under this Act or any other Act may
21 be expended or obligated by a department, agency, or in-
22 strumentality of the United States to pay administrative
23 expenses or to compensate an officer or employee of the
24 United States in connection with requiring an export li-
25 cense for the export to Canada of components, parts, ac-

1 cessories or attachments for firearms listed in Category
2 I, section 121.1 of title 22, Code of Federal Regulations
3 (International Trafficking in Arms Regulations (ITAR),
4 part 121, as it existed on April 1, 2005) with a total value
5 not exceeding \$500 wholesale in any transaction, provided
6 that the conditions of subsection (b) of this section are
7 met by the exporting party for such articles.

8 (b) The foregoing exemption from obtaining an ex-
9 port license—

10 (1) does not exempt an exporter from filing any
11 Shipper's Export Declaration or notification letter
12 required by law, or from being otherwise eligible
13 under the laws of the United States to possess, ship,
14 transport, or export the articles enumerated in sub-
15 section (a); and

16 (2) does not permit the export without a license
17 of—

18 (A) fully automatic firearms and compo-
19 nents and parts for such firearms, other than
20 for end use by the Federal Government, or a
21 Provincial or Municipal Government of Canada;

22 (B) barrels, cylinders, receivers (frames) or
23 complete breech mechanisms for any firearm
24 listed in Category I, other than for end use by

1 the Federal Government, or a Provincial or Mu-
2 nicipal Government of Canada; or

3 (C) articles for export from Canada to an-
4 other foreign destination.

5 (e) In accordance with this section, the District Di-
6 rectors of Customs and postmasters shall permit the per-
7 manent or temporary export without a license of any un-
8 classified articles specified in subsection (a) to Canada for
9 end use in Canada or return to the United States, or tem-
10 porary import of Canadian-origin items from Canada for
11 end use in the United States or return to Canada for a
12 Canadian citizen.

13 (d) The President may require export licenses under
14 this section on a temporary basis if the President deter-
15 mines, upon publication first in the Federal Register, that
16 the Government of Canada has implemented or main-
17 tained inadequate import controls for the articles specified
18 in subsection (a), such that a significant diversion of such
19 articles has and continues to take place for use in inter-
20 national terrorism or in the escalation of a conflict in an-
21 other nation. The President shall terminate the require-
22 ments of a license when reasons for the temporary require-
23 ments have ceased.

24 SEC. 521. Notwithstanding any other provision of
25 law, no department, agency, or instrumentality of the

1 United States receiving appropriated funds under this Act
2 or any other Act shall obligate or expend in any way such
3 funds to pay administrative expenses or the compensation
4 of any officer or employee of the United States to deny
5 any application submitted pursuant to 22 U.S.C.
6 2778(b)(1)(B) and qualified pursuant to 27 CFR section
7 478.112 or .113, for a permit to import United States ori-
8 gin “curios or relics” firearms, parts, or ammunition.

9 SEC. 522. None of the funds made available in this
10 Act may be used to include in any new bilateral or multi-
11 lateral trade agreement the text of—

12 (1) paragraph 2 of article 16.7 of the United
13 States-Singapore Free Trade Agreement;

14 (2) paragraph 4 of article 17.9 of the United
15 States-Australia Free Trade Agreement; or

16 (3) paragraph 4 of article 15.9 of the United
17 States-Morocco Free Trade Agreement.

18 SEC. 523. None of the funds made available in this
19 Act may be used to authorize or issue a national security
20 letter in contravention of any of the following laws author-
21 izing the Federal Bureau of Investigation to issue national
22 security letters: The Right to Financial Privacy Act; The
23 Electronic Communications Privacy Act; The Fair Credit
24 Reporting Act; The National Security Act of 1947; USA
25 PATRIOT Act; and the laws amended by these Acts.

1 SEC. 524. If at any time during any quarter, the pro-
2 gram manager of a project within the jurisdiction of the
3 Departments of Commerce or Justice, the National Aero-
4 nautics and Space Administration, or the National Science
5 Foundation totaling more than \$75,000,000 has reason-
6 able cause to believe that the total program cost has in-
7 creased by 10 percent, the program manager shall imme-
8 diately inform the Secretary, Administrator, or Director.
9 The Secretary, Administrator, or Director shall notify the
10 House and Senate Committees on Appropriations within
11 30 days in writing of such increase, and shall include in
12 such notice: the date on which such determination was
13 made; a statement of the reasons for such increases; the
14 action taken and proposed to be taken to control future
15 cost growth of the project; changes made in the perform-
16 ance or schedule milestones and the degree to which such
17 changes have contributed to the increase in total program
18 costs or procurement costs; new estimates of the total
19 project or procurement costs; and a statement validating
20 that the project's management structure is adequate to
21 control total project or procurement costs.

22 SEC. 525. Funds appropriated by this Act, or made
23 available by the transfer of funds in this Act, for intel-
24 ligence or intelligence related activities are deemed to be
25 specifically authorized by the Congress for purposes of sec-

1 tion 504 of the National Security Act of 1947 (50 U.S.C.
2 414) during fiscal year 2012 until the enactment of the
3 Intelligence Authorization Act for fiscal year 2012.

4 SEC. 526. The Departments, agencies, and commis-
5 sions funded under this Act, shall establish and maintain
6 on the homepages of their Internet websites—

7 (1) a direct link to the Internet websites of
8 their Offices of Inspectors General; and

9 (2) a mechanism on the Offices of Inspectors
10 General website by which individuals may anony-
11 mously report cases of waste, fraud, or abuse with
12 respect to those Departments, agencies, and commis-
13 sions.

14 SEC. 527. None of the funds appropriated or other-
15 wise made available by this Act may be used to enter into
16 a contract in an amount greater than \$5,000,000 or to
17 award a grant in excess of such amount unless the pro-
18 spective contractor or grantee certifies in writing to the
19 agency awarding the contract or grant that, to the best
20 of its knowledge and belief, the contractor or grantee has
21 filed all Federal tax returns required during the three
22 years preceding the certification, has not been convicted
23 of a criminal offense under the Internal Revenue Code of
24 1986, and has not, more than 90 days prior to certifi-
25 cation, been notified of any unpaid Federal tax assessment

1 for which the liability remains unsatisfied, unless the as-
2 sessment is the subject of an installment agreement or
3 offer in compromise that has been approved by the Inter-
4 nal Revenue Service and is not in default, or the assess-
5 ment is the subject of a non-frivolous administrative or
6 judicial proceeding.

7 SEC. 528. None of the funds appropriated or other-
8 wise made available in this Act may be used in a manner
9 that is inconsistent with the principal negotiating objective
10 of the United States with respect to trade remedy laws
11 to preserve the ability of the United States—

12 (1) to enforce vigorously its trade laws, includ-
13 ing antidumping, countervailing duty, and safeguard
14 laws;

15 (2) to avoid agreements that—

16 (A) lessen the effectiveness of domestic
17 and international disciplines on unfair trade, es-
18 pecially dumping and subsidies; or

19 (B) lessen the effectiveness of domestic
20 and international safeguard provisions, in order
21 to ensure that United States workers, agricul-
22 tural producers, and firms can compete fully on
23 fair terms and enjoy the benefits of reciprocal
24 trade concessions; and

1 (2) “Legal Activities, Assets Forfeiture Fund”,
2 \$620,000,000;

3 (3) “United States Marshals Service, Salaries
4 and Expenses”, \$7,200,000;

5 (4) “Drug Enforcement Administration, Sala-
6 ries and Expenses”, \$30,000,000;

7 (5) “Federal Prison System, Buildings and Fa-
8 cilities”, \$35,000,000;

9 (6) “Office of Justice Programs”, \$42,600,000;

10 (7) “Community Oriented Policing Services”,
11 \$10,200,000; and

12 (8) “Office on Violence Against Women”,
13 \$5,000,000.

14 (d) Within 30 days of enactment of this Act, the De-
15 partment of Justice shall submit to the Committees on
16 Appropriations of the House of Representatives and the
17 Senate a report specifying the amount of each rescission
18 made pursuant to this section.

19 (e) The rescissions contained in this section shall not
20 apply to funds provided in this Act.

21 SEC. 530. None of the funds made available in this
22 Act may be used to purchase first class or premium airline
23 travel in contravention of sections 301–10.122 through
24 301–10.124 of title 41 of the Code of Federal Regulations.

1 SEC. 531. None of the funds made available in this
2 Act may be used to send or otherwise pay for the attend-
3 ance of more than 50 employees from a Federal depart-
4 ment or agency at any single conference occurring outside
5 the United States.

6 SEC. 532. None of the funds appropriated or other-
7 wise made available in this or any other Act may be used
8 to transfer, release, or assist in the transfer or release to
9 or within the United States, its territories, or possessions
10 Khalid Sheikh Mohammed or any other detainee who—

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

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

16 SEC. 533. (a) None of the funds appropriated or oth-
17 erwise made available in this or any other Act may be used
18 to construct, acquire, or modify any facility in the United
19 States, its territories, or possessions to house any indi-
20 vidual described in subsection (c) for the purposes of de-
21 tention or imprisonment in the custody or under the effec-
22 tive control of the Department of Defense.

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

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

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

7 (2) is—

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

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

12 SEC. 534. None of the funds made available under
13 this Act may be distributed to the Association of Commu-
14 nity Organizations for Reform Now (ACORN) or its sub-
15 sidiaries.

16 SEC. 535. To the extent practicable, funds made
17 available in this Act should be used to purchase light bulbs
18 that are “Energy Star” qualified or have the “Federal En-
19 ergy Management Program” designation.

20 SEC. 536. The Director of the Office of Management
21 and Budget shall instruct any department, agency, or in-
22 strumentality of the United States Government receiving
23 funds appropriated under this Act to track undisbursed
24 balances in expired grant accounts and include in its an-

1 nual performance plan and performance and account-
2 ability reports the following:

3 (1) Details on future action the department,
4 agency, or instrumentality will take to resolve
5 undisbursed balances in expired grant accounts.

6 (2) The method that the department, agency, or
7 instrumentality uses to track undisbursed balances
8 in expired grant accounts.

9 (3) Identification of undisbursed balances in ex-
10 pired grant accounts that may be returned to the
11 Treasury of the United States.

12 (4) In the preceding 3 fiscal years, details on
13 the total number of expired grant accounts with
14 undisbursed balances (on the first day of each fiscal
15 year) for the department, agency, or instrumentality
16 and the total finances that have not been obligated
17 to a specific project remaining in the accounts.

18 SEC. 537. None of the funds made available in this
19 Act may be used to relocate the Bureau of the Census
20 or employees from the Department of Commerce to the
21 jurisdiction of the Executive Office of the President.

22 SEC. 538. (a) The head of any department, agency,
23 board or commission funded by this Act shall submit quar-
24 terly reports to the Inspector General, or the senior ethics
25 official for any entity without an inspector general, of the

1 appropriate department, agency, board or commission re-
2 garding the costs and contracting procedures relating to
3 each conference held by the department, agency, board or
4 commission during fiscal year 2012 for which the cost to
5 the Government was more than \$20,000.

6 (b) Each report submitted under subsection (a) shall
7 include, for each conference described in that subsection
8 held during the applicable quarter—

9 (1) a description of the subject of and number
10 of participants attending that conference;

11 (2) a detailed statement of the costs to the Gov-
12 ernment relating to that conference, including—

13 (A) the cost of any food or beverages;

14 (B) the cost of any audio-visual services;

15 and

16 (C) a discussion of the methodology used
17 to determine which costs relate to that con-
18 ference; and

19 (3) a description of the contracting procedures
20 relating to that conference, including—

21 (A) whether contracts were awarded on a
22 competitive basis for that conference; and

23 (B) a discussion of any cost comparison
24 conducted by the department, agency, board or

1 commission in evaluating potential contractors
2 for that conference.

3 SEC. 539. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

7 (b) Nothing in subsection (a) shall limit the use of
8 funds necessary for any Federal, State, tribal, or local law
9 enforcement agency or any other entity carrying out crimi-
10 nal investigations, prosecution, or adjudication activities.

11 SEC. 540. The Departments of Commerce and Jus-
12 tice, the National Aeronautics and Space Administration,
13 and the National Science Foundation are directed to sub-
14 mit spending plans, signed by the respective department
15 or agency head, to the House and Senate Committees on
16 Appropriations within 30 days of enactment of this Act.

17 COMMISSION ON WARTIME RELOCATION AND INTERN-
18 MENT OF LATIN AMERICANS OF JAPANESE DESCENT

19 SEC. 541. (a) FINDINGS.—Based on a preliminary
20 study published in December 1982 by the Commission on
21 Wartime Relocation and Internment of Civilians, Congress
22 finds the following:

23 (1) During World War II, the United States—
24 (A) expanded its internment program and
25 national security investigations to conduct the

1 program and investigations in Latin America;
2 and

3 (B) financed relocation to the United
4 States, and internment, of approximately 2,300
5 Latin Americans of Japanese descent, for the
6 purpose of exchanging the Latin Americans of
7 Japanese descent for United States citizens
8 held by Axis countries.

9 (2) Approximately 2,300 men, women, and chil-
10 dren of Japanese descent from 13 Latin American
11 countries were held in the custody of the Depart-
12 ment of State in internment camps operated by the
13 Immigration and Naturalization Service from 1941
14 through 1948.

15 (3) Those men, women, and children either—

16 (A) were arrested without a warrant, hear-
17 ing, or indictment by local police, and sent to
18 the United States for internment; or

19 (B) in some cases involving women and
20 children, voluntarily entered internment camps
21 to remain with their arrested husbands, fathers,
22 and other male relatives.

23 (4) Passports held by individuals who were
24 Latin Americans of Japanese descent were routinely
25 confiscated before the individuals arrived in the

1 United States, and the Department of State ordered
2 United States consuls in Latin American countries
3 to refuse to issue visas to the individuals prior to de-
4 parture.

5 (5) Despite their involuntary arrival, Latin
6 American internees of Japanese descent were consid-
7 ered to be and treated as illegal entrants by the Im-
8 migration and Naturalization Service. Thus, the in-
9 ternees became illegal aliens in United States cus-
10 tody who were subject to deportation proceedings for
11 immediate removal from the United States. In some
12 cases, Latin American internees of Japanese descent
13 were deported to Axis countries to enable the United
14 States to conduct prisoner exchanges.

15 (6) Approximately 2,300 men, women, and chil-
16 dren of Japanese descent were relocated from their
17 homes in Latin America, detained in internment
18 camps in the United States, and in some cases, de-
19 ported to Axis countries to enable the United States
20 to conduct prisoner exchanges.

21 (7) The Commission on Wartime Relocation
22 and Internment of Civilians studied Federal actions
23 conducted pursuant to Executive Order 9066 (relat-
24 ing to authorizing the Secretary of War to prescribe
25 military areas). Although the United States program

1 of interning Latin Americans of Japanese descent
2 was not conducted pursuant to Executive Order
3 9066, an examination of that extraordinary program
4 is necessary to establish a complete account of Fed-
5 eral actions to detain and intern civilians of enemy
6 or foreign nationality, particularly of Japanese de-
7 scent. Although historical documents relating to the
8 program exist in distant archives, the Commission
9 on Wartime Relocation and Internment of Civilians
10 did not research those documents.

11 (8) Latin American internees of Japanese de-
12 scent were a group not covered by the Civil Liberties
13 Act of 1988 (50 U.S.C. App. 1989b et seq.), which
14 formally apologized and provided compensation pay-
15 ments to former Japanese Americans interned pur-
16 suant to Executive Order 9066.

17 (b) PURPOSE.—The purpose of this section is to es-
18 tablish a fact-finding Commission to extend the study of
19 the Commission on Wartime Relocation and Internment
20 of Civilians to investigate and determine facts and cir-
21 cumstances surrounding the relocation, internment, and
22 deportation to Axis countries of Latin Americans of Japa-
23 nese descent from December 1941 through February
24 1948, and the impact of those actions by the United
25 States, and to recommend appropriate remedies, if any,

1 based on preliminary findings by the original Commission
2 and new discoveries.

3 (c) ESTABLISHMENT OF THE COMMISSION.—

4 (1) IN GENERAL.—There is established the
5 Commission on Wartime Relocation and Internment
6 of Latin Americans of Japanese descent (referred to
7 in this section as the “Commission”).

8 (2) COMPOSITION.—The Commission shall be
9 composed of 9 members, who shall be appointed not
10 later than 60 days after the date of enactment of
11 this section, of whom—

12 (A) 3 members shall be appointed by the
13 President;

14 (B) 3 members shall be appointed by the
15 Speaker of the House of Representatives, on
16 the joint recommendation of the majority leader
17 of the House of Representatives and the minor-
18 ity leader of the House of Representatives; and

19 (C) 3 members shall be appointed by the
20 President pro tempore of the Senate, on the
21 joint recommendation of the majority leader of
22 the Senate and the minority leader of the Sen-
23 ate.

24 (3) PERIOD OF APPOINTMENT; VACANCIES.—
25 Members shall be appointed for the life of the Com-

1 mission. A vacancy in the Commission shall not af-
2 fect its powers, but shall be filled in the same man-
3 ner as the original appointment was made.

4 (4) MEETINGS.—

5 (A) FIRST MEETING.—The President shall
6 call the first meeting of the Commission not
7 later than the later of—

8 (i) 60 days after the date of enact-
9 ment of this section; or

10 (ii) 30 days after the date of enact-
11 ment of legislation making appropriations
12 to carry out this section.

13 (B) SUBSEQUENT MEETINGS.—Except as
14 provided in subparagraph (A), the Commission
15 shall meet at the call of the Chairperson.

16 (5) QUORUM.—Five members of the Commis-
17 sion shall constitute a quorum, but a lesser number
18 of members may hold hearings.

19 (6) CHAIRPERSON AND VICE CHAIRPERSON.—
20 The Commission shall elect a Chairperson and Vice
21 Chairperson from among its members. The Chair-
22 person and Vice Chairperson shall serve for the life
23 of the Commission.

24 (d) DUTIES OF THE COMMISSION.—

25 (1) IN GENERAL.—The Commission shall—

1 (A) extend the study of the Commission on
2 Wartime Relocation and Internment of Civil-
3 ians, established by the Commission on War-
4 time Relocation and Internment of Civilians
5 Act—

6 (i) to investigate and determine facts
7 and circumstances surrounding the United
8 States' relocation, internment, and depor-
9 tation to Axis countries of Latin Ameri-
10 cans of Japanese descent from December
11 1941 through February 1948, and the im-
12 pact of those actions by the United States;
13 and

14 (ii) in investigating those facts and
15 circumstances, to review directives of the
16 United States Armed Forces and the De-
17 partment of State requiring the relocation,
18 detention in internment camps, and depor-
19 tation to Axis countries of Latin Ameri-
20 cans of Japanese descent; and

21 (B) recommend appropriate remedies, if
22 any, based on preliminary findings by the origi-
23 nal Commission and new discoveries.

24 (2) REPORT.—Not later than 1 year after the
25 date of the first meeting of the Commission pursu-

1 ant to subsection (c)(4)(A), the Commission shall
2 submit a written report to Congress, which shall
3 contain findings resulting from the investigation
4 conducted under paragraph (1)(A) and recommenda-
5 tions described in paragraph (1)(B).

6 (e) POWERS OF THE COMMISSION.—

7 (1) HEARINGS.—The Commission or, at its di-
8 rection, any subcommittee or member of the Com-
9 mission, may, for the purpose of carrying out this
10 section—

11 (A) hold such public hearings in such cities
12 and countries, sit and act at such times and
13 places, take such testimony, receive such evi-
14 dence, and administer such oaths as the Com-
15 mission or such subcommittee or member con-
16 siders advisable; and

17 (B) require, by subpoena or otherwise, the
18 attendance and testimony of such witnesses and
19 the production of such books, records, cor-
20 respondence, memoranda, papers, documents,
21 tapes, and materials as the Commission or such
22 subcommittee or member considers advisable.

23 (2) ISSUANCE AND ENFORCEMENT OF SUB-
24 POENAS.—

1 (A) ISSUANCE.—Subpoenas issued under
2 paragraph (1) shall bear the signature of the
3 Chairperson of the Commission and shall be
4 served by any person or class of persons des-
5 ignated by the Chairperson for that purpose.

6 (B) ENFORCEMENT.—In the case of contu-
7 macy or failure to obey a subpoena issued
8 under paragraph (1), the United States district
9 court for the judicial district in which the sub-
10 poenaed person resides, is served, or may be
11 found may issue an order requiring such person
12 to appear at any designated place to testify or
13 to produce documentary or other evidence. Any
14 failure to obey the order of the court may be
15 punished by the court as a contempt of that
16 court.

17 (3) WITNESS ALLOWANCES AND FEES.—Section
18 1821 of title 28, United States Code, shall apply to
19 witnesses requested or subpoenaed to appear at any
20 hearing of the Commission. The per diem and mile-
21 age allowances for witnesses shall be paid from
22 funds available to pay the expenses of the Commis-
23 sion.

24 (4) INFORMATION FROM FEDERAL AGENCIES.—
25 The Commission may secure directly from any Fed-

1 eral department or agency such information as the
2 Commission considers necessary to perform its du-
3 ties. Upon request of the Chairperson of the Com-
4 mission, the head of such department or agency
5 shall furnish such information to the Commission.

6 (5) POSTAL SERVICES.—The Commission may
7 use the United States mails in the same manner and
8 under the same conditions as other departments and
9 agencies of the Federal Government.

10 (f) PERSONNEL AND ADMINISTRATIVE PROVI-
11 SIONS.—

12 (1) COMPENSATION OF MEMBERS.—Each mem-
13 ber of the Commission who is not an officer or em-
14 ployee of the Federal Government shall be com-
15 pensated at a rate equal to the daily equivalent of
16 the annual rate of basic pay prescribed for level IV
17 of the Executive Schedule under section 5315 of title
18 5, United States Code, for each day (including travel
19 time) during which such member is engaged in the
20 performance of the duties of the Commission. All
21 members of the Commission who are officers or em-
22 ployees of the United States shall serve without com-
23 pensation in addition to that received for their serv-
24 ices as officers or employees of the United States.

1 (2) TRAVEL EXPENSES.—The members of the
2 Commission shall be allowed travel expenses, includ-
3 ing per diem in lieu of subsistence, at rates author-
4 ized for employees of agencies under subchapter I of
5 chapter 57 of title 5, United States Code, while
6 away from their homes or regular places of business
7 in the performance of services for the Commission.

8 (3) STAFF.—

9 (A) IN GENERAL.—The Chairperson of the
10 Commission may, without regard to the civil
11 service laws and regulations, appoint and termi-
12 nate the employment of such personnel as may
13 be necessary to enable the Commission to per-
14 form its duties.

15 (B) COMPENSATION.—The Chairperson of
16 the Commission may fix the compensation of
17 the personnel without regard to chapter 51 and
18 subchapter III of chapter 53 of title 5, United
19 States Code, relating to classification of posi-
20 tions and General Schedule pay rates, except
21 that the rate of pay for the personnel may not
22 exceed the rate payable for level V of the Exec-
23 utive Schedule under section 5316 of such title.

24 (4) DETAIL OF GOVERNMENT EMPLOYEES.—
25 Any Federal Government employee may be detailed

1 to the Commission without reimbursement, and such
2 detail shall be without interruption or loss of civil
3 service status or privilege.

4 (5) **PROCUREMENT OF TEMPORARY AND INTER-**
5 **MITTENT SERVICES.**—The Chairperson of the Com-
6 mission may procure temporary and intermittent
7 services under section 3109(b) of title 5, United
8 States Code, at rates for individuals that do not ex-
9 ceed the daily equivalent of the annual rate of basic
10 pay prescribed for level V of the Executive Schedule
11 under section 5316 of such title.

12 (6) **OTHER ADMINISTRATIVE MATTERS.**—The
13 Commission may—

14 (A) enter into agreements with the Admin-
15 istrator of General Services to procure nec-
16 cessary financial and administrative services;

17 (B) enter into contracts to procure sup-
18 plies, services, and property; and

19 (C) enter into contracts with Federal,
20 State, or local agencies, or private institutions
21 or organizations, for the conduct of research or
22 surveys, the preparation of reports, and other
23 activities necessary to enable the Commission to
24 perform its duties.

1 (g) TERMINATION.—The Commission shall terminate
2 90 days after the date on which the Commission submits
3 its report to Congress under subsection (d)(2).

4 (h) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—There are authorized to be
6 appropriated such sums as may be necessary to
7 carry out this section.

8 (2) AVAILABILITY.—Any sums appropriated
9 under the authorization contained in this subsection
10 shall remain available, without fiscal year limitation,
11 until expended.

12 This Act may be cited as the “Commerce, Justice,
13 Science, and Related Agencies Appropriations Act, 2012”.

Calendar No. 170

112TH CONGRESS
1ST Session

S. 1572

[Report No. 112-78]

A BILL

Making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2012, and for other purposes.

SEPTEMBER 15, 2011

Read twice and placed on the calendar