

the people of the United States about the importance of cybersecurity: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Cybersecurity Awareness Month;

(2) continues to work with Federal agencies, businesses, educational institutions, and other organizations to enhance the state of cybersecurity in the United States;

(3) commends the work of National Initiative for Cybersecurity Education and all the Federal agencies, nonprofits, educational institutions, businesses, and other organizations that support this effort;

(4) recognizes “STOP. THINK. CONNECT.” as the national cybersecurity awareness campaign to educate the people of the United States and help all people of the United States stay safer and more secure online; and

(5) congratulates the National Cyber Security Alliance, the Multi-State Information Sharing & Analysis Center, the Department of Homeland Security, and other organizations working to improve cybersecurity in the United States on the eighth anniversary of National Cyber Security Awareness Month during October 2011.

SENATE RESOLUTION 307—HONORING THE MEN AND WOMEN OF THE JOHN C. STENNIS SPACE CENTER ON REACHING THE HISTORIC MILESTONE OF 50 YEARS OF ROCKET ENGINE TESTING

Mr. WICKER (for himself, Mr. COCHRAN, Mr. VITTER, and Ms. LANDRIEU) submitted the following resolution; which was:

S. RES. 307

Whereas, 50 years ago this month, on October 25, 1961, the National Aeronautics and Space Administration (referred to in this preamble as “NASA”) publicly announced plans to establish a testing facility in Hancock County, Mississippi, for the purpose of flight-certifying all first and second stages of the Saturn V rocket for the Apollo lunar landing program that would take humans to the Moon;

Whereas the testing facility was renamed the John C. Stennis Space Center (referred to in this preamble as the “Stennis Space Center”) in 1988 in honor of United States Senator John C. Stennis of Mississippi;

Whereas the Stennis Space Center conducted 45 engine tests for the Apollo program;

Whereas the Stennis Space Center is now home to the largest rocket engine test complex in the United States and serves as the premier rocket-propulsion testing facility in the United States, providing propulsion test services for NASA, the Department of Defense, and commercial providers;

Whereas NASA has celebrated the end of a successful Space Shuttle program, having conducted more than 2,000 total space shuttle main engine tests and certified 54 flight engines at the Stennis Space Center;

Whereas, as NASA enters a new era in space exploration, the Stennis Space Center will continue to play a vital role in the United States space program and commercial space efforts;

Whereas the Stennis Space Center has grown into a unique Federal city that includes more than 30 Federal, State, academic, and private organizations, and numerous technology-based companies;

Whereas the companies and agencies at the Stennis Space Center share the cost of operating and maintaining the facility, making

the accomplishment of missions by each entity more cost-effective;

Whereas the Stennis Space Center is home to—

(1) the United States Naval Meteorology and Oceanography Command, which includes the largest concentration of oceanographers in the world;

(2) the most powerful supercomputer of the United States Navy; and

(3) the National Center for Critical Information Processing and Storage, which is facilitating the data center consolidation efforts by the Department of Homeland Security;

Whereas the Stennis Space Center played a critical role during the Deepwater Horizon oil spill by providing unique resources and expertise on the Gulf of Mexico ecosystem to predict the spread and impact of the spill;

Whereas the Stennis Space Center is an economic engine for Mississippi and Louisiana, generating—

(1) approximately 5,400 jobs;

(2) a direct global economic impact of \$875,000,000; and

(3) a direct economic impact of \$616,000,000 within a 50-mile radius; and

Whereas the Stennis Space Center is committed to continuing in the role of inspiring the next generation of United States scientists, engineers, and professionals: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the National Aeronautics and Space Administration on reaching the historic milestone of the 50th anniversary of the John C. Stennis Space Center; and

(2) honors the men and women who worked tirelessly to design, build, and test the rocket engines used in the Apollo and Space Shuttle programs in order to promote science, engineering, innovation, and exploration to the benefit of the United States and all humankind.

AMENDMENTS SUBMITTED AND PROPOSED

SA 896. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 897. Mr. BROWN of Ohio (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 898. Mr. RUBIO (for himself, Mr. WICKER, Mr. NELSON of Florida, Ms. LANDRIEU, and Mr. SHELBY) proposed an amendment to the bill H.R. 2112, supra.

SA 899. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 900. Ms. SNOWE (for herself and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 901. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 902. Mr. KYL submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 903. Mr. BINGAMAN (for himself, Ms. MURKOWSKI, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 904. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 905. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 906. Mr. MERKLEY (for himself, Mr. BROWN of Massachusetts, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 907. Mr. COONS submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 908. Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 909. Mr. REED submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 910. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 911. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 912. Mr. KYL (for himself, Mr. CORNYN, and Mr. MCCAIN) proposed an amendment to the bill H.R. 2112, supra.

SA 913. Mr. CASEY (for himself, Mr. BLUMENTHAL, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 914. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 915. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 916. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2112, supra; which was ordered to lie on the table.

SA 917. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 857 proposed by Mr. MENENDEZ (for himself, Mr. ISAKSON, and Mrs. FEINSTEIN) to the amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, supra.

SA 918. Mr. INOUE proposed an amendment to the bill H.R. 2112, supra.

TEXT OF AMENDMENTS

SA 896. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) OBSERVANCE OF VETERANS DAY.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following new section:

“§ 145. Veterans Day

“The President shall each year issue a proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day, beginning at 2:11 p.m. eastern time, in honor of the service and sacrifice of veterans throughout the history of the Nation.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1 of title 36, United States Code, is amended by adding at the end the following new item:

“145. Veterans Day.”.

SA 897. Mr. BROWN of Ohio (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 286, between lines 6 and 7, insert the following:

SEC. _____. None of the funds made available to the Department of Transportation by this Act or an amendment made by this Act shall be used by any State or political subdivision of a State for the purpose of studying, promoting, or finalizing the sale or long-term lease of any federally funded roadway, toll road, bridge, airport, or transit system.

SA 898. Mr. RUBIO (for himself, Mr. WICKER, Mr. NELSON of Florida, Mr. LANDRIEU, and Mr. SHELBY) proposed an amendment to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On page 153, after line 24, add the following:

SEC. 218. EVALUATION OF GULF COAST CLAIMS FACILITY.

The Attorney General shall identify an independent auditor to evaluate the Gulf Coast Claims Facility.

SA 899. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 108, between lines 22 and 23, insert the following:

SEC. 114. None of the funds made available by this Act may be used for carry out any provision of Executive Order 13547 (33 U.S.C. 857-19 note; relating to stewardship of the ocean, coasts, and Great Lakes).

SA 900. Ms. SNOWE (for herself and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill H.R. 2112, making appropriations for Agriculture, Rural Develop-

ment, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 108, between lines 22 and 23, insert the following:

SEC. 114. (a) None of the funds appropriated or otherwise made available by this title may be obligated or expended to terminate the operations of an office of the United States and Foreign Commercial Service in the embassy of the United States in a country described in subsection (b).

(b) A country described in this subsection is a country for which the ratio of the volume of goods and services exported to that country by small businesses in the United States in fiscal year 2007 to the volume of all goods and services exported to that country from the United States in that fiscal year exceeds by not less than 20 percent the ratio of the volume of goods and services exported to all countries by small businesses in the United States in that fiscal year to the volume of all goods and services exported to all countries from the United States in that fiscal year.

(c) For purposes of subsection (b), the volume of goods and services exported from the United States in fiscal year 2007 shall be determined using data of the Bureau of the Census for that fiscal year.

SA 901. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by this Act may be used to pay for telemedicine services that are used for the purpose of prescribing, dispensing, procuring, or otherwise administering mifepristone, commonly known as RU-486.

SA 902. Mr. KYL submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, line 10, strike “\$253,336,000” and insert “\$226,836,000”.

On page 100, line 6, strike “\$56,726,000” and insert “\$46,726,000”.

Beginning on page 117, strike line 13 and all that follows through page 118, line 2, and insert the following:

UNITED STATES MARSHALS SERVICE
SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,121,041,000; of which not to exceed \$20,000,000 shall be available for necessary expenses for increased deputy marshals and staff related to South-west border enforcement until September 30, 2012; of which not to exceed \$6,000 shall be available for official reception and representation expenses; and of which not to exceed \$20,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied, or utilized by the United States Mar-

shals Service for prisoner holding and related support, \$28,500,000, which shall remain available until expended; of which \$15,000,000 shall be available for detention upgrades at Federal courthouses located in the Southwest border region; and of which not less than \$11,196,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, electronic security devices, telephone systems, and cabling.

SA 903. Mr. BINGAMAN (for himself, Ms. MURKOWSKI, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 125, line 3, insert before the period at the end the following: “: Provided further, That no funds made available under this heading shall be made available to enforce sections 5861 or 5872 of the Internal Revenue Code of 1986 with respect to destructive devices that are owned by the United States and used to protect public safety as part of the Forest Service Avalanche Control Program”.

SA 904. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 87, line 17, strike “grants” and insert “grants and loan guarantees”.

SA 905. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, line 1, strike “\$230,416,000” and insert “\$226,916,000”.

On page 5, line 6, strike “\$52,146,000” and insert “\$48,646,000”.

On page 45, line 21, strike “\$509,295,000” and insert “\$512,795,000”.

On page 48, line 22, before the period at the end insert “: Provided further, That \$3,500,000 of the amounts appropriated under this heading shall be for loans made by the Secretary, acting through the Administrator of the Rural Utilities Service, under section 8 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1006a) to carry out projects that include agricultural water supply benefits, groundwater protection, environmental enhancement, and flood control.”

SA 906. Mr. MERKLEY (for himself, Mr. BROWN of Massachusetts, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and

for other purposes; which was ordered to lie on the table; as follows:

On page 371, after line 7, add the following: SEC. ____ . Owners of properties supported by the Secretary other than under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g), for which an event causing the cessation of rental assistance or affordability restrictions has resulted or will result in eligibility for tenant protection vouchers under section 8(o) or enhanced vouchers under section 8(t) of such Act, shall be eligible for, subject to requirements established by the Secretary, including tenant consultation procedures, and in lieu of issuance or continuation of such vouchers, conversion of assistance available for such vouchers to assistance under section 8(o)(13) of such Act, except that, only with respect to such conversions, the Secretary may alter or waive the provisions of subsections 8(o)(13)(B), (C), and (D).

SA 907. Mr. COONS submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 313, line 8, strike “\$3,001,027,000” and insert “\$3,201,027,000”.

On page 313, line 10, strike “\$2,851,027,000” and insert “\$3,051,027,000”.

On page 317, line 19, strike “\$1,000,000,000” and insert “\$1,300,000,000”.

SA 908. Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 300, line 22, after “appropriated:” insert the following: “*Provided further*, That a public housing agency that does not receive from the Secretary of Housing and Urban Development an allocation sufficient to cover the full amount of administrative fees and expenses payable to the public housing agency under the administrative fee rates provided under this heading may utilize unobligated balances remaining from housing assistance payment funds allocated to the public housing agency during a previous year, to the extent necessary to effect payment to the public housing agency of an amount not exceeding 90 percent of the full administrative fees and expenses payable to the public housing agency with respect to authorized vouchers under lease:”.

SA 909. Mr. REED submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 322, line 2, strike the period and insert the following: “: *Provided further*, the term ‘local government’ includes an instru-

mentality of a unit of general purpose local government other than a public housing agency that is established pursuant to legislation and designated by the chief executive to act on behalf of the local government with regard to activities funded under this heading: *Provided further*, the term ‘State’ includes any instrumentality of any of the several States designated by the Governor to act on behalf of the State and does not include Washington, D.C.: *Provided further*, for purposes of environmental review, the Secretary shall continue to permit assistance and projects under this heading to be treated as assistance for special projects that are subject to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994, and subject to the regulations issued by the Secretary to implement such section: *Provided further*, a metropolitan city and an urban county that each receive an allocation under this heading and are located within a geographic area that is covered by a single continuum of care may jointly request the Secretary to permit the urban county or the metropolitan city, as agreed to by such county and city, to receive and administer their combined allocations under a single grant.”

SA 910. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

After section 217 of title II of division B, insert the following:

SEC. 218. No funds made available under this Act shall be used to allow the knowing transfer of a firearm to an individual known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, when the Attorney General has a reasonable belief that the applicant for a firearm may use a firearm in connection with terrorism, unless the Attorney General determines that denial of a firearm transfer would likely compromise national security.

SA 911. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 286, between lines 6 and 7, insert the following:

SEC. 1. STUDY OF APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

(a) DEFINITIONS.—In this section:

(1) COCHAIRPERSONS.—The term “cochairpersons” means the cochairpersons of the Appalachian Regional Commission.

(2) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(3) SYSTEM.—The term “System” means the Appalachian development highway system described in section 14501 of title 40, United States Code.

(b) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, with the concurrence of the cochairpersons, shall—

(1) conduct a study regarding the System, in accordance with subsection (c); and

(2) submit a report describing the results of the study to—

(A) the Committees on Appropriations of the House of Representatives and the Senate;

(B) the Committee on Transportation and Infrastructure of the House of Representatives; and

(C) the Committee on Environment and Public Works of the Senate.

(c) REQUIREMENTS.—

(1) IN GENERAL.—In conducting the study under this section, the Secretary, with the concurrence of the cochairpersons, shall—

(A) evaluate the effectiveness of the System in meeting the original purpose and goals of the System;

(B) reevaluate the purpose of, and need for, each incomplete corridor of the System;

(C) determine the estimated cost of completing each such corridor and the economic benefits to the communities served by those projects, on a State-by-State basis; and

(D) establish timelines and delivery schedules for the completion of each incomplete corridor determined to be necessary under this paragraph.

(2) ALTERNATIVE FEDERAL-AID HIGHWAY PROJECTS IN APPALACHIAN REGION.—

(A) IN GENERAL.—If the Secretary determines that an incomplete corridor is unnecessary under paragraph (1)(B), the Secretary, with the concurrence of the cochairpersons, may evaluate other transportation needs within the area to be served by that incomplete corridor to determine whether an alternative Federal-aid highway project of greater value to that area may be carried out.

(B) COSTS AND TIME LIMITATIONS.—If an alternative Federal-aid highway project is identified under subparagraph (A), that project may be carried out, subject to the conditions that—

(i) the cost to complete the alternative project does not exceed the estimated cost of completing the original incomplete corridor under paragraph (1)(B); and

(ii) the timeline and delivery schedule for completion of the alternative project does not exceed any timeline or delivery schedule established for the original incomplete corridor under paragraph (1)(C).

SA 912. Mr. KYL (for himself, Mr. CORNYN, and Mr. MCCAIN) proposed an amendment to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 89, strike line 6 and all that follows through page 118, line 2, and insert the following:

BUREAU OF THE CENSUS
SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$226,836,000: *Provided*, That from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to collect and publish statistics for periodic censuses and programs provided for by law, \$690,000,000, to remain available until September 30, 2013: *Provided*, That from amounts provided herein, funds may be used for additional promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, \$1,000,000 shall be transferred to the

Office of the Inspector General for activities associated with carrying out investigations and audits related to the Bureau of the Census.

NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$45,568,000, to remain available until September 30, 2013: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES,
PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are hereafter available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK
OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, \$2,706,313,000 to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2012, so as to result in a fiscal year 2012 appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year 2012, should the total amount of offsetting fee collections and the surcharge provided herein be less than \$2,706,313,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of \$2,706,313,000 in fiscal year 2012 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of the Patent and Trademark Office shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That from amounts provided herein, not to exceed \$750 shall be made available in fiscal year 2012 for official reception and representation expenses: *Provided further*, That in fiscal year 2012 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay: (1) the difference between the percentage of basic pay contributed by the USPTO and em-

ployees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for PTO's specific use shall be recognized as an imputed cost on PTO's financial statements, where applicable: *Provided further*, That sections 801, 802, and 803 of division B, Public Law 108-447 shall remain in effect during fiscal year 2012: *Provided further*, That the Director may, this year, reduce by regulation fees payable for documents in patent and trademark matters, in connection with the filing of documents filed electronically in a form prescribed by the Director: *Provided further*, That there shall be a surcharge of 15 percent, as provided for by section 11(i) of the Leahy-Smith America Invents Act: *Provided further*, That hereafter the Director shall reduce fees for providing prioritized examination of utility and plant patent applications by 50 percent for small entities that qualify for reduced fees under 35 U.S.C. 41(h)(1), so long as the fees of the prioritized examination program are set to recover the estimated cost of the program: *Provided further*, That the receipts collected as a result of these surcharges shall be available within the amounts provided herein to the United States Patent and Trademark Office without fiscal year limitation, for all authorized activities and operations of the Office: *Provided further*, That within the amounts appropriated, \$1,000,000 shall be transferred to the Office of Inspector General for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND
SERVICES

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

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Industrial Technology Services, \$120,000,000 to remain available until expended: *Provided*, That of the amounts appropriated herein, \$120,000,000 shall be for the Hollings Manufacturing Extension Partnership.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, \$60,000,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$3,134,327,000, to remain available until September 30, 2013, except for funds provided for cooperative enforcement, which shall remain available until September 30, 2014: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further*, That in addition, \$109,098,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That of the \$3,250,425,000 provided for in direct obligations under this heading \$3,134,327,000 is appropriated from the general fund, and \$109,098,000 is provided by transfer and \$7,000,000 is derived from recoveries of prior year obligations: *Provided further*, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed \$41,105,000: *Provided further*, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$219,291,000: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in allocating grants under sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, no coastal State shall receive more than 5 percent or less than 1 percent of increased funds appropriated over the previous fiscal year.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration (NOAA), \$1,833,594,000, to remain available until September 30, 2014, except funds provided for construction of facilities which shall remain available until expended: *Provided*, That of the \$1,841,594,000 provided for in direct obligations under this heading, \$1,833,594,000 is appropriated from the general fund and \$8,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in

support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each NOAA Procurement, Acquisition or Construction project having a total of more than \$5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

PACIFIC COASTAL SALMON RECOVERY FUND

For necessary expenses associated with the restoration of Pacific salmon populations, \$65,000,000, to remain available until September 30, 2013: *Provided*, That of the funds provided herein the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska) for projects necessary for conservation of salmon and steelhead populations, for restoration of populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

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

FISHERIES FINANCE PROGRAM ACCOUNT

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

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed \$5,000 for official reception and representation, \$46,726,000.

RENOVATION AND MODERNIZATION

For expenses necessary, including blast windows, for the renovation and modernization of Department of Commerce facilities, \$5,000,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

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

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15

U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce: *Provided further*, That for the National Oceanic and Atmospheric Administration this section shall provide for transfers among appropriations made only to the National Oceanic and Atmospheric Administration and such appropriations may not be transferred and reprogrammed to other Department of Commerce bureaus and appropriation accounts.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

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

SEC. 106. Notwithstanding any other law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms or organizations are authorized pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, as amended, on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to \$200,000, shall be credited to the appropria-

tion or fund which initially bears the costs of such services.

SEC. 107. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 108. The administration of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory or possession, or of any political subdivision thereof, or of any foreign government or international organization for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 109. All balances in the Coastal Zone Management Fund, whether unobligated or unavailable, are hereby permanently cancelled, and notwithstanding section 308(b) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1456a), any future payments to the Fund made pursuant to sections 307 (16 U.S.C. 1456) and 308 (16 U.S.C. 1456a) of the Coastal Zone Management Act of 1972, as amended, shall, in this fiscal year and any future fiscal years, be treated in accordance with the Federal Credit Reform Act of 1990, as amended.

SEC. 110. There is established in the Treasury a non-interest bearing fund to be known as the "Fisheries Enforcement Asset Forfeiture Fund", which shall consist of all sums received as fines, penalties, and forfeitures of property for violations of any provisions of 16 U.S.C. chapter 38 or of any other marine resource law enforced by the Secretary of Commerce, including the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.) and with the exception of collections pursuant to 16 U.S.C. 1437, which are currently deposited in the Operations, Research, and Facilities account: *Provided*, That all unobligated balances that have been collected pursuant to 16 U.S.C. 1861 or any other marine resource law enforced by the Secretary of Commerce with the exception of 16 U.S.C. 1437 shall be transferred from the Operations, Research, and Facilities account into the Fisheries Enforcement Asset Forfeiture Fund and shall remain available until expended.

SEC. 111. There is established in the Treasury a non-interest bearing fund to be known as the "Sanctuaries Enforcement Asset Forfeiture Fund", which shall consist of all sums received as fines, penalties, and forfeitures of property for violations of any provisions of 16 U.S.C. chapter 38, which are currently deposited in the Operations, Research, and Facilities account: *Provided*, That all unobligated balances that have been collected pursuant to 16 U.S.C. 1437 shall be transferred from the Operations, Research, and Facilities account into the Sanctuaries Enforcement Asset Forfeiture Fund and shall remain available until expended.

SEC. 112. Notwithstanding any other provision of law, the National Oceanic and Atmospheric Administration is authorized to receive and expend funds made available by any Federal agency, State or subdivision thereof, public or private organization, or individual to carry out any statute administered by the National Oceanic and Atmospheric Administration: *Provided*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 113. (a) The Secretary of State shall ensure participation in the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean ("Commission") and its subsidiary bodies by American Samoa, Guam, and the Northern Mariana Islands (collectively, the U.S. Participating Territories) to the same extent provided to the territories of other nations.

(b) The U.S. Participating Territories are each authorized to use, assign, allocate, and manage catch limits of highly migratory fish stocks, or fishing effort limits, agreed to by the Commission for the participating territories of the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, through arrangements with U.S. vessels with permits issued under the Pelagics Fishery Management Plan of the Western Pacific Region. Vessels under such arrangements are integral to the domestic fisheries of the U.S. Participating Territories provided that such arrangements shall impose no requirements regarding where such vessels must fish or land their catch and shall be funded by deposits to the Western Pacific Sustainable Fisheries Fund in support of fisheries development projects identified in a Territory's Marine Conservation Plan and adopted pursuant to section 204 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1824). The Secretary of Commerce shall attribute catches made by vessels operating under such arrangements to the U.S. Participating Territories for the purposes of annual reporting to the Commission.

(c) The Western Pacific Regional Fisheries Management Council—

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

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

(3) shall recommend an amendment to the Pelagics Fishery Management Plan for the Western Pacific Region, and associated regulations, to implement this section.

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

(1) the Western Pacific Regional Fishery Management Council recommends an amendment to the Pelagics Fishery Management Plan for the Western Pacific Region, and implementing regulations, to the Secretary of Commerce that authorize use, assignment, allocation, and management of catch limits of highly migratory fish stocks, or fishing effort limits, established by the Commission and applicable to U.S. Participating Territories;

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

(3) such implementing regulations become effective.

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

TITLE II
DEPARTMENT OF JUSTICE
GENERAL ADMINISTRATION
SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$115,886,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended: *Provided*, That the Attorney

General is authorized to transfer funds appropriated within General Administration to any office in this account: *Provided further*, That \$18,903,000 is for Department Leadership; \$8,311,000 is for Intergovernmental Relations/External Affairs; \$12,925,000 is for Executive Support/Professional Responsibility; and \$75,747,000 is for the Justice Management Division: *Provided further*, That any change in amounts specified in the preceding proviso greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations consistent with the terms of section 505 of this Act: *Provided further*, That this transfer authority is in addition to transfers authorized under section 505 of this Act.

NATIONAL DRUG INTELLIGENCE CENTER

For necessary expenses of the National Drug Intelligence Center, including reimbursement of Air Force personnel for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities, \$20,000,000: *Provided*, That the National Drug Intelligence Center shall maintain the personnel and technical resources to provide timely support to law enforcement authorities and the intelligence community by conducting document and computer exploitation of materials collected in Federal, State, and local law enforcement activity associated with counter-drug, counterterrorism, and national security investigations and operations.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$47,000,000, to remain available until expended.

TACTICAL LAW ENFORCEMENT WIRELESS COMMUNICATIONS

For the costs of developing and implementing a nationwide Integrated Wireless Network supporting Federal law enforcement communications, and for the costs of operations and maintenance of existing Land Mobile Radio legacy systems, \$87,000,000, to remain available until expended: *Provided*, That the Attorney General shall transfer to this account all funds made available to the Department of Justice for the purchase of portable and mobile radios: *Provided further*, That any transfer made under the preceding proviso shall be subject to section 505 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, \$294,082,000, of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account.

DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee, \$1,563,453,000, to remain available until expended: *Provided*, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to 18 U.S.C. 4013(b).

OFFICE OF INSPECTOR GENERAL

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

UNITED STATES PAROLE COMMISSION
SALARIES AND EXPENSES

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

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$846,099,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed \$7,500 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*, That of the amounts provided under this heading for the election monitoring program \$3,390,000, shall remain available until expended.

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

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$159,587,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be \$108,000,000 in fiscal year 2012), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2012, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at \$51,587,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, \$1,891,532,000: *Provided*, That of the total amount appropriated, not to exceed \$6,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$25,000,000 shall remain available until expended: *Provided further*, That of the amount provided under this heading, not less than \$43,184,000 shall be used for salaries and expenses for assistant

U.S. Attorneys to carry out section 704 of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) concerning the prosecution of offenses relating to the sexual exploitation of children.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, \$234,115,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, \$234,115,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2012, so as to result in a final fiscal year 2012 appropriation from the Fund estimated at \$0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

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

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended: *Provided*, That not to exceed \$10,000,000 may be made available for construction of buildings for protected witness safesites: *Provided further*, That not to exceed \$3,000,000 may be made available for the purchase and maintenance of armored and other vehicles for witness security caravans: *Provided further*, That not to exceed \$11,000,000 may be made available for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, \$11,227,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(B), (F), and (G), \$20,990,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,121,041,000; of which not to exceed \$20,000,000 shall be avail-

able for necessary expenses for increased deputy marshals and staff related to Southwest border enforcement until September 30, 2012; of which not to exceed \$6,000 shall be available for official reception and representation expenses; and of which not to exceed \$20,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied, or utilized by the United States Marshals Service for prisoner holding and related support, \$28,500,000, which shall remain available until expended; of which not less than \$9,696,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling; of which \$15,000,000 shall be available for detention upgrades at Federal courthouses located in the Southwest border region; and of which not less than \$1,500,000 shall be available for the costs of courthouse security equipment, including electronic security devices, telephone systems, and cabling at Federal courthouses located in the Southwest border region.

SA 913. Mr. CASEY (for himself, Mr. BLUMENTHAL, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 738 proposed by Mr. INOUE to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division A, insert the following:

SEC. ____. An additional \$10,000,000 shall be appropriated for the Office of the Commissioner of the Food and Drug Administration to enable such Office to remedy the current drug shortage crisis and to prevent future shortages, including through the creation of information systems for tracking drug shortages and actions taken by the Food and Drug Administration to address such shortages, enhanced communication with manufacturers to establish continuity of operation plans, development of evidenced-based criteria for identifying medically necessary drugs that may be vulnerable to a shortage, and enhanced communication with health care providers about current shortages and their estimated duration.

SA 914. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 209, between lines 2 and 3, insert the following:

SEC. 542. Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to Congress a report on the extent to which negotiations through the United States-China Joint Commission on Commerce and Trade have, since the establishment of the Commission, resulted in specific achievements with respect to increasing the access of United States exporters to the market of the People's Republic of China and creating jobs in the United States.

SA 915. Mr. DURBIN submitted an amendment intended to be proposed by

him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 388, between lines 14 and 15, insert the following:

SEC. 419. None of the funds appropriated or otherwise made available by this division may be obligated or expended to grant an exemption under section 47134(b)(2) of title 49, United States Code, to the obligation of an airport sponsor that intends to sell or lease an airport to a person other than a public entity to repay the Federal Government for grants and property received by the airport.

SA 916. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 286, between lines 6 and 7, insert the following:

SEC. 1. PROTECTING TAXPAYERS IN TRANSPORTATION ASSET TRANSFERS.

(a) **LIMITATION ON USE OF FUNDS.**—None of the funds made available to the Department of Transportation by this Act shall be used to promote, finalize, or approve a concession agreement or sale of any public transportation asset unless the State or local government entering into the concession agreement or sale pays to the Secretary an amount determined by the Secretary in accordance with subsection (b).

(b) **DETERMINATION OF REPAYMENT AMOUNT.**—The Secretary shall determine the amount required to be paid for purposes of subsection (a) by taking into account, at a minimum—

(1) the total amount of Federal funds that have been expended to construct, maintain, or upgrade the public transportation asset;

(2) the amount of Federal funding received by a State or local government based on inclusion of the public transportation asset in calculations using Federal funding formulas or for Federal block grants;

(3) the reasonable depreciation of the public transportation asset, including the amount of Federal funds described in paragraph (1) that may be offset by that depreciation; and

(4) the loss of Federal tax revenue from bonds relating to, and the tax consequences of depreciation of, the public transportation asset.

(c) **DEFINITIONS.**—In this section:

(1) **CONCESSION AGREEMENT.**—

(A) **IN GENERAL.**—The term “concession agreement” means an agreement entered into by a private individual or entity and a State or local government with jurisdiction over a public transportation asset to convey to the private individual or entity the right to manage, operate, and maintain the public transportation asset for a specific period of time in exchange for the authorization to impose and collect a toll or other user fee from a person for each use of the public transportation asset during that period.

(B) **EXCLUSION.**—The term “concession agreement” does not include an agreement entered into by a State or local government and a private individual or entity for the construction of any new public transportation asset.

(2) **PUBLIC TRANSPORTATION ASSET.**—

(A) IN GENERAL.—The term “public transportation asset” means a transportation facility of any kind that was or is constructed, maintained, or upgraded before, on, or after the date of enactment of this Act using Federal funds—

(i)(I) the fair market value of which is more than \$500,000,000, as determined by the Secretary; and

(II) that has received any Federal funding, as of the date on which the determination is made;

(ii) the fair market value of which is less than or equal to \$500,000,000, as determined by the Secretary; and

(I) that has received \$25,000,000 or more in Federal funding, as of the date on which the determination is made; or

(iii) in which a significant national public interest (such as interstate commerce, homeland security, public health, or the environment) is at stake, as determined by the Secretary.

(B) INCLUSIONS.—The term “public transportation asset” includes a transportation facility described in subparagraph (A) that is—

(i) a Federal-aid highway (as defined in section 101 of title 23, United States Code);

(ii) a highway or mass transit project constructed using amounts made available from the Highway Account or Mass Transit Account, respectively, of the Highway Trust Fund;

(iii) an air navigation facility (as defined in section 40102(a) of title 49, United States Code); or

(iv) a train station or multimodal station that receives a Federal grant, including any grant authorized under the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 122 Stat. 4907) or an amendment made by that Act.

(3) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

SA 917. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 857 proposed by Mr. MENENDEZ (for himself, Mr. ISAKSON, and Mrs. FEINSTEIN) to the amendment SA 738 proposed by Mr. Inouye to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On page 5, strike line 14 and insert the following:

2011” and inserting “December 31, 2013”.

SEC. ____ REESTABLISHMENT OF MAXIMUM AGGREGATE AMOUNT PERMITTED TO BE PROVIDED BY THE TAXPAYERS TO FANNIE MAE AND FREDDIE MAC.

(a) MAXIMUM AGGREGATE AMOUNT OF COMMITMENT.—No funds may be provided by the Department of the Treasury or any other agency or entity of the Federal Government to the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, as part of the Amended and Restated Senior Preferred Stock Purchase Agreement, dated September 26, 2008, amended May 6, 2009, and further amended December 24, 2009 (as such agreement may be further amended), between the Department of the Treasury and the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, as applicable, under any other agreement between the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation and the Department of the Treasury, or otherwise, that exceed a maximum aggregate amount of \$200,000,000,000.

(b) PAYMENTS TO TREASURY.—Any dividend or interest payment made by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation to the Department of the Treasury pursuant to any applicable contract, agreement, or provision of law shall not be included in the calculation of the aggregate amount of a commitment under subsection (a).

(c) ENFORCEMENT.—The Director of the Federal Housing Finance Agency shall take such actions as the Administrator determines are necessary to prevent the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation from requesting or receiving any funds that exceed the limit provided in subsection (a).

(d) DEFINITIONS.—For purposes of this section, the terms “deficiency amount” and “surplus amount” have the meanings provided such terms in the applicable Senior Preferred Stock Purchase Agreement described in subsection (a), as amended through December 24, 2009.

SA 918. Mr. INOUE proposed an amendment to the bill H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; as follows:

Beginning on page 197, strike line 9 and all that follows through page 209, line 2, and insert the following:

SEC. 541. The amount appropriated or otherwise made available by title IV under the heading “COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF LATIN AMERICANS OF JAPANESE DESCENT” is hereby reduced by \$1,700,000.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a field hearing has been scheduled before the Subcommittee on National Parks. The hearing will be held on Saturday, November 5, 2011, at 11:00 a.m., at the CCC Recreation Hall, Mile Post 19, Mesa Verde National Park, CO.

The purpose of the hearing is to examine issues affecting management of archaeological, cultural, and historic resources at Mesa Verde National Park and other units of the National Park System.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to Jake McCook@energy.senate.gov.

For further information, please contact David Brooks (202) 224-9863 or Jake McCook (202) 224-9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Com-

mittee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on October 20, 2011, at 10 a.m., to conduct a hearing entitled “Housing Finance Reform: Continuation of the 30-Year Fixed-Rate Mortgage.”

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on October 20, 2011, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 20, 2011, at 10 a.m., to hold a hearing entitled, “U.S. Military Deployment to Central Africa.”

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on October 20, 2011, at 8 a.m. in room 216 of the Hart Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on October 20, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on October 20, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY AND INTERGOVERNMENTAL AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate, on October 20, 2011, at 10:30 a.m., in order to conduct a hearing entitled, “Accountability at FEMA: Is Quality Job #1?”

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Select