

AMENDMENT NO. \_\_\_\_\_ Calendar No. **21**

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.**

**H.R. 933**

Making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Ms. MIKULSKI (for herself and Mr.  
SHELBY)

Viz:

1 Strike all after the enacting clause, and insert in lieu  
2 thereof:

3 That the following sums are hereby appropriated, out of  
4 any money in the Treasury not otherwise appropriated,  
5 for fiscal year 2013, and for other purposes, namely:

6 **SECTION 1. SHORT TITLE.**

7 This Act may be cited as the “Consolidated and Fur-  
8 ther Continuing Appropriations Act, 2013”.

9 **SEC. 2. TABLE OF CONTENTS.**

10 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Availability of funds.

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

- Title I—Agricultural Programs
- Title II—Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs
- Title VI—Food and Drug Administration and Farm Credit Administration
- Title VII—General provisions

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

- Title I—Department of Commerce
- Title II—Department of Justice
- Title III—Science
- Title IV—Related agencies
- Title V—General provisions

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT,  
2013

- Title I—Military Personnel
- Title II—Operation and Maintenance
- Title III—Procurement
- Title IV—Research, Development, Test and Evaluation
- Title V—Revolving and Management Funds
- Title VI—Other Department of Defense Programs
- Title VII—Related agencies
- Title VIII—General provisions
- Title IX—Overseas contingency operations

DIVISION D—DEPARTMENT OF HOMELAND SECURITY  
APPROPRIATIONS ACT, 2013

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

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

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

DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

Title I—General Provisions

Title II—Energy and Water Development

Title III—Financial Services and General Government

Title IV—Interior, Environment, and Related Agencies

Title V—Labor, Health and Human Services, and Education, and Related Agencies

Title VI—Legislative Branch

Title VII—State, Foreign Operations, and Related Programs

Title VIII—Transportation and Housing and Urban Development, and Related Agencies

DIVISION G—OTHER MATTERS

1 **SEC. 3. REFERENCES.**

2       Except as expressly provided otherwise, any reference  
3 to “this Act” contained in division A, B, C, D, or E of  
4 this Act shall be treated as referring only to the provisions  
5 of that division.

6 **SEC. 4. EXPLANATORY STATEMENT.**

7       The explanatory statement regarding this Act printed  
8 in the Senate section of the Congressional Record on or  
9 about March 11, 2013, by the Chairwoman of the Com-  
10 mittee on Appropriations of the Senate shall have the  
11 same effect with respect to the allocation of funds and im-  
12 plementation of this Act as if it were a joint explanatory  
13 statement of a committee of conference.

14 **SEC. 5. AVAILABILITY OF FUNDS.**

15       Each amount designated in this Act by the Congress  
16 for Overseas Contingency Operations/Global War on Ter-  
17 rorism pursuant to section 251(b)(2)(A) of the Balanced  
18 Budget and Emergency Deficit Control Act of 1985 shall  
19 be available (or rescinded, if applicable) only if the Presi-

1 dent subsequently so designates all such amounts and  
2 transmits such designations to the Congress.

3 **DIVISION A—AGRICULTURE, RURAL DE-**  
4 **VELOPMENT, FOOD AND DRUG ADMIN-**  
5 **ISTRATION, AND RELATED AGENCIES**  
6 **APPROPRIATIONS ACT, 2013**

7 The following sums are hereby appropriated, out of  
8 any money in the Treasury not otherwise appropriated,  
9 for the fiscal year ending September 30, 2013, for Agri-  
10 culture, Rural Development, Food and Drug Administra-  
11 tion, and Related Agencies programs and for other pur-  
12 poses, namely:

13 **TITLE I**

14 **AGRICULTURAL PROGRAMS**

15 **PRODUCTION, PROCESSING AND MARKETING**

16 **OFFICE OF THE SECRETARY**

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses of the Office of the Secretary,  
19 \$46,388,000, of which not to exceed \$5,051,000 shall be  
20 available for the immediate Office of the Secretary; not  
21 to exceed \$498,000 shall be available for the Office of  
22 Tribal Relations; not to exceed \$1,496,000 shall be avail-  
23 able for the Office of Homeland Security and Emergency  
24 Coordination; not to exceed \$1,422,000 shall be available  
25 for the Office of Advocacy and Outreach; not to exceed

1 \$25,046,000 shall be available for the Office of the Assist-  
2 ant Secretary for Administration, of which \$24,242,000  
3 shall be available for Departmental Administration to pro-  
4 vide for necessary expenses for management support serv-  
5 ices to offices of the Department and for general adminis-  
6 tration, security, repairs and alterations, and other mis-  
7 cellaneous supplies and expenses not otherwise provided  
8 for and necessary for the practical and efficient work of  
9 the Department; not to exceed \$3,869,000 shall be avail-  
10 able for the Office of Assistant Secretary for Congres-  
11 sional Relations to carry out the programs funded by this  
12 Act, including programs involving intergovernmental af-  
13 fairs and liaison within the executive branch; and not to  
14 exceed \$9,006,000 shall be available for the Office of Com-  
15 munications: *Provided*, That the Secretary of Agriculture  
16 is authorized to transfer funds appropriated for any office  
17 of the Office of the Secretary to any other office of the  
18 Office of the Secretary: *Provided further*, That no appro-  
19 priation for any office shall be increased or decreased by  
20 more than 5 percent: *Provided further*, That not to exceed  
21 \$11,000 of the amount made available under this para-  
22 graph for the immediate Office of the Secretary shall be  
23 available for official reception and representation ex-  
24 penses, not otherwise provided for, as determined by the  
25 Secretary: *Provided further*, That the amount made avail-

1 able under this heading for Departmental Administration  
2 shall be reimbursed from applicable appropriations in this  
3 Act for travel expenses incident to the holding of hearings  
4 as required by 5 U.S.C. 551–558: *Provided further*, That  
5 funds made available under this heading for the Office of  
6 Assistant Secretary for Congressional Relations may be  
7 transferred to agencies of the Department of Agriculture  
8 funded by this Act to maintain personnel at the agency  
9 level: *Provided further*, That no funds made available  
10 under this heading for the Office of Assistant Secretary  
11 for Congressional Relations may be obligated after 30  
12 days from the date of enactment of this Act, unless the  
13 Secretary has notified the Committees on Appropriations  
14 of both Houses of Congress on the allocation of these  
15 funds by USDA agency.

16 EXECUTIVE OPERATIONS

17 OFFICE OF THE CHIEF ECONOMIST

18 For necessary expenses of the Office of the Chief  
19 Economist, \$16,008,000, of which \$4,000,000 shall be for  
20 grants or cooperative agreements for policy research under  
21 7 U.S.C. 3155 and shall be obligated within 90 days of  
22 the enactment of this Act.

23 NATIONAL APPEALS DIVISION

24 For necessary expenses of the National Appeals Divi-  
25 sion, \$14,225,000.

1 OFFICE OF BUDGET AND PROGRAM ANALYSIS

2 For necessary expenses of the Office of Budget and  
3 Program Analysis, \$9,049,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

5 For necessary expenses of the Office of the Chief In-  
6 formation Officer, \$44,031,000.

7 OFFICE OF THE CHIEF FINANCIAL OFFICER

8 For necessary expenses of the Office of the Chief Fi-  
9 nancial Officer, \$6,247,000: *Provided*, That no funds  
10 made available by this appropriation may be obligated for  
11 FAIR Act or Circular A-76 activities until the Secretary  
12 has submitted to the Committees on Appropriations of  
13 both Houses of Congress and the Committee on Oversight  
14 and Government Reform of the House of Representatives  
15 a report on the Department's contracting out policies, in-  
16 cluding agency budgets for contracting out.

17 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL  
18 RIGHTS

19 For necessary expenses of the Office of the Assistant  
20 Secretary for Civil Rights, \$893,000.

21 OFFICE OF CIVIL RIGHTS

22 For necessary expenses of the Office of Civil Rights,  
23 \$22,692,000.

1 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL  
2 PAYMENTS  
3 (INCLUDING TRANSFERS OF FUNDS)

4 For payment of space rental and related costs pursu-  
5 ant to Public Law 92–313, including authorities pursuant  
6 to the 1984 delegation of authority from the Adminis-  
7 trator of General Services to the Department of Agri-  
8 culture under 40 U.S.C. 486, for programs and activities  
9 of the Department which are included in this Act, and for  
10 alterations and other actions needed for the Department  
11 and its agencies to consolidate unneeded space into con-  
12 figurations suitable for release to the Administrator of  
13 General Services, and for the operation, maintenance, im-  
14 provement, and repair of Agriculture buildings and facili-  
15 ties, and for related costs, \$271,336,000, to remain avail-  
16 able until expended, of which \$175,694,000 shall be avail-  
17 able for payments to the General Services Administration  
18 for rent; of which \$13,473,000 is for payments to the De-  
19 partment of Homeland Security for building security ac-  
20 tivities; and of which \$82,169,000 is for buildings oper-  
21 ations and maintenance expenses: *Provided*, That the Sec-  
22 retary may use unobligated prior year balances of an agen-  
23 cy or office that are no longer available for new obligation  
24 to cover shortfalls incurred in prior year rental payments  
25 for such agency or office: *Provided further*, That the Sec-



1 retary is authorized to transfer funds from a Depart-  
2 mental agency to this account to recover the full cost of  
3 the space and security expenses of that agency that are  
4 funded by this account when the actual costs exceed the  
5 agency estimate which will be available for the activities  
6 and payments described herein.

7           HAZARDOUS MATERIALS MANAGEMENT

8                   (INCLUDING TRANSFERS OF FUNDS)

9           For necessary expenses of the Department of Agri-  
10 culture, to comply with the Comprehensive Environmental  
11 Response, Compensation, and Liability Act (42 U.S.C.  
12 9601 et seq.) and the Resource Conservation and Recovery  
13 Act (42 U.S.C. 6901 et seq.), \$3,992,000, to remain avail-  
14 able until expended: *Provided*, That appropriations and  
15 funds available herein to the Department for Hazardous  
16 Materials Management may be transferred to any agency  
17 of the Department for its use in meeting all requirements  
18 pursuant to the above Acts on Federal and non-Federal  
19 lands.

20                   OFFICE OF INSPECTOR GENERAL

21           For necessary expenses of the Office of Inspector  
22 General, including employment pursuant to the Inspector  
23 General Act of 1978, \$89,016,000, including such sums  
24 as may be necessary for contracting and other arrange-  
25 ments with public agencies and private persons pursuant

1 to section 6(a)(9) of the Inspector General Act of 1978,  
2 and including not to exceed \$125,000 for certain confiden-  
3 tial operational expenses, including the payment of inform-  
4 ants, to be expended under the direction of the Inspector  
5 General pursuant to Public Law 95-452 and section 1337  
6 of Public Law 97-98.

7 OFFICE OF THE GENERAL COUNSEL

8 For necessary expenses of the Office of the General  
9 Counsel, \$45,074,000.

10 OFFICE OF ETHICS

11 For necessary expenses of the Office of Ethics,  
12 \$3,405,000.

13 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,  
14 EDUCATION AND ECONOMICS

15 For necessary expenses of the Office of the Under  
16 Secretary for Research, Education and Economics,  
17 \$893,000.

18 ECONOMIC RESEARCH SERVICE

19 For necessary expenses of the Economic Research  
20 Service, \$77,397,000.

21 NATIONAL AGRICULTURAL STATISTICS SERVICE

22 For necessary expenses of the National Agricultural  
23 Statistics Service, \$179,477,000, of which up to  
24 \$62,500,000 shall be available until expended for the Cen-  
25 sus of Agriculture.

1                   AGRICULTURAL RESEARCH SERVICE

2                                 SALARIES AND EXPENSES

3           For necessary expenses of the Agricultural Research  
4 Service and for acquisition of lands by donation, exchange,  
5 or purchase at a nominal cost not to exceed \$100, and  
6 for land exchanges where the lands exchanged shall be of  
7 equal value or shall be equalized by a payment of money  
8 to the grantor which shall not exceed 25 percent of the  
9 total value of the land or interests transferred out of Fed-  
10 eral ownership, \$1,101,853,000: *Provided*, That appro-  
11 priations hereunder shall be available for the operation  
12 and maintenance of aircraft and the purchase of not to  
13 exceed one for replacement only: *Provided further*, That  
14 appropriations hereunder shall be available pursuant to 7  
15 U.S.C. 2250 for the construction, alteration, and repair  
16 of buildings and improvements, but unless otherwise pro-  
17 vided, the cost of constructing any one building shall not  
18 exceed \$375,000, except for headhouses or greenhouses  
19 which shall each be limited to \$1,200,000, and except for  
20 10 buildings to be constructed or improved at a cost not  
21 to exceed \$750,000 each, and the cost of altering any one  
22 building during the fiscal year shall not exceed 10 percent  
23 of the current replacement value of the building or  
24 \$375,000, whichever is greater: *Provided further*, That the  
25 limitations on alterations contained in this Act shall not

1 apply to modernization or replacement of existing facilities  
2 at Beltsville, Maryland: *Provided further*, That appropria-  
3 tions hereunder shall be available for granting easements  
4 at the Beltsville Agricultural Research Center: *Provided*  
5 *further*, That the foregoing limitations shall not apply to  
6 replacement of buildings needed to carry out the Act of  
7 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That  
8 appropriations hereunder shall be available for granting  
9 easements at any Agricultural Research Service location  
10 for the construction of a research facility by a non-Federal  
11 entity for use by, and acceptable to, the Agricultural Re-  
12 search Service and a condition of the easements shall be  
13 that upon completion the facility shall be accepted by the  
14 Secretary, subject to the availability of funds herein, if the  
15 Secretary finds that acceptance of the facility is in the  
16 interest of the United States: *Provided further*, That sec-  
17 tion 732(b) of division A of Public Law 112–55 (125 Stat.  
18 587) is amended by adding at the end the following new  
19 sentence: “The conveyance authority provided by this sub-  
20 section expires September 30, 2013, and all conveyances  
21 under this subsection must be completed by that date.”:  
22 *Provided further*, That funds may be received from any  
23 State, other political subdivision, organization, or indi-  
24 vidual for the purpose of establishing or operating any re-

1 search facility or research project of the Agricultural Re-  
2 search Service, as authorized by law.

3 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE  
4 RESEARCH AND EDUCATION ACTIVITIES

5 For payments to agricultural experiment stations, for  
6 cooperative forestry and other research, for facilities, and  
7 for other expenses, \$738,638,000, which shall be for the  
8 purposes, and in the amounts, specified in the table titled  
9 “National Institute of Food and Agriculture, Research  
10 and Education Activities” in the report accompanying this  
11 Act: *Provided*, That funds for research grants for 1994  
12 institutions, education grants for 1890 institutions, capac-  
13 ity building for non-land-grant colleges of agriculture, the  
14 agriculture and food research initiative, Critical Agricul-  
15 tural Materials Act, veterinary medicine loan repayment,  
16 multicultural scholars, graduate fellowship and institution  
17 challenge grants, and grants management systems shall  
18 remain available until expended: *Provided further*, That  
19 each institution eligible to receive funds under the Evans-  
20 Allen program receives no less than \$1,000,000: *Provided*  
21 *further*, That funds for education grants for Alaska Native  
22 and Native Hawaiian-serving institutions be made avail-  
23 able to individual eligible institutions or consortia of eligi-  
24 ble institutions with funds awarded equally to each of the  
25 States of Alaska and Hawaii: *Provided further*, That funds

1 for education grants for 1890 institutions shall be made  
2 available to institutions eligible to receive funds under 7  
3 U.S.C. 3221 and 3222.

4 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

5 For the Native American Institutions Endowment  
6 Fund authorized by Public Law 103–382 (7 U.S.C. 301  
7 note), \$11,880,000, to remain available until expended.

8 EXTENSION ACTIVITIES

9 For payments to States, the District of Columbia,  
10 Puerto Rico, Guam, the Virgin Islands, Micronesia, the  
11 Northern Marianas, and American Samoa, \$475,854,000,  
12 which shall be for the purposes, and in the amounts, speci-  
13 fied in the table titled “National Institute of Food and  
14 Agriculture, Extension Activities” in the report accom-  
15 panying this Act: *Provided*, That funds for facility im-  
16 provements at 1890 institutions shall remain available  
17 until expended: *Provided further*, That institutions eligible  
18 to receive funds under 7 U.S.C. 3221 for cooperative ex-  
19 tension receive no less than \$1,000,000: *Provided further*,  
20 That funds for cooperative extension under sections 3(b)  
21 and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c))  
22 and section 208(c) of Public Law 93–471 shall be avail-  
23 able for retirement and employees’ compensation costs for  
24 extension agents.

1                                   INTEGRATED ACTIVITIES

2           For the integrated research, education, and extension  
3 grants programs, including necessary administrative ex-  
4 penses, \$21,482,000, which shall be for the purposes, and  
5 in the amounts, specified in the table titled “National In-  
6 stitute of Food and Agriculture, Integrated Activities” in  
7 the report accompanying this Act: *Provided*, That funds  
8 for the Food and Agriculture Defense Initiative shall re-  
9 main available until September 30, 2014.

10   OFFICE OF THE UNDER SECRETARY FOR MARKETING  
11                                   AND REGULATORY PROGRAMS

12           For necessary expenses of the Office of the Under  
13 Secretary for Marketing and Regulatory Programs,  
14 \$893,000.

15   ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
16                                   SALARIES AND EXPENSES  
17                                   (INCLUDING TRANSFERS OF FUNDS)

18           For necessary expenses of the Animal and Plant  
19 Health Inspection Service, including up to \$30,000 for  
20 representation allowances and for expenses pursuant to  
21 the Foreign Service Act of 1980 (22 U.S.C. 4085),  
22 \$821,851,000, of which \$1,500,000, to remain available  
23 until expended, shall be available for the control of out-  
24 breaks of insects, plant diseases, animal diseases and for  
25 control of pest animals and birds (“contingency fund”) to

1 the extent necessary to meet emergency conditions; of  
2 which \$15,970,000, to remain available until expended,  
3 shall be used for the cotton pests program for cost share  
4 purposes or for debt retirement for active eradication  
5 zones; of which \$36,858,000, to remain available until ex-  
6 pended, shall be for Animal Health Technical Services; of  
7 which \$696,000 shall be for activities under the authority  
8 of the Horse Protection Act of 1970, as amended (15  
9 U.S.C. 1831); of which \$52,000,000, to remain available  
10 until expended, shall be used to support avian health; of  
11 which \$4,335,000, to remain available until expended,  
12 shall be for information technology infrastructure; of  
13 which \$153,950,000, to remain available until expended,  
14 shall be for specialty crop pests; of which, \$9,068,000, to  
15 remain available until expended, shall be for field crop and  
16 rangeland ecosystem pests; of which \$56,638,000, to re-  
17 main available until expended, shall be for tree and wood  
18 pests; of which \$2,750,000, to remain available until ex-  
19 pended, shall be for the National Veterinary Stockpile; of  
20 which up to \$1,500,000, to remain available until ex-  
21 pended, shall be for the scrapie program for indemnities;  
22 of which \$1,500,000, to remain available until expended,  
23 shall be for the wildlife damage management program for  
24 aviation safety: *Provided*, That of amounts available under  
25 this heading for wildlife services methods development,



1 \$1,000,000 shall remain available until expended: *Pro-*  
2 *vided further*, That of amounts available under this head-  
3 ing for the screwworm program, \$4,971,000 shall remain  
4 available until expended: *Provided further*, That no funds  
5 shall be used to formulate or administer a brucellosis  
6 eradication program for the current fiscal year that does  
7 not require minimum matching by the States of at least  
8 40 percent: *Provided further*, That this appropriation shall  
9 be available for the operation and maintenance of aircraft  
10 and the purchase of not to exceed four, of which two shall  
11 be for replacement only: *Provided further*, That in addi-  
12 tion, in emergencies which threaten any segment of the  
13 agricultural production industry of this country, the Sec-  
14 retary may transfer from other appropriations or funds  
15 available to the agencies or corporations of the Depart-  
16 ment such sums as may be deemed necessary, to be avail-  
17 able only in such emergencies for the arrest and eradi-  
18 cation of contagious or infectious disease or pests of ani-  
19 mals, poultry, or plants, and for expenses in accordance  
20 with sections 10411 and 10417 of the Animal Health Pro-  
21 tection Act (7 U.S.C. 8310 and 8316) and sections 431  
22 and 442 of the Plant Protection Act (7 U.S.C. 7751 and  
23 7772), and any unexpended balances of funds transferred  
24 for such emergency purposes in the preceding fiscal year  
25 shall be merged with such transferred amounts: *Provided*

1 *further*, That appropriations hereunder shall be available  
2 pursuant to law (7 U.S.C. 2250) for the repair and alter-  
3 ation of leased buildings and improvements, but unless  
4 otherwise provided the cost of altering any one building  
5 during the fiscal year shall not exceed 10 percent of the  
6 current replacement value of the building.

7       In fiscal year 2013, the agency is authorized to collect  
8 fees to cover the total costs of providing technical assist-  
9 ance, goods, or services requested by States, other political  
10 subdivisions, domestic and international organizations,  
11 foreign governments, or individuals, provided that such  
12 fees are structured such that any entity's liability for such  
13 fees is reasonably based on the technical assistance, goods,  
14 or services provided to the entity by the agency, and such  
15 fees shall be reimbursed to this account, to remain avail-  
16 able until expended, without further appropriation, for  
17 providing such assistance, goods, or services.

18                                   BUILDINGS AND FACILITIES

19       For plans, construction, repair, preventive mainte-  
20 nance, environmental support, improvement, extension, al-  
21 teration, and purchase of fixed equipment or facilities, as  
22 authorized by 7 U.S.C. 2250, and acquisition of land as  
23 authorized by 7 U.S.C. 428a, \$3,175,000, to remain avail-  
24 able until expended.

1                   AGRICULTURAL MARKETING SERVICE  
2                   MARKETING SERVICES

3           For necessary expenses of the Agricultural Marketing  
4 Service, \$78,863,000: *Provided*, That this appropriation  
5 shall be available pursuant to law (7 U.S.C. 2250) for the  
6 alteration and repair of buildings and improvements, but  
7 the cost of altering any one building during the fiscal year  
8 shall not exceed 10 percent of the current replacement  
9 value of the building.

10          Fees may be collected for the cost of standardization  
11 activities, as established by regulation pursuant to law (31  
12 U.S.C. 9701).

13                   LIMITATION ON ADMINISTRATIVE EXPENSES

14          Not to exceed \$62,592,000 (from fees collected) shall  
15 be obligated during the current fiscal year for administra-  
16 tive expenses: *Provided*, That if crop size is understated  
17 and/or other uncontrollable events occur, the agency may  
18 exceed this limitation by up to 10 percent with notification  
19 to the Committees on Appropriations of both Houses of  
20 Congress.

21                   FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

22                                   SUPPLY (SECTION 32)

23                                   (INCLUDING TRANSFERS OF FUNDS)

24          Funds available under section 32 of the Act of Au-  
25 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-

1 modify program expenses as authorized therein, and other  
2 related operating expenses, except for: (1) transfers to the  
3 Department of Commerce as authorized by the Fish and  
4 Wildlife Act of August 8, 1956; (2) transfers otherwise  
5 provided in this Act; and (3) not more than \$20,056,000  
6 for formulation and administration of marketing agree-  
7 ments and orders pursuant to the Agricultural Marketing  
8 Agreement Act of 1937 and the Agricultural Act of 1961.

9           PAYMENTS TO STATES AND POSSESSIONS

10       For payments to departments of agriculture, bureaus  
11 and departments of markets, and similar agencies for  
12 marketing activities under section 204(b) of the Agricul-  
13 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),  
14 \$1,331,000.

15       GRAIN INSPECTION, PACKERS AND STOCKYARDS

16                   ADMINISTRATION

17                           SALARIES AND EXPENSES

18       For necessary expenses of the Grain Inspection,  
19 Packers and Stockyards Administration, \$40,261,000:  
20 *Provided*, That this appropriation shall be available pursu-  
21 ant to law (7 U.S.C. 2250) for the alteration and repair  
22 of buildings and improvements, but the cost of altering  
23 any one building during the fiscal year shall not exceed  
24 10 percent of the current replacement value of the build-  
25 ing.

1     LIMITATION ON INSPECTION AND WEIGHING SERVICES

2                               EXPENSES

3             Not to exceed \$50,000,000 (from fees collected) shall  
4 be obligated during the current fiscal year for inspection  
5 and weighing services: *Provided*, That if grain export ac-  
6 tivities require additional supervision and oversight, or  
7 other uncontrollable factors occur, this limitation may be  
8 exceeded by up to 10 percent with notification to the Com-  
9 mittees on Appropriations of both Houses of Congress.

10    OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

11             For necessary expenses of the Office of the Under  
12 Secretary for Food Safety, \$811,000.

13                       FOOD SAFETY AND INSPECTION SERVICE

14             For necessary expenses to carry out services author-  
15 ized by the Federal Meat Inspection Act, the Poultry  
16 Products Inspection Act, and the Egg Products Inspection  
17 Act, including not to exceed \$50,000 for representation  
18 allowances and for expenses pursuant to section 8 of the  
19 Act approved August 3, 1956 (7 U.S.C. 1766),  
20 \$1,001,427,000; and in addition, \$1,000,000 may be cred-  
21 ited to this account from fees collected for the cost of lab-  
22 oratory accreditation as authorized by section 1327 of the  
23 Food, Agriculture, Conservation and Trade Act of 1990  
24 (7 U.S.C. 138f): *Provided*, That funds provided for the  
25 Public Health Data Communication Infrastructure system

1 shall remain available until expended: *Provided further*,  
2 That no fewer than 148 full-time equivalent positions shall  
3 be employed during fiscal year 2013 for purposes dedi-  
4 cated solely to inspections and enforcement related to the  
5 Humane Methods of Slaughter Act: *Provided further*, That  
6 the Food Safety and Inspection Service shall continue im-  
7 plementation of section 11016 of Public Law 110-246:  
8 *Provided further*, That this appropriation shall be available  
9 pursuant to law (7 U.S.C. 2250) for the alteration and  
10 repair of buildings and improvements, but the cost of al-  
11 tering any one building during the fiscal year shall not  
12 exceed 10 percent of the current replacement value of the  
13 building.

14 OFFICE OF THE UNDER SECRETARY FOR FARM AND  
15 FOREIGN AGRICULTURAL SERVICES

16 For necessary expenses of the Office of the Under  
17 Secretary for Farm and Foreign Agricultural Services,  
18 \$893,000.

19 FARM SERVICE AGENCY

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Farm Service Agency,  
23 \$1,208,290,000: *Provided*, That the Secretary is author-  
24 ized to use the services, facilities, and authorities (but not  
25 the funds) of the Commodity Credit Corporation to make

1 program payments for all programs administered by the  
2 Agency: *Provided further*, That other funds made available  
3 to the Agency for authorized activities may be advanced  
4 to and merged with this account: *Provided further*, That  
5 funds made available to county committees shall remain  
6 available until expended.

7 STATE MEDIATION GRANTS

8 For grants pursuant to section 502(b) of the Agricul-  
9 tural Credit Act of 1987, as amended (7 U.S.C. 5101–  
10 5106), \$4,369,000.

11 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

12 For necessary expenses to carry out wellhead or  
13 groundwater protection activities under section 12400 of  
14 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),  
15 \$5,500,000, to remain available until expended.

16 DAIRY INDEMNITY PROGRAM

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses involved in making indemnity  
19 payments to dairy farmers and manufacturers of dairy  
20 products under a dairy indemnity program, such sums as  
21 may be necessary, to remain available until expended: *Pro-*  
22 *vided*, That such program is carried out by the Secretary  
23 in the same manner as the dairy indemnity program de-  
24 scribed in the Agriculture, Rural Development, Food and  
25 Drug Administration, and Related Agencies Appropria-

1 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–  
2 12).

3 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

4 ACCOUNT

5 (INCLUDING TRANSFERS OF FUNDS)

6 For gross obligations for the principal amount of di-  
7 rect and guaranteed farm ownership (7 U.S.C. 1922 et  
8 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-  
9 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-  
10 quisition loans (25 U.S.C. 488), boll weevil loans (7  
11 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.  
12 1924 et seq.), and Indian highly fractionated land loans  
13 (25 U.S.C. 488) to be available from funds in the Agricul-  
14 tural Credit Insurance Fund, as follows: \$1,500,000,000  
15 for guaranteed farm ownership loans and \$475,000,000  
16 for farm ownership direct loans; \$1,500,000,000 for un-  
17 subsidized guaranteed operating loans and  
18 \$1,050,090,000 for direct operating loans; emergency  
19 loans, \$34,658,000; Indian tribe land acquisition loans,  
20 \$2,000,000; guaranteed conservation loans,  
21 \$150,000,000; Indian highly fractionated land loans,  
22 \$10,000,000; and for boll weevil eradication program  
23 loans, \$100,000,000: *Provided*, That the Secretary shall  
24 deem the pink bollworm to be a boll weevil for the purpose  
25 of boll weevil eradication program loans.



1 For the cost of direct and guaranteed loans and  
2 grants, including the cost of modifying loans as defined  
3 in section 502 of the Congressional Budget Act of 1974,  
4 as follows: farm ownership, \$20,140,000 for direct loans;  
5 farm operating loans, \$58,490,000 for direct operating  
6 loans, \$17,850,000 for unsubsidized guaranteed operating  
7 loans, emergency loans, \$1,317,000, to remain available  
8 until expended; and Indian highly fractionated land loans,  
9 \$173,000.

10 In addition, for administrative expenses necessary to  
11 carry out the direct and guaranteed loan programs,  
12 \$312,897,000, of which \$304,977,000 shall be transferred  
13 to and merged with the appropriation for “Farm Service  
14 Agency, Salaries and Expenses”.

15 Funds appropriated by this Act to the Agricultural  
16 Credit Insurance Program Account for farm ownership,  
17 operating and conservation direct loans and guaranteed  
18 loans may be transferred among these programs: *Pro-*  
19 *vided*, That the Committees on Appropriations of both  
20 Houses of Congress are notified at least 15 days in ad-  
21 vance of any transfer.

22 RISK MANAGEMENT AGENCY

23 For necessary expenses of the Risk Management  
24 Agency, \$74,900,000: *Provided*, That the funds made  
25 available under section 522(e) of the Federal Crop Insur-

1 ance Act (7 U.S.C. 1522(e)) may be used for the Common  
2 Information Management System: *Provided further*, That  
3 not to exceed \$1,000 shall be available for official recep-  
4 tion and representation expenses, as authorized by 7  
5 U.S.C. 1506(i).

## 6 CORPORATIONS

7 The following corporations and agencies are hereby  
8 authorized to make expenditures, within the limits of  
9 funds and borrowing authority available to each such cor-  
10 poration or agency and in accord with law, and to make  
11 contracts and commitments without regard to fiscal year  
12 limitations as provided by section 104 of the Government  
13 Corporation Control Act as may be necessary in carrying  
14 out the programs set forth in the budget for the current  
15 fiscal year for such corporation or agency, except as here-  
16 inafter provided.

### 17 FEDERAL CROP INSURANCE CORPORATION FUND

18 For payments as authorized by section 516 of the  
19 Federal Crop Insurance Act (7 U.S.C. 1516), such sums  
20 as may be necessary, to remain available until expended.

### 21 COMMODITY CREDIT CORPORATION FUND

#### 22 REIMBURSEMENT FOR NET REALIZED LOSSES

23 (INCLUDING TRANSFERS OF FUNDS)

24 For the current fiscal year, such sums as may be nec-  
25 essary to reimburse the Commodity Credit Corporation for

1 net realized losses sustained, but not previously reim-  
2 bursed, pursuant to section 2 of the Act of August 17,  
3 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds  
4 available to the Commodity Credit Corporation under sec-  
5 tion 11 of the Commodity Credit Corporation Charter Act  
6 (15 U.S.C. 714i) for the conduct of its business with the  
7 Foreign Agricultural Service, up to \$5,000,000 may be  
8 transferred to and used by the Foreign Agricultural Serv-  
9 ice for information resource management activities of the  
10 Foreign Agricultural Service that are not related to Com-  
11 modity Credit Corporation business.

12 HAZARDOUS WASTE MANAGEMENT

13 (LIMITATION ON EXPENSES)

14 For the current fiscal year, the Commodity Credit  
15 Corporation shall not expend more than \$5,000,000 for  
16 site investigation and cleanup expenses, and operations  
17 and maintenance expenses to comply with the requirement  
18 of section 107(g) of the Comprehensive Environmental  
19 Response, Compensation, and Liability Act (42 U.S.C.  
20 9607(g)), and section 6001 of the Resource Conservation  
21 and Recovery Act (42 U.S.C. 6961).

1 TITLE II  
2 CONSERVATION PROGRAMS  
3 OFFICE OF THE UNDER SECRETARY FOR NATURAL  
4 RESOURCES AND ENVIRONMENT

5 For necessary expenses of the Office of the Under  
6 Secretary for Natural Resources and Environment,  
7 \$893,000.

8 NATURAL RESOURCES CONSERVATION SERVICE  
9 CONSERVATION OPERATIONS

10 For necessary expenses for carrying out the provi-  
11 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),  
12 including preparation of conservation plans and establish-  
13 ment of measures to conserve soil and water (including  
14 farm irrigation and land drainage and such special meas-  
15 ures for soil and water management as may be necessary  
16 to prevent floods and the siltation of reservoirs and to con-  
17 trol agricultural related pollutants); operation of conserva-  
18 tion plant materials centers; classification and mapping of  
19 soil; dissemination of information; acquisition of lands,  
20 water, and interests therein for use in the plant materials  
21 program by donation, exchange, or purchase at a nominal  
22 cost not to exceed \$100 pursuant to the Act of August  
23 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-  
24 ation or improvement of permanent and temporary build-  
25 ings; and operation and maintenance of aircraft,

1 \$830,998,000, to remain available until September 30,  
2 2014: *Provided*, That appropriations hereunder shall be  
3 available pursuant to 7 U.S.C. 2250 for construction and  
4 improvement of buildings and public improvements at  
5 plant materials centers, except that the cost of alterations  
6 and improvements to other buildings and other public im-  
7 provements shall not exceed \$250,000: *Provided further*,  
8 That when buildings or other structures are erected on  
9 non-Federal land, that the right to use such land is ob-  
10 tained as provided in 7 U.S.C. 2250a.

11 WATERSHED REHABILITATION PROGRAM

12 Under the authorities of section 14 of the Watershed  
13 Protection and Flood Prevention Act, \$14,700,000 is pro-  
14 vided.

15 TITLE III

16 RURAL DEVELOPMENT PROGRAMS

17 OFFICE OF THE UNDER SECRETARY FOR RURAL

18 DEVELOPMENT

19 For necessary expenses of the Office of the Under  
20 Secretary for Rural Development, \$893,000.

21 RURAL DEVELOPMENT SALARIES AND EXPENSES

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses for carrying out the adminis-  
24 tration and implementation of programs in the Rural De-  
25 velopment mission area, including activities with institu-

1 tions concerning the development and operation of agricul-  
2 tural cooperatives; and for cooperative agreements;  
3 \$206,857,000: *Provided*, That notwithstanding any other  
4 provision of law, funds appropriated under this heading  
5 may be used for advertising and promotional activities  
6 that support the Rural Development mission area: *Pro-*  
7 *vided further*, That any balances available from prior years  
8 for the Rural Utilities Service, Rural Housing Service, and  
9 the Rural Business—Cooperative Service salaries and ex-  
10 penses accounts shall be transferred to and merged with  
11 this appropriation.

12 RURAL HOUSING SERVICE

13 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

14 (INCLUDING TRANSFERS OF FUNDS)

15 For gross obligations for the principal amount of di-  
16 rect and guaranteed loans as authorized by title V of the  
17 Housing Act of 1949, to be available from funds in the  
18 rural housing insurance fund, as follows: \$900,000,000  
19 shall be for direct loans and \$24,000,000,000 shall be for  
20 unsubsidized guaranteed loans; \$27,952,000 for section  
21 504 housing repair loans; \$31,277,000 for section 515  
22 rental housing; \$150,000,000 for section 538 guaranteed  
23 multi-family housing loans; \$10,000,000 for credit sales  
24 of single family housing acquired property; and

1 \$5,000,000 for section 523 self-help housing land develop-  
2 ment loans.

3 For the cost of direct and guaranteed loans, including  
4 the cost of modifying loans, as defined in section 502 of  
5 the Congressional Budget Act of 1974, as follows: section  
6 502 loans, \$53,730,000 shall be for direct loans; section  
7 504 housing repair loans, \$3,821,000; and repair, rehabili-  
8 tation, and new construction of section 515 rental housing,  
9 \$11,000,000: *Provided*, That to support the loan program  
10 level for section 538 guaranteed loans made available  
11 under this heading the Secretary may charge or adjust  
12 any fees to cover the projected cost of such loan guaran-  
13 tees pursuant to the provisions of the Credit Reform Act  
14 of 1990 (2 U.S.C. 661 et seq.), and the interest on such  
15 loans may not be subsidized: *Provided further*, That appli-  
16 cants in communities that have a current rural area waiv-  
17 er under section 541 of the Housing Act of 1949 (42  
18 U.S.C. 1490q) shall be treated as living in a rural area  
19 for purposes of section 502 guaranteed loans provided  
20 under this heading: *Provided further*, That of the total  
21 amount appropriated in this paragraph, the amount equal  
22 to the amount of Rural Housing Insurance Fund Program  
23 Account funds allocated by the Secretary for Rural Eco-  
24 nomic Area Partnership Zones for the fiscal year 2012,  
25 shall be available through June 30, 2013, for communities

1 designated by the Secretary of Agriculture as Rural Eco-  
2 nomic Area Partnership Zones: *Provided further*, That of  
3 the amounts available under this paragraph for section  
4 502 direct loans, no less than \$5,000,000 shall be avail-  
5 able for direct loans for individuals whose homes will be  
6 built pursuant to a program funded with a mutual and  
7 self help housing grant authorized by section 523 of the  
8 Housing Act of 1949 until June 1, 2013.

9       In addition, for the cost of direct loans, grants, and  
10 contracts, as authorized by 42 U.S.C. 1484 and 1486,  
11 \$16,526,000, to remain available until expended, for direct  
12 farm labor housing loans and domestic farm labor housing  
13 grants and contracts: *Provided*, That any balances avail-  
14 able for the Farm Labor Program Account shall be trans-  
15 ferred to and merged with this account.

16       In addition, for administrative expenses necessary to  
17 carry out the direct and guaranteed loan programs,  
18 \$410,627,000 shall be transferred to and merged with the  
19 appropriation for “Rural Development, Salaries and Ex-  
20 penses”.

21                                       RENTAL ASSISTANCE PROGRAM

22       For rental assistance agreements entered into or re-  
23 newed pursuant to the authority under section 521(a)(2)  
24 or agreements entered into in lieu of debt forgiveness or  
25 payments for eligible households as authorized by section



1 502(c)(5)(D) of the Housing Act of 1949, \$907,128,000;  
2 and, in addition, such sums as may be necessary, as au-  
3 thorized by section 521(c) of the Act, to liquidate debt  
4 incurred prior to fiscal year 1992 to carry out the rental  
5 assistance program under section 521(a)(2) of the Act:  
6 *Provided*, That of this amount not less than \$3,000,000  
7 is available for newly constructed units financed under  
8 sections 514 and 516 of the Housing Act of 1949: *Pro-*  
9 *vided further*, That rental assistance agreements entered  
10 into or renewed during the current fiscal year shall be  
11 funded for a 1-year period: *Provided further*, That any un-  
12 expended balances remaining at the end of such 1-year  
13 agreements may be transferred and used for the purposes  
14 of any debt reduction; maintenance, repair, or rehabilita-  
15 tion of any existing projects; preservation; and rental as-  
16 sistance activities authorized under title V of the Act: *Pro-*  
17 *vided further*, That rental assistance provided under agree-  
18 ments entered into prior to fiscal year 2013 for a farm  
19 labor multi-family housing project financed under section  
20 514 or 516 of the Act may not be recaptured for use in  
21 another project until such assistance has remained unused  
22 for a period of 12 consecutive months, if such project has  
23 a waiting list of tenants seeking such assistance or the  
24 project has rental assistance eligible tenants who are not  
25 receiving such assistance: *Provided further*, That such re-

1 captured rental assistance shall, to the extent practicable,  
2 be applied to another farm labor multi-family housing  
3 project financed under section 514 or 516 of the Act.

4 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM  
5 ACCOUNT

6 For the rural housing voucher program as authorized  
7 under section 542 of the Housing Act of 1949, but not-  
8 withstanding subsection (b) of such section, and for addi-  
9 tional costs to conduct a demonstration program for the  
10 preservation and revitalization of multi-family rental hous-  
11 ing properties described in this paragraph, \$27,782,000,  
12 to remain available until expended: *Provided*, That of the  
13 funds made available under this heading, \$10,000,000,  
14 shall be available for rural housing vouchers to any low-  
15 income household (including those not receiving rental as-  
16 sistance) residing in a property financed with a section  
17 515 loan which has been prepaid after September 30,  
18 2005: *Provided further*, That the amount of such voucher  
19 shall be the difference between comparable market rent  
20 for the section 515 unit and the tenant paid rent for such  
21 unit: *Provided further*, That funds made available for such  
22 vouchers shall be subject to the availability of annual ap-  
23 propriations: *Provided further*, That the Secretary shall,  
24 to the maximum extent practicable, administer such  
25 vouchers with current regulations and administrative guid-

1 ance applicable to section 8 housing vouchers administered  
2 by the Secretary of the Department of Housing and Urban  
3 Development: *Provided further*, That if the Secretary de-  
4 termines that the amount made available for vouchers in  
5 this or any other Act is not needed for vouchers, the Sec-  
6 retary may use such funds for the demonstration program  
7 for the preservation and revitalization of multi-family  
8 rental housing properties described in this paragraph: *Pro-*  
9 *vided further*, That of the funds made available under this  
10 heading, \$17,782,000 shall be available for a demonstra-  
11 tion program for the preservation and revitalization of the  
12 sections 514, 515, and 516 multi-family rental housing  
13 properties to restructure existing USDA multi-family  
14 housing loans, as the Secretary deems appropriate, ex-  
15 pressly for the purposes of ensuring the project has suffi-  
16 cient resources to preserve the project for the purpose of  
17 providing safe and affordable housing for low-income resi-  
18 dents and farm laborers including reducing or eliminating  
19 interest; deferring loan payments, subordinating, reducing  
20 or reamortizing loan debt; and other financial assistance  
21 including advances, payments and incentives (including  
22 the ability of owners to obtain reasonable returns on in-  
23 vestment) required by the Secretary: *Provided further*,  
24 That the Secretary shall as part of the preservation and  
25 revitalization agreement obtain a restrictive use agreement

1 consistent with the terms of the restructuring: *Provided*  
2 *further*, That if the Secretary determines that additional  
3 funds for vouchers described in this paragraph are needed,  
4 funds for the preservation and revitalization demonstra-  
5 tion program may be used for such vouchers: *Provided fur-*  
6 *ther*, That if Congress enacts legislation to permanently  
7 authorize a multi-family rental housing loan restructuring  
8 program similar to the demonstration program described  
9 herein, the Secretary may use funds made available for  
10 the demonstration program under this heading to carry  
11 out such legislation with the prior approval of the Commit-  
12 tees on Appropriations of both Houses of Congress: *Pro-*  
13 *vided further*, That in addition to any other available  
14 funds, the Secretary may expend not more than  
15 \$1,000,000 total, from the program funds made available  
16 under this heading, for administrative expenses for activi-  
17 ties funded under this heading.

18 MUTUAL AND SELF-HELP HOUSING GRANTS

19 For grants and contracts pursuant to section  
20 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.  
21 1490c), \$30,000,000, to remain available until expended:  
22 *Provided*, That of the total amount appropriated under  
23 this heading, the amount equal to the amount of Mutual  
24 and Self-Help Grants allocated by the Secretary for Rural  
25 Economic Area Partnership Zones for the fiscal year

1 2012, shall be available through June 30, 2013, for com-  
2 munities designated by the Secretary of Agriculture as  
3 Rural Economic Area Partnership Zones.

4 RURAL HOUSING ASSISTANCE GRANTS

5 For grants for very low-income housing repair and  
6 rural housing preservation made by the Rural Housing  
7 Service, as authorized by 42 U.S.C. 1474, and 1490m,  
8 \$33,136,000, to remain available until expended: *Pro-*  
9 *vided*, That of the total amount appropriated under this  
10 heading, the amount equal to the amount of Rural Hous-  
11 ing Assistance Grants allocated by the Secretary for Rural  
12 Economic Area Partnership Zones for the fiscal year  
13 2012, shall be available through June 30, 2013, for com-  
14 munities designated by the Secretary of Agriculture as  
15 Rural Economic Area Partnership Zones.

16 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

17 (INCLUDING TRANSFERS OF FUNDS)

18 For gross obligations for the principal amount of di-  
19 rect loans as authorized by section 306 and described in  
20 section 381E(d)(1) of the Consolidated Farm and Rural  
21 Development Act, \$2,200,000,000 for direct loans and  
22 \$57,481,000 for guaranteed loans.

23 For the cost of guaranteed loans, including the cost  
24 of modifying loans, as defined in section 502 of the Con-

1 gressional Budget Act of 1974, \$3,880,000, to remain  
2 available until expended.

3       For the cost of grants for rural community facilities  
4 programs as authorized by section 306 and described in  
5 section 381E(d)(1) of the Consolidated Farm and Rural  
6 Development Act, \$28,428,000, to remain available until  
7 expended: *Provided*, That \$6,121,000 of the amount ap-  
8 propriated under this heading shall be available for a  
9 Rural Community Development Initiative: *Provided fur-*  
10 *ther*, That such funds shall be used solely to develop the  
11 capacity and ability of private, nonprofit community-based  
12 housing and community development organizations, low-  
13 income rural communities, and Federally Recognized Na-  
14 tive American Tribes to undertake projects to improve  
15 housing, community facilities, community and economic  
16 development projects in rural areas: *Provided further*,  
17 That such funds shall be made available to qualified pri-  
18 vate, nonprofit and public intermediary organizations pro-  
19 posing to carry out a program of financial and technical  
20 assistance: *Provided further*, That such intermediary orga-  
21 nizations shall provide matching funds from other sources,  
22 including Federal funds for related activities, in an  
23 amount not less than funds provided: *Provided further*,  
24 That \$5,938,000 of the amount appropriated under this  
25 heading shall be to provide grants for facilities in rural

1 communities with extreme unemployment and severe eco-  
2 nomic depression (Public Law 106–387), with up to 5 per-  
3 cent for administration and capacity building in the State  
4 rural development offices: *Provided further*, That  
5 \$3,369,000 of the amount appropriated under this head-  
6 ing shall be available for community facilities grants to  
7 tribal colleges, as authorized by section 306(a)(19) of such  
8 Act: *Provided further*, That of the total amount appro-  
9 priated under this heading, the amount equal to the  
10 amount of Rural Community Facilities Program Account  
11 funds allocated by the Secretary for Rural Economic Area  
12 Partnership Zones for the fiscal year 2012, shall be avail-  
13 able through June 30, 2013, for communities designated  
14 by the Secretary of Agriculture as Rural Economic Area  
15 Partnership Zones: *Provided further*, That sections 381E–  
16 H and 381N of the Consolidated Farm and Rural Devel-  
17 opment Act are not applicable to the funds made available  
18 under this heading.

19           RURAL BUSINESS—COOPERATIVE SERVICE

20                   RURAL BUSINESS PROGRAM ACCOUNT

21                           (INCLUDING TRANSFERS OF FUNDS)

22           For the cost of loan guarantees and grants, for the  
23 rural business development programs authorized by sec-  
24 tions 306 and 310B and described in subsections (f) and  
25 (g) of section 310B and section 381E(d)(3) of the Consoli-

1 dated Farm and Rural Development Act, \$85,904,000, to  
2 remain available until expended: *Provided*, That of the  
3 amount appropriated under this heading, not to exceed  
4 \$1,000,000 shall be made available for two grants to  
5 qualified national organizations to provide technical assist-  
6 ance for rural transportation in order to promote economic  
7 development and \$3,000,000 shall be for grants to the  
8 Delta Regional Authority (7 U.S.C. 2009aa et seq.) for  
9 any Rural Community Advancement Program purpose as  
10 described in section 381E(d) of the Consolidated Farm  
11 and Rural Development Act, of which not more than 5  
12 percent may be used for administrative expenses: *Provided*  
13 *further*, That \$4,000,000 of the amount appropriated  
14 under this heading shall be for business grants to benefit  
15 Federally Recognized Native American Tribes, including  
16 \$250,000 for a grant to a qualified national organization  
17 to provide technical assistance for rural transportation in  
18 order to promote economic development: *Provided further*,  
19 That of the total amount appropriated under this heading,  
20 the amount equal to the amount of Rural Business Pro-  
21 gram Account funds allocated by the Secretary for Rural  
22 Economic Area Partnership Zones for the fiscal year  
23 2012, shall be available through June 30, 2013, for com-  
24 munities designated by the Secretary of Agriculture as  
25 Rural Economic Area Partnership Zones for the rural



1 business and cooperative development programs described  
2 in section 381E(d)(3) of the Consolidated Farm and Rural  
3 Development Act: *Provided further*, That sections 381E–  
4 H and 381N of the Consolidated Farm and Rural Devel-  
5 opment Act are not applicable to funds made available  
6 under this heading.

7 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT  
8 (INCLUDING TRANSFER OF FUNDS)

9 For the principal amount of direct loans, as author-  
10 ized by the Rural Development Loan Fund (42 U.S.C.  
11 9812(a)), \$18,889,000.

12 For the cost of direct loans, \$6,052,000, as author-  
13 ized by the Rural Development Loan Fund (42 U.S.C.  
14 9812(a)), of which \$900,000 shall be available through  
15 June 30, 2013, for Federally Recognized Native American  
16 Tribes; and of which \$2,000,000 shall be available through  
17 June 30, 2013, for Mississippi Delta Region counties (as  
18 determined in accordance with Public Law 100–460): *Pro-*  
19 *vided*, That such costs, including the cost of modifying  
20 such loans, shall be as defined in section 502 of the Con-  
21 gressional Budget Act of 1974: *Provided further*, That of  
22 the total amount appropriated under this heading, the  
23 amount equal to the amount of Rural Development Loan  
24 Fund Program Account funds allocated by the Secretary  
25 for Rural Economic Area Partnership Zones for the fiscal

1 year 2012, shall be available through June 30, 2013, for  
2 communities designated by the Secretary of Agriculture  
3 as Rural Economic Area Partnership Zones.

4 In addition, for administrative expenses to carry out  
5 the direct loan programs, \$4,438,000 shall be transferred  
6 to and merged with the appropriation for “Rural Develop-  
7 ment, Salaries and Expenses”.

8 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

9 ACCOUNT

10 (INCLUDING RESCISSION OF FUNDS)

11 For the principal amount of direct loans, as author-  
12 ized under section 313 of the Rural Electrification Act,  
13 for the purpose of promoting rural economic development  
14 and job creation projects, \$33,077,000.

15 Of the funds derived from interest on the cushion of  
16 credit payments, as authorized by section 313 of the Rural  
17 Electrification Act of 1936, \$180,000,000 shall not be ob-  
18 ligated and \$180,000,000 are rescinded.

19 RURAL COOPERATIVE DEVELOPMENT GRANTS

20 For rural cooperative development grants authorized  
21 under section 310B(e) of the Consolidated Farm and  
22 Rural Development Act (7 U.S.C. 1932), \$27,706,000, of  
23 which \$2,250,000 shall be for cooperative agreements for  
24 the appropriate technology transfer for rural areas pro-  
25 gram: *Provided*, That not to exceed \$3,456,000 shall be

1 for grants for cooperative development centers, individual  
2 cooperatives, or groups of cooperatives that serve socially  
3 disadvantaged groups and a majority of the boards of di-  
4 rectors or governing boards of which are comprised of in-  
5 dividuals who are members of socially disadvantaged  
6 groups; and of which \$15,000,000, to remain available  
7 until expended, shall be for value-added agricultural prod-  
8 uct market development grants, as authorized by section  
9 231 of the Agricultural Risk Protection Act of 2000 (7  
10 U.S.C. 1621 note).

11 RURAL ENERGY FOR AMERICA PROGRAM

12 For the cost of a program of loan guarantees, under  
13 the same terms and conditions as authorized by section  
14 9007 of the Farm Security and Rural Investment Act of  
15 2002 (7 U.S.C. 8107), \$3,400,000: *Provided*, That the  
16 cost of loan guarantees, including the cost of modifying  
17 such loans, shall be as defined in section 502 of the Con-  
18 gressional Budget Act of 1974.

19 RURAL UTILITIES SERVICE

20 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

21 (INCLUDING TRANSFERS OF FUNDS)

22 For the cost of direct loans, loan guarantees, and  
23 grants for the rural water, waste water, waste disposal,  
24 and solid waste management programs authorized by sec-  
25 tions 306, 306A, 306C, 306D, 306E, and 310B and de-

1 scribed in sections 306C(a)(2), 306D, 306E, and  
2 381E(d)(2) of the Consolidated Farm and Rural Develop-  
3 ment Act, \$524,466,000, to remain available until ex-  
4 pended, of which not to exceed \$1,000,000 shall be avail-  
5 able for the rural utilities program described in section  
6 306(a)(2)(B) of such Act, and of which not to exceed  
7 \$993,000 shall be available for the rural utilities program  
8 described in section 306E of such Act: *Provided*, That  
9 \$66,500,000 of the amount appropriated under this head-  
10 ing shall be for loans and grants including water and  
11 waste disposal systems grants authorized by  
12 306C(a)(2)(B) and 306D of the Consolidated Farm and  
13 Rural Development Act, Federally recognized Native  
14 American Tribes authorized by 306C(a)(1), and the De-  
15 partment of Hawaiian Home Lands (of the State of Ha-  
16 waii): *Provided further*, That funding provided for section  
17 306D of the Consolidated Farm and Rural Development  
18 Act may be provided to a consortium formed pursuant to  
19 section 325 of Public Law 105–83: *Provided further*, That  
20 not more than 2 percent of the funding provided for sec-  
21 tion 306D of the Consolidated Farm and Rural Develop-  
22 ment Act may be used by the State of Alaska for training  
23 and technical assistance programs and not more than 2  
24 percent of the funding provided for section 306D of the  
25 Consolidated Farm and Rural Development Act may be

1 used by a consortium formed pursuant to section 325 of  
2 Public Law 105–83 for training and technical assistance  
3 programs: *Provided further*, That not to exceed  
4 \$19,000,000 of the amount appropriated under this head-  
5 ing shall be for technical assistance grants for rural water  
6 and waste systems pursuant to section 306(a)(14) of such  
7 Act, unless the Secretary makes a determination of ex-  
8 tremе need, of which \$5,750,000 shall be made available  
9 for a grant to a qualified non-profit multi-state regional  
10 technical assistance organization, with experience in work-  
11 ing with small communities on water and waste water  
12 problems, the principal purpose of such grant shall be to  
13 assist rural communities with populations of 3,300 or less,  
14 in improving the planning, financing, development, oper-  
15 ation, and management of water and waste water systems,  
16 and of which not less than \$800,000 shall be for a quali-  
17 fied national Native American organization to provide  
18 technical assistance for rural water systems for tribal com-  
19 munities: *Provided further*, That not to exceed  
20 \$15,000,000 of the amount appropriated under this head-  
21 ing shall be for contracting with qualified national organi-  
22 zations for a circuit rider program to provide technical as-  
23 sistance for rural water systems: *Provided further*, That  
24 not to exceed \$3,400,000 shall be for solid waste manage-  
25 ment grants: *Provided further*, That of the total amount

1 appropriated under this heading, the amount equal to the  
2 amount of Rural Water and Waste Disposal Program Ac-  
3 count funds allocated by the Secretary for Rural Economic  
4 Area Partnership Zones for the fiscal year 2012, shall be  
5 available through June 30, 2013, for communities des-  
6 ignated by the Secretary of Agriculture as Rural Economic  
7 Area Partnership Zones for the rural utilities programs  
8 described in section 381E(d)(2) of the Consolidated Farm  
9 and Rural Development Act: *Provided further*, That  
10 \$10,000,000 of the amount appropriated under this head-  
11 ing shall be transferred to, and merged with, the Rural  
12 Utilities Service, High Energy Cost Grants Account to  
13 provide grants authorized under section 19 of the Rural  
14 Electrification Act of 1936 (7 U.S.C. 918a): *Provided fur-*  
15 *ther*, That any prior year balances for high-energy cost  
16 grants authorized by section 19 of the Rural Electrifica-  
17 tion Act of 1936 (7 U.S.C. 918a) shall be transferred to  
18 and merged with the Rural Utilities Service, High Energy  
19 Cost Grants Account: *Provided further*, That sections  
20 381E–H and 381N of the Consolidated Farm and Rural  
21 Development Act are not applicable to the funds made  
22 available under this heading.

23 For gross obligations for the principal amount of di-  
24 rect loans as authorized by section 1006a of title 16 of  
25 the United States Code, except for the limitations con-

1 tained in the last sentence of such section, for projects  
2 whose features include agricultural water supply benefits,  
3 groundwater protection, environmental enhancement and  
4 flood control, \$40,000,000: *Provided*, That such loans  
5 shall be made by the Rural Utilities Service.

6 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

7 LOANS PROGRAM ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

9 The principal amount of direct and guaranteed loans  
10 as authorized by sections 305 and 306 of the Rural Elec-  
11 trification Act of 1936 (7 U.S.C. 935 and 936) shall be  
12 made as follows: 5 percent rural electrification loans,  
13 \$100,000,000; loans made pursuant to section 306 of that  
14 Act, rural electric, \$6,500,000,000; guaranteed under-  
15 writing loans pursuant to section 313A, \$500,000,000;  
16 cost of money rural telecommunications loans,  
17 \$690,000,000: *Provided*, That up to \$2,000,000,000 shall  
18 be used for the construction, acquisition, or improvement  
19 of fossil-fueled electric generating plants (whether new or  
20 existing) that utilize carbon sequestration systems.

21 In addition, for administrative expenses necessary to  
22 carry out the direct and guaranteed loan programs,  
23 \$34,467,000, which shall be transferred to and merged  
24 with the appropriation for “Rural Development, Salaries  
25 and Expenses”.

1 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND  
2 PROGRAM

3 For the principal amount of broadband telecommuni-  
4 cation loans, \$42,239,000.

5 For grants for telemedicine and distance learning  
6 services in rural areas, as authorized by 7 U.S.C. 950aaa  
7 et seq., \$24,950,000, to remain available until expended:  
8 *Provided*, That \$3,000,000 shall be made available for  
9 grants authorized by 379G of the Consolidated Farm and  
10 Rural Development Act: *Provided further*, That funding  
11 provided under this heading for grants under 379G of the  
12 Consolidated Farm and Rural Development Act may only  
13 be provided to entities that meet all of the eligibility cri-  
14 teria for a consortium as established by this section: *Pro-*  
15 *vided further*, That \$3,000,000 shall be made available to  
16 those noncommercial educational television broadcast sta-  
17 tions that serve rural areas and are qualified for Commu-  
18 nity Service Grants by the Corporation for Public Broad-  
19 casting under section 396(k) of the Communications Act  
20 of 1934, including associated translators and repeaters,  
21 regardless of the location of their main transmitter, stu-  
22 dio-to-transmitter links, and equipment to allow local con-  
23 trol over digital content and programming through the use  
24 of high-definition broadcast, multi-casting and datacasting  
25 technologies.



1 For the cost of broadband loans, as authorized by  
2 section 601 of the Rural Electrification Act, \$4,000,000,  
3 to remain available until expended: *Provided*, That the  
4 cost of direct loans shall be as defined in section 502 of  
5 the Congressional Budget Act of 1974.

6 In addition, \$10,372,000, to remain available until  
7 expended, for a grant program to finance broadband  
8 transmission in rural areas eligible for Distance Learning  
9 and Telemedicine Program benefits authorized by 7  
10 U.S.C. 950aaa.

11 TITLE IV

12 DOMESTIC FOOD PROGRAMS

13 OFFICE OF THE UNDER SECRETARY FOR FOOD,

14 NUTRITION AND CONSUMER SERVICES

15 For necessary expenses of the Office of the Under  
16 Secretary for Food, Nutrition and Consumer Services,  
17 \$811,000.

18 FOOD AND NUTRITION SERVICE

19 CHILD NUTRITION PROGRAMS

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses to carry out the Richard B.  
22 Russell National School Lunch Act (42 U.S.C. 1751 et  
23 seq.), except section 21, and the Child Nutrition Act of  
24 1966 (42 U.S.C. 1771 et seq.), except sections 17 and  
25 21; \$19,916,436,000, to remain available through Sep-

1   tember 30, 2014, of which such sums as are made avail-  
2   able under section 14222(b)(1) of the Food, Conservation,  
3   and Energy Act of 2008 (Public Law 110–246), as  
4   amended by this Act, shall be merged with and available  
5   for the same time period and purposes as provided herein:  
6   *Provided*, That of the total amount available, \$16,504,000  
7   shall be available to carry out section 19 of the Child Nu-  
8   trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*  
9   *further*, That of the total amount available, \$35,000,000  
10  shall be available to provide competitive grants to State  
11  agencies for subgrants to local educational agencies and  
12  schools to purchase the equipment needed to serve  
13  healthier meals, improve food safety, and to help support  
14  the establishment, maintenance, or expansion of the school  
15  breakfast program.

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

18       For necessary expenses to carry out the special sup-  
19  plemental nutrition program as authorized by section 17  
20  of the Child Nutrition Act of 1966 (42 U.S.C. 1786),  
21  \$7,046,000,000, to remain available through September  
22  30, 2014: *Provided*, That notwithstanding section  
23  17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.  
24  1786(h)(10)), not less than \$60,000,000 shall be used for  
25  breastfeeding peer counselors and other related activities,

1 \$14,000,000 shall be used for infrastructure, and  
2 \$35,000,000 shall be used for management information  
3 systems: *Provided further*, That funds made available for  
4 the purposes specified in section 17(h)(10)(B)(i) and sec-  
5 tion 17(h)(10)(B)(ii) shall only be made available upon a  
6 determination by the Secretary that funds are available  
7 to meet caseload requirements without the use of funds  
8 in the contingency reserve that are without fiscal year lim-  
9 itation: *Provided further*, That none of the funds provided  
10 in this account shall be available for the purchase of infant  
11 formula except in accordance with the cost containment  
12 and competitive bidding requirements specified in section  
13 17 of such Act: *Provided further*, That none of the funds  
14 provided shall be available for activities that are not fully  
15 reimbursed by other Federal Government departments or  
16 agencies unless authorized by section 17 of such Act.

17 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

18 For necessary expenses to carry out the Food and  
19 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),  
20 \$77,290,160,000, of which \$3,000,000,000, to remain  
21 available through September 30, 2014, shall be placed in  
22 reserve for use only in such amounts and at such times  
23 as may become necessary to carry out program operations:  
24 *Provided*, That funds provided herein shall be expended  
25 in accordance with section 16 of the Food and Nutrition

1 Act of 2008: *Provided further*, That of the funds made  
2 available under this heading, \$998,000 may be used to  
3 provide nutrition education services to state agencies and  
4 Federally recognized tribes participating in the Food Dis-  
5 tribution Program on Indian Reservations: *Provided fur-*  
6 *ther*, That this appropriation shall be subject to any work  
7 registration or workfare requirements as may be required  
8 by law: *Provided further*, That funds made available for  
9 Employment and Training under this heading shall re-  
10 main available until expended, notwithstanding section  
11 16(h)(1) of the Food and Nutrition Act of 2008: *Provided*  
12 *further*, That funds made available under this heading  
13 may be used to enter into contracts and employ staff to  
14 conduct studies, evaluations, or to conduct activities re-  
15 lated to program integrity provided that such activities are  
16 authorized by the Food and Nutrition Act of 2008.

17 COMMODITY ASSISTANCE PROGRAM

18 For necessary expenses to carry out disaster assist-  
19 ance and the Commodity Supplemental Food Program as  
20 authorized by section 4(a) of the Agriculture and Con-  
21 sumer Protection Act of 1973 (7 U.S.C. 612c note); the  
22 Emergency Food Assistance Act of 1983; special assist-  
23 ance for the nuclear affected islands, as authorized by sec-  
24 tion 103(f)(2) of the Compact of Free Association Amend-  
25 ments Act of 2003 (Public Law 108–188); and the Farm-

1 ers' Market Nutrition Program, as authorized by section  
2 17(m) of the Child Nutrition Act of 1966, \$253,952,000,  
3 to remain available through September 30, 2014: *Pro-*  
4 *vided*, That none of these funds shall be available to reim-  
5 burse the Commodity Credit Corporation for commodities  
6 donated to the program: *Provided further*, That notwith-  
7 standing any other provision of law, effective with funds  
8 made available in fiscal year 2013 to support the Seniors  
9 Farmers' Market Nutrition Program, as authorized by  
10 section 4402 of the Farm Security and Rural Investment  
11 Act of 2002, such funds shall remain available through  
12 September 30, 2014: *Provided further*, That of the funds  
13 made available under section 27(a) of the Food and Nutri-  
14 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may  
15 use up to 10 percent for costs associated with the distribu-  
16 tion of commodities.

17 NUTRITION PROGRAMS ADMINISTRATION

18 For necessary administrative expenses of the Food  
19 and Nutrition Service for carrying out any domestic nutri-  
20 tion assistance program, \$143,505,000: *Provided*, That of  
21 the funds provided herein, \$2,000,000 shall be used for  
22 the purposes of section 4404 of Public Law 107-171, as  
23 amended by section 4401 of Public Law 110-246.

1 TITLE V  
2 FOREIGN ASSISTANCE AND RELATED  
3 PROGRAMS  
4 FOREIGN AGRICULTURAL SERVICE  
5 SALARIES AND EXPENSES  
6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Foreign Agricultural  
8 Service, including not to exceed \$158,000 for representa-  
9 tion allowances and for expenses pursuant to section 8 of  
10 the Act approved August 3, 1956 (7 U.S.C. 1766),  
11 \$176,789,000: *Provided*, That the Service may utilize ad-  
12 vances of funds, or reimburse this appropriation for ex-  
13 penditures made on behalf of Federal agencies, public and  
14 private organizations and institutions under agreements  
15 executed pursuant to the agricultural food production as-  
16 sistance programs (7 U.S.C. 1737) and the foreign assist-  
17 ance programs of the United States Agency for Inter-  
18 national Development: *Provided further*, That funds made  
19 available for middle-income country training programs,  
20 funds made available for the Borlaug International Agri-  
21 cultural Science and Technology Fellowship program, and  
22 up to \$2,000,000 of the Foreign Agricultural Service ap-  
23 propriation solely for the purpose of offsetting fluctuations  
24 in international currency exchange rates, subject to docu-

1 mentation by the Foreign Agricultural Service, shall re-  
2 main available until expended.

3 FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD  
4 FOR PROGRESS PROGRAM ACCOUNT  
5 (INCLUDING TRANSFERS OF FUNDS)

6 For administrative expenses to carry out the credit  
7 program of title I, Food for Peace Act (Public Law 83–  
8 480) and the Food for Progress Act of 1985, \$2,806,000,  
9 shall be transferred to and merged with the appropriation  
10 for “Farm Service Agency, Salaries and Expenses”: *Pro-*  
11 *vided*, That funds made available for the cost of agree-  
12 ments under title I of the Agricultural Trade Development  
13 and Assistance Act of 1954 and for title I ocean freight  
14 differential may be used interchangeably between the two  
15 accounts with prior notice to the Committees on Appro-  
16 priations of both Houses of Congress.

17 FOOD FOR PEACE TITLE II GRANTS

18 For expenses during the current fiscal year, not oth-  
19 erwise recoverable, and unrecovered prior years’ costs, in-  
20 cluding interest thereon, under the Food for Peace Act  
21 (Public Law 83–480, as amended), for commodities sup-  
22 plied in connection with dispositions abroad under title II  
23 of said Act, \$1,435,000,000, to remain available until ex-  
24 pended.

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

3 For necessary expenses to carry out the provisions  
4 of section 3107 of the Farm Security and Rural Invest-  
5 ment Act of 2002 (7 U.S.C. 1736o-1), \$184,000,000, to  
6 remain available until expended: *Provided*, That the Com-  
7 modity Credit Corporation is authorized to provide the  
8 services, facilities, and authorities for the purpose of im-  
9 plementing such section, subject to reimbursement from  
10 amounts provided herein.

11 COMMODITY CREDIT CORPORATION EXPORT (LOANS)  
12 CREDIT GUARANTEE PROGRAM ACCOUNT  
13 (INCLUDING TRANSFERS OF FUNDS)

14 For administrative expenses to carry out the Com-  
15 modity Credit Corporation's export guarantee program,  
16 GSM 102 and GSM 103, \$6,806,000; to cover common  
17 overhead expenses as permitted by section 11 of the Com-  
18 modity Credit Corporation Charter Act and in conformity  
19 with the Federal Credit Reform Act of 1990, of which  
20 \$6,452,000 shall be transferred to and merged with the  
21 appropriation for "Foreign Agricultural Service, Salaries  
22 and Expenses", and of which \$354,000 shall be trans-  
23 ferred to and merged with the appropriation for "Farm  
24 Service Agency, Salaries and Expenses".



1 TITLE VI  
2 RELATED AGENCY AND FOOD AND DRUG  
3 ADMINISTRATION  
4 DEPARTMENT OF HEALTH AND HUMAN SERVICES  
5 FOOD AND DRUG ADMINISTRATION  
6 SALARIES AND EXPENSES

7 For necessary expenses of the Food and Drug Ad-  
8 ministration, including hire and purchase of passenger  
9 motor vehicles; for payment of space rental and related  
10 costs pursuant to Public Law 92–313 for programs and  
11 activities of the Food and Drug Administration which are  
12 included in this Act; for rental of special purpose space  
13 in the District of Columbia or elsewhere; for miscellaneous  
14 and emergency expenses of enforcement activities, author-  
15 ized and approved by the Secretary and to be accounted  
16 for solely on the Secretary’s certificate, not to exceed  
17 \$25,000; and notwithstanding section 521 of Public Law  
18 107–188; \$4,223,295,000: *Provided*, That of the amount  
19 provided under this heading, \$718,669,000 shall be de-  
20 rived from prescription drug user fees authorized by 21  
21 U.S.C. 379h, and shall be credited to this account and  
22 remain available until expended, and shall not include any  
23 fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed  
24 for fiscal year 2014 but collected in fiscal year 2013;  
25 \$97,722,000 shall be derived from medical device user fees

1 authorized by 21 U.S.C. 379j, and shall be credited to this  
2 account and remain available until expended;  
3 \$299,000,000 shall be derived from human generic drug  
4 user fees authorized by 21 U.S.C. 379j–42, and shall be  
5 credited to this account and remain available until ex-  
6 pended; \$20,242,000 shall be derived from biosimilar bio-  
7 logical product user fees authorized by 21 U.S.C. 379j–  
8 52, and shall be credited to this account and remain avail-  
9 able until expended; \$23,848,000 shall be derived from  
10 animal drug user fees authorized by 21 U.S.C. 379j–12,  
11 and shall be credited to this account and remain available  
12 until expended; \$6,031,000 shall be derived from animal  
13 generic drug user fees authorized by 21 U.S.C. 379j–21,  
14 and shall be credited to this account and remain available  
15 until expended; \$505,000,000 shall be derived from to-  
16 bacco product user fees authorized by 21 U.S.C. 387s, and  
17 shall be credited to this account and remain available until  
18 expended; \$12,925,000 shall be derived from food and  
19 feed recall fees authorized by 21 U.S.C. 379j–31, and  
20 shall be credited to this account and remain available until  
21 expended; \$15,367,000 shall be derived from food rein-  
22 spection fees authorized by 21 U.S.C. 379j–31, and shall  
23 be credited to this account and remain available until ex-  
24 pended; and amounts derived from voluntary qualified im-  
25 porter program fees authorized by 21 U.S.C. 379j–31, and

1 shall be credited to this account and remain available until  
2 expended: *Provided further*, That in addition and notwith-  
3 standing any other provision under this heading, amounts  
4 collected for prescription drug user fees, medical device  
5 user fees, human generic drug user fees, biosimilar biologi-  
6 cal product user fees, animal drug user fees, and animal  
7 generic drug user fees that exceed the respective fiscal  
8 year 2013 limitations are appropriated and shall be cred-  
9 ited to this account and remain available until expended:  
10 *Provided further*, That fees derived from prescription drug,  
11 medical device, animal drug, and animal generic drug as-  
12 sessments for fiscal year 2013 received during fiscal year  
13 2013, including any such fees assessed prior to fiscal year  
14 2013 but credited for fiscal year 2013, shall be subject  
15 to the fiscal year 2013 limitations: *Provided further*, That  
16 none of these funds shall be used to develop, establish,  
17 or operate any program of user fees authorized by 31  
18 U.S.C. 9701: *Provided further*, That of the total amount  
19 appropriated: (1) \$887,162,000 shall be for the Center for  
20 Food Safety and Applied Nutrition and related field activi-  
21 ties in the Office of Regulatory Affairs; (2)  
22 \$1,261,369,000 shall be for the Center for Drug Evalua-  
23 tion and Research and related field activities in the Office  
24 of Regulatory Affairs; (3) \$329,708,000 shall be for the  
25 Center for Biologics Evaluation and Research and for re-

1 lated field activities in the Office of Regulatory Affairs;  
2 (4) \$167,576,000 shall be for the Center for Veterinary  
3 Medicine and for related field activities in the Office of  
4 Regulatory Affairs; (5) \$393,988,000 shall be for the Cen-  
5 ter for Devices and Radiological Health and for related  
6 field activities in the Office of Regulatory Affairs; (6)  
7 \$59,429,000 shall be for the National Center for Toxi-  
8 cological Research; (7) \$482,398,000 shall be for the Cen-  
9 ter for Tobacco Products and for related field activities  
10 in the Office of Regulatory Affairs; (8) not to exceed  
11 \$168,971,000 shall be for Rent and Related activities, of  
12 which \$61,713,000 is for White Oak Consolidation, other  
13 than the amounts paid to the General Services Adminis-  
14 tration for rent; (9) not to exceed \$213,352,000 shall be  
15 for payments to the General Services Administration for  
16 rent; and (10) \$259,342,000 shall be for other activities,  
17 including the Office of the Commissioner of Food and  
18 Drugs, the Office of Foods and Veterinary Medicine, the  
19 Office of Medical and Tobacco Products, the Office of  
20 Global and Regulatory Policy, the Office of Operations,  
21 the Office of the Chief Scientist, and central services for  
22 these offices: *Provided further*, That the Secretary may,  
23 prior to the due date for such fees, accept payment of pre-  
24 scription drug user fees, medical device user fees, human  
25 generic drug user fees, biosimilar biological product user

1 fees, animal drug user fees and animal generic drug user  
2 fees authorized for fiscal year 2014, and that amounts of  
3 such fees assessed for fiscal year 2014 for which the Sec-  
4 retary accepts payment in fiscal year 2013 shall not be  
5 included in amounts provided under this heading: *Pro-*  
6 *vided further*, That not to exceed \$25,000 of this amount  
7 shall be for official reception and representation expenses,  
8 not otherwise provided for, as determined by the Commis-  
9 sioner: *Provided further*, That any transfer of funds pursu-  
10 ant to section 770(n) of the Federal Food, Drug, and Cos-  
11 metic Act (21 U.S.C. 379dd(n)) shall only be from  
12 amounts made available under this heading for other ac-  
13 tivities: *Provided further*, That funds may be transferred  
14 from one specified activity to another with the prior ap-  
15 proval of the Committees on Appropriations of both  
16 Houses of Congress.

17 In addition, mammography user fees authorized by  
18 42 U.S.C. 263b, export certification user fees authorized  
19 by 21 U.S.C. 381, and priority review user fees authorized  
20 by 21 U.S.C. 360n may be credited to this account, to  
21 remain available until expended.

22 BUILDINGS AND FACILITIES

23 For plans, construction, repair, improvement, exten-  
24 sion, alteration, and purchase of fixed equipment or facili-  
25 ties of or used by the Food and Drug Administration,

1 where not otherwise provided, \$5,320,000, to remain  
2 available until expended.

3 INDEPENDENT AGENCY

4 FARM CREDIT ADMINISTRATION

5 LIMITATION ON ADMINISTRATIVE EXPENSES

6 Not to exceed \$63,300,000 (from assessments col-  
7 lected from farm credit institutions, including the Federal  
8 Agricultural Mortgage Corporation) shall be obligated  
9 during the current fiscal year for administrative expenses  
10 as authorized under 12 U.S.C. 2249: *Provided*, That this  
11 limitation shall not apply to expenses associated with re-  
12 ceiverships.

13 TITLE VII

14 GENERAL PROVISIONS

15 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

16 SEC. 701. Within the unit limit of cost fixed by law,  
17 appropriations and authorizations made for the Depart-  
18 ment of Agriculture for the current fiscal year under this  
19 Act shall be available for the purchase, in addition to those  
20 specifically provided for, of not to exceed 204 passenger  
21 motor vehicles of which 170 shall be for replacement only,  
22 and for the hire of such vehicles: *Provided*, That notwith-  
23 standing this section, the only purchase of new passenger  
24 vehicles shall be for those determined by the Secretary to  
25 be necessary for transportation safety, to reduce oper-

1 ational costs, and for the protection of life, property, and  
2 public safety.

3       SEC. 702. Notwithstanding any other provision of  
4 this Act, the Secretary of Agriculture may transfer unobli-  
5 gated balances of discretionary funds appropriated by this  
6 Act or any other available unobligated discretionary bal-  
7 ances of the Department of Agriculture that are remaining  
8 available at the end of the fiscal year, to the Working Cap-  
9 ital Fund for the acquisition of plant and capital equip-  
10 ment necessary for the delivery of financial, administra-  
11 tive, and information technology services of primary ben-  
12 efit to the agencies of the Department of Agriculture, such  
13 transferred funds to remain available until expended: *Pro-*  
14 *vided*, That none of the funds made available by this Act  
15 or any other Act shall be transferred to the Working Cap-  
16 ital Fund without the prior approval of the agency admin-  
17 istrator: *Provided further*, That none of the funds trans-  
18 ferred to the Working Capital Fund pursuant to this sec-  
19 tion shall be available for obligation without written notifi-  
20 cation to and the prior approval of the Committees on Ap-  
21 propriations of both Houses of Congress: *Provided further*,  
22 That none of the funds appropriated by this Act or made  
23 available to the Department's Working Capital Fund shall  
24 be available for obligation or expenditure to make any  
25 changes to the Department's National Finance Center

1 without written notification to and prior approval of the  
2 Committees on Appropriations of both Houses of Congress  
3 as required by section 726 of this Act: *Provided further,*  
4 That of annual income amounts in the Working Capital  
5 Fund of the Department of Agriculture allocated for the  
6 National Finance Center, the Secretary may reserve not  
7 more than 4 percent for the replacement or acquisition  
8 of capital equipment, including equipment for the improve-  
9 ment and implementation of a financial management plan,  
10 information technology, and other systems of the National  
11 Finance Center or to pay any unforeseen, extraordinary  
12 cost of the National Finance Center: *Provided further,*  
13 That none of the amounts reserved shall be available for  
14 obligation unless the Secretary submits written notifica-  
15 tion of the obligation to the Committees on Appropriations  
16 of the House of Representatives and the Senate: *Provided*  
17 *further,* That the limitation on the obligation of funds  
18 pending notification to Congressional Committees shall  
19 not apply to any obligation that, as determined by the Sec-  
20 retary, is necessary to respond to a declared state of emer-  
21 gency that significantly impacts the operations of the Na-  
22 tional Finance Center; or to evacuate employees of the Na-  
23 tional Finance Center to a safe haven to continue oper-  
24 ations of the National Finance Center.



1           SEC. 703. No part of any appropriation contained in  
2 this Act shall remain available for obligation beyond the  
3 current fiscal year unless expressly so provided herein.

4           SEC. 704. No funds appropriated by this Act may be  
5 used to pay negotiated indirect cost rates on cooperative  
6 agreements or similar arrangements between the United  
7 States Department of Agriculture and nonprofit institu-  
8 tions in excess of 10 percent of the total direct cost of  
9 the agreement when the purpose of such cooperative ar-  
10 rangements is to carry out programs of mutual interest  
11 between the two parties. This does not preclude appro-  
12 priate payment of indirect costs on grants and contracts  
13 with such institutions when such indirect costs are com-  
14 puted on a similar basis for all agencies for which appro-  
15 priations are provided in this Act.

16           SEC. 705. Appropriations to the Department of Agri-  
17 culture for the cost of direct and guaranteed loans made  
18 available in the current fiscal year shall remain available  
19 until expended to disburse obligations made in the current  
20 fiscal year for the following accounts: the Rural Develop-  
21 ment Loan Fund program account, the Rural Electrifica-  
22 tion and Telecommunication Loans program account, and  
23 the Rural Housing Insurance Fund program account.

24           SEC. 706. Funds made available by this Act under  
25 title II of the Food for Peace Act (7 U.S.C. 1721 et seq.)

1 may only be used to provide assistance to recipient nations  
2 if adequate monitoring and controls, as determined by the  
3 Administrator of the U.S. Agency for International Devel-  
4 opment, are in place to ensure that emergency food aid  
5 is received by the intended beneficiaries in areas affected  
6 by food shortages and not diverted for unauthorized or  
7 inappropriate purposes.

8       SEC. 707. None of the funds made available to the  
9 Department of Agriculture by this Act may be used to ac-  
10 quire new information technology systems or significant  
11 upgrades, as determined by the Office of the Chief Infor-  
12 mation Officer, without the approval of the Chief Informa-  
13 tion Officer and the concurrence of the Executive Informa-  
14 tion Technology Investment Review Board: *Provided*, That  
15 notwithstanding any other provision of law, none of the  
16 funds appropriated or otherwise made available by this  
17 Act may be transferred to the Office of the Chief Informa-  
18 tion Officer without written notification to and the prior  
19 approval of the Committees on Appropriations of both  
20 Houses of Congress: *Provided further*, That none of the  
21 funds available to the Department of Agriculture for infor-  
22 mation technology shall be obligated for projects over  
23 \$25,000 prior to receipt of written approval by the Chief  
24 Information Officer.

1           SEC. 708. Funds made available under section 1240I  
2 and section 1241(a) of the Food Security Act of 1985 and  
3 section 524(b) of the Federal Crop Insurance Act (7  
4 U.S.C. 1524(b)) in the current fiscal year shall remain  
5 available until expended to disburse obligations made in  
6 the current fiscal year.

7           SEC. 709. Notwithstanding any other provision of  
8 law, any former RUS borrower that has repaid or prepaid  
9 an insured, direct or guaranteed loan under the Rural  
10 Electrification Act of 1936, or any not-for-profit utility  
11 that is eligible to receive an insured or direct loan under  
12 such Act, shall be eligible for assistance under section  
13 313(b)(2)(B) of such Act in the same manner as a bor-  
14 rower under such Act.

15          SEC. 710. Notwithstanding any other provision of  
16 law, for the purposes of a grant under section 412 of the  
17 Agricultural Research, Extension, and Education Reform  
18 Act of 1998, none of the funds in this or any other Act  
19 may be used to prohibit the provision of in-kind support  
20 from non-Federal sources under section 412(e)(3) of such  
21 Act in the form of unrecovered indirect costs not otherwise  
22 charged against the grant, consistent with the indirect  
23 rate of cost approved for a recipient.

24          SEC. 711. Except as otherwise specifically provided  
25 by law, unobligated balances from appropriations made

1 available for salaries and expenses in this Act for the  
2 Farm Service Agency and the Rural Development mission  
3 area, shall remain available through September 30, 2014,  
4 for information technology expenses.

5       SEC. 712. The Secretary of Agriculture may author-  
6 ize a State agency to use funds provided in this Act to  
7 exceed the maximum amount of liquid infant formula  
8 specified in 7 CFR 246.10 when issuing liquid infant for-  
9 mula to participants.

10       SEC. 713. None of the funds appropriated or other-  
11 wise made available by this Act may be used for first-class  
12 travel by the employees of agencies funded by this Act in  
13 contravention of sections 301–10.122 through 301–10.124  
14 of title 41, Code of Federal Regulations.

15       SEC. 714. In the case of each program established  
16 or amended by the Food, Conservation, and Energy Act  
17 of 2008 (Public Law 110–246), other than by title I or  
18 subtitle A of title III of such Act, that is authorized or  
19 required to be carried out using funds of the Commodity  
20 Credit Corporation—

21           (1) such funds shall be available for salaries  
22       and related administrative expenses, including tech-  
23       nical assistance, associated with the implementation  
24       of the program, without regard to the limitation on  
25       the total amount of allotments and fund transfers

1 contained in section 11 of the Commodity Credit  
2 Corporation Charter Act (15 U.S.C. 714i); and

3 (2) the use of such funds for such purpose shall  
4 not be considered to be a fund transfer or allotment  
5 for purposes of applying the limitation on the total  
6 amount of allotments and fund transfers contained  
7 in such section.

8 SEC. 715. Notwithstanding any other provision of  
9 law, the requirements pursuant to 7 U.S.C. 1736f(e)(1)  
10 may be waived for any amounts higher than those speci-  
11 fied under this authority for fiscal year 2009.

12 SEC. 716. None of the funds made available in fiscal  
13 year 2013 or preceding fiscal years for programs author-  
14 ized under the Food for Peace Act (7 U.S.C. 1691 et seq.)  
15 in excess of \$20,000,000 shall be used to reimburse the  
16 Commodity Credit Corporation for the release of eligible  
17 commodities under section 302(f)(2)(A) of the Bill Emer-  
18 son Humanitarian Trust Act (7 U.S.C. 1736f-1): *Pro-*  
19 *vided*, That any such funds made available to reimburse  
20 the Commodity Credit Corporation shall only be used pur-  
21 suant to section 302(b)(2)(B)(i) of the Bill Emerson Hu-  
22 manitarian Trust Act.

23 SEC. 717. Of the funds made available by this Act,  
24 not more than \$1,800,000 shall be used to cover necessary  
25 expenses of activities related to all advisory committees,

1 panels, commissions, and task forces of the Department  
2 of Agriculture, except for panels used to comply with nego-  
3 tiated rule makings and panels used to evaluate competi-  
4 tively awarded grants.

5       SEC. 718. None of the funds in this Act shall be avail-  
6 able to pay indirect costs charged against any agricultural  
7 research, education, or extension grant awards issued by  
8 the National Institute of Food and Agriculture that exceed  
9 30 percent of total Federal funds provided under each  
10 award: *Provided*, That notwithstanding section 1462 of  
11 the National Agricultural Research, Extension, and  
12 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-  
13 vided by this Act for grants awarded competitively by the  
14 National Institute of Food and Agriculture shall be avail-  
15 able to pay full allowable indirect costs for each grant  
16 awarded under section 9 of the Small Business Act (15  
17 U.S.C. 638).

18       SEC. 719. For an additional amount for “Food and  
19 Drug Administration, Salaries and Expenses”,  
20 \$50,000,000, to remain available until expended, of which  
21 \$40,000,000 is for one-time activities directly related to  
22 implementation of the Food Safety Modernization Act,  
23 and of which \$10,000,000 is for one-time activities di-  
24 rectly related to improving the safety of the human drug  
25 supply.

1       SEC. 720. There is hereby appropriated \$1,996,000  
2 to carry out section 1621 of Public Law 110–246.

3       SEC. 721. None of the funds appropriated or other-  
4 wise made available by this or any other Act shall be used  
5 to pay the salaries and expenses of personnel to carry out  
6 the following:

7           (1) The Watershed Rehabilitation program au-  
8 thorized by section 14(h) of the Watershed Protec-  
9 tion and Flood Prevention Act (16 U.S.C. 1012(h));

10          (2) The Environmental Quality Incentives Pro-  
11 gram as authorized by sections 1240–1240H of the  
12 Food Security Act of 1985 (16 U.S.C. 3839aa–  
13 3839aa–8) in excess of \$1,400,000,000;

14          (3) The Wildlife Habitat Incentives Act author-  
15 ized by section 1240N of the Food Security Act of  
16 1985, as amended (16 U.S.C. 3839bb–1)) in excess  
17 of \$73,000,000; and

18          (4) Agricultural Management Assistance Pro-  
19 gram as authorized by section 524 of the Federal  
20 Crop Insurance Act, as amended (7 U.S.C. 1524) in  
21 excess of \$2,500,000 for the Natural Resources Con-  
22 servation Service.

23       SEC. 722. None of the funds appropriated or other-  
24 wise made available by this or any other Act shall be used  
25 to pay the salaries and expenses of personnel to carry out

1 a program under subsection (b)(2)(A)(v) of section 14222  
2 of Public Law 110–246 in excess of \$981,000,000, as fol-  
3 lows: Child Nutrition Programs Entitlement Commod-  
4 ities—\$465,000,000; State Option Contracts—  
5 \$5,000,000; Removal of Defective Commodities—  
6 \$2,500,000: *Provided*, That none of the funds made avail-  
7 able in this Act or any other Act shall be used for salaries  
8 and expenses to carry out in this fiscal year section  
9 19(i)(1)(E) of the Richard B. Russell National School  
10 Lunch Act as amended by section 4304 of Public Law  
11 110–246 in excess of \$41,000,000, including the transfer  
12 of funds under subsection (c) of section 14222 of Public  
13 Law 110–246, until October 1, 2013: *Provided further*,  
14 That \$117,000,000 made available on October 1, 2013,  
15 to carry out section 19(i)(1)(E) of the Richard B. Russell  
16 National School Lunch Act as amended by section 4304  
17 of Public Law 110–246 shall be excluded from the limita-  
18 tion described in subsection (b)(2)(A)(vi) of section 14222  
19 of Public Law 110–246: *Provided further*, That none of  
20 the funds appropriated or otherwise made available by this  
21 or any other Act shall be used to pay the salaries or ex-  
22 penses of any employee of the Department of Agriculture  
23 or officer of the Commodity Credit Corporation to carry  
24 out clause 3 of section 32 of the Agricultural Adjustment  
25 Act of 1935 (Public Law 74–320, 7 U.S.C. 612c, as



1 amended), or for any surplus removal activities or price  
2 support activities under section 5 of the Commodity Credit  
3 Corporation Charter Act: *Provided further*, That of the  
4 available unobligated balances under (b)(2)(A)(v) of sec-  
5 tion 14222 of Public Law 110–246, \$150,000,000 are  
6 hereby rescinded.

7       SEC. 723. Subject to authorizing legislation by the  
8 House Committee on Agriculture and the Senate Com-  
9 mittee on Agriculture, Nutrition, and Forestry, the Sec-  
10 retary may reserve, through April 1, 2013, up to 5 percent  
11 of the funding available for the following items for projects  
12 in areas that are engaged in strategic regional develop-  
13 ment planning as defined by the Secretary: business and  
14 industry guaranteed loans; rural development loan fund;  
15 rural business enterprise grants; rural business oppor-  
16 tunity grants; rural economic development program; rural  
17 microenterprise program; biorefinery assistance program;  
18 rural energy for America program; value-added producer  
19 grants; broadband program; water and waste program;  
20 and rural community facilities program.

21       SEC. 724. There is hereby appropriated \$600,000 for  
22 the purposes of section 727 of division A of Public Law  
23 112–55.

24       SEC. 725. None of the funds appropriated by this or  
25 any other Act shall be used to pay the salaries and ex-

1 penses of personnel who prepare or submit appropriations  
2 language as part of the President's budget submission to  
3 the Congress of the United States for programs under the  
4 jurisdiction of the Appropriations Subcommittees on Agri-  
5 culture, Rural Development, Food and Drug Administra-  
6 tion, and Related Agencies that assumes revenues or re-  
7 flects a reduction from the previous year due to user fees  
8 proposals that have not been enacted into law prior to the  
9 submission of the budget unless such budget submission  
10 identifies which additional spending reductions should  
11 occur in the event the user fees proposals are not enacted  
12 prior to the date of the convening of a committee of con-  
13 ference for the fiscal year 2014 appropriations Act.

14       SEC. 726. (a) None of the funds provided by this Act,  
15 or provided by previous Appropriations Acts to the agen-  
16 cies funded by this Act that remain available for obligation  
17 or expenditure in the current fiscal year, or provided from  
18 any accounts in the Treasury of the United States derived  
19 by the collection of fees available to the agencies funded  
20 by this Act, shall be available for obligation or expenditure  
21 through a reprogramming, transfer of funds, or reim-  
22 bursements as authorized by the Economy Act, or in the  
23 case of the Department of Agriculture, through use of the  
24 authority provided by section 702(b) of the Department

1 of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or  
2 section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

3 (1) creates new programs;

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

5 (3) increases funds or personnel by any means  
6 for any project or activity for which funds have been  
7 denied or restricted;

8 (4) relocates an office or employees;

9 (5) reorganizes offices, programs, or activities;

10 or

11 (6) contracts out or privatizes any functions or  
12 activities presently performed by Federal employees;

13 unless the Secretary of Agriculture, the Secretary of  
14 Health and Human Services, or the Chairman of the Com-  
15 modity Futures Trading Commission (as the case may be)  
16 notifies, in writing, the Committees on Appropriations of  
17 both Houses of Congress at least 30 days in advance of  
18 the reprogramming of such funds or the use of such au-  
19 thority.

20 (b) None of the funds provided by this Act, or pro-  
21 vided by previous Appropriations Acts to the agencies  
22 funded by this Act that remain available for obligation or  
23 expenditure in the current fiscal year, or provided from  
24 any accounts in the Treasury of the United States derived  
25 by the collection of fees available to the agencies funded

1 by this Act, shall be available for obligation or expenditure  
2 for activities, programs, or projects through a reprogram-  
3 ming or use of the authorities referred to in subsection  
4 (a) involving funds in excess of \$500,000 or 10 percent,  
5 whichever is less, that—

6 (1) augments existing programs, projects, or ac-  
7 tivities;

8 (2) reduces by 10 percent funding for any exist-  
9 ing program, project, or activity, or numbers of per-  
10 sonnel by 10 percent as approved by Congress; or

11 (3) results from any general savings from a re-  
12 duction in personnel which would result in a change  
13 in existing programs, activities, or projects as ap-  
14 proved by Congress; unless the Secretary of Agri-  
15 culture, the Secretary of Health and Human Serv-  
16 ices, or the Chairman of the Commodity Futures  
17 Trading Commission (as the case may be) notifies,  
18 in writing, the Committees on Appropriations of  
19 both Houses of Congress at least 30 days in advance  
20 of the reprogramming or transfer of such funds or  
21 the use of such authority.

22 (c) The Secretary of Agriculture, the Secretary of  
23 Health and Human Services, or the Chairman of the Com-  
24 modity Futures Trading Commission shall notify in writ-  
25 ing the Committees on Appropriations of both Houses of

1 Congress before implementing any program or activity not  
2 carried out during the previous fiscal year unless the pro-  
3 gram or activity is funded by this Act or specifically fund-  
4 ed by any other Act.

5 (d) As described in this section, no funds may be used  
6 for any activities unless the Secretary of Agriculture, the  
7 Secretary of Health and Human Services or the Chairman  
8 of the Commodity Futures Trading Commission receives  
9 from the Committee on Appropriations of both Houses of  
10 Congress written or electronic mail confirmation of receipt  
11 of the notification as required in this section.

12 SEC. 727. Notwithstanding section 310B(g)(5) of the  
13 Consolidated Farm and Rural Development Act (7 U.S.C.  
14 1932(g)(5)), the Secretary may assess a one-time fee for  
15 any guaranteed business and industry loan in an amount  
16 that does not exceed 3 percent of the guaranteed principal  
17 portion of the loan.

18 SEC. 728. None of the funds appropriated or other-  
19 wise made available to the Department of Agriculture or  
20 the Food and Drug Administration shall be used to trans-  
21 mit or otherwise make available to any non-Department  
22 of Agriculture or non-Department of Health and Human  
23 Services employee questions or responses to questions that  
24 are a result of information requested for the appropria-  
25 tions hearing process.

1           SEC. 729. Unless otherwise authorized by existing  
2 law, none of the funds provided in this Act, may be used  
3 by an executive branch agency to produce any pre-  
4 packaged news story intended for broadcast or distribution  
5 in the United States unless the story includes a clear noti-  
6 fication within the text or audio of the prepackaged news  
7 story that the prepackaged news story was prepared or  
8 funded by that executive branch agency.

9           SEC. 730. No employee of the Department of Agri-  
10 culture may be detailed or assigned from an agency or  
11 office funded by this Act or any other Act to any other  
12 agency or office of the Department for more than 30 days  
13 unless the individual's employing agency or office is fully  
14 reimbursed by the receiving agency or office for the salary  
15 and expenses of the employee for the period of assignment.

16           SEC. 731. Notwithstanding any other provision of  
17 law, any area eligible for rural housing programs of the  
18 Rural Housing Service on September 30, 2012, shall re-  
19 main eligible for such programs until September 30, 2013.

20           SEC. 732. None of the funds made available by this  
21 Act may be used to enter into a contract, memorandum  
22 of understanding, or cooperative agreement with, make a  
23 grant to, or provide a loan or loan guarantee to any cor-  
24 poration that was convicted (or had an officer or agent  
25 of such corporation acting on behalf of the corporation

1 convicted) of a felony criminal violation under any Federal  
2 or State law within the preceding 24 months, where the  
3 awarding agency is aware of the conviction, unless the  
4 agency has considered suspension or debarment of the cor-  
5 poration, or such officer or agent, and made a determina-  
6 tion that this further action is not necessary to protect  
7 the interests of the Government.

8       SEC. 733. None of the funds made available by this  
9 Act may be used to enter into a contract, memorandum  
10 of understanding, or cooperative agreement with, make a  
11 grant to, or provide a loan or loan guarantee to, any cor-  
12 poration that any unpaid Federal tax liability that has  
13 been assessed, for which all judicial and administrative  
14 remedies have been exhausted or have lapsed, and that  
15 is not being paid in a timely manner pursuant to an agree-  
16 ment with the authority responsible for collecting the tax  
17 liability, where the awarding agency is aware of the unpaid  
18 tax liability, unless the agency has considered suspension  
19 or debarment of the corporation and made a determination  
20 that this further action is not necessary to protect the in-  
21 terests of the Government.

22       SEC. 734. None of the funds made available by this  
23 Act may be used to pay the salaries and expenses of per-  
24 sonnel who provide nonrecourse marketing assistance

1 loans for mohair under section 1201 of the Food, Con-  
2 servation, and Energy Act of 2008 (7 U.S.C. 8731).

3       SEC. 735. In the event that a determination of non-  
4 regulated status made pursuant to section 411 of the  
5 Plant Protection Act is or has been invalidated or vacated,  
6 the Secretary of Agriculture shall, notwithstanding any  
7 other provision of law, upon request by a farmer, grower,  
8 farm operator, or producer, immediately grant temporary  
9 permit(s) or temporary deregulation in part, subject to  
10 necessary and appropriate conditions consistent with sec-  
11 tion 411(a) or 412(e) of the Plant Protection Act, which  
12 interim conditions shall authorize the movement, introduc-  
13 tion, continued cultivation, commercialization and other  
14 specifically enumerated activities and requirements, in-  
15 cluding measures designed to mitigate or minimize poten-  
16 tial adverse environmental effects, if any, relevant to the  
17 Secretary's evaluation of the petition for non-regulated  
18 status, while ensuring that growers or other users are able  
19 to move, plant, cultivate, introduce into commerce and  
20 carry out other authorized activities in a timely manner:  
21 *Provided*, That all such conditions shall be applicable only  
22 for the interim period necessary for the Secretary to com-  
23 plete any required analyses or consultations related to the  
24 petition for non-regulated status: *Provided further*, That  
25 nothing in this section shall be construed as limiting the



1 Secretary's authority under section 411, 412 and 414 of  
2 the Plant Protection Act.

3 SEC. 736. None of the funds made available by this  
4 or any other Act may be used to pay for mitigation associ-  
5 ated with the removal of Federal Energy Regulatory Com-  
6 mission Project number 2342.

7 SEC. 737. Of the unobligated balance of funds avail-  
8 able to the Department of Agriculture for the cost of  
9 broadband loans under the heading "Rural Development  
10 Programs—Rural Utilities Service—Distance Learning,  
11 Telemedicine, and Broadband Program" in prior appro-  
12 priation Acts, \$25,320,000 is rescinded.

13 SEC. 738. Of the unobligated balances provided pur-  
14 suant to section 9004(d)(1) of the Farm Security and  
15 Rural Investment Act of 2002 (7 U.S.C. 8104),  
16 \$28,045,000 are hereby rescinded.

17 SEC. 739. Funds received by the Secretary of Agri-  
18 culture in the global settlement of any Federal litigation  
19 concerning Federal mortgage loans during fiscal year  
20 2012 may be expended, in addition to any other available  
21 funds, by the Rural Housing Service to pay for costs asso-  
22 ciated with servicing single family housing loans guaran-  
23 teed by the Rural Housing Service and such funds shall  
24 remain available until expended.

1           SEC. 740. Not later than 30 days after the date of  
2 enactment of this Act, the Secretary of Agriculture, the  
3 Commissioner of the Food and Drug Administration, and  
4 the Chairman of the Farm Credit Administration shall  
5 submit to the Committees on Appropriations of the House  
6 of Representatives and the Senate a detailed spending  
7 plan by program, project, and activity for the funds made  
8 available under this Act.

9           SEC. 741. There is hereby appropriated for the  
10 “Emergency Conservation Program”, \$11,100,000, to re-  
11 main available until expended; for the “Emergency For-  
12 estry Restoration Program”, \$14,200,000, to remain  
13 available until expended; and for the “Emergency Water-  
14 shed Protection Program”, \$65,454,000, to remain avail-  
15 able until expended: *Provided*, That not less than  
16 \$48,257,000 made available for the Emergency Watershed  
17 Protection Program under this general provision are pro-  
18 vided for necessary expenses for a major disaster declara-  
19 tion issued under the Robert T. Stafford Disaster Relief  
20 and Emergency Assistance Act (42 U.S.C. 5121 et. seq.).

21           SEC. 742. None of the funds made available by this  
22 or any other Act may be used to write, prepare, or publish  
23 a final rule or an interim final rule in furtherance of, or  
24 otherwise to implement, “Implementation of Regulations  
25 Required Under Title XI, of the Food, Conservation and

1 Energy Act of 2008; Conduct in Violation of the Act” (75  
2 Fed. Reg. 35338 (June 22, 2010)) unless the combined  
3 annual cost to the economy of such rules does not exceed  
4 \$100,000,000 or such rules have already been published  
5 in compliance with Section 721 of the Consolidated and  
6 Further Continuing Appropriations Act, 2012, Public Law  
7 112-55: *Provided*, That no funds made available by this  
8 or any other Act be used to publish a final or interim final  
9 rule in furtherance of, or otherwise to implement, pro-  
10 posed sections 201.2(l), 201.2(t), 201.2(u), 201.3(c),  
11 201.210, 201.211, 201.213, or 201.214 of “Implementa-  
12 tion of Regulations Required Under Title XI of the Food,  
13 Conservation and Energy Act of 2008; Conduct in Viola-  
14 tion of the Act” (75 Fed. Reg. 35338 (June 22, 2010)):  
15 *Provided further*, That none of the funds made available  
16 by this or any other Act may be used to implement such  
17 rules until 60 days from the publication date of such rules:  
18 *Provided further*, That none of the funds made available  
19 by this Act may be used to enforce or to take regulatory  
20 action based on or in furtherance of sections 201.2(o),  
21 201.3(a), or 201.215(a), of Title 9 of the Code of Federal  
22 Regulations, as they exist at the time this Act is passed,  
23 or to write, prepare, or publish a final or interim final  
24 rule in furtherance of, or otherwise to implement, the defi-  
25 nitions or criteria embodied in these sections: *Provided*

1 *further*, That the Secretary of Agriculture shall, within 60  
2 days, rescind sections 201.2(o), 201.3(a), or 201.215(a),  
3 of Title 9 of the Code of Federal Regulations.

4 This division may be cited as the “Agriculture, Rural  
5 Development, Food and Drug Administration, and Re-  
6 lated Agencies Appropriations Act, 2013”.

7 **DIVISION B—COMMERCE, JUSTICE,**  
8 **SCIENCE, AND RELATED AGENCIES**  
9 **APPROPRIATIONS ACT, 2013**

10 The following sums are hereby appropriated, out of  
11 any money in the Treasury not otherwise appropriated,  
12 for Departments of Commerce and Justice, and Science,  
13 and Related Agencies for the fiscal year ending September  
14 30, 2013, and for other purposes, namely:

15 TITLE I

16 DEPARTMENT OF COMMERCE

17 INTERNATIONAL TRADE ADMINISTRATION

18 OPERATIONS AND ADMINISTRATION

19 For necessary expenses for international trade activi-  
20 ties of the Department of Commerce provided for by law,  
21 and for engaging in trade promotional activities abroad,  
22 including expenses of grants and cooperative agreements  
23 for the purpose of promoting exports of United States  
24 firms, without regard to sections 3702 and 3703 of title  
25 44, United States Code; full medical coverage for depend-

1 ent members of immediate families of employees stationed  
2 overseas and employees temporarily posted overseas; travel  
3 and transportation of employees of the International  
4 Trade Administration between two points abroad, without  
5 regard to section 40118 of title 49, United States Code;  
6 employment of citizens of the United States and aliens by  
7 contract for services; rental of space abroad for periods  
8 not exceeding 10 years, and expenses of alteration, repair,  
9 or improvement; purchase or construction of temporary  
10 demountable exhibition structures for use abroad; pay-  
11 ment of tort claims, in the manner authorized in the first  
12 paragraph of section 2672 of title 28, United States Code,  
13 when such claims arise in foreign countries; not to exceed  
14 \$294,300 for official representation expenses abroad; pur-  
15 chase of passenger motor vehicles for official use abroad,  
16 not to exceed \$45,000 per vehicle; obtaining insurance on  
17 official motor vehicles; and rental of tie lines,  
18 \$482,538,000, to remain available until September 30,  
19 2014, of which \$11,360,000 is to be derived from fees to  
20 be retained and used by the International Trade Adminis-  
21 tration, notwithstanding section 3302 of title 31, United  
22 States Code: *Provided*, That, of amounts provided under  
23 this heading, not less than \$16,400,000 shall be for China  
24 antidumping and countervailing duty enforcement and  
25 compliance activities: *Provided further*, That the provisions

1 of the first sentence of section 105(f) and all of section  
2 108(c) of the Mutual Educational and Cultural Exchange  
3 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply  
4 in carrying out these activities; and that for the purpose  
5 of this Act, contributions under the provisions of the Mu-  
6 tual Educational and Cultural Exchange Act of 1961 shall  
7 include payment for assessments for services provided as  
8 part of these activities.

9 BUREAU OF INDUSTRY AND SECURITY

10 OPERATIONS AND ADMINISTRATION

11 For necessary expenses for export administration and  
12 national security activities of the Department of Com-  
13 merce, including costs associated with the performance of  
14 export administration field activities both domestically and  
15 abroad; full medical coverage for dependent members of  
16 immediate families of employees stationed overseas; em-  
17 ployment of citizens of the United States and aliens by  
18 contract for services abroad; payment of tort claims, in  
19 the manner authorized in the first paragraph of section  
20 2672 of title 28, United States Code, when such claims  
21 arise in foreign countries; not to exceed \$13,500 for offi-  
22 cial representation expenses abroad; awards of compensa-  
23 tion to informers under the Export Administration Act of  
24 1979, and as authorized by section 1(b) of the Act of June  
25 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase

1 of passenger motor vehicles for official use and motor vehi-  
2 cles for law enforcement use with special requirement vehi-  
3 cles eligible for purchase without regard to any price limi-  
4 tation otherwise established by law, \$101,796,000, to re-  
5 main available until expended: *Provided*, That the provi-  
6 sions of the first sentence of section 105(f) and all of sec-  
7 tion 108(c) of the Mutual Educational and Cultural Ex-  
8 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall  
9 apply in carrying out these activities: *Provided further*,  
10 That payments and contributions collected and accepted  
11 for materials or services provided as part of such activities  
12 may be retained for use in covering the cost of such activi-  
13 ties, and for providing information to the public with re-  
14 spect to the export administration and national security  
15 activities of the Department of Commerce and other ex-  
16 port control programs of the United States and other gov-  
17 ernments.

18 ECONOMIC DEVELOPMENT ADMINISTRATION

19 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

20 For grants for economic development assistance as  
21 provided by the Public Works and Economic Development  
22 Act of 1965, for trade adjustment assistance, for the cost  
23 of loan guarantees authorized by section 26 of the Steven-  
24 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.  
25 3721), and for grants, and for the cost of loan guarantees

1 authorized by section 27 (15 U.S.C. 3722) of such Act,  
2 \$187,300,000, to remain available until expended; of  
3 which \$5,000,000 shall be for projects to facilitate the re-  
4 location, to the United States, of a source of employment  
5 located outside the United States; of which \$5,000,000  
6 shall be for loan guarantees under section 26; and of  
7 which up to \$5,000,000 shall be for loan guarantees under  
8 section 27: *Provided*, That the costs for loan guarantees,  
9 including the cost of modifying such loans, shall be as de-  
10 fined in section 502 of the Congressional Budget Act of  
11 1974: *Provided further*, That these funds for loan guaran-  
12 tees under such sections 26 and 27 combined are available  
13 to subsidize total loan principal, any part of which is to  
14 be guaranteed, not to exceed \$70,000,000.

15 SALARIES AND EXPENSES

16 For necessary expenses of administering the eco-  
17 nomic development assistance programs as provided for by  
18 law, \$37,500,000: *Provided*, That these funds may be used  
19 to monitor projects approved pursuant to title I of the  
20 Public Works Employment Act of 1976, title II of the  
21 Trade Act of 1974, and the Community Emergency  
22 Drought Relief Act of 1977.



1           MINORITY BUSINESS DEVELOPMENT AGENCY

2                   MINORITY BUSINESS DEVELOPMENT

3           For necessary expenses of the Department of Com-  
4 merce in fostering, promoting, and developing minority  
5 business enterprise, including expenses of grants, con-  
6 tracts, and other agreements with public or private organi-  
7 zations, \$28,689,000.

8                   ECONOMIC AND STATISTICAL ANALYSIS

9                           SALARIES AND EXPENSES

10          For necessary expenses, as authorized by law, of eco-  
11 nomic and statistical analysis programs of the Department  
12 of Commerce, \$100,228,000, to remain available until  
13 September 30, 2014.

14                   BUREAU OF THE CENSUS

15                           SALARIES AND EXPENSES

16          For necessary expenses for collecting, compiling, ana-  
17 lyzing, preparing and publishing statistics, provided for by  
18 law, \$256,255,000: *Provided*, That, from amounts pro-  
19 vided herein, funds may be used for promotion, outreach,  
20 and marketing activities.

21                   PERIODIC CENSUSES AND PROGRAMS

22          For necessary expenses for collecting, compiling, ana-  
23 lyzing, preparing and publishing statistics for periodic cen-  
24 suses and programs, provided for by law, \$667,953,000,  
25 to remain available until September 30, 2014: *Provided*,

1 That \$649,953,000 is appropriated from the general fund  
2 and \$18,000,000 is derived from available unobligated bal-  
3 ances from the Census Working Capital Fund: *Provided*  
4 *further*, That from amounts provided herein, funds may  
5 be used for promotion, outreach, and marketing activities:  
6 *Provided further*, That within the amounts appropriated,  
7 \$1,000,000 shall be transferred to the “Office of Inspector  
8 General” account for activities associated with carrying  
9 out investigations and audits related to the Bureau of the  
10 Census.

11 NATIONAL TELECOMMUNICATIONS AND INFORMATION

12 ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses, as provided for by law, of  
15 the National Telecommunications and Information Ad-  
16 ministration (NTIA), \$45,994,000, to remain available  
17 until September 30, 2014: *Provided*, That, notwith-  
18 standing 31 U.S.C. 1535(d), the Secretary of Commerce  
19 shall charge Federal agencies for costs incurred in spec-  
20 trum management, analysis, operations, and related serv-  
21 ices, and such fees shall be retained and used as offsetting  
22 collections for costs of such spectrum services, to remain  
23 available until expended: *Provided further*, That the Sec-  
24 retary of Commerce is authorized to retain and use as off-  
25 setting collections all funds transferred, or previously

1 transferred, from other Government agencies for all costs  
2 incurred in telecommunications research, engineering, and  
3 related activities by the Institute for Telecommunication  
4 Sciences of NTIA, in furtherance of its assigned functions  
5 under this paragraph, and such funds received from other  
6 Government agencies shall remain available until ex-  
7 pended.

8 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING  
9 AND CONSTRUCTION

10 For the administration of prior-year grants, recov-  
11 eries and unobligated balances of funds previously appro-  
12 priated are available for the administration of all open  
13 grants until their expiration.

14 UNITED STATES PATENT AND TRADEMARK OFFICE  
15 SALARIES AND EXPENSES  
16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the United States Patent  
18 and Trademark Office (USPTO) provided for by law, in-  
19 cluding defense of suits instituted against the Under Sec-  
20 retary of Commerce for Intellectual Property and Director  
21 of the USPTO, \$2,933,241,000, to remain available until  
22 expended: *Provided*, That the sum herein appropriated  
23 from the general fund shall be reduced as offsetting collec-  
24 tions of fees and surcharges assessed and collected by the  
25 USPTO under any law are received during fiscal year

1 2013, so as to result in a fiscal year 2013 appropriation  
2 from the general fund estimated at \$0: *Provided further,*  
3 That during fiscal year 2013, should the total amount of  
4 such offsetting collections be less than \$2,933,241,000  
5 this amount shall be reduced accordingly: *Provided fur-*  
6 *ther,* That any amount received in excess of  
7 \$2,933,241,000 in fiscal year 2013 and deposited in the  
8 Patent and Trademark Fee Reserve Fund shall remain  
9 available until expended: *Provided further,* That the Direc-  
10 tor of USPTO shall submit a spending plan to the Com-  
11 mittees on Appropriations of the House of Representatives  
12 and the Senate for any amounts made available by the  
13 preceding proviso and such spending plan shall be treated  
14 as a reprogramming under section 505 of this Act and  
15 shall not be available for obligation or expenditure except  
16 in compliance with the procedures set forth in that section:  
17 *Provided further,* That from amounts provided herein, not  
18 to exceed \$900 shall be made available in fiscal year 2013  
19 for official reception and representation expenses: *Pro-*  
20 *vided further,* That in fiscal year 2013 from the amounts  
21 made available for “Salaries and Expenses” for the  
22 USPTO, the amounts necessary to pay (1) the difference  
23 between the percentage of basic pay contributed by the  
24 USPTO and employees under section 8334(a) of title 5,  
25 United States Code, and the normal cost percentage (as

1 defined by section 8331(17) of that title) as provided by  
2 the Office of Personnel Management (OPM) for USPTO’s  
3 specific use, of basic pay, of employees subject to sub-  
4 chapter III of chapter 83 of that title, and (2) the present  
5 value of the otherwise unfunded accruing costs, as deter-  
6 mined by OPM for USPTO’s specific use of post-retire-  
7 ment life insurance and post-retirement health benefits  
8 coverage for all USPTO employees who are enrolled in  
9 Federal Employees Health Benefits (FEHB) and Federal  
10 Employees Group Life Insurance (FEGLI), shall be trans-  
11 ferred to the Civil Service Retirement and Disability  
12 Fund, the FEGLI Fund, and the FEHB Fund, as appro-  
13 priate, and shall be available for the authorized purposes  
14 of those accounts: *Provided further*, That any differences  
15 between the present value factors published in OPM’s  
16 yearly 300 series benefit letters and the factors that OPM  
17 provides for USPTO’s specific use shall be recognized as  
18 an imputed cost on USPTO’s financial statements, where  
19 applicable: *Provided further*, That, notwithstanding any  
20 other provision of law, all fees and surcharges assessed  
21 and collected by USPTO are available for USPTO only  
22 pursuant to section 42(c) of title 35, United States Code,  
23 as amended by section 22 of the Leahy-Smith America  
24 Invents Act (Public Law 112–29): *Provided further*, That  
25 within the amounts appropriated, \$2,000,000 shall be

1 transferred to the “Office of Inspector General” account  
2 for activities associated with carrying out investigations  
3 and audits related to the USPTO.

4 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
5 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

6 For necessary expenses of the National Institute of  
7 Standards and Technology (NIST), \$621,173,000, to re-  
8 main available until expended, of which not to exceed  
9 \$9,000,000 may be transferred to the “Working Capital  
10 Fund”: *Provided*, That not to exceed \$5,000 shall be for  
11 official reception and representation expenses: *Provided*  
12 *further*, That NIST may provide local transportation for  
13 summer undergraduate research fellowship program par-  
14 ticipants.

15 INDUSTRIAL TECHNOLOGY SERVICES

16 For necessary expenses for industrial technology  
17 services, \$143,000,000, to remain available until ex-  
18 pended, of which \$128,500,000 shall be for the Hollings  
19 Manufacturing Extension Partnership, and of which  
20 \$14,500,000 shall be for the Advanced Manufacturing  
21 Technology Consortia.

22 CONSTRUCTION OF RESEARCH FACILITIES

23 For construction of new research facilities, including  
24 architectural and engineering design, and for renovation  
25 and maintenance of existing facilities, not otherwise pro-

1 vided for the National Institute of Standards and Tech-  
2 nology, as authorized by sections 13 through 15 of the  
3 National Institute of Standards and Technology Act (15  
4 U.S.C. 278c–278e), \$60,000,000, to remain available until  
5 expended: *Provided*, That the Secretary of Commerce shall  
6 include in the budget justification materials that the Sec-  
7 retary submits to Congress in support of the Department  
8 of Commerce budget (as submitted with the budget of the  
9 President under section 1105(a) of title 31, United States  
10 Code) an estimate for each National Institute of Stand-  
11 ards and Technology construction project having a total  
12 multi-year program cost of more than \$5,000,000 and si-  
13 multaneously the budget justification materials shall in-  
14 clude an estimate of the budgetary requirements for each  
15 such project for each of the five subsequent fiscal years.

16 NATIONAL OCEANIC AND ATMOSPHERIC

17 ADMINISTRATION

18 OPERATIONS, RESEARCH, AND FACILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses of activities authorized by law  
21 for the National Oceanic and Atmospheric Administration,  
22 including maintenance, operation, and hire of aircraft and  
23 vessels; grants, contracts, or other payments to nonprofit  
24 organizations for the purposes of conducting activities  
25 pursuant to cooperative agreements; and relocation of fa-

1 cilities, \$3,112,614,000, to remain available until Sep-  
2 tember 30, 2014, except that funds provided for coopera-  
3 tive enforcement shall remain available until September  
4 30, 2015: *Provided*, That fees and donations received by  
5 the National Ocean Service for the management of na-  
6 tional marine sanctuaries may be retained and used for  
7 the salaries and expenses associated with those activities,  
8 notwithstanding section 3302 of title 31, United States  
9 Code: *Provided further*, That in addition, \$119,064,000  
10 shall be derived by transfer from the fund entitled “Pro-  
11 mote and Develop Fishery Products and Research Per-  
12 taining to American Fisheries”, which shall only be used  
13 for fishery activities related to Cooperative Research, An-  
14 nual Stock Assessments, Survey and Monitoring Projects,  
15 Interjurisdictional Fisheries Grants, and Fish Information  
16 Networks: *Provided further*, That of the \$3,246,678,000  
17 provided for in direct obligations under this heading  
18 \$3,112,614,000 is appropriated from the general fund,  
19 \$119,064,000 is provided by transfer and \$15,000,000 is  
20 derived from recoveries of prior year obligations: *Provided*  
21 *further*, That the total amount available for National Oce-  
22 anic and Atmospheric Administration corporate services  
23 administrative support costs shall not exceed  
24 \$212,664,000: *Provided further*, That any deviation from  
25 the amounts designated for specific activities in the state-



1 ment accompanying this Act, or any use of deobligated  
2 balances of funds provided under this heading in previous  
3 years, shall be subject to the procedures set forth in sec-  
4 tion 505 of this Act: *Provided further*, That in allocating  
5 grants under sections 306 and 306A of the Coastal Zone  
6 Management Act of 1972, as amended, no coastal State  
7 shall receive more than 5 percent or less than 1 percent  
8 of increased funds appropriated over the previous fiscal  
9 year: *Provided further*, That in addition, for necessary re-  
10 tired pay expenses under the Retired Serviceman's Family  
11 Protection and Survivor Benefits Plan, and for payments  
12 for the medical care of retired personnel and their depend-  
13 ents under the Dependents Medical Care Act (10 U.S.C.  
14 55), such sums as may be necessary.

15       PROCUREMENT, ACQUISITION AND CONSTRUCTION

16       For procurement, acquisition and construction of  
17 capital assets, including alteration and modification costs,  
18 of the National Oceanic and Atmospheric Administration,  
19 \$1,926,036,000, to remain available until September 30,  
20 2015, except that funds provided for construction of facili-  
21 ties shall remain available until expended: *Provided*, That  
22 of the \$1,941,036,000 provided for in direct obligations  
23 under this heading, \$1,926,036,000 is appropriated from  
24 the general fund and \$15,000,000 is provided from recov-  
25 eries of prior year obligations: *Provided further*, That any

1 deviation from the amounts designated for specific activi-  
2 ties in the statement accompanying this Act, or any use  
3 of deobligated balances of funds provided under this head-  
4 ing in previous years, shall be subject to the procedures  
5 set forth in section 505 of this Act: *Provided further*, That  
6 the Secretary of Commerce shall include in budget jus-  
7 tification materials that the Secretary submits to Congress  
8 in support of the Department of Commerce budget (as  
9 submitted with the budget of the President under section  
10 1105(a) of title 31, United States Code) an estimate for  
11 each National Oceanic and Atmospheric Administration  
12 procurement, acquisition or construction project having a  
13 total of more than \$5,000,000 and simultaneously the  
14 budget justification shall include an estimate of the budg-  
15 etary requirements for each such project for each of the  
16 5 subsequent fiscal years: *Provided further*, That, within  
17 the amounts appropriated, \$1,000,000 shall be transferred  
18 to the “Office of Inspector General” account for activities  
19 associated with carrying out investigations and audits re-  
20 lated to satellite procurement, acquisition and construc-  
21 tion.

22 PACIFIC COASTAL SALMON RECOVERY

23 For necessary expenses associated with the restora-  
24 tion of Pacific salmon populations, \$65,000,000, to re-  
25 main available until September 30, 2014: *Provided*, That,

1 of the funds provided herein, the Secretary of Commerce  
2 may issue grants to the States of Washington, Oregon,  
3 Idaho, Nevada, California, and Alaska, and to the Feder-  
4 ally recognized tribes of the Columbia River and Pacific  
5 Coast (including Alaska), for projects necessary for con-  
6 servation of salmon and steelhead populations that are  
7 listed as threatened or endangered, or that are identified  
8 by a State as at-risk to be so listed, for maintaining popu-  
9 lations necessary for exercise of tribal treaty fishing rights  
10 or native subsistence fishing, or for conservation of Pacific  
11 coastal salmon and steelhead habitat, based on guidelines  
12 to be developed by the Secretary of Commerce: *Provided*  
13 *further*, That all funds shall be allocated based on sci-  
14 entific and other merit principles and shall not be available  
15 for marketing activities: *Provided further*, That funds dis-  
16 bursed to States shall be subject to a matching require-  
17 ment of funds or documented in-kind contributions of at  
18 least 33 percent of the Federal funds.

19 FISHERMEN'S CONTINGENCY FUND

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

1 FISHERIES FINANCE PROGRAM ACCOUNT

2 Subject to section 502 of the Congressional Budget  
3 Act of 1974, during fiscal year 2013, obligations of direct  
4 loans may not exceed \$24,000,000 for Individual Fishing  
5 Quota loans and not to exceed \$59,000,000 for traditional  
6 direct loans as authorized by the Merchant Marine Act  
7 of 1936: *Provided*, That none of the funds made available  
8 under this heading may be used for direct loans for any  
9 new fishing vessel that will increase the harvesting capac-  
10 ity in any United States fishery.

11 DEPARTMENTAL MANAGEMENT

12 SALARIES AND EXPENSES

13 For necessary expenses for the management of the  
14 Department of Commerce provided for by law, including  
15 not to exceed \$4,500 for official reception and representa-  
16 tion, \$56,000,000: *Provided*, That the Secretary of Com-  
17 merce shall maintain a task force on job repatriation and  
18 manufacturing growth and shall produce an annual report  
19 on related incentive strategies, implementation plans and  
20 program results.

21 RENOVATION AND MODERNIZATION

22 For expenses necessary for the renovation and mod-  
23 ernization of Department of Commerce facilities,  
24 \$2,040,000, to remain available until expended.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978 (5 U.S.C. App.), \$28,753,000.

5 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

16 SEC. 102. During the current fiscal year, appropria-  
17 tions made available to the Department of Commerce by  
18 this Act for salaries and expenses shall be available for  
19 hire of passenger motor vehicles as authorized by 31  
20 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.  
21 3109; and uniforms or allowances therefor, as authorized  
22 by law (5 U.S.C. 5901–5902).

23 SEC. 103. Not to exceed 5 percent of any appropria-  
24 tion made available for the current fiscal year for the De-  
25 partment of Commerce in this Act may be transferred be-

1 tween such appropriations, but no such appropriation shall  
2 be increased by more than 10 percent by any such trans-  
3 fers: *Provided*, That any transfer pursuant to this section  
4 shall be treated as a reprogramming of funds under sec-  
5 tion 505 of this Act and shall not be available for obliga-  
6 tion or expenditure except in compliance with the proce-  
7 dures set forth in that section: *Provided further*, That the  
8 Secretary of Commerce shall notify the Committees on Ap-  
9 propriations at least 15 days in advance of the acquisition  
10 or disposal of any capital asset (including land, structures,  
11 and equipment) not specifically provided for in this Act  
12 or any other law appropriating funds for the Department  
13 of Commerce.

14       SEC. 104. Any costs incurred by a department or  
15 agency funded under this title resulting from personnel  
16 actions taken in response to funding reductions included  
17 in this title or from actions taken for the care and protec-  
18 tion of loan collateral or grant property shall be absorbed  
19 within the total budgetary resources available to such de-  
20 partment or agency: *Provided*, That the authority to trans-  
21 fer funds between appropriations accounts as may be nec-  
22 essary to carry out this section is provided in addition to  
23 authorities included elsewhere in this Act: *Provided fur-*  
24 *ther*, That use of funds to carry out this section shall be  
25 treated as a reprogramming of funds under section 505

1 of this Act and shall not be available for obligation or ex-  
2 penditure except in compliance with the procedures set  
3 forth in that section.

4 SEC. 105. (a) Section 105(f) of the Commerce, Jus-  
5 tice, Science, and Related Agencies Appropriations Act,  
6 2012 (Public Law 112–55) is amended—

7 (1) by striking “paragraph (2)” and inserting  
8 “subsection (e)(2)”; and

9 (2) by striking “this subsection” and inserting  
10 “subsection (e)”.

11 (b) The requirements set forth by section 105 of the  
12 Commerce, Justice, Science, and Related Agencies Appro-  
13 priations Act, 2012 (Public Law 112–55), as amended by  
14 subsection (a) of this section, are hereby adopted by ref-  
15 erence.

16 SEC. 106. Notwithstanding any other provision of  
17 law, the Secretary may furnish services (including but not  
18 limited to utilities, telecommunications, and security serv-  
19 ices) necessary to support the operation, maintenance, and  
20 improvement of space that persons, firms, or organizations  
21 are authorized, pursuant to the Public Buildings Coopera-  
22 tive Use Act of 1976 or other authority, to use or occupy  
23 in the Herbert C. Hoover Building, Washington, DC, or  
24 other buildings, the maintenance, operation, and protec-  
25 tion of which has been delegated to the Secretary from

1 the Administrator of General Services pursuant to the  
2 Federal Property and Administrative Services Act of 1949  
3 on a reimbursable or non-reimbursable basis. Amounts re-  
4 ceived as reimbursement for services provided under this  
5 section or the authority under which the use or occupancy  
6 of the space is authorized, up to \$200,000, shall be cred-  
7 ited to the appropriation or fund which initially bears the  
8 costs of such services.

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

13       SEC. 108. The Administrator of the National Oceanic  
14 and Atmospheric Administration is authorized to use, with  
15 their consent, with reimbursement and subject to the lim-  
16 its of available appropriations, the land, services, equip-  
17 ment, personnel, and facilities of any department, agency,  
18 or instrumentality of the United States, or of any State,  
19 local government, Indian tribal government, Territory, or  
20 possession, or of any political subdivision thereof, or of  
21 any foreign government or international organization, for  
22 purposes related to carrying out the responsibilities of any  
23 statute administered by the National Oceanic and Atmos-  
24 pheric Administration.



1 SEC. 109. The Department of Commerce shall pro-  
2 vide a monthly report to the Committees on Appropria-  
3 tions of the House of Representatives and the Senate on  
4 any official travel to China by any employee of the U.S.  
5 Department of Commerce, including the purpose of such  
6 travel.

7 SEC. 110. Section 113(b)(3) of division B of Public  
8 Law 112-55 is amended by striking “2012” and inserting  
9 “2013”.

10 This title may be cited as the “Department of Com-  
11 merce Appropriations Act, 2013”.

12 TITLE II

13 DEPARTMENT OF JUSTICE

14 GENERAL ADMINISTRATION

15 SALARIES AND EXPENSES

16 For expenses necessary for the administration of the  
17 Department of Justice, \$110,822,000, of which not to ex-  
18 ceed \$4,000,000 for security and construction of Depart-  
19 ment of Justice facilities shall remain available until ex-  
20 pended.

21 JUSTICE INFORMATION SHARING TECHNOLOGY

22 For necessary expenses for information sharing tech-  
23 nology, including planning, development, deployment and  
24 departmental direction, \$33,426,000, to remain available  
25 until expended.

1 ADMINISTRATIVE REVIEW AND APPEALS  
2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses necessary for the administration of par-  
4 don and clemency petitions and immigration-related activi-  
5 ties, \$313,438,000, of which \$4,000,000 shall be derived  
6 by transfer from the Executive Office for Immigration Re-  
7 view fees deposited in the “Immigration Examinations  
8 Fee” account.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector  
11 General, \$85,985,000, including not to exceed \$10,000 to  
12 meet unforeseen emergencies of a confidential character.

13 UNITED STATES PAROLE COMMISSION  
14 SALARIES AND EXPENSES

15 For necessary expenses of the United States Parole  
16 Commission as authorized, \$12,772,000.

17 LEGAL ACTIVITIES

18 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

19 For expenses necessary for the legal activities of the  
20 Department of Justice, not otherwise provided for, includ-  
21 ing not to exceed \$20,000 for expenses of collecting evi-  
22 dence, to be expended under the direction of, and to be  
23 accounted for solely under the certificate of, the Attorney  
24 General; and rent of private or Government-owned space  
25 in the District of Columbia, \$881,000,000, of which not

1 to exceed \$10,000,000 for litigation support contracts  
2 shall remain available until expended: *Provided*, That of  
3 the total amount appropriated, not to exceed \$9,000 shall  
4 be available to INTERPOL Washington for official recep-  
5 tion and representation expenses: *Provided further*, That  
6 notwithstanding section 205 of this Act, upon a deter-  
7 mination by the Attorney General that emergent cir-  
8 cumstances require additional funding for litigation activi-  
9 ties of the Civil Division, the Attorney General may trans-  
10 fer such amounts to “Salaries and Expenses, General  
11 Legal Activities” from available appropriations for the  
12 current fiscal year for the Department of Justice, as may  
13 be necessary to respond to such circumstances: *Provided*  
14 *further*, That any transfer pursuant to the previous pro-  
15 viso shall be treated as a reprogramming under section  
16 505 of this Act and shall not be available for obligation  
17 or expenditure except in compliance with the procedures  
18 set forth in that section: *Provided further*, That of the  
19 amount appropriated, such sums as may be necessary  
20 shall be available to reimburse the Office of Personnel  
21 Management for salaries and expenses associated with the  
22 election monitoring program under section 8 of the Voting  
23 Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*,  
24 That of the amounts provided under this heading for the

1 election monitoring program, \$3,390,000 shall remain  
2 available until expended.

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

8 SALARIES AND EXPENSES, ANTITRUST DIVISION

9 For expenses necessary for the enforcement of anti-  
10 trust and kindred laws, \$162,170,000, to remain available  
11 until expended: *Provided*, That notwithstanding any other  
12 provision of law, fees collected for premerger notification  
13 filings under the Hart-Scott-Rodino Antitrust Improve-  
14 ments Act of 1976 (15 U.S.C. 18a), regardless of the year  
15 of collection (and estimated to be \$115,000,000 in fiscal  
16 year 2013), shall be retained and used for necessary ex-  
17 penses in this appropriation, and shall remain available  
18 until expended: *Provided further*, That the sum herein ap-  
19 propriated from the general fund shall be reduced as such  
20 offsetting collections are received during fiscal year 2013,  
21 so as to result in a final fiscal year 2013 appropriation  
22 from the general fund estimated at \$47,170,000.

23 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

24 For necessary expenses of the Offices of the United  
25 States Attorneys, including inter-governmental and coop-

1 erative agreements, \$1,969,687,000: *Provided*, That of the  
2 total amount appropriated, not to exceed \$7,200 shall be  
3 available for official reception and representation ex-  
4 penses: *Provided further*, That not to exceed \$25,000,000  
5 shall remain available until expended: *Provided further*,  
6 That each United States Attorney shall establish or par-  
7 ticipate in a United States Attorney-led task force on  
8 human trafficking: *Provided further*, That of the total  
9 amount appropriated, \$10,000,000 shall only be available  
10 after the Attorney General certifies that each United  
11 States Attorney is participating in a United States Attor-  
12 ney-led task force on human trafficking.

13 UNITED STATES TRUSTEE SYSTEM FUND

14 For necessary expenses of the United States Trustee  
15 Program, as authorized, \$223,258,000, to remain avail-  
16 able until expended and to be derived from the United  
17 States Trustee System Fund: *Provided*, That not less than  
18 \$1,500,000 shall be for debtor audits: *Provided further*,  
19 That, notwithstanding any other provision of law, deposits  
20 to the Fund shall be available in such amounts as may  
21 be necessary to pay refunds due depositors: *Provided fur-*  
22 *ther*, That, notwithstanding any other provision of law,  
23 \$223,258,000 of offsetting collections pursuant to section  
24 589a(b) of title 28, United States Code, shall be retained  
25 and used for necessary expenses in this appropriation and

1 shall remain available until expended: *Provided further*,  
2 That the sum herein appropriated from the Fund shall  
3 be reduced as such offsetting collections are received dur-  
4 ing fiscal year 2013, so as to result in a final fiscal year  
5 2013 appropriation from the Fund estimated at \$0.

6 SALARIES AND EXPENSES, FOREIGN CLAIMS

7 SETTLEMENT COMMISSION

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

12 FEES AND EXPENSES OF WITNESSES

13 For fees and expenses of witnesses, for expenses of  
14 contracts for the procurement and supervision of expert  
15 witnesses, for private counsel expenses, including ad-  
16 vances, and for expenses of foreign counsel, \$270,000,000,  
17 to remain available until expended, of which not to exceed  
18 \$10,000,000 is for construction of buildings for protected  
19 witness safesites; not to exceed \$3,000,000 is for the pur-  
20 chase and maintenance of armored and other vehicles for  
21 witness security caravans; and not to exceed \$11,000,000  
22 is for the purchase, installation, maintenance, and up-  
23 grade of secure telecommunications equipment and a se-  
24 cure automated information network to store and retrieve  
25 the identities and locations of protected witnesses.

1 SALARIES AND EXPENSES, COMMUNITY RELATIONS

2 SERVICE

3 For necessary expenses of the Community Relations  
4 Service, \$12,036,000: *Provided*, That notwithstanding sec-  
5 tion 205 of this Act, upon a determination by the Attorney  
6 General that emergent circumstances require additional  
7 funding for conflict resolution and violence prevention ac-  
8 tivities of the Community Relations Service, the Attorney  
9 General may transfer such amounts to the Community Re-  
10 lations Service, from available appropriations for the cur-  
11 rent fiscal year for the Department of Justice, as may be  
12 necessary to respond to such circumstances: *Provided fur-*  
13 *ther*, That any transfer pursuant to the preceding proviso  
14 shall be treated as a reprogramming under section 505  
15 of this Act and shall not be available for obligation or ex-  
16 penditure except in compliance with the procedures set  
17 forth in that section.

18 ASSETS FORFEITURE FUND

19 For expenses authorized by subparagraphs (B), (F),  
20 and (G) of section 524(e)(1) of title 28, United States  
21 Code, \$20,948,000, to be derived from the Department  
22 of Justice Assets Forfeiture Fund.

1 UNITED STATES MARSHALS SERVICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Mar-  
4 shals Service, \$1,196,000,000, of which not to exceed  
5 \$6,000 shall be available for official reception and rep-  
6 resentation expenses, and not to exceed \$15,000,000 shall  
7 remain available until expended.

8 CONSTRUCTION

9 For construction in space controlled, occupied or uti-  
10 lized by the United States Marshals Service for prisoner  
11 holding and related support, \$10,000,000, to remain avail-  
12 able until expended.

13 FEDERAL PRISONER DETENTION

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses related to United States pris-  
16 oners in the custody of the United States Marshals Service  
17 as authorized by section 4013 of title 18, United States  
18 Code, \$1,647,383,000, to remain available until expended:  
19 *Provided*, That not to exceed \$20,000,000 shall be consid-  
20 ered “funds appropriated for State and local law enforce-  
21 ment assistance” pursuant to section 4013(b) of title 18,  
22 United States Code: *Provided further*, That the United  
23 States Marshals Service shall be responsible for managing  
24 the Justice Prisoner and Alien Transportation System:  
25 *Provided further*, That any unobligated balances available



1 from funds appropriated under the heading “General Ad-  
2 ministration, Detention Trustee” shall be transferred to  
3 and merged with the appropriation under this heading.

4 NATIONAL SECURITY DIVISION

5 SALARIES AND EXPENSES

6 For expenses necessary to carry out the activities of  
7 the National Security Division, \$90,039,000, of which not  
8 to exceed \$5,000,000 for information technology systems  
9 shall remain available until expended: *Provided*, That not-  
10 withstanding section 205 of this Act, upon a determina-  
11 tion by the Attorney General that emergent circumstances  
12 require additional funding for the activities of the National  
13 Security Division, the Attorney General may transfer such  
14 amounts to this heading from available appropriations for  
15 the current fiscal year for the Department of Justice, as  
16 may be necessary to respond to such circumstances: *Pro-*  
17 *vided further*, That any transfer pursuant to the preceding  
18 proviso shall be treated as a reprogramming under section  
19 505 of this Act and shall not be available for obligation  
20 or expenditure except in compliance with the procedures  
21 set forth in that section.

22 INTERAGENCY LAW ENFORCEMENT

23 INTERAGENCY CRIME AND DRUG ENFORCEMENT

24 For necessary expenses for the identification, inves-  
25 tigation, and prosecution of individuals associated with the

1 most significant drug trafficking and affiliated money  
2 laundering organizations not otherwise provided for, to in-  
3 clude inter-governmental agreements with State and local  
4 law enforcement agencies engaged in the investigation and  
5 prosecution of individuals involved in organized crime drug  
6 trafficking, \$521,793,000, of which \$50,000,000 shall re-  
7 main available until expended: *Provided*, That any  
8 amounts obligated from appropriations under this heading  
9 may be used under authorities available to the organiza-  
10 tions reimbursed from this appropriation.

11 FEDERAL BUREAU OF INVESTIGATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Bureau of In-  
14 vestigation for detection, investigation, and prosecution of  
15 crimes against the United States, \$8,185,007,000, of  
16 which not to exceed \$216,900,000 shall remain available  
17 until expended: *Provided*, That not to exceed \$184,500  
18 shall be available for official reception and representation  
19 expenses: *Provided further*, That \$500,000 shall be for a  
20 comprehensive review of the implementation of the rec-  
21 ommendations related to the Federal Bureau of Investiga-  
22 tion that were proposed in the report issued by the Na-  
23 tional Commission on Terrorist Attacks Upon the United  
24 States.

1 CONSTRUCTION

2 For necessary expenses, to include the cost of equip-  
3 ment, furniture, and information technology requirements,  
4 related to construction or acquisition of buildings, facili-  
5 ties and sites by purchase, or as otherwise authorized by  
6 law; conversion, modification and extension of Federally-  
7 owned buildings; preliminary planning and design of  
8 projects; and operation and maintenance of secure work  
9 environment facilities and secure networking capabilities;  
10 \$80,982,000, to remain available until expended.

11 DRUG ENFORCEMENT ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Drug Enforcement Ad-  
14 ministration, including not to exceed \$70,000 to meet un-  
15 foreseen emergencies of a confidential character pursuant  
16 to section 530C of title 28, United States Code; and ex-  
17 penses for conducting drug education and training pro-  
18 grams, including travel and related expenses for partici-  
19 pants in such programs and the distribution of items of  
20 token value that promote the goals of such programs,  
21 \$2,050,904,000; of which not to exceed \$75,000,000 shall  
22 remain available until expended and not to exceed \$90,000  
23 shall be available for official reception and representation  
24 expenses.

1 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND  
2 EXPLOSIVES  
3 SALARIES AND EXPENSES

4 For necessary expenses of the Bureau of Alcohol, To-  
5 bacco, Firearms and Explosives, for training of State and  
6 local law enforcement agencies with or without reimburse-  
7 ment, including training in connection with the training  
8 and acquisition of canines for explosives and fire  
9 accelerants detection; and for provision of laboratory as-  
10 sistance to State and local law enforcement agencies, with  
11 or without reimbursement, \$1,153,345,000, of which not  
12 to exceed \$36,000 shall be for official reception and rep-  
13 resentation expenses, not to exceed \$1,000,000 shall be  
14 available for the payment of attorneys' fees as provided  
15 by section 924(d)(2) of title 18, United States Code, and  
16 not to exceed \$15,000,000 shall remain available until ex-  
17 pended: *Provided*, That, in the current fiscal year and any  
18 fiscal year thereafter, no funds appropriated under this  
19 or any other Act shall be used to pay administrative ex-  
20 penses or the compensation of any officer or employee of  
21 the United States to implement an amendment or amend-  
22 ments to section 478.118 of title 27, Code of Federal Reg-  
23 ulations, or to change the definition of "Curios or relics"  
24 in section 478.11 of title 27, Code of Federal Regulations,  
25 or remove any item from ATF Publication 5300.11 as it

1 existed on January 1, 1994: *Provided further*, That none  
2 of the funds appropriated herein shall be available to in-  
3 vestigate or act upon applications for relief from Federal  
4 firearms disabilities under section 925(c) of title 18,  
5 United States Code: *Provided further*, That such funds  
6 shall be available to investigate and act upon applications  
7 filed by corporations for relief from Federal firearms dis-  
8 abilities under section 925(c) of title 18, United States  
9 Code: *Provided further*, That no funds made available by  
10 this or any other Act may be used to transfer the func-  
11 tions, missions, or activities of the Bureau of Alcohol, To-  
12 bacco, Firearms and Explosives to other agencies or De-  
13 partments: *Provided further*, That, in the current fiscal  
14 year and any fiscal year thereafter, no funds made avail-  
15 able by this or any other Act shall be expended to promul-  
16 gate or implement any rule requiring a physical inventory  
17 of any business licensed under section 923 of title 18,  
18 United States Code: *Provided further*, That, in the current  
19 fiscal year and any fiscal year thereafter, no funds author-  
20 ized or made available under this or any other Act may  
21 be used to deny any application for a license under section  
22 923 of title 18, United States Code, or renewal of such  
23 a license due to a lack of business activity, provided that  
24 the applicant is otherwise eligible to receive such a license,  
25 and is eligible to report business income or to claim an

1 income tax deduction for business expenses under the In-  
2 ternal Revenue Code of 1986.

3 FEDERAL PRISON SYSTEM

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses of the Federal Prison System  
7 for the administration, operation, and maintenance of  
8 Federal penal and correctional institutions, including pur-  
9 chase (not to exceed 835, of which 808 are for replacement  
10 only) and hire of law enforcement and passenger motor  
11 vehicles, and for the provision of technical assistance and  
12 advice on corrections related issues to foreign govern-  
13 ments, \$6,820,217,000: *Provided*, That the Attorney Gen-  
14 eral may transfer to the Health Resources and Services  
15 Administration such amounts as may be necessary for di-  
16 rect expenditures by that Administration for medical relief  
17 for inmates of Federal penal and correctional institutions:  
18 *Provided further*, That the Director of the Federal Prison  
19 System, where necessary, may enter into contracts with  
20 a fiscal agent or fiscal intermediary claims processor to  
21 determine the amounts payable to persons who, on behalf  
22 of the Federal Prison System, furnish health services to  
23 individuals committed to the custody of the Federal Prison  
24 System: *Provided further*, That not to exceed \$5,400 shall  
25 be available for official reception and representation ex-

1 penses: *Provided further*, That not to exceed \$50,000,000  
2 shall remain available for necessary operations until Sep-  
3 tember 30, 2014: *Provided further*, That, of the amounts  
4 provided for contract confinement, not to exceed  
5 \$20,000,000 shall remain available until expended to  
6 make payments in advance for grants, contracts and reim-  
7 bursable agreements, and other expenses authorized by  
8 section 501(c) of the Refugee Education Assistance Act  
9 of 1980 (8 U.S.C. 1522 note), for the care and security  
10 in the United States of Cuban and Haitian entrants: *Pro-*  
11 *vided further*, That the Director of the Federal Prison Sys-  
12 tem may accept donated property and services relating to  
13 the operation of the prison card program from a not-for-  
14 profit entity which has operated such program in the past  
15 notwithstanding the fact that such not-for-profit entity  
16 furnishes services under contracts to the Federal Prison  
17 System relating to the operation of pre-release services,  
18 halfway houses, or other custodial facilities: *Provided fur-*  
19 *ther*, That of the amount provided under this heading, not  
20 less than \$99,496,000 shall be for activation of newly con-  
21 structed prisons in Berlin, New Hampshire, Aliceville, Ala-  
22 bama, Yazoo City, Mississippi, and Hazelton, West Vir-  
23 ginia, as requested in the Department's fiscal year 2013  
24 budget.

1 BUILDINGS AND FACILITIES

2 For planning, acquisition of sites and construction of  
3 new facilities; purchase and acquisition of facilities and re-  
4 modeling, and equipping of such facilities for penal and  
5 correctional use, including all necessary expenses incident  
6 thereto, by contract or force account; and constructing,  
7 remodeling, and equipping necessary buildings and facili-  
8 ties at existing penal and correctional institutions, includ-  
9 ing all necessary expenses incident thereto, by contract or  
10 force account, \$90,000,000, to remain available until ex-  
11 pended, of which not less than \$66,965,000 shall be avail-  
12 able only for modernization, maintenance and repair, and  
13 of which not to exceed \$14,000,000 shall be available to  
14 construct areas for inmate work programs: *Provided*, That  
15 labor of United States prisoners may be used for work  
16 performed under this appropriation.

17 FEDERAL PRISON INDUSTRIES, INCORPORATED

18 The Federal Prison Industries, Incorporated, is here-  
19 by authorized to make such expenditures, within the limits  
20 of funds and borrowing authority available, and in accord  
21 with the law, and to make such contracts and commit-  
22 ments, without regard to fiscal year limitations as pro-  
23 vided by section 9104 of title 31, United States Code, as  
24 may be necessary in carrying out the program set forth  
25 in the budget for the current fiscal year for such corpora-



1 tion, including purchase (not to exceed five for replace-  
2 ment only) and hire of passenger motor vehicles.

3       LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL  
4                   PRISON INDUSTRIES, INCORPORATED

5       Not to exceed \$2,700,000 of the funds of the Federal  
6 Prison Industries, Incorporated shall be available for its  
7 administrative expenses, and for services as authorized by  
8 section 3109 of title 5, United States Code, to be com-  
9 puted on an accrual basis to be determined in accordance  
10 with the corporation's current prescribed accounting sys-  
11 tem, and such amounts shall be exclusive of depreciation,  
12 payment of claims, and expenditures which such account-  
13 ing system requires to be capitalized or charged to cost  
14 of commodities acquired or produced, including selling and  
15 shipping expenses, and expenses in connection with acqui-  
16 sition, construction, operation, maintenance, improvement,  
17 protection, or disposition of facilities and other property  
18 belonging to the corporation or in which it has an interest.

19       STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

20                   OFFICE ON VIOLENCE AGAINST WOMEN

21                   VIOLENCE AGAINST WOMEN PREVENTION AND

22                                   PROSECUTION PROGRAMS

23       For grants, contracts, cooperative agreements, and  
24 other assistance for the prevention and prosecution of vio-  
25 lence against women, as authorized by the Omnibus Crime

1 Control and Safe Streets Act of 1968 (42 U.S.C. 3711  
2 et seq.) (“the 1968 Act”); the Violent Crime Control and  
3 Law Enforcement Act of 1994 (Public Law 103–322)  
4 (“the 1994 Act”); the Victims of Child Abuse Act of 1990  
5 (Public Law 101–647) (“the 1990 Act”); the Prosecu-  
6 torial Remedies and Other Tools to end the Exploitation  
7 of Children Today Act of 2003 (Public Law 108–21); the  
8 Juvenile Justice and Delinquency Prevention Act of 1974  
9 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims  
10 of Trafficking and Violence Protection Act of 2000 (Public  
11 Law 106–386) (“the 2000 Act”); and the Violence  
12 Against Women and Department of Justice Reauthoriza-  
13 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);  
14 and for related victims services, \$416,500,000, to remain  
15 available until expended: *Provided*, That except as other-  
16 wise provided by law, not to exceed 5 percent of funds  
17 made available under this heading may be used for ex-  
18 penses related to evaluation, training, and technical assist-  
19 ance: *Provided further*, That of the amount provided—

20 (1) \$189,000,000 is for grants to combat vio-  
21 lence against women, as authorized by part T of the  
22 1968 Act;

23 (2) \$25,000,000 is for transitional housing as-  
24 sistance grants for victims of domestic violence,

1 stalking or sexual assault as authorized by section  
2 40299 of the 1994 Act;

3 (3) \$3,500,000 is for the National Institute of  
4 Justice for research and evaluation of violence  
5 against women and related issues addressed by  
6 grant programs of the Office on Violence Against  
7 Women, which may be transferred to “Research,  
8 Evaluation and Statistics” for administration by the  
9 Office of Justice Programs;

10 (4) \$10,000,000 is for a grant program to pro-  
11 vide services to advocate for and respond to youth  
12 victims of domestic violence, dating violence, sexual  
13 assault, and stalking; assistance to children and  
14 youth exposed to such violence; programs to engage  
15 men and youth in preventing such violence; and as-  
16 sistance to middle and high school students through  
17 education and other services related to such violence:  
18 *Provided*, That unobligated balances available for the  
19 programs authorized by sections 41201, 41204,  
20 41303 and 41305 of the 1994 Act shall be available  
21 for this program: *Provided further*, That 10 percent  
22 of the total amount available for this grant program  
23 shall be available for grants under the program au-  
24 thorized by section 2015 of the 1968 Act: *Provided*  
25 *further*, That the definitions and grant conditions in

1 section 40002 of the 1994 Act shall apply to this  
2 program;

3 (5) \$50,000,000 is for grants to encourage ar-  
4 rest policies as authorized by part U of the 1968  
5 Act, of which \$4,000,000 is for a homicide reduction  
6 initiative;

7 (6) \$25,000,000 is for sexual assault victims  
8 assistance, as authorized by section 41601 of the  
9 1994 Act;

10 (7) \$36,500,000 is for rural domestic violence  
11 and child abuse enforcement assistance grants, as  
12 authorized by section 40295 of the 1994 Act;

13 (8) \$9,000,000 is for grants to reduce violent  
14 crimes against women on campus, as authorized by  
15 section 304 of the 2005 Act;

16 (9) \$41,000,000 is for legal assistance for vic-  
17 tims, as authorized by section 1201 of the 2000 Act;

18 (10) \$4,250,000 is for enhanced training and  
19 services to end violence against and abuse of women  
20 in later life, as authorized by section 40802 of the  
21 1994 Act;

22 (11) \$15,500,000 is for a grant program to  
23 support families in the justice system, including for  
24 the purposes described in the safe havens for chil-  
25 dren program, as authorized by section 1301 of the

1       2000 Act, and the court training and improvements  
2       program, as authorized by section 41002 of the  
3       1994 Act;

4           (12) \$5,750,000 is for education and training  
5       to end violence against and abuse of women with  
6       disabilities, as authorized by section 1402 of the  
7       2000 Act;

8           (13) \$500,000 is for the National Resource  
9       Center on Workplace Responses to assist victims of  
10      domestic violence, as authorized by section 41501 of  
11      the 1994 Act;

12          (14) \$1,000,000 is for analysis and research on  
13      violence against Indian women, including as author-  
14      ized by section 904 of the 2005 Act, which may be  
15      transferred to “Research, Evaluation and Statistics”  
16      for administration by the Office of Justice Pro-  
17      grams; and

18          (15) \$500,000 is for the Office on Violence  
19      Against Women to establish a national clearinghouse  
20      that provides training and technical assistance on  
21      issues relating to sexual assault of American Indian  
22      and Alaska Native women.

1                                   OFFICE OF JUSTICE PROGRAMS  
2                                   RESEARCH, EVALUATION AND STATISTICS

3           For grants, contracts, cooperative agreements, and  
4 other assistance authorized by title I of the Omnibus  
5 Crime Control and Safe Streets Act of 1968 (“the 1968  
6 Act”); the Juvenile Justice and Delinquency Prevention  
7 Act of 1974 (“the 1974 Act”); the Missing Children’s As-  
8 sistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial  
9 Remedies and Other Tools to end the Exploitation of Chil-  
10 dren Today Act of 2003 (Public Law 108–21); the Justice  
11 for All Act of 2004 (Public Law 108–405); the Violence  
12 Against Women and Department of Justice Reauthoriza-  
13 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);  
14 the Victims of Child Abuse Act of 1990 (Public Law 101–  
15 647); the Second Chance Act of 2007 (Public Law 110–  
16 199); the Victims of Crime Act of 1984 (Public Law 98–  
17 473); the Adam Walsh Child Protection and Safety Act  
18 of 2006 (Public Law 109–248) (“the Adam Walsh Act”);  
19 the PROTECT Our Children Act of 2008 (Public Law  
20 110–401); subtitle D of title II of the Homeland Security  
21 Act of 2002 (Public Law 107–296) (“the 2002 Act”); the  
22 NICS Improvement Amendments Act of 2007 (Public  
23 Law 110–180); and other programs, \$127,000,000, to re-  
24 main available until expended, of which—

1           (1) \$48,000,000 is for criminal justice statistics  
2 programs, and other activities, as authorized by part  
3 C of title I of the 1968 Act, of which \$36,000,000  
4 is for the administration and redesign of the Na-  
5 tional Crime Victimization Survey;

6           (2) \$43,000,000 is for research, development,  
7 and evaluation programs, and other activities as au-  
8 thorized by part B of title I of the 1968 Act and  
9 subtitle D of title II of the 2002 Act: *Provided*, That  
10 of the amounts provided under this paragraph,  
11 \$5,000,000 is transferred directly to the National  
12 Institute of Standards and Technology's Office of  
13 Law Enforcement Standards from the National In-  
14 stitute of Justice for research, testing and evaluation  
15 programs;

16           (3) \$1,000,000 is for an evaluation clearing-  
17 house program; and

18           (4) \$35,000,000 is for regional information  
19 sharing activities, as authorized by part M of title I  
20 of the 1968 Act.

21 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

22 For grants, contracts, cooperative agreements, and  
23 other assistance authorized by the Violent Crime Control  
24 and Law Enforcement Act of 1994 (Public Law 103-322)  
25 (“the 1994 Act”); the Omnibus Crime Control and Safe

1 Streets Act of 1968 (“the 1968 Act”); the Justice for All  
2 Act of 2004 (Public Law 108–405); the Victims of Child  
3 Abuse Act of 1990 (Public Law 101–647) (“the 1990  
4 Act”); the Trafficking Victims Protection Reauthorization  
5 Act of 2005 (Public Law 109–164); the Violence Against  
6 Women and Department of Justice Reauthorization Act  
7 of 2005 (Public Law 109–162) (“the 2005 Act”); the  
8 Adam Walsh Child Protection and Safety Act of 2006  
9 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-  
10 tims of Trafficking and Violence Protection Act of 2000  
11 (Public Law 106–386); the NICS Improvement Amend-  
12 ments Act of 2007 (Public Law 110–180); subtitle D of  
13 title II of the Homeland Security Act of 2002 (Public Law  
14 107–296) (“the 2002 Act”); the Second Chance Act of  
15 2007 (Public Law 110–199); the Prioritizing Resources  
16 and Organization for Intellectual Property Act of 2008  
17 (Public Law 110–403); the Victims of Crime Act of 1984  
18 (Public Law 98–473); the Mentally Ill Offender Treat-  
19 ment and Crime Reduction Reauthorization and Improve-  
20 ment Act of 2008 (Public Law 110–416); and other pro-  
21 grams, \$1,140,418,000, to remain available until ex-  
22 pended as follows—

- 23           (1) \$392,418,000 for the Edward Byrne Memo-  
24           rial Justice Assistance Grant program as authorized  
25           by subpart 1 of part E of title I of the 1968 Act



1 (except that section 1001(c), and the special rules  
2 for Puerto Rico under section 505(g), of title I of  
3 the 1968 Act shall not apply for purposes of this  
4 Act), of which, notwithstanding such subpart 1,  
5 \$2,000,000 is for a program to improve State and  
6 local law enforcement intelligence capabilities includ-  
7 ing antiterrorism training and training to ensure  
8 that constitutional rights, civil liberties, civil rights,  
9 and privacy interests are protected throughout the  
10 intelligence process, \$4,000,000 is for a State, local,  
11 and tribal assistance help desk and diagnostic center  
12 program, \$5,000,000 is for a Preventing Violence  
13 Against Law Enforcement Officer Resilience and  
14 Survivability Initiative (VALOR), \$6,000,000 is for  
15 a criminal justice reform and recidivism reduction  
16 program, and \$4,000,000 is for use by the National  
17 Institute of Justice for research targeted toward de-  
18 veloping a better understanding of the domestic  
19 radicalization phenomenon, and advancing evidence-  
20 based strategies for effective intervention and pre-  
21 vention;

22 (2) \$255,000,000 for the State Criminal Alien  
23 Assistance Program, as authorized by section  
24 241(i)(5) of the Immigration and Nationality Act (8  
25 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction

1 shall request compensation for any cost greater than  
2 the actual cost for Federal immigration and other  
3 detainees housed in State and local detention facili-  
4 ties;

5 (3) \$5,000,000 for a border prosecutor initia-  
6 tive to reimburse State, county, parish, tribal, or  
7 municipal governments for costs associated with the  
8 prosecution of criminal cases declined by local offices  
9 of the United States Attorneys;

10 (4) \$19,000,000 for competitive grants to im-  
11 prove the functioning of the criminal justice system,  
12 to prevent or combat juvenile delinquency, and to as-  
13 sist victims of crime (other than compensation);

14 (5) \$13,500,000 for victim services programs  
15 for victims of trafficking, as authorized by section  
16 107(b)(2) of Public Law 106–386, and for programs  
17 authorized under Public Law 109–164;

18 (6) \$41,000,000 for Drug Courts, as authorized  
19 by section 1001(a)(25)(A) of title I of the 1968 Act;

20 (7) \$9,000,000 for mental health courts and  
21 adult and juvenile collaboration program grants, as  
22 authorized by parts V and HH of title I of the 1968  
23 Act, and the Mentally Ill Offender Treatment and  
24 Crime Reduction Reauthorization and Improvement  
25 Act of 2008 (Public Law 110–416);

1           (8) \$12,500,000 for grants for Residential Sub-  
2           stance Abuse Treatment for State Prisoners, as au-  
3           thorized by part S of title I of the 1968 Act;

4           (9) \$3,000,000 for the Capital Litigation Im-  
5           provement Grant Program, as authorized by section  
6           426 of Public Law 108–405, and for grants for  
7           wrongful conviction review;

8           (10) \$9,000,000 for economic, high technology  
9           and Internet crime prevention grants, including as  
10          authorized by section 401 of Public Law 110–403;

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

14          (12) \$20,000,000 for implementation of the  
15          Adam Walsh Act and related activities;

16          (13) \$13,000,000 for an initiative relating to  
17          children exposed to violence;

18          (14) \$18,000,000 for an Edward Byrne Memo-  
19          rial criminal justice innovation program;

20          (15) \$21,500,000 for the matching grant pro-  
21          gram for law enforcement armor vests, as authorized  
22          by section 2501 of title I of the 1968 Act: *Provided*,  
23          That \$1,500,000 is transferred directly to the Na-  
24          tional Institute of Standards and Technology’s Of-

1        fice of Law Enforcement Standards for research,  
2        testing and evaluation programs;

3            (16) \$1,000,000 for the National Sex Offender  
4        Public Website;

5            (17) \$5,000,000 for competitive and evidence-  
6        based programs to reduce gun crime and gang vio-  
7        lence;

8            (18) \$12,000,000 for grants to assist State and  
9        tribal governments and related activities, as author-  
10       ized by the NICS Improvement Amendments Act of  
11       2007 (Public Law 110–180);

12           (19) \$6,000,000 for the National Criminal His-  
13       tory Improvement Program for grants to upgrade  
14       criminal records;

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

18           (21) \$125,000,000 for DNA-related and foren-  
19       sic programs and activities, of which—

20            (A) \$117,000,000 is for a DNA analysis  
21       and capacity enhancement program and for  
22       other local, State, and Federal forensic activi-  
23       ties, including the purposes authorized under  
24       section 2 of the DNA Analysis Backlog Elimini-  
25       nation Act of 2000 (the Debbie Smith DNA

1 Backlog Grant Program): *Provided*, That up to  
2 4 percent of funds made available under this  
3 paragraph may be used for the purposes de-  
4 scribed in the DNA Training and Education for  
5 Law Enforcement, Correctional Personnel, and  
6 Court Officers program (Public Law 108–405,  
7 section 303);

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, including as au-  
14 thorized by section 304 of Public Law 108–405;

15 (22) \$6,000,000 for the court-appointed special  
16 advocate program, as authorized by section 217 of  
17 the 1990 Act;

18 (23) \$38,000,000 for assistance to Indian  
19 tribes;

20 (24) \$68,750,000 for offender reentry programs  
21 and research, as authorized by the Second Chance  
22 Act of 2007 (Public Law 110–199), of which not to  
23 exceed \$5,000,000 is for a program to improve  
24 State, local, and tribal probation supervision efforts  
25 and strategies;

1           (25) \$4,000,000 for a veterans treatment  
2 courts program;

3           (26) \$1,000,000 for the purposes described in  
4 the Missing Alzheimer's Disease Patient Alert Pro-  
5 gram (section 240001 of the 1994 Act);

6           (27) \$7,000,000 for a program to monitor pre-  
7 scription drugs and scheduled listed chemical prod-  
8 ucts;

9           (28) \$12,500,000 for prison rape prevention  
10 and prosecution grants to States and units of local  
11 government, and other programs, as authorized by  
12 the Prison Rape Elimination Act of 2003 (Public  
13 Law 108–79);

14           (29) \$3,500,000 for emergency law enforcement  
15 assistance, as authorized by section 609M of the  
16 Justice Assistance Act of 1984 (42 U.S.C. 10513;  
17 Public Law 98–473); and

18           (30) \$2,750,000 to establish and operate a Na-  
19 tional Center for Campus Public Safety:

20 *Provided*, That, if a unit of local government uses any of  
21 the funds made available under this heading to increase  
22 the number of law enforcement officers, the unit of local  
23 government will achieve a net gain in the number of law  
24 enforcement officers who perform non-administrative pub-  
25 lic sector safety service.

1 JUVENILE JUSTICE PROGRAMS

2 For grants, contracts, cooperative agreements, and  
3 other assistance authorized by the Juvenile Justice and  
4 Delinquency Prevention Act of 1974 (“the 1974 Act”); the  
5 Omnibus Crime Control and Safe Streets Act of 1968  
6 (“the 1968 Act”); the Violence Against Women and De-  
7 partment of Justice Reauthorization Act of 2005 (Public  
8 Law 109–162) (“the 2005 Act”); the Missing Children’s  
9 Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial  
10 Remedies and Other Tools to end the Exploitation of Chil-  
11 dren Today Act of 2003 (Public Law 108–21); the Victims  
12 of Child Abuse Act of 1990 (Public Law 101–647) (“the  
13 1990 Act”); the Adam Walsh Child Protection and Safety  
14 Act of 2006 (Public Law 109–248) (“the Adam Walsh  
15 Act”); the PROTECT Our Children Act of 2008 (Public  
16 Law 110–401); and other juvenile justice programs,  
17 \$279,500,000, to remain available until expended as fol-  
18 lows—

19 (1) \$44,000,000 for programs authorized by  
20 section 221 of the 1974 Act, and for training and  
21 technical assistance to assist small, nonprofit organi-  
22 zations with the Federal grants process: *Provided*,  
23 That of the amounts provided under this paragraph,  
24 \$500,000 shall be for a competitive demonstration  
25 grant program to support emergency planning

1 among State, local and tribal juvenile justice resi-  
2 dential facilities;

3 (2) \$90,000,000 for youth mentoring grants;

4 (3) \$20,000,000 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) \$10,000,000 shall be for the Tribal  
8 Youth Program;

9 (B) \$5,000,000 shall be for gang and  
10 youth violence education, prevention and inter-  
11 vention, and related activities; and

12 (C) \$5,000,000 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) \$19,000,000 for programs authorized by  
20 the Victims of Child Abuse Act of 1990;

21 (5) \$25,000,000 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) \$11,000,000 for community-based violence  
2 prevention initiatives;

3           (7) \$67,000,000 for missing and exploited chil-  
4 dren programs, including as authorized by sections  
5 404(b) and 405(a) of the 1974 Act (except that sec-  
6 tion 102(b)(4)(B) of the PROTECT Our Children  
7 Act of 2008 (Public Law 110–401) shall not apply  
8 for purposes of this Act);

9           (8) \$1,500,000 for child abuse training pro-  
10 grams for judicial personnel and practitioners, as  
11 authorized by section 222 of the 1990 Act; and

12           (9) \$2,000,000 for grants and technical assist-  
13 ance in support of the National Forum on Youth Vi-  
14 olence Prevention:

15 *Provided*, That not more than 10 percent of each amount  
16 may be used for research, evaluation, and statistics activi-  
17 ties designed to benefit the programs or activities author-  
18 ized: *Provided further*, That not more than 2 percent of  
19 the amounts designated under paragraphs (1) through  
20 (6), (8) and (9) may be used for training and technical  
21 assistance: *Provided further*, That the previous two pro-  
22 visos shall not apply to grants and projects authorized by  
23 sections 261 and 262 of the 1974 Act.

1 PUBLIC SAFETY OFFICER BENEFITS

2 For payments and expenses authorized under section  
3 1001(a)(4) of title I of the Omnibus Crime Control and  
4 Safe Streets Act of 1968, such sums as are necessary (in-  
5 cluding amounts for administrative costs), to remain avail-  
6 able until expended; and \$16,300,000 for payments au-  
7 thorized by section 1201(b) of such Act and for edu-  
8 cational assistance authorized by section 1218 of such Act,  
9 to remain available until expended: *Provided*, That not-  
10 withstanding section 205 of this Act, upon a determina-  
11 tion by the Attorney General that emergent circumstances  
12 require additional funding for such disability and edu-  
13 cation payments, the Attorney General may transfer such  
14 amounts to “Public Safety Officer Benefits” from avail-  
15 able appropriations for the Department of Justice as may  
16 be necessary to respond to such circumstances: *Provided*  
17 *further*, That any transfer pursuant to the previous pro-  
18 viso shall be treated as a reprogramming under section  
19 505 of this Act and shall not be available for obligation  
20 or expenditure except in compliance with the procedures  
21 set forth in that section.

22 COMMUNITY ORIENTED POLICING SERVICES

23 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

24 For activities authorized by the Violent Crime Con-  
25 trol and Law Enforcement Act of 1994 (Public Law 103–

1 322); the Omnibus Crime Control and Safe Streets Act  
2 of 1968 (“the 1968 Act”); and the Violence Against  
3 Women and Department of Justice Reauthorization Act  
4 of 2005 (Public Law 109–162) (“the 2005 Act”),  
5 \$222,500,000, to remain available until expended: *Pro-*  
6 *vided*, That any balances made available through prior  
7 year deobligations shall only be available in accordance  
8 with section 505 of this Act: *Provided further*, That of the  
9 amount provided—

10 (1) \$12,500,000 is for anti-methamphetamine-  
11 related activities, which shall be transferred to the  
12 Drug Enforcement Administration upon enactment  
13 of this Act;

14 (2) \$20,000,000 is for improving tribal law en-  
15 forcement, including hiring, equipment, training, and  
16 anti-methamphetamine activities; and

17 (3) \$190,000,000 is for grants under section  
18 1701 of title I of the 1968 Act (42 U.S.C. 3796dd)  
19 for the hiring and rehiring of additional career law  
20 enforcement officers under part Q of such title not-  
21 withstanding subsection (i) of such section: *Provided*,  
22 That, notwithstanding section 1704(c) of such title  
23 (42 U.S.C. 3796dd–3(c)), funding for hiring or re-  
24 hiring a career law enforcement officer may not ex-  
25 ceed \$125,000 unless the Director of the Office of

1 Community Oriented Policing Services grants a  
2 waiver from this limitation: *Provided further*, That  
3 within the amounts appropriated, \$15,000,000 shall  
4 be transferred to the Tribal Resources Grant Pro-  
5 gram: *Provided further*, That of the amounts appro-  
6 priated under this paragraph, \$10,000,000 is for  
7 community policing development activities in fur-  
8 therance of the purposes in section 1701.

9 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

10 SEC. 201. In addition to amounts otherwise made  
11 available in this title for official reception and representa-  
12 tion expenses, a total of not to exceed \$50,000 from funds  
13 appropriated to the Department of Justice in this title  
14 shall be available to the Attorney General for official re-  
15 ception and representation expenses.

16 SEC. 202. None of the funds appropriated by this  
17 title shall be available to pay for an abortion, except where  
18 the life of the mother would be endangered if the fetus  
19 were carried to term, or in the case of rape: *Provided*,  
20 That should this prohibition be declared unconstitutional  
21 by a court of competent jurisdiction, this section shall be  
22 null and void.

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

1           SEC. 204. Nothing in the preceding section shall re-  
2 move the obligation of the Director of the Bureau of Pris-  
3 ons to provide escort services necessary for a female in-  
4 mate to receive such service outside the Federal facility:  
5 *Provided*, That nothing in this section in any way dimin-  
6 ishes the effect of section 203 intended to address the phil-  
7 osophical beliefs of individual employees of the Bureau of  
8 Prisons.

9           SEC. 205. Not to exceed 5 percent of any appropria-  
10 tion made available for the current fiscal year for the De-  
11 partment of Justice in this Act may be transferred be-  
12 tween such appropriations, but no such appropriation, ex-  
13 cept as otherwise specifically provided, shall be increased  
14 by more than 10 percent by any such transfers: *Provided*,  
15 That any transfer pursuant to this section shall be treated  
16 as a reprogramming of funds under section 505 of this  
17 Act and shall not be available for obligation except in com-  
18 pliance with the procedures set forth in that section.

19           SEC. 206. The Attorney General is authorized to ex-  
20 tend through September 30, 2014, the Personnel Manage-  
21 ment Demonstration Project transferred to the Attorney  
22 General pursuant to section 1115 of the Homeland Secu-  
23 rity Act of 2002 (Public Law 107–296; 28 U.S.C. 599B)  
24 without limitation on the number of employees or the posi-  
25 tions covered.

1           SEC. 207. Notwithstanding any other provision of  
2 law, during the current fiscal year and any fiscal year  
3 thereafter, section 102(b) of the Departments of Com-  
4 merce, Justice, and State, the Judiciary, and Related  
5 Agencies Appropriations Act, 1993 (Public Law 102-395)  
6 shall extend to the Bureau of Alcohol, Tobacco, Firearms  
7 and Explosives in the conduct of undercover investigative  
8 operations and shall apply with respect to any undercover  
9 investigative operation by the Bureau of Alcohol, Tobacco,  
10 Firearms and Explosives that is necessary for the detec-  
11 tion and prosecution of crimes against the United States.

12           SEC. 208. None of the funds made available to the  
13 Department of Justice in this Act may be used for the  
14 purpose of transporting an individual who is a prisoner  
15 pursuant to conviction for crime under State or Federal  
16 law and is classified as a maximum or high security pris-  
17 oner, other than to a prison or other facility certified by  
18 the Federal Bureau of Prisons as appropriately secure for  
19 housing such a prisoner.

20           SEC. 209. (a) None of the funds appropriated by this  
21 Act may be used by Federal prisons to purchase cable tele-  
22 vision services, or to rent or purchase audiovisual or elec-  
23 tronic media or equipment used primarily for recreational  
24 purposes.

1           (b) Subsection (a) does not preclude the rental, main-  
2   tenance, or purchase of audiovisual or electronic media or  
3   equipment for inmate training, religious, or educational  
4   programs.

5           SEC. 210. None of the funds made available under  
6   this title shall be obligated or expended for any new or  
7   enhanced information technology program having total es-  
8   timated development costs in excess of \$100,000,000, un-  
9   less the Deputy Attorney General and the investment re-  
10   view board certify to the Committees on Appropriations  
11   of the House of Representatives and the Senate that the  
12   information technology program has appropriate program  
13   management controls and contractor oversight mecha-  
14   nisms in place, and that the program is compatible with  
15   the enterprise architecture of the Department of Justice.

16           SEC. 211. The notification thresholds and procedures  
17   set forth in section 505 of this Act shall apply to devi-  
18   ations from the amounts designated for specific activities  
19   in this Act and accompanying statement, and to any use  
20   of deobligated balances of funds provided under this title  
21   in previous years.

22           SEC. 212. None of the funds appropriated by this Act  
23   may be used to plan for, begin, continue, finish, process,  
24   or approve a public-private competition under the Office  
25   of Management and Budget Circular A-76 or any suc-

1 cessor administrative regulation, directive, or policy for  
2 work performed by employees of the Bureau of Prisons  
3 or of Federal Prison Industries, Incorporated.

4       SEC. 213. Notwithstanding any other provision of  
5 law, no funds shall be available for the salary, benefits,  
6 or expenses of any United States Attorney assigned dual  
7 or additional responsibilities by the Attorney General or  
8 his designee that exempt that United States Attorney  
9 from the residency requirements of section 545 of title 28,  
10 United States Code.

11       SEC. 214. At the discretion of the Attorney General,  
12 and in addition to any amounts that otherwise may be  
13 available (or authorized to be made available) by law, with  
14 respect to funds appropriated by this title under the head-  
15 ings “Research, Evaluation and Statistics”, “State and  
16 Local Law Enforcement Assistance”, and “Juvenile Jus-  
17 tice Programs”—

18             (1) up to 3 percent of funds made available to  
19 the Office of Justice Programs for grant or reim-  
20 bursement programs may be used by such Office to  
21 provide training and technical assistance; and

22             (2) up to 2 percent of funds made available for  
23 grant or reimbursement programs under such head-  
24 ings, except for amounts appropriated specifically for  
25 research, evaluation, or statistical programs adminis-



1           tered by the National Institute of Justice and the  
2           Bureau of Justice Statistics, shall be transferred to  
3           and merged with funds provided to the National In-  
4           stitute of Justice and the Bureau of Justice Statis-  
5           tics, to be used by them for research, evaluation or  
6           statistical purposes, without regard to the authoriza-  
7           tions for such grant or reimbursement programs,  
8           and of such amounts, \$1,300,000 shall be trans-  
9           ferred to the Bureau of Prisons for Federal inmate  
10          research and evaluation purposes.

11          SEC. 215. Upon request by a grantee for whom the  
12          Attorney General has determined there is a fiscal hard-  
13          ship, the Attorney General may, with respect to funds ap-  
14          propriated by this or any other Act making appropriations  
15          for fiscal years 2010 through 2013 for the following pro-  
16          grams, waive the following requirements:

17                 (1) For the Adult and Juvenile Offender State  
18                 and Local Reentry Demonstration Projects under  
19                 part FF of title I of the Omnibus Crime Control and  
20                 Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)),  
21                 the requirements under section 2976(g)(1) of such  
22                 part.

23                 (2) For State, Tribal, and Local Reentry  
24                 Courts under part FF of title I of such Act of 1968  
25                 (42 U.S.C. 3797w-2(e)(1) and (2)), the require-

1       ments under section 2978(e)(1) and (2) of such  
2       part.

3               (3) For the Prosecution Drug Treatment Alter-  
4       natives to Prison Program under part CC of title I  
5       of such Act of 1968 (42 U.S.C. 3797q-3), the re-  
6       quirements under section 2904 of such part.

7               (4) For Grants to Protect Inmates and Safe-  
8       guard Communities under the Prison Rape Elimini-  
9       nation Act of 2003 (42 U.S.C. 15605(c)(3)), the re-  
10      quirements of section 6(c)(3) of such Act.

11      SEC. 216. Notwithstanding any other provision of  
12      law, section 20109(a) of subtitle A of title II of the Violent  
13      Crime Control and Law Enforcement Act of 1994 (42  
14      U.S.C. 13709(a)) shall not apply to amounts made avail-  
15      able by this or any other Act.

16      SEC. 217. None of the funds made available under  
17      this Act, other than for the national instant criminal back-  
18      ground check system established under section 103 of the  
19      Brady Handgun Violence Prevention Act (18 U.S.C. 922  
20      note), may be used by a Federal law enforcement officer  
21      to facilitate the transfer of an operable firearm to an indi-  
22      vidual if the Federal law enforcement officer knows or sus-  
23      pects that the individual is an agent of a drug cartel, un-  
24      less law enforcement personnel of the United States con-  
25      tinuously monitor or control the firearm at all times.

1           SEC. 218. (a) None of the income retained in the De-  
2   partment of Justice Working Capital Fund pursuant to  
3   title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.  
4   527 note) shall be available for obligation during fiscal  
5   year 2013.

6           (b) Not to exceed \$30,000,000 of the unobligated bal-  
7   ances transferred to the capital account of the Department  
8   of Justice Working Capital Fund pursuant to title I of  
9   Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)  
10  shall be available for obligation in fiscal year 2013, and  
11  any use, obligation, transfer or allocation of such funds  
12  shall be treated as a reprogramming of funds under sec-  
13  tion 505 of this Act.

14          (c) Not to exceed \$10,000,000 of the excess unobli-  
15  gated balances available under section 524(c)(8)(E) of  
16  title 28, United States Code, shall be available for obliga-  
17  tion during fiscal year 2013, and any use, obligation,  
18  transfer or allocation of such funds shall be treated as a  
19  reprogramming of funds under section 505 of this Act.

20          (d) Of amounts available in the Assets Forfeiture  
21  Fund in fiscal year 2013, \$154,700,000 shall be for pay-  
22  ments associated with joint law enforcement operations as  
23  authorized by section 524(c)(1)(I) of title 28, United  
24  States Code.

1           (e) The Attorney General shall submit a spending  
2 plan to the Committees on Appropriations of the House  
3 of Representatives and the Senate not later than 45 days  
4 after the date of enactment of this Act detailing the  
5 planned distribution of Assets Forfeiture Fund joint law  
6 enforcement operations funding during fiscal year 2013.

7           (f) Subsections (a) through (d) of this section shall  
8 sunset on September 30, 2013.

9           This title may be cited as the “Department of Justice  
10 Appropriations Act, 2013”.

1 TITLE III

2 SCIENCE

3 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

4 For necessary expenses of the Office of Science and  
5 Technology Policy, in carrying out the purposes of the Na-  
6 tional Science and Technology Policy, Organization, and  
7 Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of  
8 passenger motor vehicles, and services as authorized by  
9 section 3109 of title 5, United States Code, not to exceed  
10 \$2,250 for official reception and representation expenses,  
11 and rental of conference rooms in the District of Colum-  
12 bia, \$5,850,000.

13 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 SCIENCE

15 For necessary expenses, not otherwise provided for,  
16 in the conduct and support of science research and devel-  
17 opment activities, including research, development, oper-  
18 ations, support, and services; maintenance and repair, fa-  
19 cility planning and design; space flight, spacecraft control,  
20 and communications activities; program management; per-  
21 sonnel and related costs, including uniforms or allowances  
22 therefor, as authorized by sections 5901 and 5902 of title  
23 5, United States Code; travel expenses; purchase and hire  
24 of passenger motor vehicles; and purchase, lease, charter,  
25 maintenance, and operation of mission and administrative

1 aircraft, \$5,144,000,000, to remain available until Sep-  
2 tember 30, 2014, of which up to \$14,500,000 shall be  
3 available for a reimbursable agreement with the Depart-  
4 ment of Energy for the purpose of re-establishing facilities  
5 to produce fuel required for radioisotope thermoelectric  
6 generators to enable future missions: *Provided*, That  
7 \$75,000,000 shall be for pre-formulation and/or formula-  
8 tion activities for a mission that meets the science goals  
9 outlined for the Jupiter Europa mission in the most recent  
10 planetary science decadal survey: *Provided further*, That  
11 the formulation and development costs (with development  
12 cost as defined under section 30104 of title 51, United  
13 States Code) for the James Webb Space Telescope shall  
14 not exceed \$8,000,000,000: *Provided further*, That should  
15 the individual identified under subsection (c)(2)(E) of sec-  
16 tion 30104 of title 51, United States Code, as responsible  
17 for the James Webb Space Telescope determine that the  
18 development cost of the program is likely to exceed that  
19 limitation, the individual shall immediately notify the Ad-  
20 ministrator and the increase shall be treated as if it meets  
21 the 30 percent threshold described in subsection (f) of sec-  
22 tion 30104.

23

#### AERONAUTICS

24 For necessary expenses, not otherwise provided for,  
25 in the conduct and support of aeronautics research and

1 development activities, including research, development,  
2 operations, support, and services; maintenance and repair,  
3 facility planning and design; space flight, spacecraft con-  
4 trol, and communications activities; program manage-  
5 ment; personnel and related costs, including uniforms or  
6 allowances therefor, as authorized by sections 5901 and  
7 5902 of title 5, United States Code; travel expenses; pur-  
8 chase and hire of passenger motor vehicles; and purchase,  
9 lease, charter, maintenance, and operation of mission and  
10 administrative aircraft, \$570,000,000, to remain available  
11 until September 30, 2014.

12 SPACE TECHNOLOGY

13 For necessary expenses, not otherwise provided for,  
14 in the conduct and support of space research and tech-  
15 nology development activities, including research, develop-  
16 ment, operations, support, and services; maintenance and  
17 repair, facility planning and design; space flight, space-  
18 craft control, and communications activities; program  
19 management; personnel and related costs, including uni-  
20 forms or allowances therefor, as authorized by sections  
21 5901 and 5902 of title 5, United States Code; travel ex-  
22 penses; purchase and hire of passenger motor vehicles; and  
23 purchase, lease, charter, maintenance, and operation of  
24 mission and administrative aircraft, \$642,000,000, to re-  
25 main available until September 30, 2014.

1 EXPLORATION

2 For necessary expenses, not otherwise provided for,  
3 in the conduct and support of exploration 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 sections 5901 and  
10 5902 of title 5, United States Code; travel expenses; pur-  
11 chase and hire of passenger motor vehicles; and purchase,  
12 lease, charter, maintenance, and operation of mission and  
13 administrative aircraft, \$3,887,000,000, to remain avail-  
14 able until September 30, 2014: *Provided*, That not less  
15 than \$1,197,000,000 shall be for the Orion Multi-Purpose  
16 Crew Vehicle: *Provided further*, That not less than  
17 \$1,857,000,000 shall be for the Space Launch System,  
18 which shall have a lift capability not less than 130 tons  
19 and which shall have an upper stage and other core ele-  
20 ments developed simultaneously: *Provided further*, That of  
21 the funds made available for the Space Launch System,  
22 \$1,454,200,000 shall be for launch vehicle development  
23 and \$402,800,000 shall be for exploration ground sys-  
24 tems: *Provided further*, That funds made available for the  
25 Orion Multi-Purpose Crew Vehicle and Space Launch Sys-



1 tem are in addition to funds provided for these programs  
2 under the “Construction and Environmental Compliance  
3 and Restoration” heading: *Provided further*, That  
4 \$525,000,000 shall be for commercial spaceflight activi-  
5 ties: *Provided further*, That \$308,000,000 shall be for ex-  
6 ploration research and development.

7  
8 SPACE OPERATIONS

8 For necessary expenses, not otherwise provided for,  
9 in the conduct and support of space operations research  
10 and development activities, including research, develop-  
11 ment, operations, support and services; space flight, space-  
12 craft control and communications activities, including op-  
13 erations, production, and services; maintenance and re-  
14 pair, facility planning and design; program management;  
15 personnel and related costs, including uniforms or allow-  
16 ances therefor, as authorized by sections 5901 and 5902  
17 of title 5, United States Code; travel expenses; purchase  
18 and hire of passenger motor vehicles; and purchase, lease,  
19 charter, maintenance and operation of mission and admin-  
20 istrative aircraft, \$3,953,000,000, to remain available  
21 until September 30, 2014.

22  
23 EDUCATION

23 For necessary expenses, not otherwise provided for,  
24 in carrying out aerospace and aeronautical education re-  
25 search and development activities, including research, de-

1 velopment, operations, support, and services; program  
2 management; personnel and related costs, including uni-  
3 forms or allowances therefor, as authorized by sections  
4 5901 and 5902 of title 5, United States Code; 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, \$125,000,000, to re-  
8 main available until September 30, 2014, of which  
9 \$18,000,000 shall be for the Experimental Program to  
10 Stimulate Competitive Research and \$40,000,000 shall be  
11 for the National Space Grant College program.

12 CROSS AGENCY SUPPORT

13 For necessary expenses, not otherwise provided for,  
14 in the conduct and support of science, aeronautics, explo-  
15 ration, space operations and education research and devel-  
16 opment activities, including research, development, oper-  
17 ations, support, and services; maintenance and repair, fa-  
18 cility planning and design; space flight, spacecraft control,  
19 and communications activities; program management; per-  
20 sonnel and related costs, including uniforms or allowances  
21 therefor, as authorized by sections 5901 and 5902 of title  
22 5, United States Code; travel expenses; purchase and hire  
23 of passenger motor vehicles; not to exceed \$63,000 for of-  
24 ficial reception and representation expenses; and purchase,  
25 lease, charter, maintenance, and operation of mission and

1 administrative aircraft, \$2,823,000,000, to remain avail-  
2 able until September 30, 2014: *Provided*, That not less  
3 than \$39,100,000 shall be available for independent  
4 verification and validation activities.

5 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND  
6 RESTORATION

7 For necessary expenses for construction of facilities  
8 including repair, rehabilitation, revitalization, and modi-  
9 fication of facilities, construction of new facilities and ad-  
10 ditions to existing facilities, facility planning and design,  
11 and restoration, and acquisition or condemnation of real  
12 property, as authorized by law, and environmental compli-  
13 ance and restoration, \$680,000,000, to remain available  
14 until September 30, 2018: *Provided*, That hereafter, not-  
15 withstanding section 315 of the National Aeronautics and  
16 Space Act of 1958 (51 U.S.C. 20145), all proceeds from  
17 leases entered into under that section shall be deposited  
18 into this account: *Provided further*, That such proceeds  
19 shall be available for a period of 5 years to the extent  
20 and in amounts as provided in annual appropriations Acts:  
21 *Provided further*, That such proceeds referred to in the  
22 two preceding provisos shall be available for obligation for  
23 fiscal year 2013 in an amount not to exceed \$3,791,000:  
24 *Provided further*, That each annual budget request shall  
25 include an annual estimate of gross receipts and collec-

1 tions and proposed use of all funds collected pursuant to  
2 section 315 of the National Aeronautics and Space Act  
3 of 1958 (51 U.S.C. 20145).

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector  
6 General in carrying out the Inspector General Act of 1978,  
7 \$38,000,000, of which \$500,000 shall remain available  
8 until September 30, 2014.

9 ADMINISTRATIVE PROVISIONS

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

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

1       The spending plan required by this Act shall be pro-  
2 vided by NASA at the theme, program, project and activ-  
3 ity level. The spending plan, as well as any subsequent  
4 change of an amount established in that spending plan  
5 that meets the notification requirements of section 505 of  
6 this Act, shall be treated as a reprogramming under sec-  
7 tion 505 of this Act and shall not be available for obliga-  
8 tion or expenditure except in compliance with the proce-  
9 dures set forth in that section.

10       Section 30102(c) of title 51, United States Code, is  
11 amended—

12           (1) in paragraph (2) by striking “and” at the  
13 end;

14           (2) in paragraph (3) by striking the period at  
15 the end inserting “; and”; and

16           (3) by adding at the end the following:

17           “(4) refunds or rebates received on an on-going  
18 basis from a credit card services provider under the  
19 National Aeronautics and Space Administration’s  
20 credit card programs.”.

21           NATIONAL SCIENCE FOUNDATION

22           RESEARCH AND RELATED ACTIVITIES

23       For necessary expenses in carrying out the National  
24 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),  
25 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services

1 as authorized by section 3109 of title 5, United States  
2 Code; maintenance and operation of aircraft and purchase  
3 of flight services for research support; acquisition of air-  
4 craft; and authorized travel; \$5,983,280,000, to remain  
5 available until September 30, 2014, of which not to exceed  
6 \$500,000,000 shall remain available until expended for  
7 polar research and operations support, and for reimburse-  
8 ment to other Federal agencies for operational and science  
9 support and logistical and other related activities for the  
10 United States Antarctic program: *Provided*, That receipts  
11 for scientific support services and materials furnished by  
12 the National Research Centers and other National Science  
13 Foundation supported research facilities may be credited  
14 to this appropriation: *Provided further*, That not less than  
15 \$158,190,000 shall be available for activities authorized  
16 by section 7002(c)(2)(A)(iv) of Public Law 110–69.

17 MAJOR RESEARCH EQUIPMENT AND FACILITIES

18 CONSTRUCTION

19 For necessary expenses for the acquisition, construc-  
20 tion, commissioning, and upgrading of major research  
21 equipment, facilities, and other such capital assets pursu-  
22 ant to the National Science Foundation Act of 1950 (42  
23 U.S.C. 1861 et seq.), including authorized travel,  
24 \$196,170,000, to remain available until expended: *Pro-*  
25 *vided*, That none of the funds may be used to reimburse

1 the Judgment Fund established under section 1304 of title  
2 31, United States Code.

3 EDUCATION AND HUMAN RESOURCES

4 For necessary expenses in carrying out science, math-  
5 ematics and engineering education and human resources  
6 programs and activities pursuant to the National Science  
7 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-  
8 ing services as authorized by section 3109 of title 5,  
9 United States Code, authorized travel, and rental of con-  
10 ference rooms in the District of Columbia, \$895,610,000,  
11 to remain available until September 30, 2014: *Provided*,  
12 That not less than \$54,890,000 shall be available until  
13 expended for activities authorized by section 7030 of Pub-  
14 lic Law 110–69.

15 AGENCY OPERATIONS AND AWARD MANAGEMENT

16 For agency operations and award management nec-  
17 essary in carrying out the National Science Foundation  
18 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized  
19 by section 3109 of title 5, United States Code; hire of pas-  
20 senger motor vehicles; uniforms or allowances therefor, as  
21 authorized by sections 5901 and 5902 of title 5, United  
22 States Code; rental of conference rooms in the District of  
23 Columbia; and reimbursement of the Department of  
24 Homeland Security for security guard services;  
25 \$299,400,000: *Provided*, That not to exceed \$8,280 is for

1 official reception and representation expenses: *Provided*  
2 *further*, That contracts may be entered into under this  
3 heading in fiscal year 2013 for maintenance and operation  
4 of facilities and for other services to be provided during  
5 the next fiscal year.

6 OFFICE OF THE NATIONAL SCIENCE BOARD

7 For necessary expenses (including payment of sala-  
8 ries, authorized travel, hire of passenger motor vehicles,  
9 the rental of conference rooms in the District of Columbia,  
10 and the employment of experts and consultants under sec-  
11 tion 3109 of title 5, United States Code) involved in car-  
12 rying out section 4 of the National Science Foundation  
13 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209  
14 (42 U.S.C. 1880 et seq.), \$4,440,000: *Provided*, That not  
15 to exceed \$2,500 shall be available for official reception  
16 and representation expenses.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector  
19 General as authorized by the Inspector General Act of  
20 1978, \$14,200,000, of which \$400,000 shall remain avail-  
21 able until September 30, 2014.

22 ADMINISTRATIVE PROVISION

23 Not to exceed 5 percent of any appropriation made  
24 available for the current fiscal year for the National  
25 Science Foundation in this Act may be transferred be-



1 tween such appropriations, but no such appropriation shall  
2 be increased by more than 15 percent by any such trans-  
3 fers. Any transfer pursuant to this section shall be treated  
4 as a reprogramming of funds under section 505 of this  
5 Act and shall not be available for obligation except in com-  
6 pliance with the procedures set forth in that section.

7 This title may be cited as the “Science Appropria-  
8 tions Act, 2013”.

9 TITLE IV

10 RELATED AGENCIES

11 COMMISSION ON CIVIL RIGHTS

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses of the Commission on Civil  
15 Rights, including hire of passenger motor vehicles,  
16 \$9,400,000: *Provided*, That none of the funds appro-  
17 priated in this paragraph shall be used to employ in excess  
18 of four full-time individuals under Schedule C of the Ex-  
19 cepted Service exclusive of one special assistant for each  
20 Commissioner: *Provided further*, That none of the funds  
21 appropriated in this paragraph shall be used to reimburse  
22 Commissioners for more than 75 billable days, with the  
23 exception of the chairperson, who is permitted 125 billable  
24 days: *Provided further*, That none of the funds appro-  
25 priated in this paragraph shall be used for any activity

1 or expense that is not explicitly authorized by section 3  
2 of the Civil Rights Commission Act of 1983 (42 U.S.C.  
3 1975a): *Provided further*, That there shall be an Inspector  
4 General at the Commission on Civil Rights who shall have  
5 the duties, responsibilities, and authorities specified in the  
6 Inspector General Act of 1978: *Provided further*, That an  
7 individual appointed to the position of Inspector General  
8 of the Government Accountability Office (GAO) shall, by  
9 virtue of such appointment, also hold the position of In-  
10 spector General of the Commission on Civil Rights: *Pro-*  
11 *vided further*, That the Inspector General of the Commis-  
12 sion on Civil Rights shall utilize personnel of the Office  
13 of Inspector General of GAO in performing the duties of  
14 the Inspector General of the Commission on Civil Rights,  
15 and shall not appoint any individuals to positions within  
16 the Commission on Civil Rights: *Provided further*, That  
17 the Inspector General may waive any statutorily required  
18 reporting requirement (with the exception of the semi-  
19 annual report required by section 5 of the Inspector Gen-  
20 eral Act of 1978) upon a certification to the Committees  
21 on Appropriations of the House of Representatives and the  
22 Senate that such report is not necessary for effective over-  
23 sight of the Commission: *Provided further*, That of the  
24 amounts made available in this paragraph, \$450,000 shall  
25 be transferred directly to the Office of Inspector General

1 of GAO upon enactment of this Act for salaries and ex-  
2 penses necessary to carry out the duties of the Inspector  
3 General of the Commission on Civil Rights.

4 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
5 SALARIES AND EXPENSES

6 For necessary expenses of the Equal Employment  
7 Opportunity Commission as authorized by title VII of the  
8 Civil Rights Act of 1964, the Age Discrimination in Em-  
9 ployment Act of 1967, the Equal Pay Act of 1963, the  
10 Americans with Disabilities Act of 1990, the Civil Rights  
11 Act of 1991, the Genetic Information Non-Discrimination  
12 Act (GINA) of 2008 (Public Law 110–233), the ADA  
13 Amendments Act of 2008 (Public Law 110–325), and the  
14 Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–  
15 2), including services as authorized by section 3109 of title  
16 5, United States Code; hire of passenger motor vehicles  
17 as authorized by section 1343(b) of title 31, United States  
18 Code; nonmonetary awards to private citizens; and up to  
19 \$29,500,000 for payments to State and local enforcement  
20 agencies for authorized services to the Commission,  
21 \$370,000,000: *Provided*, That the Commission is author-  
22 ized to make available for official reception and represen-  
23 tation expenses not to exceed \$2,250 from available funds:  
24 *Provided further*, That the Commission may take no action  
25 to implement any workforce repositioning, restructuring,

1 or reorganization until such time as the Committees on  
2 Appropriations of the House of Representatives and the  
3 Senate have been notified of such proposals, in accordance  
4 with the reprogramming requirements of section 505 of  
5 this Act: *Provided further*, That the Chair is authorized  
6 to accept and use any gift or donation to carry out the  
7 work of the Commission.

8                   INTERNATIONAL TRADE COMMISSION  
9                   SALARIES AND EXPENSES

10       For necessary expenses of the International Trade  
11 Commission, including hire of passenger motor vehicles,  
12 and services as authorized by section 3109 of title 5,  
13 United States Code, and not to exceed \$2,250 for official  
14 reception and representation expenses, \$83,000,000, to re-  
15 main available until expended.

16                   LEGAL SERVICES CORPORATION

17       PAYMENT TO THE LEGAL SERVICES CORPORATION

18       For payment to the Legal Services Corporation to  
19 carry out the purposes of the Legal Services Corporation  
20 Act of 1974, \$365,000,000, of which \$339,400,000 is for  
21 basic field programs and required independent audits;  
22 \$4,200,000 is for the Office of Inspector General, of which  
23 such amounts as may be necessary may be used to conduct  
24 additional audits of recipients; \$17,000,000 is for manage-  
25 ment and grants oversight; \$3,400,000 is for client self-

1 help and information technology; and \$1,000,000 is for  
2 loan repayment assistance: *Provided*, That the Legal Serv-  
3 ices Corporation may continue to provide locality pay to  
4 officers and employees at a rate no greater than that pro-  
5 vided by the Federal Government to Washington, DC-  
6 based employees as authorized by section 5304 of title 5,  
7 United States Code, notwithstanding section 1005(d) of  
8 the Legal Services Corporation Act (42 U.S.C. 2996(d)):  
9 *Provided further*, That the authorities provided in section  
10 205 of this Act shall be applicable to the Legal Services  
11 Corporation: *Provided further*, That, for the purposes of  
12 section 505 of this division, and section 3003 of division  
13 G, the Legal Services Corporation shall be considered an  
14 agency of the United States Government.

15 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES

16 CORPORATION

17 None of the funds appropriated in this Act to the  
18 Legal Services Corporation shall be expended for any pur-  
19 pose prohibited or limited by, or contrary to any of the  
20 provisions of, sections 501, 502, 503, 504, 505, and 506  
21 of Public Law 105–119, and all funds appropriated in this  
22 Act to the Legal Services Corporation shall be subject to  
23 the same terms and conditions set forth in such sections,  
24 except that all references in sections 502 and 503 to 1997

1 and 1998 shall be deemed to refer instead to 2012 and  
2 2013, respectively.

3 Section 501(a)(2)(A) of the Departments of Com-  
4 merce, Justice, and State, the Judiciary, and Related  
5 Agencies Appropriations Act, 1996 (Public Law 104–134)  
6 is amended by striking “on the basis of the most recent  
7 decennial census of population conducted pursuant to sec-  
8 tion 141 of title 13, United States Code” and inserting  
9 “triennially by the Bureau of the Census, except that, with  
10 respect to fiscal year 2013, the change in allocation result-  
11 ing from the amendment made to this subparagraph by  
12 the Commerce, Justice, Science, and Related Agencies Ap-  
13 propriations Act, 2013 shall only be half of the change  
14 which would otherwise result from that amendment in  
15 order to phase in the change over a 2 year period”.

16 MARINE MAMMAL COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Marine Mammal Com-  
19 mission as authorized by title II of the Marine Mammal  
20 Protection Act of 1972 (16 U.S.C. 1361 et seq.),  
21 \$3,081,000.

1                   OFFICE OF THE UNITED STATES TRADE  
2                                   REPRESENTATIVE  
3                                   SALARIES AND EXPENSES

4           For necessary expenses of the Office of the United  
5 States Trade Representative, including the hire of pas-  
6 senger motor vehicles and the employment of experts and  
7 consultants as authorized by section 3109 of title 5,  
8 United States Code, \$51,251,000, of which \$1,000,000  
9 shall remain available until expended: *Provided*, That not  
10 to exceed \$111,600 shall be available for official reception  
11 and representation expenses.

12                               STATE JUSTICE INSTITUTE  
13                               SALARIES AND EXPENSES

14           For necessary expenses of the State Justice Institute,  
15 as authorized by the State Justice Institute Authorization  
16 Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of  
17 which \$500,000 shall remain available until September 30,  
18 2014: *Provided*, That not to exceed \$2,250 shall be avail-  
19 able for official reception and representation expenses:  
20 *Provided further*, That, for the purposes of section 505  
21 of this Act, the State Justice Institute shall be considered  
22 an agency of the United States Government.

1

TITLE V

2

GENERAL PROVISIONS

3

(INCLUDING RESCISSIONS)

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

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

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SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

24

25

SEC. 505. (a) Subject to subsections (b) and (c), none of the funds provided under this Act, or provided under



1 previous appropriations Acts to the agencies funded by  
2 this Act that remain available for obligation or expendi-  
3 ture in fiscal year 2013, or provided from any accounts  
4 in the Treasury of the United States derived by the collec-  
5 tion of fees available to the agencies funded by this Act,  
6 shall be available for obligation or expenditure through a  
7 reprogramming of funds that: (1) creates or initiates a  
8 new program, project or activity; (2) eliminates a pro-  
9 gram, project or activity; (3) increases funds or personnel  
10 by any means for any project or activity for which funds  
11 have been denied or restricted; (4) relocates an office or  
12 employees; (5) reorganizes or renames offices, programs  
13 or activities; (6) contracts out or privatizes any functions  
14 or activities presently performed by Federal employees; (7)  
15 augments existing programs, projects or activities in ex-  
16 cess of \$500,000 or 10 percent, whichever is less, or re-  
17 duces by 10 percent funding for any program, project or  
18 activity, or numbers of personnel by 10 percent; or (8)  
19 results from any general savings, including savings from  
20 a reduction in personnel, which would result in a change  
21 in existing programs, projects or activities as approved by  
22 Congress; unless the House and Senate Committees on  
23 Appropriations are notified 15 days in advance of such  
24 reprogramming of funds.

1 (b) None of the funds provided under this Act to any  
2 agency of the Department of Justice, or provided under  
3 previous appropriations Acts to any agency of the Depart-  
4 ment of Justice that remain available for obligation or ex-  
5 penditure in fiscal year 2013, or provided from any ac-  
6 counts in the Treasury of the United States derived by  
7 the collection of fees available to the agencies funded by  
8 this Act, shall be available for obligation or expenditure  
9 through a reprogramming of funds that: (1) creates or ini-  
10 tiates a new program, project or activity; (2) eliminates  
11 a program, project or activity; (3) increases funds or per-  
12 sonnel by any means for any project or activity for which  
13 funds have been denied or restricted; (4) relocates an of-  
14 fice or employees; (5) reorganizes or renames offices, pro-  
15 grams or activities; (6) contracts out or privatizes any  
16 functions or activities presently performed by Federal em-  
17 ployees; (7) augments existing programs, projects or ac-  
18 tivities in excess of \$500,000 or 10 percent, whichever is  
19 less, or reduces by 10 percent funding for any program,  
20 project or activity, or numbers of personnel by 10 percent;  
21 or (8) results from any general savings, including savings  
22 from a reduction in personnel, which would result in a  
23 change in existing programs, projects or activities as ap-  
24 proved by Congress; unless the House and Senate Com-

1 mittees on Appropriations are notified 45 days in advance  
2 of such reprogramming of funds.

3 (c) Subsection (b) of this section shall sunset on Sep-  
4 tember 30, 2013.

5 SEC. 506. (a) If it has been finally determined by  
6 a court or Federal agency that any person intentionally  
7 affixed a label bearing a “Made in America” inscription,  
8 or any inscription with the same meaning, to any product  
9 sold in or shipped to the United States that is not made  
10 in the United States, the person shall be ineligible to re-  
11 ceive any contract or subcontract made with funds made  
12 available in this Act, pursuant to the debarment, suspen-  
13 sion, and ineligibility procedures described in sections  
14 9.400 through 9.409 of title 48, Code of Federal Regula-  
15 tions.

16 (b)(1) To the extent practicable, with respect to au-  
17 thorized purchases of promotional items, funds made  
18 available by this Act shall be used to purchase items that  
19 are manufactured, produced, or assembled in the United  
20 States, its territories, or its possessions.

21 (2) The term “promotional items” has the meaning  
22 given the term in OMB Circular A–87, Attachment B,  
23 Item (1)(f)(3).

24 SEC. 507. (a) The Departments of Commerce and  
25 Justice, the National Science Foundation, and the Na-

1 tional Aeronautics and Space Administration shall provide  
2 to the Committees on Appropriations of the House of Rep-  
3 resentatives and the Senate a quarterly report on the sta-  
4 tus of balances of appropriations at the account level. For  
5 unobligated, uncommitted balances and unobligated, com-  
6 mitted balances the quarterly reports shall separately  
7 identify the amounts attributable to each source year of  
8 appropriation from which the balances were derived. For  
9 balances that are obligated, but unexpended, the quarterly  
10 reports shall separately identify amounts by the year of  
11 obligation.

12 (b) The report described in subsection (a) shall be  
13 submitted within 30 days of the end of the first quarter  
14 of fiscal year 2013, and subsequent reports shall be sub-  
15 mitted within 30 days of the end of each quarter there-  
16 after.

17 (c) If a department or agency is unable to fulfill any  
18 aspect of a reporting requirement described in subsection  
19 (a) due to a limitation of a current accounting system,  
20 the department or agency shall fulfill such aspect to the  
21 maximum extent practicable under such accounting sys-  
22 tem and shall identify and describe in each quarterly re-  
23 port the extent to which such aspect is not fulfilled.

24 SEC. 508. Any costs incurred by a department or  
25 agency funded under this Act resulting from, or to pre-

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

12       SEC. 509. None of the funds provided by this Act  
13 shall be available to promote the sale or export of tobacco  
14 or tobacco products, or to seek the reduction or removal  
15 by any foreign country of restrictions on the marketing  
16 of tobacco or tobacco products, except for restrictions  
17 which are not applied equally to all tobacco or tobacco  
18 products of the same type.

19       SEC. 510. Notwithstanding any other provision of  
20 law, amounts deposited or available in the Fund estab-  
21 lished by section 1402 of chapter XIV of title II of Public  
22 Law 98-473 (42 U.S.C. 10601) in any fiscal year in ex-  
23 cess of \$730,000,000 shall not be available for obligation  
24 until the following fiscal year.

1       SEC. 511. None of the funds made available to the  
2 Department of Justice in this Act may be used to discrimi-  
3 nate against or denigrate the religious or moral beliefs of  
4 students who participate in programs for which financial  
5 assistance is provided from those funds, or of the parents  
6 or legal guardians of such students.

7       SEC. 512. None of the funds made available in this  
8 Act may be transferred to any department, agency, or in-  
9 strumentality of the United States Government, except  
10 pursuant to a transfer made by, or transfer authority pro-  
11 vided in, this Act or any other appropriations Act.

12       SEC. 513. Any funds provided in this Act used to im-  
13 plement E-Government Initiatives shall be subject to the  
14 procedures set forth in section 505 of this Act.

15       SEC. 514. (a) Tracing studies conducted by the Bu-  
16 reau of Alcohol, Tobacco, Firearms and Explosives are re-  
17 leased without adequate disclaimers regarding the limita-  
18 tions of the data.

19       (b) For fiscal year 2013 and thereafter, the Bureau  
20 of Alcohol, Tobacco, Firearms and Explosives shall include  
21 in all such data releases, language similar to the following  
22 that would make clear that trace data cannot be used to  
23 draw broad conclusions about firearms-related crime:

24               (1) Firearm traces are designed to assist law  
25 enforcement authorities in conducting investigations

1 by tracking the sale and possession of specific fire-  
2 arms. Law enforcement agencies may request fire-  
3 arms traces for any reason, and those reasons are  
4 not necessarily reported to the Federal Government.  
5 Not all firearms used in crime are traced and not all  
6 firearms traced are used in crime.

7 (2) Firearms selected for tracing are not chosen  
8 for purposes of determining which types, makes, or  
9 models of firearms are used for illicit purposes. The  
10 firearms selected do not constitute a random sample  
11 and should not be considered representative of the  
12 larger universe of all firearms used by criminals, or  
13 any subset of that universe. Firearms are normally  
14 traced to the first retail seller, and sources reported  
15 for firearms traced do not necessarily represent the  
16 sources or methods by which firearms in general are  
17 acquired for use in crime.

18 SEC. 515. (a) The Inspectors General of the Depart-  
19 ment of Commerce, the Department of Justice, the Na-  
20 tional Aeronautics and Space Administration, the Na-  
21 tional Science Foundation, and the Legal Services Cor-  
22 poration shall conduct audits, pursuant to the Inspector  
23 General Act (5 U.S.C. App.), of grants or contracts for  
24 which funds are appropriated by this Act, and shall submit  
25 reports to Congress on the progress of such audits, which

1 may include preliminary findings and a description of  
2 areas of particular interest, within 180 days after initi-  
3 ating such an audit and every 180 days thereafter until  
4 any such audit is completed.

5 (b) Within 60 days after the date on which an audit  
6 described in subsection (a) by an Inspector General is  
7 completed, the Secretary, Attorney General, Adminis-  
8 trator, Director, or President, as appropriate, shall make  
9 the results of the audit available to the public on the Inter-  
10 net website maintained by the Department, Administra-  
11 tion, Foundation, or Corporation, respectively. The results  
12 shall be made available in redacted form to exclude—

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

15 (2) sensitive personal information for any indi-  
16 vidual, the public access to which could be used to  
17 commit identity theft or for other inappropriate or  
18 unlawful purposes.

19 (c) A grant or contract funded by amounts appro-  
20 priated by this Act may not be used for the purpose of  
21 defraying the costs of a banquet or conference that is not  
22 directly and programmatically related to the purpose for  
23 which the grant or contract was awarded, such as a ban-  
24 quet or conference held in connection with planning, train-



1 ing, assessment, review, or other routine purposes related  
2 to a project funded by the grant or contract.

3 (d) Any person awarded a grant or contract funded  
4 by amounts appropriated by this Act shall submit a state-  
5 ment to the Secretary of Commerce, the Attorney General,  
6 the Administrator, Director, or President, as appropriate,  
7 certifying that no funds derived from the grant or contract  
8 will be made available through a subcontract or in any  
9 other manner to another person who has a financial inter-  
10 est in the person awarded the grant or contract.

11 (e) The provisions of the preceding subsections of this  
12 section shall take effect 30 days after the date on which  
13 the Director of the Office of Management and Budget, in  
14 consultation with the Director of the Office of Government  
15 Ethics, determines that a uniform set of rules and require-  
16 ments, substantially similar to the requirements in such  
17 subsections, consistently apply under the executive branch  
18 ethics program to all Federal departments, agencies, and  
19 entities.

20 SEC. 516. (a) None of the funds appropriated or oth-  
21 erwise made available under this Act may be used by the  
22 Departments of Commerce and Justice, the National Aer-  
23 onautics and Space Administration, or the National  
24 Science Foundation to acquire an information technology  
25 system unless the head of the entity involved, in consulta-

1 tion with the Federal Bureau of Investigation or other ap-  
2 propriate Federal entity, has made an assessment of any  
3 associated risk of cyber-espionage or sabotage associated  
4 with the acquisition of such system, including any risk as-  
5 sociated with such system being produced, manufactured  
6 or assembled by one or more entities that are owned, di-  
7 rected or subsidized by the People's Republic of China.

8 (b) None of the funds appropriated or otherwise  
9 made available under this Act may be used to acquire an  
10 information technology system described in an assessment  
11 required by subsection (a) and produced, manufactured or  
12 assembled by one or more entities that are owned, directed  
13 or subsidized by the People's Republic of China unless the  
14 head of the assessing entity described in subsection (a)  
15 determines, and reports that determination to the Com-  
16 mittees on Appropriations of the House of Representatives  
17 and the Senate, that the acquisition of such system is in  
18 the national interest of the United States.

19 SEC. 517. None of the funds made available in this  
20 Act shall be used in any way whatsoever to support or  
21 justify the use of torture by any official or contract em-  
22 ployee of the United States Government.

23 SEC. 518. (a) Notwithstanding any other provision  
24 of law or treaty, none of the funds appropriated or other-  
25 wise made available under this Act or any other Act may

1 be expended or obligated by a department, agency, or in-  
2 strumentality of the United States to pay administrative  
3 expenses or to compensate an officer or employee of the  
4 United States in connection with requiring an export li-  
5 cense for the export to Canada of components, parts, ac-  
6 cessories or attachments for firearms listed in Category  
7 I, section 121.1 of title 22, Code of Federal Regulations  
8 (International Trafficking in Arms Regulations (ITAR),  
9 part 121, as it existed on April 1, 2005) with a total value  
10 not exceeding \$500 wholesale in any transaction, provided  
11 that the conditions of subsection (b) of this section are  
12 met by the exporting party for such articles.

13 (b) The foregoing exemption from obtaining an ex-  
14 port license—

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

21 (2) does not permit the export without a license  
22 of—

23 (A) fully automatic firearms and compo-  
24 nents and parts for such firearms, other than

1 for end use by the Federal Government, or a  
2 Provincial or Municipal Government of Canada;

3 (B) barrels, cylinders, receivers (frames) or  
4 complete breech mechanisms for any firearm  
5 listed in Category I, other than for end use by  
6 the Federal Government, or a Provincial or Mu-  
7 nicipal Government of Canada; or

8 (C) articles for export from Canada to an-  
9 other foreign destination.

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

18 (d) The President may require export licenses under  
19 this section on a temporary basis if the President deter-  
20 mines, upon publication first in the Federal Register, that  
21 the Government of Canada has implemented or main-  
22 tained inadequate import controls for the articles specified  
23 in subsection (a), such that a significant diversion of such  
24 articles has and continues to take place for use in inter-  
25 national terrorism or in the escalation of a conflict in an-

1 other nation. The President shall terminate the require-  
2 ments of a license when reasons for the temporary require-  
3 ments have ceased.

4       SEC. 519. Notwithstanding any other provision of  
5 law, no department, agency, or instrumentality of the  
6 United States receiving appropriated funds under this Act  
7 or any other Act shall obligate or expend in any way such  
8 funds to pay administrative expenses or the compensation  
9 of any officer or employee of the United States to deny  
10 any application submitted pursuant to 22 U.S.C.  
11 2778(b)(1)(B) and qualified pursuant to 27 CFR section  
12 478.112 or .113, for a permit to import United States ori-  
13 gin “curios or relics” firearms, parts, or ammunition.

14       SEC. 520. None of the funds made available in this  
15 Act may be used to include in any new bilateral or multi-  
16 lateral trade agreement the text of—

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

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

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

23       SEC. 521. None of the funds made available in this  
24 Act may be used to authorize or issue a national security  
25 letter in contravention of any of the following laws author-

1 izing the Federal Bureau of Investigation to issue national  
2 security letters: The Right to Financial Privacy Act; The  
3 Electronic Communications Privacy Act; The Fair Credit  
4 Reporting Act; The National Security Act of 1947; USA  
5 PATRIOT Act; and the laws amended by these Acts.

6       SEC. 522. If at any time during any quarter, the pro-  
7 gram manager of a project within the jurisdiction of the  
8 Departments of Commerce or Justice, the National Aero-  
9 nautics and Space Administration, or the National Science  
10 Foundation totaling more than \$75,000,000 has reason-  
11 able cause to believe that the total program cost has in-  
12 creased by 10 percent, the program manager shall imme-  
13 diately inform the respective Secretary, Administrator, or  
14 Director. The Secretary, Administrator, or Director shall  
15 notify the House and Senate Committees on Appropria-  
16 tions within 30 days in writing of such increase, and shall  
17 include in such notice: the date on which such determina-  
18 tion was made; a statement of the reasons for such in-  
19 creases; the action taken and proposed to be taken to con-  
20 trol future cost growth of the project; changes made in  
21 the performance or schedule milestones and the degree to  
22 which such changes have contributed to the increase in  
23 total program costs or procurement costs; new estimates  
24 of the total project or procurement costs; and a statement

1 validating that the project's management structure is ade-  
2 quate to control total project or procurement costs.

3 SEC. 523. Funds appropriated by this Act, or made  
4 available by the transfer of funds in this Act, for intel-  
5 ligence or intelligence related activities are deemed to be  
6 specifically authorized by the Congress for purposes of sec-  
7 tion 504 of the National Security Act of 1947 (50 U.S.C.  
8 414) during fiscal year 2013 until the enactment of the  
9 Intelligence Authorization Act for fiscal year 2013.

10 SEC. 524. The Departments, agencies, and commis-  
11 sions funded under this Act, shall establish and maintain  
12 on the homepages of their Internet websites—

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

15 (2) a mechanism on the Offices of Inspectors  
16 General website by which individuals may anony-  
17 mously report cases of waste, fraud, or abuse with  
18 respect to those Departments, agencies, and commis-  
19 sions.

20 SEC. 525. None of the funds appropriated or other-  
21 wise made available by this Act may be used to enter into  
22 a contract in an amount greater than \$5,000,000 or to  
23 award a grant in excess of such amount unless the pro-  
24 spective contractor or grantee certifies in writing to the  
25 agency awarding the contract or grant that, to the best

1 of its knowledge and belief, the contractor or grantee has  
2 filed all Federal tax returns required during the three  
3 years preceding the certification, has not been convicted  
4 of a criminal offense under the Internal Revenue Code of  
5 1986, and has not, more than 90 days prior to certifi-  
6 cation, been notified of any unpaid Federal tax assessment  
7 for which the liability remains unsatisfied, unless the as-  
8 sessment is the subject of an installment agreement or  
9 offer in compromise that has been approved by the Inter-  
10 nal Revenue Service and is not in default, or the assess-  
11 ment is the subject of a non-frivolous administrative or  
12 judicial proceeding.

13 (RESCISSIONS)

14 SEC. 526. (a) Of the unobligated balances available  
15 to the Department of Justice, the following funds are  
16 hereby rescinded, not later than September 30, 2013, from  
17 the following accounts in the specified amounts—

18 (1) “Working Capital Fund”, \$26,000,000;

19 (2) “Legal Activities, Assets Forfeiture Fund”,  
20 \$722,697,000;

21 (3) “Bureau of Alcohol, Tobacco, Firearms and  
22 Explosives, Violent Crime Reduction Program”,  
23 \$1,028,000;

24 (4) “Federal Prison System, Buildings and Fa-  
25 cilities”, \$64,700,000;



1           (5) “State and Local Law Enforcement Activi-  
2 ties, Office on Violence Against Women, Violence  
3 Against Women Prevention and Prosecution Pro-  
4 grams”, \$12,000,000;

5           (6) “State and Local Law Enforcement Activi-  
6 ties, Office of Justice Programs”, \$43,000,000; and

7           (7) “State and Local Law Enforcement Activi-  
8 ties, Community Oriented Policing Services”,  
9 \$12,200,000.

10       (b) The Department of Justice shall submit to the  
11 Committees on Appropriations of the House of Represent-  
12 atives and the Senate a report no later than September  
13 1, 2013, specifying the amount of each rescission made  
14 pursuant to subsection (a).

15       SEC. 527. None of the funds appropriated or other-  
16 wise made available in this Act may be used in a manner  
17 that is inconsistent with the principal negotiating objective  
18 of the United States with respect to trade remedy laws  
19 to preserve the ability of the United States—

20           (1) to enforce vigorously its trade laws, includ-  
21 ing antidumping, countervailing duty, and safeguard  
22 laws;

23           (2) to avoid agreements that—

1 (A) lessen the effectiveness of domestic  
2 and international disciplines on unfair trade, es-  
3 pecially dumping and subsidies; or

4 (B) lessen the effectiveness of domestic  
5 and international safeguard provisions, in order  
6 to ensure that United States workers, agricul-  
7 tural producers, and firms can compete fully on  
8 fair terms and enjoy the benefits of reciprocal  
9 trade concessions; and

10 (3) to address and remedy market distortions  
11 that lead to dumping and subsidization, including  
12 overcapacity, cartelization, and market-access bar-  
13 riers.

14 SEC. 528. None of the funds made available in this  
15 Act may be used to purchase first class or premium airline  
16 travel in contravention of sections 301–10.122 through  
17 301–10.124 of title 41 of the Code of Federal Regulations.

18 SEC. 529. None of the funds made available in this  
19 Act may be used to send or otherwise pay for the attend-  
20 ance of more than 50 employees from a Federal depart-  
21 ment or agency at any single conference occurring outside  
22 the United States, unless such conference is a law enforce-  
23 ment training or operational conference for law enforce-  
24 ment personnel and the majority of Federal employees in

1 attendance are law enforcement personnel stationed out-  
2 side the United States.

3 SEC. 530. None of the funds appropriated or other-  
4 wise made available in this or any other Act may be used  
5 to transfer, release, or assist in the transfer or release to  
6 or within the United States, its territories, or possessions  
7 Khalid Sheikh Mohammed or any other detainee who—

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

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

13 SEC. 531. (a) None of the funds appropriated or oth-  
14 erwise made available in this or any other Act may be used  
15 to construct, acquire, or modify any facility in the United  
16 States, its territories, or possessions to house any indi-  
17 vidual described in subsection (c) for the purposes of de-  
18 tention or imprisonment in the custody or under the effec-  
19 tive control of the Department of Defense.

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

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

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

4           (2) is—

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

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

9           SEC. 532. None of the funds made available under  
10          this Act may be distributed to the Association of Commu-  
11          nity Organizations for Reform Now (ACORN) or its sub-  
12          sidiaries.

13          SEC. 533. To the extent practicable, funds made  
14          available in this Act should be used to purchase light bulbs  
15          that are “Energy Star” qualified or have the “Federal En-  
16          ergy Management Program” designation.

17          SEC. 534. The Director of the Office of Management  
18          and Budget shall instruct any department, agency, or in-  
19          strumentality of the United States Government receiving  
20          funds appropriated under this Act to track undisbursed  
21          balances in expired grant accounts and include in its an-  
22          nual performance plan and performance and account-  
23          ability reports the following:

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

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

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

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

16          SEC. 535. (a) None of the funds made available by  
17          this Act may be used for the National Aeronautics and  
18          Space Administration (NASA) or the Office of Science  
19          and Technology Policy (OSTP) to develop, design, plan,  
20          promulgate, implement, or execute a bilateral policy, pro-  
21          gram, order, or contract of any kind to participate, col-  
22          laborate, or coordinate bilaterally in any way with China  
23          or any Chinese-owned company unless such activities are  
24          specifically authorized by a law enacted after the date of  
25          enactment of this Act.

1 (b) The limitation in subsection (a) shall also apply  
2 to any funds used to effectuate the hosting of official Chi-  
3 nese visitors at facilities belonging to or utilized by NASA.

4 (c) The limitations described in subsections (a) and  
5 (b) shall not apply to activities which NASA or OSTP has  
6 certified—

7 (1) pose no risk of resulting in the transfer of  
8 technology, data, or other information with national  
9 security or economic security implications to China  
10 or a Chinese-owned company; and

11 (2) will not involve knowing interactions with  
12 officials who have been determined by the United  
13 States to have direct involvement with violations of  
14 human rights.

15 (d) Any certification made under subsection (c) shall  
16 be submitted to the Committees on Appropriations of the  
17 House of Representatives and the Senate no later than  
18 30 days prior to the activity in question and shall include  
19 a description of the purpose of the activity, its agenda,  
20 its major participants, and its location and timing.

21 SEC. 536. None of the funds made available in this  
22 Act may be used to relocate the Bureau of the Census  
23 or employees from the Department of Commerce to the  
24 jurisdiction of the Executive Office of the President.

1           SEC. 537. The Departments of Commerce and Jus-  
2 tice, the National Aeronautics and Space Administration,  
3 and the National Science Foundation shall submit spend-  
4 ing plans, signed by the respective department or agency  
5 head, to the Committees on Appropriations of the House  
6 of Representatives and the Senate within 45 days after  
7 the date of enactment of this Act.

8           SEC. 538. None of the funds made available by this  
9 Act may be used to pay the salaries or expenses of per-  
10 sonnel to deny, or fail to act on, an application for the  
11 importation of any model of shotgun if—

12                   (1) all other requirements of law with respect to  
13 the proposed importation are met; and

14                   (2) no application for the importation of such  
15 model of shotgun, in the same configuration, had  
16 been denied by the Attorney General prior to Janu-  
17 ary 1, 2011, on the basis that the shotgun was not  
18 particularly suitable for or readily adaptable to  
19 sporting purposes.

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

24                   (b) Nothing in subsection (a) shall limit the use of  
25 funds necessary for any Federal, State, tribal, or local law

1 enforcement agency or any other entity carrying out crimi-  
2 nal investigations, prosecution, or adjudication activities.

3       SEC. 540. None of the funds made available by this  
4 Act may be used to enter into a contract, memorandum  
5 of understanding, or cooperative agreement with, make a  
6 grant to, or provide a loan or loan guarantee to, any cor-  
7 poration that was convicted of a felony criminal violation  
8 under any Federal law within the preceding 24 months,  
9 where the awarding agency is aware of the conviction, un-  
10 less an agency has considered suspension or debarment  
11 of the corporation and has made a determination that this  
12 further action is not necessary to protect the interests of  
13 the Government.

14       SEC. 541. None of the funds made available by this  
15 Act may be used to enter into a contract, memorandum  
16 of understanding, or cooperative agreement with, make a  
17 grant to, or provide a loan or loan guarantee to, any cor-  
18 poration that has any unpaid Federal tax liability that has  
19 been assessed, for which all judicial and administrative  
20 remedies have been exhausted or have lapsed, and that  
21 is not being paid in a timely manner pursuant to an agree-  
22 ment with the authority responsible for collecting the tax  
23 liability, where the awarding agency is aware of the unpaid  
24 tax liability, unless an agency has considered suspension  
25 or debarment of the corporation and has made a deter-



1 mination that this further action is not necessary to pro-  
2 tect the interests of the Government.

3       SEC. 542. None of the funds made available by this  
4 Act may be used to pay the salary of any officer or em-  
5 ployee of the Department of Commerce who uses amounts  
6 in the Fisheries Enforcement Asset Forfeiture Fund of  
7 the National Oceanic and Atmospheric Administration  
8 that consists of the sums described in section 311(e)(1)  
9 of the Magnuson-Stevens Fishery Conservation and Man-  
10 agement Act (16 U.S.C. 1861(e)(1)) for any purpose other  
11 than a purpose specifically authorized under such section.

12       This division may be cited as the “Commerce, Jus-  
13 tice, Science, and Related Agencies Appropriations Act,  
14 2013”.

15       **DIVISION C—DEPARTMENT OF DEFENSE**  
16               **APPROPRIATIONS ACT, 2013**

17       The following sums are hereby appropriated, out of  
18 any money in the Treasury not otherwise appropriated,  
19 for the fiscal year ending September 30, 2013, for military  
20 functions administered by the Department of Defense and  
21 for other purposes, namely:

## 1 TITLE I

## 2 MILITARY PERSONNEL

## 3 MILITARY PERSONNEL, ARMY

4 For pay, allowances, individual clothing, subsistence,  
5 interest on deposits, gratuities, permanent change of sta-  
6 tion travel (including all expenses thereof for organiza-  
7 tional movements), and expenses of temporary duty travel  
8 between permanent duty stations, for members of the  
9 Army on active duty, (except members of reserve compo-  
10 nents provided for elsewhere), cadets, and aviation cadets;  
11 for members of the Reserve Officers' Training Corps; and  
12 for payments pursuant to section 156 of Public Law 97-  
13 377, as amended (42 U.S.C. 402 note), and to the Depart-  
14 ment of Defense Military Retirement Fund,  
15 \$40,199,263,000.

## 16 MILITARY PERSONNEL, NAVY

17 For pay, allowances, individual clothing, subsistence,  
18 interest on deposits, gratuities, permanent change of sta-  
19 tion travel (including all expenses thereof for organiza-  
20 tional movements), and expenses of temporary duty travel  
21 between permanent duty stations, for members of the  
22 Navy on active duty (except members of the Reserve pro-  
23 vided for elsewhere), midshipmen, and aviation cadets; for  
24 members of the Reserve Officers' Training Corps; and for  
25 payments pursuant to section 156 of Public Law 97-377,

1 as amended (42 U.S.C. 402 note), and to the Department  
2 of Defense Military Retirement Fund, \$26,902,346,000.

3           MILITARY PERSONNEL, MARINE CORPS

4           For pay, allowances, individual clothing, subsistence,  
5 interest on deposits, gratuities, permanent change of sta-  
6 tion travel (including all expenses thereof for organiza-  
7 tional movements), and expenses of temporary duty travel  
8 between permanent duty stations, for members of the Ma-  
9 rine Corps on active duty (except members of the Reserve  
10 provided for elsewhere); and for payments pursuant to sec-  
11 tion 156 of Public Law 97-377, as amended (42 U.S.C.  
12 402 note), and to the Department of Defense Military Re-  
13 tirement Fund, \$12,531,549,000.

14           MILITARY PERSONNEL, AIR FORCE

15           For pay, allowances, individual clothing, subsistence,  
16 interest on deposits, gratuities, permanent change of sta-  
17 tion travel (including all expenses thereof for organiza-  
18 tional movements), and expenses of temporary duty travel  
19 between permanent duty stations, for members of the Air  
20 Force on active duty (except members of reserve compo-  
21 nents provided for elsewhere), cadets, and aviation cadets;  
22 for members of the Reserve Officers' Training Corps; and  
23 for payments pursuant to section 156 of Public Law 97-  
24 377, as amended (42 U.S.C. 402 note), and to the Depart-

1 ment of Defense Military Retirement Fund,  
2 \$28,052,826,000.

3 RESERVE PERSONNEL, ARMY

4 For pay, allowances, clothing, subsistence, gratuities,  
5 travel, and related expenses for personnel of the Army Re-  
6 serve on active duty under sections 10211, 10302, and  
7 3038 of title 10, United States Code, or while serving on  
8 active duty under section 12301(d) of title 10, United  
9 States Code, in connection with performing duty specified  
10 in section 12310(a) of title 10, United States Code, or  
11 while undergoing reserve training, or while performing  
12 drills or equivalent duty or other duty, and expenses au-  
13 thorized by section 16131 of title 10, United States Code;  
14 and for payments to the Department of Defense Military  
15 Retirement Fund, \$4,456,823,000.

16 RESERVE PERSONNEL, NAVY

17 For pay, allowances, clothing, subsistence, gratuities,  
18 travel, and related expenses for personnel of the Navy Re-  
19 serve on active duty under section 10211 of title 10,  
20 United States Code, or while serving on active duty under  
21 section 12301(d) of title 10, United States Code, in con-  
22 nection with performing duty specified in section 12310(a)  
23 of title 10, United States Code, or while undergoing re-  
24 serve training, or while performing drills or equivalent  
25 duty, and expenses authorized by section 16131 of title

1 10, United States Code; and for payments to the Depart-  
2 ment of Defense Military Retirement Fund,  
3 \$1,874,023,000.

4 RESERVE PERSONNEL, MARINE CORPS

5 For pay, allowances, clothing, subsistence, gratuities,  
6 travel, and related expenses for personnel of the Marine  
7 Corps Reserve on active duty under section 10211 of title  
8 10, United States Code, or while serving on active duty  
9 under section 12301(d) of title 10, United States Code,  
10 in connection with performing duty specified in section  
11 12310(a) of title 10, United States Code, or while under-  
12 going reserve training, or while performing drills or equiv-  
13 alent duty, and for members of the Marine Corps platoon  
14 leaders class, and expenses authorized by section 16131  
15 of title 10, United States Code; and for payments to the  
16 Department of Defense Military Retirement Fund,  
17 \$658,251,000.

18 RESERVE PERSONNEL, AIR FORCE

19 For pay, allowances, clothing, subsistence, gratuities,  
20 travel, and related expenses for personnel of the Air Force  
21 Reserve on active duty under sections 10211, 10305, and  
22 8038 of title 10, United States Code, or while serving on  
23 active duty under section 12301(d) of title 10, United  
24 States Code, in connection with performing duty specified  
25 in section 12310(a) of title 10, United States Code, or

1 while undergoing reserve training, or while performing  
2 drills or equivalent duty or other duty, and expenses au-  
3 thorized by section 16131 of title 10, United States Code;  
4 and for payments to the Department of Defense Military  
5 Retirement Fund, \$1,722,425,000.

6 NATIONAL GUARD PERSONNEL, ARMY

7 For pay, allowances, clothing, subsistence, gratuities,  
8 travel, and related expenses for personnel of the Army Na-  
9 tional Guard while on duty under section 10211, 10302,  
10 or 12402 of title 10 or section 708 of title 32, United  
11 States Code, or while serving on duty under section  
12 12301(d) of title 10 or section 502(f) of title 32, United  
13 States Code, in connection with performing duty specified  
14 in section 12310(a) of title 10, United States Code, or  
15 while undergoing training, or while performing drills or  
16 equivalent duty or other duty, and expenses authorized by  
17 section 16131 of title 10, United States Code; and for pay-  
18 ments to the Department of Defense Military Retirement  
19 Fund, \$7,981,577,000.

20 NATIONAL GUARD PERSONNEL, AIR FORCE

21 For pay, allowances, clothing, subsistence, gratuities,  
22 travel, and related expenses for personnel of the Air Na-  
23 tional Guard on duty under section 10211, 10305, or  
24 12402 of title 10 or section 708 of title 32, United States  
25 Code, or while serving on duty under section 12301(d) of

1 title 10 or section 502(f) of title 32, United States Code,  
2 in connection with performing duty specified in section  
3 12310(a) of title 10, United States Code, or while under-  
4 going training, or while performing drills or equivalent  
5 duty or other duty, and expenses authorized by section  
6 16131 of title 10, United States Code; and for payments  
7 to the Department of Defense Military Retirement Fund,  
8 \$3,153,990,000.

## 9 TITLE II

### 10 OPERATION AND MAINTENANCE

#### 11 OPERATION AND MAINTENANCE, ARMY

12 For expenses, not otherwise provided for, necessary  
13 for the operation and maintenance of the Army, as author-  
14 ized by law; and not to exceed \$12,478,000 can be used  
15 for emergencies and extraordinary expenses, to be ex-  
16 pended on the approval or authority of the Secretary of  
17 the Army, and payments may be made on his certificate  
18 of necessity for confidential military purposes,  
19 \$35,409,260,000.

#### 20 OPERATION AND MAINTENANCE, NAVY

21 For expenses, not otherwise provided for, necessary  
22 for the operation and maintenance of the Navy and the  
23 Marine Corps, as authorized by law; and not to exceed  
24 \$14,804,000 can be used for emergencies and extraor-  
25 dinary expenses, to be expended on the approval or author-

1 ity of the Secretary of the Navy, and payments may be  
2 made on his certificate of necessity for confidential mili-  
3 tary purposes, \$41,614,453,000.

4 OPERATION AND MAINTENANCE, MARINE CORPS

5 For expenses, not otherwise provided for, necessary  
6 for the operation and maintenance of the Marine Corps,  
7 as authorized by law, \$6,034,963,000.

8 OPERATION AND MAINTENANCE, AIR FORCE

9 For expenses, not otherwise provided for, necessary  
10 for the operation and maintenance of the Air Force, as  
11 authorized by law; and not to exceed \$7,699,000 can be  
12 used for emergencies and extraordinary expenses, to be ex-  
13 pended on the approval or authority of the Secretary of  
14 the Air Force, and payments may be made on his certifi-  
15 cate of necessity for confidential military purposes,  
16 \$34,780,406,000.

17 OPERATION AND MAINTENANCE, DEFENSE-WIDE

18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses, not otherwise provided for, necessary  
20 for the operation and maintenance of activities and agen-  
21 cies of the Department of Defense (other than the military  
22 departments), as authorized by law, \$31,862,980,000:  
23 *Provided*, That not more than \$30,000,000 may be used  
24 for the Combatant Commander Initiative Fund authorized  
25 under section 166a of title 10, United States Code: *Pro-*



1 *vided further*, That not to exceed \$36,000,000 can be used  
2 for emergencies and extraordinary expenses, to be ex-  
3 pended on the approval or authority of the Secretary of  
4 Defense, and payments may be made on his certificate of  
5 necessity for confidential military purposes: *Provided fur-*  
6 *ther*, That of the funds provided under this heading, not  
7 less than \$36,480,000 shall be made available for the Pro-  
8 curement Technical Assistance Cooperative Agreement  
9 Program, of which not less than \$3,600,000 shall be avail-  
10 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*  
11 *vided further*, That none of the funds appropriated or oth-  
12 erwise made available by this Act may be used to plan  
13 or implement the consolidation of a budget or appropria-  
14 tions liaison office of the Office of the Secretary of De-  
15 fense, the office of the Secretary of a military department,  
16 or the service headquarters of one of the Armed Forces  
17 into a legislative affairs or legislative liaison office: *Pro-*  
18 *vided further*, That \$8,563,000, to remain available until  
19 expended, is available only for expenses relating to certain  
20 classified activities, and may be transferred as necessary  
21 by the Secretary of Defense to operation and maintenance  
22 appropriations or research, development, test and evalua-  
23 tion appropriations, to be merged with and to be available  
24 for the same time period as the appropriations to which  
25 transferred: *Provided further*, That any ceiling on the in-

1 vestment item unit cost of items that may be purchased  
2 with operation and maintenance funds shall not apply to  
3 the funds described in the preceding proviso: *Provided fur-*  
4 *ther*, That the transfer authority provided under this head-  
5 ing is in addition to any other transfer authority provided  
6 elsewhere in this Act.

7 OPERATION AND MAINTENANCE, ARMY RESERVE

8 For expenses, not otherwise provided for, necessary  
9 for the operation and maintenance, including training, or-  
10 ganization, and administration, of the Army Reserve; re-  
11 pair of facilities and equipment; hire of passenger motor  
12 vehicles; travel and transportation; care of the dead; re-  
13 cruiting; procurement of services, supplies, and equip-  
14 ment; and communications, \$3,182,923,000.

15 OPERATION AND MAINTENANCE, NAVY RESERVE

16 For expenses, not otherwise provided for, necessary  
17 for the operation and maintenance, including training, or-  
18 ganization, and administration, of the Navy Reserve; re-  
19 pair of facilities and equipment; hire of passenger motor  
20 vehicles; travel and transportation; care of the dead; re-  
21 cruiting; procurement of services, supplies, and equip-  
22 ment; and communications, \$1,256,347,000.

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 RESERVE

3 For expenses, not otherwise provided for, necessary  
4 for the operation and maintenance, including training, or-  
5 ganization, and administration, of the Marine Corps Re-  
6 serve; repair of facilities and equipment; hire of passenger  
7 motor vehicles; travel and transportation; care of the dead;  
8 recruiting; procurement of services, supplies, and equip-  
9 ment; and communications, \$277,377,000.

10 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

11 For expenses, not otherwise provided for, necessary  
12 for the operation and maintenance, including training, or-  
13 ganization, and administration, of the Air Force Reserve;  
14 repair of facilities and equipment; hire of passenger motor  
15 vehicles; travel and transportation; care of the dead; re-  
16 cruiting; procurement of services, supplies, and equip-  
17 ment; and communications, \$3,261,324,000.

18 OPERATION AND MAINTENANCE, ARMY NATIONAL

19 GUARD

20 For expenses of training, organizing, and admin-  
21 istering the Army National Guard, including medical and  
22 hospital treatment and related expenses in non-Federal  
23 hospitals; maintenance, operation, and repairs to struc-  
24 tures and facilities; hire of passenger motor vehicles; per-  
25 sonnel services in the National Guard Bureau; travel ex-

1 penses (other than mileage), as authorized by law for  
2 Army personnel on active duty, for Army National Guard  
3 division, regimental, and battalion commanders while in-  
4 specting units in compliance with National Guard Bureau  
5 regulations when specifically authorized by the Chief, Na-  
6 tional Guard Bureau; supplying and equipping the Army  
7 National Guard as authorized by law; and expenses of re-  
8 pair, modification, maintenance, and issue of supplies and  
9 equipment (including aircraft), \$7,154,161,000.

10 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

11 For expenses of training, organizing, and admin-  
12 istering the Air National Guard, including medical and  
13 hospital treatment and related expenses in non-Federal  
14 hospitals; maintenance, operation, and repairs to struc-  
15 tures and facilities; transportation of things, hire of pas-  
16 senger motor vehicles; supplying and equipping the Air  
17 National Guard, as authorized by law; expenses for repair,  
18 modification, maintenance, and issue of supplies and  
19 equipment, including those furnished from stocks under  
20 the control of agencies of the Department of Defense;  
21 travel expenses (other than mileage) on the same basis as  
22 authorized by law for Air National Guard personnel on  
23 active Federal duty, for Air National Guard commanders  
24 while inspecting units in compliance with National Guard

1 Bureau regulations when specifically authorized by the  
2 Chief, National Guard Bureau, \$6,494,326,000.

3 UNITED STATES COURT OF APPEALS FOR THE ARMED  
4 FORCES

5 For salaries and expenses necessary for the United  
6 States Court of Appeals for the Armed Forces,  
7 \$13,516,000, of which not to exceed \$5,000 may be used  
8 for official representation purposes.

9 ENVIRONMENTAL RESTORATION, ARMY  
10 (INCLUDING TRANSFER OF FUNDS)

11 For the Department of the Army, \$335,921,000, to  
12 remain available until transferred: *Provided*, That the Sec-  
13 retary of the Army shall, upon determining that such  
14 funds are required for environmental restoration, reduc-  
15 tion and recycling of hazardous waste, removal of unsafe  
16 buildings and debris of the Department of the Army, or  
17 for similar purposes, transfer the funds made available by  
18 this appropriation to other appropriations made available  
19 to the Department of the Army, to be merged with and  
20 to be available for the same purposes and for the same  
21 time period as the appropriations to which transferred:  
22 *Provided further*, That upon a determination that all or  
23 part of the funds transferred from this appropriation are  
24 not necessary for the purposes provided herein, such  
25 amounts may be transferred back to this appropriation:

1 *Provided further*, That the transfer authority provided  
2 under this heading is in addition to any other transfer au-  
3 thority provided elsewhere in this Act.

4 ENVIRONMENTAL RESTORATION, NAVY  
5 (INCLUDING TRANSFER OF FUNDS)

6 For the Department of the Navy, \$310,594,000, to  
7 remain available until transferred: *Provided*, That the Sec-  
8 retary of the Navy shall, upon determining that such  
9 funds are required for environmental restoration, reduc-  
10 tion and recycling of hazardous waste, removal of unsafe  
11 buildings and debris of the Department of the Navy, or  
12 for similar purposes, transfer the funds made available by  
13 this appropriation to other appropriations made available  
14 to the Department of the Navy, to be merged with and  
15 to be available for the same purposes and for the same  
16 time period as the appropriations to which transferred:  
17 *Provided further*, That upon a determination that all or  
18 part of the funds transferred from this appropriation are  
19 not necessary for the purposes provided herein, such  
20 amounts may be transferred back to this appropriation:  
21 *Provided further*, That the transfer authority provided  
22 under this heading is in addition to any other transfer au-  
23 thority provided elsewhere in this Act.

## 1 ENVIRONMENTAL RESTORATION, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Air Force, \$529,263,000,  
4 to remain available until transferred: *Provided*, That the  
5 Secretary of the Air Force shall, upon determining that  
6 such funds are required for environmental restoration, re-  
7 duction and recycling of hazardous waste, removal of un-  
8 safe buildings and debris of the Department of the Air  
9 Force, or for similar purposes, transfer the funds made  
10 available by this appropriation to other appropriations  
11 made available to the Department of the Air Force, to be  
12 merged with and to be available for the same purposes  
13 and for the same time period as the appropriations to  
14 which transferred: *Provided further*, That upon a deter-  
15 mination that all or part of the funds transferred from  
16 this appropriation are not necessary for the purposes pro-  
17 vided herein, such amounts may be transferred back to  
18 this appropriation: *Provided further*, That the transfer au-  
19 thority provided under this heading is in addition to any  
20 other transfer authority provided elsewhere in this Act.

## 21 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of Defense, \$11,133,000, to re-  
24 main available until transferred: *Provided*, That the Sec-  
25 retary of Defense shall, upon determining that such funds

1 are required for environmental restoration, reduction and  
2 recycling of hazardous waste, removal of unsafe buildings  
3 and debris of the Department of Defense or for similar  
4 purposes, transfer the funds made available by this appro-  
5 priation to other appropriations made available to the De-  
6 partment of Defense, to be merged with and to be avail-  
7 able for the same purposes and for the same time period  
8 as the appropriations to which transferred: *Provided fur-*  
9 *ther*, That upon a determination that all or part of the  
10 funds transferred from this appropriation are not nec-  
11 essary for the purposes provided herein, such amounts  
12 may be transferred back to this appropriation: *Provided*  
13 *further*, That the transfer authority provided under this  
14 heading is in addition to any other transfer authority pro-  
15 vided elsewhere in this Act.

16 ENVIRONMENTAL RESTORATION, FORMERLY USED  
17 DEFENSE SITES  
18 (INCLUDING TRANSFER OF FUNDS)

19 For the Department of the Army, \$287,543,000, to  
20 remain available until transferred: *Provided*, That the Sec-  
21 retary of the Army shall, upon determining that such  
22 funds are required for environmental restoration, reduc-  
23 tion and recycling of hazardous waste, removal of unsafe  
24 buildings and debris at sites formerly used by the Depart-  
25 ment of Defense, transfer the funds made available by this



1 appropriation to other appropriations made available to  
2 the Department of the Army, to be merged with and to  
3 be available for the same purposes and for the same time  
4 period as the appropriations to which transferred: *Pro-*  
5 *vided further*, That upon a determination that all or part  
6 of the funds transferred from this appropriation are not  
7 necessary for the purposes provided herein, such amounts  
8 may be transferred back to this appropriation: *Provided*  
9 *further*, That the transfer authority provided under this  
10 heading is in addition to any other transfer authority pro-  
11 vided elsewhere in this Act.

#### 12 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

13 For expenses relating to the Overseas Humanitarian,  
14 Disaster, and Civic Aid programs of the Department of  
15 Defense (consisting of the programs provided under sec-  
16 tions 401, 402, 404, 407, 2557, and 2561 of title 10,  
17 United States Code), \$108,759,000, to remain available  
18 until September 30, 2014.

#### 19 COOPERATIVE THREAT REDUCTION ACCOUNT

20 For assistance to the republics of the former Soviet  
21 Union and, with appropriate authorization by the Depart-  
22 ment of Defense and Department of State, to countries  
23 outside of the former Soviet Union, including assistance  
24 provided by contract or by grants, for facilitating the  
25 elimination and the safe and secure transportation and

1 storage of nuclear, chemical and other weapons; for estab-  
2 lishing programs to prevent the proliferation of weapons,  
3 weapons components, and weapon-related technology and  
4 expertise; for programs relating to the training and sup-  
5 port of defense and military personnel for demilitarization  
6 and protection of weapons, weapons components and  
7 weapons technology and expertise, and for defense and  
8 military contacts, \$519,111,000, to remain available until  
9 September 30, 2015.

10 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE  
11 DEVELOPMENT FUND

12 For the Department of Defense Acquisition Work-  
13 force Development Fund, \$50,198,000.

14 TITLE III  
15 PROCUREMENT

16 AIRCRAFT PROCUREMENT, ARMY

17 For construction, procurement, production, modifica-  
18 tion, and modernization of aircraft, equipment, including  
19 ordnance, ground handling equipment, spare parts, and  
20 accessories therefor; specialized equipment and training  
21 devices; expansion of public and private plants, including  
22 the land necessary therefor, for the foregoing purposes,  
23 and such lands and interests therein, may be acquired,  
24 and construction prosecuted thereon prior to approval of  
25 title; and procurement and installation of equipment, ap-

1 pliances, and machine tools in public and private plants;  
2 reserve plant and Government and contractor-owned  
3 equipment layaway; and other expenses necessary for the  
4 foregoing purposes, \$6,028,754,000, to remain available  
5 for obligation until September 30, 2015.

6                   MISSILE PROCUREMENT, ARMY

7       For construction, procurement, production, modifica-  
8 tion, and modernization of missiles, equipment, including  
9 ordnance, ground handling equipment, spare parts, and  
10 accessories therefor; specialized equipment and training  
11 devices; expansion of public and private plants, including  
12 the land necessary therefor, for the foregoing purposes,  
13 and such lands and interests therein, may be acquired,  
14 and construction prosecuted thereon prior to approval of  
15 title; and procurement and installation of equipment, ap-  
16 pliances, and machine tools in public and private plants;  
17 reserve plant and Government and contractor-owned  
18 equipment layaway; and other expenses necessary for the  
19 foregoing purposes, \$1,535,433,000, to remain available  
20 for obligation until September 30, 2015.

21       PROCUREMENT OF WEAPONS AND TRACKED COMBAT

22                   VEHICLES, ARMY

23       For construction, procurement, production, and  
24 modification of weapons and tracked combat vehicles,  
25 equipment, including ordnance, spare parts, and acces-

1 sories therefor; specialized equipment and training devices;  
2 expansion of public and private plants, including the land  
3 necessary therefor, for the foregoing purposes, and such  
4 lands and interests therein, may be acquired, and con-  
5 struction prosecuted thereon prior to approval of title; and  
6 procurement and installation of equipment, appliances,  
7 and machine tools in public and private plants; reserve  
8 plant and Government and contractor-owned equipment  
9 layaway; and other expenses necessary for the foregoing  
10 purposes, \$1,857,823,000, to remain available for obliga-  
11 tion until September 30, 2015.

12           PROCUREMENT OF AMMUNITION, ARMY

13       For construction, procurement, production, and  
14 modification of ammunition, and accessories therefor; spe-  
15 cialized equipment and training devices; expansion of pub-  
16 lic and private plants, including ammunition facilities, au-  
17 thorized by section 2854 of title 10, United States Code,  
18 and the land necessary therefor, for the foregoing pur-  
19 poses, and such lands and interests therein, may be ac-  
20 quired, and construction prosecuted thereon prior to ap-  
21 proval of title; and procurement and installation of equip-  
22 ment, appliances, and machine tools in public and private  
23 plants; reserve plant and Government and contractor-  
24 owned equipment layaway; and other expenses necessary

1 for the foregoing purposes, \$1,641,306,000, to remain  
2 available for obligation until September 30, 2015.

3                                   OTHER PROCUREMENT, ARMY

4       For construction, procurement, production, and  
5 modification of vehicles, including tactical, support, and  
6 non-tracked combat vehicles; the purchase of passenger  
7 motor vehicles for replacement only; communications and  
8 electronic equipment; other support equipment; spare  
9 parts, ordnance, and accessories therefor; specialized  
10 equipment and training devices; expansion of public and  
11 private plants, including the land necessary therefor, for  
12 the foregoing purposes, and such lands and interests  
13 therein, may be acquired, and construction prosecuted  
14 thereon prior to approval of title; and procurement and  
15 installation of equipment, appliances, and machine tools  
16 in public and private plants; reserve plant and Govern-  
17 ment and contractor-owned equipment layaway; and other  
18 expenses necessary for the foregoing purposes,  
19 \$5,741,664,000, to remain available for obligation until  
20 September 30, 2015.

21                                   AIRCRAFT PROCUREMENT, NAVY

22       For construction, procurement, production, modifica-  
23 tion, and modernization of aircraft, equipment, including  
24 ordnance, spare parts, and accessories therefor; specialized  
25 equipment; expansion of public and private plants, includ-

1 ing the land necessary therefor, and such lands and inter-  
2 ests therein, may be acquired, and construction prosecuted  
3 thereon prior to approval of title; and procurement and  
4 installation of equipment, appliances, and machine tools  
5 in public and private plants; reserve plant and Govern-  
6 ment and contractor-owned equipment layaway,  
7 \$17,382,152,000, to remain available for obligation until  
8 September 30, 2015.

9 WEAPONS PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-  
11 tion, and modernization of missiles, torpedoes, other weap-  
12 ons, and related support equipment including spare parts,  
13 and accessories therefor; expansion of public and private  
14 plants, including the land necessary therefor, and such  
15 lands and interests therein, may be acquired, and con-  
16 struction prosecuted thereon prior to approval of title; and  
17 procurement and installation of equipment, appliances,  
18 and machine tools in public and private plants; reserve  
19 plant and Government and contractor-owned equipment  
20 layaway, \$3,036,871,000, to remain available for obliga-  
21 tion until September 30, 2015.

22 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

23 CORPS

24 For construction, procurement, production, and  
25 modification of ammunition, and accessories therefor; spe-

1 cialized equipment and training devices; expansion of pub-  
2 lic and private plants, including ammunition facilities, au-  
3 thorized by section 2854 of title 10, United States Code,  
4 and the land necessary therefor, for the foregoing pur-  
5 poses, and such lands and interests therein, may be ac-  
6 quired, and construction prosecuted thereon prior to ap-  
7 proval of title; and procurement and installation of equip-  
8 ment, appliances, and machine tools in public and private  
9 plants; reserve plant and Government and contractor-  
10 owned equipment layaway; and other expenses necessary  
11 for the foregoing purposes, \$659,897,000, to remain avail-  
12 able for obligation until September 30, 2015.

13 SHIPBUILDING AND CONVERSION, NAVY

14 For expenses necessary for the construction, acquisi-  
15 tion, or conversion of vessels as authorized by law, includ-  
16 ing armor and armament thereof, plant equipment, appli-  
17 ances, and machine tools and installation thereof in public  
18 and private plants; reserve plant and Government and con-  
19 tractor-owned equipment layaway; procurement of critical,  
20 long lead time components and designs for vessels to be  
21 constructed or converted in the future; and expansion of  
22 public and private plants, including land necessary there-  
23 for, and such lands and interests therein, may be acquired,  
24 and construction prosecuted thereon prior to approval of  
25 title, as follows:

1 Carrier Replacement Program, \$565,371,000;  
2 Virginia Class Submarine, \$3,217,601,000;  
3 Virginia Class Submarine (AP),  
4 \$1,652,557,000;  
5 CVN Refuelings, \$1,613,392,000;  
6 CVN Refuelings (AP), \$70,010,000;  
7 DDG-1000 Program, \$669,222,000;  
8 DDG-51 Destroyer, \$4,036,628,000;  
9 DDG-51 Destroyer (AP), \$466,283,000;  
10 Littoral Combat Ship, \$1,784,959,000;  
11 LPD-17 (AP), \$263,255,000;  
12 Joint High Speed Vessel, \$189,196,000;  
13 Moored Training Ship, \$307,300,000;  
14 LCAC Service Life Extension Program,  
15 \$85,830,000; and  
16 For outfitting, post delivery, conversions, and  
17 first destination transportation, \$290,035,000.  
18 Completion of Prior Year Shipbuilding Pro-  
19 grams, \$372,573,000.  
20 In all: \$15,584,212,000, to remain available for obli-  
21 gation until September 30, 2017: *Provided*, That addi-  
22 tional obligations may be incurred after September 30,  
23 2017, for engineering services, tests, evaluations, and  
24 other such budgeted work that must be performed in the  
25 final stage of ship construction: *Provided further*, That



1 none of the funds provided under this heading for the con-  
2 struction or conversion of any naval vessel to be con-  
3 structed in shipyards in the United States shall be ex-  
4 pended in foreign facilities for the construction of major  
5 components of such vessel: *Provided further*, That none  
6 of the funds provided under this heading shall be used  
7 for the construction of any naval vessel in foreign ship-  
8 yards.

#### 9 OTHER PROCUREMENT, NAVY

10 For procurement, production, and modernization of  
11 support equipment and materials not otherwise provided  
12 for, Navy ordnance (except ordnance for new aircraft, new  
13 ships, and ships authorized for conversion); the purchase  
14 of passenger motor vehicles for replacement only; expan-  
15 sion of public and private plants, including the land nec-  
16 essary therefor, and such lands and interests therein, may  
17 be acquired, and construction prosecuted thereon prior to  
18 approval of title; and procurement and installation of  
19 equipment, appliances, and machine tools in public and  
20 private plants; reserve plant and Government and con-  
21 tractor-owned equipment layaway, \$5,955,078,000, to re-  
22 main available for obligation until September 30, 2015.

#### 23 PROCUREMENT, MARINE CORPS

24 For expenses necessary for the procurement, manu-  
25 facture, and modification of missiles, armament, military

1 equipment, spare parts, and accessories therefor; plant  
2 equipment, appliances, and machine tools, and installation  
3 thereof in public and private plants; reserve plant and  
4 Government and contractor-owned equipment layaway; ve-  
5 hicles for the Marine Corps, including the purchase of pas-  
6 senger motor vehicles for replacement only; and expansion  
7 of public and private plants, including land necessary  
8 therefor, and such lands and interests therein, may be ac-  
9 quired, and construction prosecuted thereon prior to ap-  
10 proval of title, \$1,411,411,000, to remain available for ob-  
11 ligation until September 30, 2015.

12 AIRCRAFT PROCUREMENT, AIR FORCE

13 For construction, procurement, and modification of  
14 aircraft and equipment, including armor and armament,  
15 specialized ground handling equipment, and training de-  
16 vices, spare parts, and accessories therefor; specialized  
17 equipment; expansion of public and private plants, Gov-  
18 ernment-owned equipment and installation thereof in such  
19 plants, erection of structures, and acquisition of land, for  
20 the foregoing purposes, and such lands and interests  
21 therein, may be acquired, and construction prosecuted  
22 thereon prior to approval of title; reserve plant and Gov-  
23 ernment and contractor-owned equipment layaway; and  
24 other expenses necessary for the foregoing purposes in-  
25 cluding rents and transportation of things,

1 \$11,774,019,000, to remain available for obligation until  
2 September 30, 2015.

3 MISSILE PROCUREMENT, AIR FORCE

4 For construction, procurement, and modification of  
5 missiles, spacecraft, rockets, and related equipment, in-  
6 cluding spare parts and accessories therefor, ground han-  
7 dling equipment, and training devices; expansion of public  
8 and private plants, Government-owned equipment and in-  
9 stallation thereof in such plants, erection of structures,  
10 and acquisition of land, for the foregoing purposes, and  
11 such lands and interests therein, may be acquired, and  
12 construction prosecuted thereon prior to approval of title;  
13 reserve plant and Government and contractor-owned  
14 equipment layaway; and other expenses necessary for the  
15 foregoing purposes including rents and transportation of  
16 things, \$4,962,376,000, to remain available for obligation  
17 until September 30, 2015.

18 PROCUREMENT OF AMMUNITION, AIR FORCE

19 For construction, procurement, production, and  
20 modification of ammunition, and accessories therefor; spe-  
21 cialized equipment and training devices; expansion of pub-  
22 lic and private plants, including ammunition facilities, au-  
23 thorized by section 2854 of title 10, United States Code,  
24 and the land necessary therefor, for the foregoing pur-  
25 poses, and such lands and interests therein, may be ac-

1 quired, and construction prosecuted thereon prior to ap-  
2 proval of title; and procurement and installation of equip-  
3 ment, appliances, and machine tools in public and private  
4 plants; reserve plant and Government and contractor-  
5 owned equipment layaway; and other expenses necessary  
6 for the foregoing purposes, \$594,694,000, to remain avail-  
7 able for obligation until September 30, 2015.

8                   OTHER PROCUREMENT, AIR FORCE

9       For procurement and modification of equipment (in-  
10 cluding ground guidance and electronic control equipment,  
11 and ground electronic and communication equipment),  
12 and supplies, materials, and spare parts therefor, not oth-  
13 erwise provided for; the purchase of passenger motor vehi-  
14 cles for replacement only; lease of passenger motor vehi-  
15 cles; and expansion of public and private plants, Govern-  
16 ment-owned equipment and installation thereof in such  
17 plants, erection of structures, and acquisition of land, for  
18 the foregoing purposes, and such lands and interests  
19 therein, may be acquired, and construction prosecuted  
20 thereon, prior to approval of title; reserve plant and Gov-  
21 ernment and contractor-owned equipment layaway,  
22 \$17,082,508,000, to remain available for obligation until  
23 September 30, 2015.

## 1                   PROCUREMENT, DEFENSE-WIDE

2           For expenses of activities and agencies of the Depart-  
3 ment of Defense (other than the military departments)  
4 necessary for procurement, production, and modification  
5 of equipment, supplies, materials, and spare parts there-  
6 for, not otherwise provided for; the purchase of passenger  
7 motor vehicles for replacement only; expansion of public  
8 and private plants, equipment, and installation thereof in  
9 such plants, erection of structures, and acquisition of land  
10 for the foregoing purposes, and such lands and interests  
11 therein, may be acquired, and construction prosecuted  
12 thereon prior to approval of title; reserve plant and Gov-  
13 ernment and contractor-owned equipment layaway,  
14 \$4,878,985,000, to remain available for obligation until  
15 September 30, 2015.

## 16                   DEFENSE PRODUCTION ACT PURCHASES

17           For activities by the Department of Defense pursuant  
18 to sections 108, 301, 302, and 303 of the Defense Produc-  
19 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and  
20 2093), \$223,531,000, to remain available until expended.

1 TITLE IV  
2 RESEARCH, DEVELOPMENT, TEST AND  
3 EVALUATION

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
5 ARMY

6 For expenses necessary for basic and applied sci-  
7 entific research, development, test and evaluation, includ-  
8 ing maintenance, rehabilitation, lease, and operation of fa-  
9 cilities and equipment, \$8,676,627,000, to remain avail-  
10 able for obligation until September 30, 2014.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
12 NAVY

13 For expenses necessary for basic and applied sci-  
14 entific research, development, test and evaluation, includ-  
15 ing maintenance, rehabilitation, lease, and operation of fa-  
16 cilities and equipment, \$16,963,398,000, to remain avail-  
17 able for obligation until September 30, 2014: *Provided*,  
18 That funds appropriated in this paragraph which are  
19 available for the V-22 may be used to meet unique oper-  
20 ational requirements of the Special Operations Forces:  
21 *Provided further*, That funds appropriated in this para-  
22 graph shall be available for the Cobra Judy program.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
2 AIR FORCE

3 For expenses necessary for basic and applied sci-  
4 entific research, development, test and evaluation, includ-  
5 ing maintenance, rehabilitation, lease, and operation of fa-  
6 cilities and equipment, \$25,432,738,000, to remain avail-  
7 able for obligation until September 30, 2014.

8 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
9 DEFENSE-WIDE  
10 (INCLUDING TRANSFER OF FUNDS)

11 For expenses of activities and agencies of the Depart-  
12 ment of Defense (other than the military departments),  
13 necessary for basic and applied scientific research, devel-  
14 opment, test and evaluation; advanced research projects  
15 as may be designated and determined by the Secretary  
16 of Defense, pursuant to law; maintenance, rehabilitation,  
17 lease, and operation of facilities and equipment,  
18 \$18,631,946,000, to remain available for obligation until  
19 September 30, 2014: *Provided*, That of the funds made  
20 available in this paragraph, \$250,000,000 for the Defense  
21 Rapid Innovation Program shall only be available for ex-  
22 penses, not otherwise provided for, to include program  
23 management and oversight, to conduct research, develop-  
24 ment, test and evaluation to include proof of concept dem-  
25 onstration; engineering, testing, and validation; and tran-

1 sition to full-scale production: *Provided further*, That the  
2 Secretary of Defense may transfer funds provided herein  
3 for the Defense Rapid Innovation Program to appropria-  
4 tions for research, development, test and evaluation to ac-  
5 complish the purpose provided herein: *Provided further*,  
6 That this transfer authority is in addition to any other  
7 transfer authority available to the Department of Defense:  
8 *Provided further*, That the Secretary of Defense shall, not  
9 fewer than 30 days prior to making transfers from this  
10 appropriation, notify the congressional defense committees  
11 in writing of the details of any such transfer.

12       OPERATIONAL TEST AND EVALUATION, DEFENSE

13       For expenses, not otherwise provided for, necessary  
14 for the independent activities of the Director, Operational  
15 Test and Evaluation, in the direction and supervision of  
16 operational test and evaluation, including initial oper-  
17 ational test and evaluation which is conducted prior to,  
18 and in support of, production decisions; joint operational  
19 testing and evaluation; and administrative expenses in  
20 connection therewith, \$223,768,000, to remain available  
21 for obligation until September 30, 2014.



## 1 TITLE V

## 2 REVOLVING AND MANAGEMENT FUNDS

## 3 DEFENSE WORKING CAPITAL FUNDS

4 For the Defense Working Capital Funds,  
5 \$1,516,184,000.

## 6 NATIONAL DEFENSE SEALIFT FUND

7 For National Defense Sealift Fund programs,  
8 projects, and activities, and for expenses of the National  
9 Defense Reserve Fleet, as established by section 11 of the  
10 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),  
11 and for the necessary expenses to maintain and preserve  
12 a U.S.-flag merchant fleet to serve the national security  
13 needs of the United States, \$697,840,000, to remain avail-  
14 able until expended: *Provided*, That none of the funds pro-  
15 vided in this paragraph shall be used to award a new con-  
16 tract that provides for the acquisition of any of the fol-  
17 lowing major components unless such components are  
18 manufactured in the United States: auxiliary equipment,  
19 including pumps, for all shipboard services; propulsion  
20 system components (engines, reduction gears, and propel-  
21 lers); shipboard cranes; and spreaders for shipboard  
22 cranes: *Provided further*, That the exercise of an option  
23 in a contract awarded through the obligation of previously  
24 appropriated funds shall not be considered to be the award  
25 of a new contract: *Provided further*, That the Secretary

1 of the military department responsible for such procure-  
2 ment may waive the restrictions in the first proviso on  
3 a case-by-case basis by certifying in writing to the Com-  
4 mittees on Appropriations of the House of Representatives  
5 and the Senate that adequate domestic supplies are not  
6 available to meet Department of Defense requirements on  
7 a timely basis and that such an acquisition must be made  
8 in order to acquire capability for national security pur-  
9 poses.

10

## TITLE VI

11 OTHER DEPARTMENT OF DEFENSE PROGRAMS

12

## DEFENSE HEALTH PROGRAM

13 For expenses, not otherwise provided for, for medical  
14 and health care programs of the Department of Defense  
15 as authorized by law, \$32,715,304,000; of which  
16 \$30,885,165,000 shall be for operation and maintenance,  
17 of which not to exceed one percent shall remain available  
18 until September 30, 2014, and of which up to  
19 \$15,934,952,000 may be available for contracts entered  
20 into under the TRICARE program; of which  
21 \$521,762,000, to remain available for obligation until Sep-  
22 tember 30, 2015, shall be for procurement; and of which  
23 \$1,308,377,000, to remain available for obligation until  
24 September 30, 2014, shall be for research, development,  
25 test and evaluation: *Provided*, That, notwithstanding any

1 other provision of law, of the amount made available under  
2 this heading for research, development, test and evalua-  
3 tion, not less than \$8,000,000 shall be available for HIV  
4 prevention educational activities undertaken in connection  
5 with United States military training, exercises, and hu-  
6 manitarian assistance activities conducted primarily in Af-  
7 rican nations: *Provided further*, That of the funds provided  
8 to develop a joint Department of Defense—Department  
9 of Veterans Affairs (DOD—VA) integrated Electronic  
10 Health Record, not more than 25 percent may be obli-  
11 gated until the DOD—VA Interagency Program Office sub-  
12 mits to the Committees on Appropriations of both Houses  
13 of Congress, and such Committees approve, a plan for ex-  
14 penditure that: (1) defines the budget and cost baseline  
15 for development of the integrated Electronic Health  
16 Record; (2) identifies the deployment timeline for the sys-  
17 tem for both agencies; (3) breaks out annual and total  
18 spending for each Department; (4) relays detailed cost-  
19 sharing business rules; (5) establishes data standardiza-  
20 tion schedules between the Departments; (6) has been sub-  
21 mitted to the Government Accountability Office for review;  
22 and (7) complies with the acquisition rules, requirements,  
23 guidelines, and systems acquisition management practices  
24 of the Federal Government.

1       CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
2                                       DEFENSE

3       For expenses, not otherwise provided for, necessary  
4 for the destruction of the United States stockpile of lethal  
5 chemical agents and munitions in accordance with the pro-  
6 visions of section 1412 of the Department of Defense Au-  
7 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
8 struction of other chemical warfare materials that are not  
9 in the chemical weapon stockpile, \$1,301,786,000, of  
10 which \$635,843,000 shall be for operation and mainte-  
11 nance, of which no less than \$53,948,000 shall be for the  
12 Chemical Stockpile Emergency Preparedness Program,  
13 consisting of \$22,214,000 for activities on military instal-  
14 lations and \$31,734,000, to remain available until Sep-  
15 tember 30, 2014, to assist State and local governments;  
16 \$18,592,000 shall be for procurement, to remain available  
17 until September 30, 2015, of which \$1,823,000 shall be  
18 for the Chemical Stockpile Emergency Preparedness Pro-  
19 gram to assist State and local governments; and  
20 \$647,351,000, to remain available until September 30,  
21 2014, shall be for research, development, test and evalua-  
22 tion, of which \$627,705,000 shall only be for the Assem-  
23 bled Chemical Weapons Alternatives (ACWA) program.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,  
2 DEFENSE  
3 (INCLUDING TRANSFER OF FUNDS)

4 For drug interdiction and counter-drug activities of  
5 the Department of Defense, for transfer to appropriations  
6 available to the Department of Defense for military per-  
7 sonnel of the reserve components serving under the provi-  
8 sions of title 10 and title 32, United States Code; for oper-  
9 ation and maintenance; for procurement; and for research,  
10 development, test and evaluation, \$1,159,263,000: *Pro-*  
11 *vided*, That the funds appropriated under this heading  
12 shall be available for obligation for the same time period  
13 and for the same purpose as the appropriation to which  
14 transferred: *Provided further*, That upon a determination  
15 that all or part of the funds transferred from this appro-  
16 priation are not necessary for the purposes provided here-  
17 in, such amounts may be transferred back to this appro-  
18 priation: *Provided further*, That the transfer authority pro-  
19 vided under this heading is in addition to any other trans-  
20 fer authority contained elsewhere in this Act.

21 OFFICE OF THE INSPECTOR GENERAL

22 For expenses and activities of the Office of the In-  
23 spector General in carrying out the provisions of the In-  
24 spector General Act of 1978, as amended, \$350,321,000,  
25 of which \$347,621,000 shall be for operation and mainte-

1 nance, of which not to exceed \$700,000 is available for  
2 emergencies and extraordinary expenses to be expended on  
3 the approval or authority of the Inspector General, and  
4 payments may be made on the Inspector General's certifi-  
5 cate of necessity for confidential military purposes; and  
6 of which \$2,700,000, to remain available until September  
7 30, 2015, shall be for procurement.

## 8 TITLE VII

### 9 RELATED AGENCIES

#### 10 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

#### 11 DISABILITY SYSTEM FUND

12 For payment to the Central Intelligence Agency Re-  
13 tirement and Disability System Fund, to maintain the  
14 proper funding level for continuing the operation of the  
15 Central Intelligence Agency Retirement and Disability  
16 System, \$514,000,000.

#### 17 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

18 For necessary expenses of the Intelligence Commu-  
19 nity Management Account, \$534,421,000.

## 20 TITLE VIII

### 21 GENERAL PROVISIONS

22 SEC. 8001. No part of any appropriation contained  
23 in this Act shall be used for publicity or propaganda pur-  
24 poses not authorized by the Congress.

1           SEC. 8002. During the current fiscal year, provisions  
2 of law prohibiting the payment of compensation to, or em-  
3 ployment of, any person not a citizen of the United States  
4 shall not apply to personnel of the Department of Defense:  
5 *Provided*, That salary increases granted to direct and indi-  
6 rect hire foreign national employees of the Department of  
7 Defense funded by this Act shall not be at a rate in excess  
8 of the percentage increase authorized by law for civilian  
9 employees of the Department of Defense whose pay is  
10 computed under the provisions of section 5332 of title 5,  
11 United States Code, or at a rate in excess of the percent-  
12 age increase provided by the appropriate host nation to  
13 its own employees, whichever is higher: *Provided further*,  
14 That this section shall not apply to Department of De-  
15 fense foreign service national employees serving at United  
16 States diplomatic missions whose pay is set by the Depart-  
17 ment of State under the Foreign Service Act of 1980: *Pro-*  
18 *vided further*, That the limitations of this provision shall  
19 not apply to foreign national employees of the Department  
20 of Defense in the Republic of Turkey.

21           SEC. 8003. No part of any appropriation contained  
22 in this Act shall remain available for obligation beyond  
23 the current fiscal year, unless expressly so provided herein.

24           SEC. 8004. No more than 20 percent of the appro-  
25 priations in this Act which are limited for obligation dur-

1 ing the current fiscal year shall be obligated during the  
2 last 2 months of the fiscal year: *Provided*, That this sec-  
3 tion shall not apply to obligations for support of active  
4 duty training of reserve components or summer camp  
5 training of the Reserve Officers' Training Corps.

6 (TRANSFER OF FUNDS)

7 SEC. 8005. Upon determination by the Secretary of  
8 Defense that such action is necessary in the national inter-  
9 est, he may, with the approval of the Office of Manage-  
10 ment and Budget, transfer not to exceed \$4,000,000,000  
11 of working capital funds of the Department of Defense  
12 or funds made available in this Act to the Department  
13 of Defense for military functions (except military con-  
14 struction) between such appropriations or funds or any  
15 subdivision thereof, to be merged with and to be available  
16 for the same purposes, and for the same time period, as  
17 the appropriation or fund to which transferred: *Provided*,  
18 That such authority to transfer may not be used unless  
19 for higher priority items, based on unforeseen military re-  
20 quirements, than those for which originally appropriated  
21 and in no case where the item for which funds are re-  
22 quested has been denied by the Congress: *Provided further*,  
23 That the Secretary of Defense shall notify the Congress  
24 promptly of all transfers made pursuant to this authority  
25 or any other authority in this Act: *Provided further*, That



1 no part of the funds in this Act shall be available to pre-  
2 pare or present a request to the Committees on Appropria-  
3 tions for reprogramming of funds, unless for higher pri-  
4 ority items, based on unforeseen military requirements,  
5 than those for which originally appropriated and in no  
6 case where the item for which reprogramming is requested  
7 has been denied by the Congress: *Provided further*, That  
8 a request for multiple reprogrammings of funds using au-  
9 thority provided in this section shall be made prior to June  
10 30, 2013: *Provided further*, That transfers among military  
11 personnel appropriations shall not be taken into account  
12 for purposes of the limitation on the amount of funds that  
13 may be transferred under this section.

14 SEC. 8006. (a) With regard to the list of specific pro-  
15 grams, projects, and activities (and the dollar amounts  
16 and adjustments to budget activities corresponding to  
17 such programs, projects, and activities) contained in the  
18 tables titled “Explanation of Project Level Adjustments”  
19 in the explanatory statement described in section 4 (in the  
20 matter preceding division A of this consolidated Act), the  
21 obligation and expenditure of amounts appropriated or  
22 otherwise made available in this Act for those programs,  
23 projects, and activities for which the amounts appro-  
24 priated exceed the amounts requested are hereby required  
25 by law to be carried out in the manner provided by such

1 tables to the same extent as if the tables were included  
2 in the text of this Act.

3 (b) Amounts specified in the referenced tables de-  
4 scribed in subsection (a) shall not be treated as subdivi-  
5 sions of appropriations for purposes of section 8005 of this  
6 Act: *Provided*, That section 8005 shall apply when trans-  
7 fers of the amounts described in subsection (a) occur be-  
8 tween appropriation accounts.

9 SEC. 8007. (a) Not later than 60 days after enact-  
10 ment of this Act, the Department of Defense shall submit  
11 a report to the congressional defense committees to estab-  
12 lish the baseline for application of reprogramming and  
13 transfer authorities for fiscal year 2013: *Provided*, That  
14 the report shall include—

15 (1) a table for each appropriation with a sepa-  
16 rate column to display the President's budget re-  
17 quest, adjustments made by Congress, adjustments  
18 due to enacted rescissions, if appropriate, and the  
19 fiscal year enacted level;

20 (2) a delineation in the table for each appro-  
21 priation both by budget activity and program,  
22 project, and activity as detailed in the Budget Ap-  
23 pendix; and

24 (3) an identification of items of special congres-  
25 sional interest.

1 (b) Notwithstanding section 8005 of this Act, none  
2 of the funds provided in this Act shall be available for  
3 reprogramming or transfer until the report identified in  
4 subsection (a) is submitted to the congressional defense  
5 committees, unless the Secretary of Defense certifies in  
6 writing to the congressional defense committees that such  
7 reprogramming or transfer is necessary as an emergency  
8 requirement.

9 (TRANSFER OF FUNDS)

10 SEC. 8008. During the current fiscal year, cash bal-  
11 ances in working capital funds of the Department of De-  
12 fense established pursuant to section 2208 of title 10,  
13 United States Code, may be maintained in only such  
14 amounts as are necessary at any time for cash disburse-  
15 ments to be made from such funds: *Provided*, That trans-  
16 fers may be made between such funds: *Provided further*,  
17 That transfers may be made between working capital  
18 funds and the “Foreign Currency Fluctuations, Defense”  
19 appropriation and the “Operation and Maintenance” ap-  
20 propriation accounts in such amounts as may be deter-  
21 mined by the Secretary of Defense, with the approval of  
22 the Office of Management and Budget, except that such  
23 transfers may not be made unless the Secretary of Defense  
24 has notified the Congress of the proposed transfer. Except  
25 in amounts equal to the amounts appropriated to working

1 capital funds in this Act, no obligations may be made  
2 against a working capital fund to procure or increase the  
3 value of war reserve material inventory, unless the Sec-  
4 retary of Defense has notified the Congress prior to any  
5 such obligation.

6 SEC. 8009. Funds appropriated by this Act may not  
7 be used to initiate a special access program without prior  
8 notification 30 calendar days in advance to the congres-  
9 sional defense committees.

10 SEC. 8010. None of the funds provided in this Act  
11 shall be available to initiate: (1) a multiyear contract that  
12 employs economic order quantity procurement in excess of  
13 \$20,000,000 in any one year of the contract or that in-  
14 cludes an unfunded contingent liability in excess of  
15 \$20,000,000; or (2) a contract for advance procurement  
16 leading to a multiyear contract that employs economic  
17 order quantity procurement in excess of \$20,000,000 in  
18 any one year, unless the congressional defense committees  
19 have been notified at least 30 days in advance of the pro-  
20 posed contract award: *Provided*, That no part of any ap-  
21 propriation contained in this Act shall be available to ini-  
22 tiate a multiyear contract for which the economic order  
23 quantity advance procurement is not funded at least to  
24 the limits of the Government's liability: *Provided further*,  
25 That no part of any appropriation contained in this Act

1 shall be available to initiate multiyear procurement con-  
2 tracts for any systems or component thereof if the value  
3 of the multiyear contract would exceed \$500,000,000 un-  
4 less specifically provided in this Act: *Provided further,*  
5 That no multiyear procurement contract can be termi-  
6 nated without 10-day prior notification to the congres-  
7 sional defense committees: *Provided further,* That the exe-  
8 cution of multiyear authority shall require the use of a  
9 present value analysis to determine lowest cost compared  
10 to an annual procurement: *Provided further,* That none of  
11 the funds provided in this Act may be used for a multiyear  
12 contract executed after the date of the enactment of this  
13 Act unless in the case of any such contract—

14           (1) the Secretary of Defense has submitted to  
15       Congress a budget request for full funding of units  
16       to be procured through the contract and, in the case  
17       of a contract for procurement of aircraft, that in-  
18       cludes, for any aircraft unit to be procured through  
19       the contract for which procurement funds are re-  
20       quested in that budget request for production be-  
21       yond advance procurement activities in the fiscal  
22       year covered by the budget, full funding of procure-  
23       ment of such unit in that fiscal year;

24           (2) cancellation provisions in the contract do  
25       not include consideration of recurring manufacturing

1 costs of the contractor associated with the produc-  
2 tion of unfunded units to be delivered under the con-  
3 tract;

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

7 (4) the contract does not provide for a price ad-  
8 justment based on a failure to award a follow-on  
9 contract.

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

12 F/A-18E, F/A-18F, and EA-18G aircraft; up to 10  
13 DDG-51 Arleigh Burke class Flight IIA guided missile  
14 destroyers, as well as the AEGIS Weapon Systems, MK  
15 41 Vertical Launching Systems, and Commercial  
16 Broadband Satellite Systems associated with those vessels;  
17 SSN-774 Virginia class submarine and government-fur-  
18 nished equipment; CH-47 Chinook helicopter; and V-22  
19 Osprey aircraft variants.

20 SEC. 8011. Within the funds appropriated for the op-  
21 eration and maintenance of the Armed Forces, funds are  
22 hereby appropriated pursuant to section 401 of title 10,  
23 United States Code, for humanitarian and civic assistance  
24 costs under chapter 20 of title 10, United States Code.  
25 Such funds may also be obligated for humanitarian and

1 civic assistance costs incidental to authorized operations  
2 and pursuant to authority granted in section 401 of chap-  
3 ter 20 of title 10, United States Code, and these obliga-  
4 tions shall be reported as required by section 401(d) of  
5 title 10, United States Code: *Provided*, That funds avail-  
6 able for operation and maintenance shall be available for  
7 providing humanitarian and similar assistance by using  
8 Civic Action Teams in the Trust Territories of the Pacific  
9 Islands and freely associated states of Micronesia, pursu-  
10 ant to the Compact of Free Association as authorized by  
11 Public Law 99–239: *Provided further*, That upon a deter-  
12 mination by the Secretary of the Army that such action  
13 is beneficial for graduate medical education programs con-  
14 ducted at Army medical facilities located in Hawaii, the  
15 Secretary of the Army may authorize the provision of med-  
16 ical services at such facilities and transportation to such  
17 facilities, on a nonreimbursable basis, for civilian patients  
18 from American Samoa, the Commonwealth of the North-  
19 ern Mariana Islands, the Marshall Islands, the Federated  
20 States of Micronesia, Palau, and Guam.

21 SEC. 8012. (a) During fiscal year 2013, the civilian  
22 personnel of the Department of Defense may not be man-  
23 aged on the basis of any end-strength, and the manage-  
24 ment of such personnel during that fiscal year shall not  
25 be subject to any constraint or limitation (known as an

1 end-strength) on the number of such personnel who may  
2 be employed on the last day of such fiscal year.

3 (b) The fiscal year 2014 budget request for the De-  
4 partment of Defense as well as all justification material  
5 and other documentation supporting the fiscal year 2014  
6 Department of Defense budget request shall be prepared  
7 and submitted to the Congress as if subsections (a) and  
8 (b) of this provision were effective with regard to fiscal  
9 year 2014.

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

12 SEC. 8013. None of the funds made available by this  
13 Act shall be used in any way, directly or indirectly, to in-  
14 fluence congressional action on any legislation or appro-  
15 priation matters pending before the Congress.

16 SEC. 8014. None of the funds appropriated by this  
17 Act shall be available for the basic pay and allowances of  
18 any member of the Army participating as a full-time stu-  
19 dent and receiving benefits paid by the Secretary of Vet-  
20 erans Affairs from the Department of Defense Education  
21 Benefits Fund when time spent as a full-time student is  
22 credited toward completion of a service commitment: *Pro-*  
23 *vided*, That this section shall not apply to those members  
24 who have reenlisted with this option prior to October 1,



1 1987: *Provided further*, That this section applies only to  
2 active components of the Army.

3 (TRANSFER OF FUNDS)

4 SEC. 8015. Funds appropriated in title III of this Act  
5 for the Department of Defense Pilot Mentor-Protégé Pro-  
6 gram may be transferred to any other appropriation con-  
7 tained in this Act solely for the purpose of implementing  
8 a Mentor-Protégé Program developmental assistance  
9 agreement pursuant to section 831 of the National De-  
10 fense Authorization Act for Fiscal Year 1991 (Public Law  
11 101–510; 10 U.S.C. 2302 note), as amended, under the  
12 authority of this provision or any other transfer authority  
13 contained in this Act.

14 SEC. 8016. None of the funds in this Act may be  
15 available for the purchase by the Department of Defense  
16 (and its departments and agencies) of welded shipboard  
17 anchor and mooring chain 4 inches in diameter and under  
18 unless the anchor and mooring chain are manufactured  
19 in the United States from components which are substan-  
20 tially manufactured in the United States: *Provided*, That  
21 for the purpose of this section, the term “manufactured”  
22 shall include cutting, heat treating, quality control, testing  
23 of chain and welding (including the forging and shot blast-  
24 ing process): *Provided further*, That for the purpose of this  
25 section substantially all of the components of anchor and

1 mooring chain shall be considered to be produced or manu-  
2 factured in the United States if the aggregate cost of the  
3 components produced or manufactured in the United  
4 States exceeds the aggregate cost of the components pro-  
5 duced or manufactured outside the United States: *Pro-*  
6 *vided further*, That when adequate domestic supplies are  
7 not available to meet Department of Defense requirements  
8 on a timely basis, the Secretary of the service responsible  
9 for the procurement may waive this restriction on a case-  
10 by-case basis by certifying in writing to the Committees  
11 on Appropriations that such an acquisition must be made  
12 in order to acquire capability for national security pur-  
13 poses.

14       SEC. 8017. None of the funds available to the De-  
15 partment of Defense may be used to demilitarize or dis-  
16 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,  
17 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or  
18 to demilitarize or destroy small arms ammunition or am-  
19 munition components that are not otherwise prohibited  
20 from commercial sale under Federal law, unless the small  
21 arms ammunition or ammunition components are certified  
22 by the Secretary of the Army or designee as unserviceable  
23 or unsafe for further use.

24       SEC. 8018. No more than \$500,000 of the funds ap-  
25 propriated or made available in this Act shall be used dur-

1 ing a single fiscal year for any single relocation of an orga-  
2 nization, unit, activity or function of the Department of  
3 Defense into or within the National Capital Region: *Pro-*  
4 *vided*, That the Secretary of Defense may waive this re-  
5 striction on a case-by-case basis by certifying in writing  
6 to the congressional defense committees that such a relo-  
7 cation is required in the best interest of the Government.

8       SEC. 8019. In addition to the funds provided else-  
9 where in this Act, \$15,000,000 is appropriated only for  
10 incentive payments authorized by section 504 of the In-  
11 dian Financing Act of 1974 (25 U.S.C. 1544): *Provided*,  
12 That a prime contractor or a subcontractor at any tier  
13 that makes a subcontract award to any subcontractor or  
14 supplier as defined in section 1544 of title 25, United  
15 States Code, or a small business owned and controlled by  
16 an individual or individuals defined under section 4221(9)  
17 of title 25, United States Code, shall be considered a con-  
18 tractor for the purposes of being allowed additional com-  
19 pensation under section 504 of the Indian Financing Act  
20 of 1974 (25 U.S.C. 1544) whenever the prime contract  
21 or subcontract amount is over \$500,000 and involves the  
22 expenditure of funds appropriated by an Act making Ap-  
23 propriations for the Department of Defense with respect  
24 to any fiscal year: *Provided further*, That notwithstanding  
25 section 1906 of title 41, United States Code, this section

1 shall be applicable to any Department of Defense acquisi-  
2 tion of supplies or services, including any contract and any  
3 subcontract at any tier for acquisition of commercial items  
4 produced or manufactured, in whole or in part, by any  
5 subcontractor or supplier defined in section 1544 of title  
6 25, United States Code, or a small business owned and  
7 controlled by an individual or individuals defined under  
8 section 4221(9) of title 25, United States Code.

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

12       SEC. 8021. During the current fiscal year, the De-  
13 partment of Defense is authorized to incur obligations of  
14 not to exceed \$350,000,000 for purposes specified in sec-  
15 tion 2350j(c) of title 10, United States Code, in anticipa-  
16 tion of receipt of contributions, only from the Government  
17 of Kuwait, under that section: *Provided*, That upon re-  
18 ceipt, such contributions from the Government of Kuwait  
19 shall be credited to the appropriations or fund which in-  
20 curred such obligations.

21       SEC. 8022. (a) Of the funds made available in this  
22 Act, not less than \$38,634,000 shall be available for the  
23 Civil Air Patrol Corporation, of which—

24               (1) \$28,404,000 shall be available from “Oper-  
25       ation and Maintenance, Air Force” to support Civil

1 Air Patrol Corporation operation and maintenance,  
2 readiness, counterdrug activities, and drug demand  
3 reduction activities involving youth programs;

4 (2) \$9,298,000 shall be available from “Aircraft  
5 Procurement, Air Force”; and

6 (3) \$932,000 shall be available from “Other  
7 Procurement, Air Force” for vehicle procurement.

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

12 SEC. 8023. (a) None of the funds appropriated in this  
13 Act are available to establish a new Department of De-  
14 fense (department) federally funded research and develop-  
15 ment center (FFRDC), either as a new entity, or as a  
16 separate entity administrated by an organization man-  
17 aging another FFRDC, or as a nonprofit membership cor-  
18 poration consisting of a consortium of other FFRDCs and  
19 other nonprofit entities.

20 (b) No member of a Board of Directors, Trustees,  
21 Overseers, Advisory Group, Special Issues Panel, Visiting  
22 Committee, or any similar entity of a defense FFRDC,  
23 and no paid consultant to any defense FFRDC, except  
24 when acting in a technical advisory capacity, may be com-  
25 pensated for his or her services as a member of such enti-

1 ty, or as a paid consultant by more than one FFRDC in  
2 a fiscal year: *Provided*, That a member of any such entity  
3 referred to previously in this subsection shall be allowed  
4 travel expenses and per diem as authorized under the Fed-  
5 eral Joint Travel Regulations, when engaged in the per-  
6 formance of membership duties.

7 (c) Notwithstanding any other provision of law, none  
8 of the funds available to the department from any source  
9 during fiscal year 2013 may be used by a defense FFRDC,  
10 through a fee or other payment mechanism, for construc-  
11 tion of new buildings, for payment of cost sharing for  
12 projects funded by Government grants, for absorption of  
13 contract overruns, or for certain charitable contributions,  
14 not to include employee participation in community service  
15 and/or development.

16 (d) Notwithstanding any other provision of law, of  
17 the funds available to the department during fiscal year  
18 2013, not more than 5,750 staff years of technical effort  
19 (staff years) may be funded for defense FFRDCs: *Pro-*  
20 *vided*; That of the specific amount referred to previously  
21 in this subsection, not more than 1,125 staff years may  
22 be funded for the defense studies and analysis FFRDCs:  
23 *Provided further*, That this subsection shall not apply to  
24 staff years funded in the National Intelligence Program  
25 (NIP) and the Military Intelligence Program (MIP).

1 (e) The Secretary of Defense shall, with the submis-  
2 sion of the department's fiscal year 2014 budget request,  
3 submit a report presenting the specific amounts of staff  
4 years of technical effort to be allocated for each defense  
5 FFRDC during that fiscal year and the associated budget  
6 estimates.

7 SEC. 8024. None of the funds appropriated or made  
8 available in this Act shall be used to procure carbon, alloy,  
9 or armor steel plate for use in any Government-owned fa-  
10 cility or property under the control of the Department of  
11 Defense which were not melted and rolled in the United  
12 States or Canada: *Provided*, That these procurement re-  
13 strictions shall apply to any and all Federal Supply Class  
14 9515, American Society of Testing and Materials (ASTM)  
15 or American Iron and Steel Institute (AISI) specifications  
16 of carbon, alloy or armor steel plate: *Provided further*,  
17 That the Secretary of the military department responsible  
18 for the procurement may waive this restriction on a case-  
19 by-case basis by certifying in writing to the Committees  
20 on Appropriations of the House of Representatives and the  
21 Senate that adequate domestic supplies are not available  
22 to meet Department of Defense requirements on a timely  
23 basis and that such an acquisition must be made in order  
24 to acquire capability for national security purposes: *Pro-*  
25 *vided further*, That these restrictions shall not apply to

1 contracts which are in being as of the date of the enact-  
2 ment of this Act.

3       SEC. 8025. For the purposes of this Act, the term  
4 “congressional defense committees” means the Armed  
5 Services Committee of the House of Representatives, the  
6 Armed Services Committee of the Senate, the Sub-  
7 committee on Defense of the Committee on Appropriations  
8 of the Senate, and the Subcommittee on Defense of the  
9 Committee on Appropriations of the House of Representa-  
10 tives.

11       SEC. 8026. During the current fiscal year, the De-  
12 partment of Defense may acquire the modification, depot  
13 maintenance and repair of aircraft, vehicles and vessels  
14 as well as the production of components and other De-  
15 fense-related articles, through competition between De-  
16 partment of Defense depot maintenance activities and pri-  
17 vate firms: *Provided*, That the Senior Acquisition Execu-  
18 tive of the military department or Defense Agency con-  
19 cerned, with power of delegation, shall certify that success-  
20 ful bids include comparable estimates of all direct and in-  
21 direct costs for both public and private bids: *Provided fur-*  
22 *ther*, That Office of Management and Budget Circular A-  
23 76 shall not apply to competitions conducted under this  
24 section.



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

11           (2) An agreement referred to in paragraph (1) is any  
12 reciprocal defense procurement memorandum of under-  
13 standing, between the United States and a foreign country  
14 pursuant to which the Secretary of Defense has prospec-  
15 tively waived the Buy American Act for certain products  
16 in that country.

17           (b) The Secretary of Defense shall submit to the Con-  
18 gress a report on the amount of Department of Defense  
19 purchases from foreign entities in fiscal year 2013. Such  
20 report shall separately indicate the dollar value of items  
21 for which the Buy American Act was waived pursuant to  
22 any agreement described in subsection (a)(2), the Trade  
23 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any  
24 international agreement to which the United States is a  
25 party.

1 (c) For purposes of this section, the term “Buy  
2 American Act” means chapter 83 of title 41, United  
3 States Code.

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

11 SEC. 8029. (a) Notwithstanding any other provision  
12 of law, the Secretary of the Air Force may convey at no  
13 cost to the Air Force, without consideration, to Indian  
14 tribes located in the States of Nevada, Idaho, North Da-  
15 kota, South Dakota, Montana, Oregon, Minnesota, and  
16 Washington relocatable military housing units located at  
17 Grand Forks Air Force Base, Malmstrom Air Force Base,  
18 Mountain Home Air Force Base, Ellsworth Air Force  
19 Base, and Minot Air Force Base that are excess to the  
20 needs of the Air Force.

21 (b) The Secretary of the Air Force shall convey, at  
22 no cost to the Air Force, military housing units under sub-  
23 section (a) in accordance with the request for such units  
24 that are submitted to the Secretary by the Operation  
25 Walking Shield Program on behalf of Indian tribes located

1 in the States of Nevada, Idaho, North Dakota, South Da-  
2 kota, Montana, Oregon, Minnesota, and Washington. Any  
3 such conveyance shall be subject to the condition that the  
4 housing units shall be removed within a reasonable period  
5 of time, as determined by the Secretary.

6 (c) The Operation Walking Shield Program shall re-  
7 solve any conflicts among requests of Indian tribes for  
8 housing units under subsection (a) before submitting re-  
9 quests to the Secretary of the Air Force under subsection  
10 (b).

11 (d) In this section, the term “Indian tribe” means  
12 any recognized Indian tribe included on the current list  
13 published by the Secretary of the Interior under section  
14 104 of the Federally Recognized Indian Tribe Act of 1994  
15 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–  
16 1).

17 SEC. 8030. During the current fiscal year, appropria-  
18 tions which are available to the Department of Defense  
19 for operation and maintenance may be used to purchase  
20 items having an investment item unit cost of not more  
21 than \$250,000.

22 SEC. 8031. (a) During the current fiscal year, none  
23 of the appropriations or funds available to the Department  
24 of Defense Working Capital Funds shall be used for the  
25 purchase of an investment item for the purpose of acquir-

1 ing a new inventory item for sale or anticipated sale dur-  
2 ing the current fiscal year or a subsequent fiscal year to  
3 customers of the Department of Defense Working Capital  
4 Funds if such an item would not have been chargeable  
5 to the Department of Defense Business Operations Fund  
6 during fiscal year 1994 and if the purchase of such an  
7 investment item would be chargeable during the current  
8 fiscal year to appropriations made to the Department of  
9 Defense for procurement.

10 (b) The fiscal year 2014 budget request for the De-  
11 partment of Defense as well as all justification material  
12 and other documentation supporting the fiscal year 2014  
13 Department of Defense budget shall be prepared and sub-  
14 mitted to the Congress on the basis that any equipment  
15 which was classified as an end item and funded in a pro-  
16 curement appropriation contained in this Act shall be  
17 budgeted for in a proposed fiscal year 2014 procurement  
18 appropriation and not in the supply management business  
19 area or any other area or category of the Department of  
20 Defense Working Capital Funds.

21 SEC. 8032. None of the funds appropriated by this  
22 Act for programs of the Central Intelligence Agency shall  
23 remain available for obligation beyond the current fiscal  
24 year, except for funds appropriated for the Reserve for  
25 Contingencies, which shall remain available until Sep-

1    tember 30, 2014: *Provided*, That funds appropriated,  
2    transferred, or otherwise credited to the Central Intel-  
3    ligence Agency Central Services Working Capital Fund  
4    during this or any prior or subsequent fiscal year shall  
5    remain available until expended: *Provided further*, That  
6    any funds appropriated or transferred to the Central Intel-  
7    ligence Agency for advanced research and development ac-  
8    quisition, for agent operations, and for covert action pro-  
9    grams authorized by the President under section 503 of  
10   the National Security Act of 1947, as amended, shall re-  
11   main available until September 30, 2014.

12       SEC. 8033. Notwithstanding any other provision of  
13   law, funds made available in this Act for the Defense In-  
14   telligence Agency may be used for the design, develop-  
15   ment, and deployment of General Defense Intelligence  
16   Program intelligence communications and intelligence in-  
17   formation systems for the Services, the Unified and Speci-  
18   fied Commands, and the component commands.

19       SEC. 8034. Of the funds appropriated to the Depart-  
20   ment of Defense under the heading “Operation and Main-  
21   tenance, Defense-Wide”, not less than \$12,000,000 shall  
22   be made available only for the mitigation of environmental  
23   impacts, including training and technical assistance to  
24   tribes, related administrative support, the gathering of in-  
25   formation, documenting of environmental damage, and de-

1 veloping a system for prioritization of mitigation and cost  
2 to complete estimates for mitigation, on Indian lands re-  
3 sulting from Department of Defense activities.

4       SEC. 8035. (a) None of the funds appropriated in this  
5 Act may be expended by an entity of the Department of  
6 Defense unless the entity, in expending the funds, com-  
7 plies with the Buy American Act. For purposes of this  
8 subsection, the term “Buy American Act” means chapter  
9 83 of title 41, United States Code.

10       (b) If the Secretary of Defense determines that a per-  
11 son has been convicted of intentionally affixing a label  
12 bearing a “Made in America” inscription to any product  
13 sold in or shipped to the United States that is not made  
14 in America, the Secretary shall determine, in accordance  
15 with section 2410f of title 10, United States Code, wheth-  
16 er the person should be debarred from contracting with  
17 the Department of Defense.

18       (c) In the case of any equipment or products pur-  
19 chased with appropriations provided under this Act, it is  
20 the sense of the Congress that any entity of the Depart-  
21 ment of Defense, in expending the appropriation, purchase  
22 only American-made equipment and products, provided  
23 that American-made equipment and products are cost-  
24 competitive, quality competitive, and available in a timely  
25 fashion.

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

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

9           (2) the purpose of the contract is to explore an  
10       unsolicited proposal which offers significant sci-  
11       entific or technological promise, represents the prod-  
12       uct of original thinking, and was submitted in con-  
13       fidence by one source; or

14          (3) the purpose of the contract is to take ad-  
15       vantage of unique and significant industrial accom-  
16       plishment by a specific concern, or to insure that a  
17       new product or idea of a specific concern is given fi-  
18       nancial support: *Provided*, That this limitation shall  
19       not apply to contracts in an amount of less than  
20       \$25,000, contracts related to improvements of equip-  
21       ment that is in development or production, or con-  
22       tracts as to which a civilian official of the Depart-  
23       ment of Defense, who has been confirmed by the  
24       Senate, determines that the award of such contract  
25       is in the interest of the national defense.

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

4           (1) to establish a field operating agency; or

5           (2) to pay the basic pay of a member of the  
6 Armed Forces or civilian employee of the depart-  
7 ment who is transferred or reassigned from a head-  
8 quarters activity if the member or employee's place  
9 of duty remains at the location of that headquarters.

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

17       (c) This section does not apply to—

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

20           (2) an Army field operating agency established  
21 to eliminate, mitigate, or counter the effects of im-  
22 proved explosive devices, and, as determined by the  
23 Secretary of the Army, other similar threats; or

24           (3) an Army field operating agency established  
25 to improve the effectiveness and efficiencies of bio-



1 metric activities and to integrate common biometric  
2 technologies throughout the Department of Defense.

3 SEC. 8038. None of the funds made available in this  
4 Act may be used to approve or license the sale of the F-  
5 22A advanced tactical fighter to any foreign government:  
6 *Provided*, That the Department of Defense may conduct  
7 or participate in studies, research, design and other activi-  
8 ties to define and develop a future export version of the  
9 F-22A that protects classified and sensitive information,  
10 technologies and U.S. warfighting capabilities.

11 SEC. 8039. The Secretary of Defense, notwith-  
12 standing any other provision of law, acting through the  
13 Office of Economic Adjustment of the Department of De-  
14 fense, may use funds made available in this Act under the  
15 heading “Operation and Maintenance, Defense-Wide” to  
16 make grants and supplement other Federal funds in ac-  
17 cordance with the guidance provided in the explanatory  
18 statement described in section 4 (in the matter preceding  
19 division A of this consolidated Act).

20 SEC. 8040. (a) None of the funds appropriated by  
21 this Act shall be available to convert to contractor per-  
22 formance an activity or function of the Department of De-  
23 fense that, on or after the date of the enactment of this  
24 Act, is performed by Department of Defense civilian em-  
25 ployees unless—

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

5           (2) the Competitive Sourcing Official deter-  
6 mines that, over all performance periods stated in  
7 the solicitation of offers for performance of the ac-  
8 tivity or function, the cost of performance of the ac-  
9 tivity or function by a contractor would be less costly  
10 to the Department of Defense by an amount that  
11 equals or exceeds the lesser of—

12                   (A) 10 percent of the most efficient organi-  
13 zation's personnel-related costs for performance  
14 of that activity or function by Federal employ-  
15 ees; or

16                   (B) \$10,000,000; and

17           (3) the contractor does not receive an advan-  
18 tage for a proposal that would reduce costs for the  
19 Department of Defense by—

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

24                   (B) offering to such workers an employer-  
25 sponsored health benefits plan that requires the

1 employer to contribute less towards the pre-  
2 mium or subscription share than the amount  
3 that is paid by the Department of Defense for  
4 health benefits for civilian employees under  
5 chapter 89 of title 5, United States Code.

6 (b)(1) The Department of Defense, without regard  
7 to subsection (a) of this section or subsection (a), (b), or  
8 (c) of section 2461 of title 10, United States Code, and  
9 notwithstanding any administrative regulation, require-  
10 ment, or policy to the contrary shall have full authority  
11 to enter into a contract for the performance of any com-  
12 mercial or industrial type function of the Department of  
13 Defense that—

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

18 (B) is planned to be converted to performance  
19 by a qualified nonprofit agency for the blind or by  
20 a qualified nonprofit agency for other severely handi-  
21 capped individuals in accordance with that Act; or

22 (C) is planned to be converted to performance  
23 by a qualified firm under at least 51 percent owner-  
24 ship by an Indian tribe, as defined in section 4(e)  
25 of the Indian Self-Determination and Education As-

1 assistance Act (25 U.S.C. 450b(e)), or a Native Ha-  
2 waiian Organization, as defined in section 8(a)(15)  
3 of the Small Business Act (15 U.S.C. 637(a)(15)).

4 (2) This section shall not apply to depot contracts  
5 or contracts for depot maintenance as provided in sections  
6 2469 and 2474 of title 10, United States Code.

7 (c) The conversion of any activity or function of the  
8 Department of Defense under the authority provided by  
9 this section shall be credited toward any competitive or  
10 outsourcing goal, target, or measurement that may be es-  
11 tablished by statute, regulation, or policy and is deemed  
12 to be awarded under the authority of, and in compliance  
13 with, subsection (h) of section 2304 of title 10, United  
14 States Code, for the competition or outsourcing of com-  
15 mercial activities.

16 (RESCISSIONS)

17 SEC. 8041. Of the funds appropriated in Department  
18 of Defense Appropriations Acts, the following funds are  
19 hereby rescinded from the following accounts and pro-  
20 grams in the specified amounts:

21 “Shipbuilding and Conversion, Navy, 2007/  
22 2018”: DDG–51 Destroyer, \$98,400,000;

23 “Shipbuilding and Conversion, Navy, 2007/  
24 2018”: DDG–51 Destroyer Advance Procurement,  
25 \$2,500,000;

1           “Shipbuilding and Conversion, Navy, 2007/  
2 2018”: CVN Refueling Overhaul, \$14,100,000;

3           “Procurement of Ammunition, Army, 2011/  
4 2013”, \$14,862,000;

5           “Other Procurement, Army, 2011/2013”,  
6 \$108,098,000;

7           “Aircraft Procurement, Navy, 2011/2013”,  
8 \$43,860,000;

9           “Shipbuilding and Conversion, Navy, 2011/  
10 2015”: DDG-51 Destroyer, \$215,300,000;

11           “Weapons Procurement, Navy, 2011/2013”,  
12 \$22,000,000;

13           “Aircraft Procurement, Air Force, 2011/2013”,  
14 \$93,400,000;

15           “Other Procurement, Air Force, 2011/2013”,  
16 \$9,500,000;

17           “Operation and Maintenance, Defense-Wide,  
18 2012/XXXX”, \$21,000,000;

19           “Aircraft Procurement, Army, 2012/2014”,  
20 \$47,400,000;

21           “Other Procurement, Army, 2012/2014”,  
22 \$179,608,000;

23           “Aircraft Procurement, Navy, 2012/2014”,  
24 \$19,040,000;

1           “Shipbuilding and Conversion, Navy, 2012/  
2           2016”: Littoral Combat Ship, \$28,800,000;

3           “Shipbuilding and Conversion, Navy, 2012/  
4           2016”: DDG-51 Destroyer, \$83,000,000;

5           “Weapons Procurement, Navy, 2012/2014”,  
6           \$36,467,000;

7           “Procurement of Ammunition, Navy and Ma-  
8           rine Corps, 2012/2014”, \$16,300,000;

9           “Procurement, Marine Corps, 2012/2014”,  
10          \$132,555,000;

11          “Aircraft Procurement, Air Force, 2012/2014”,  
12          \$394,299,000;

13          “Missile Procurement, Air Force, 2012/2014”,  
14          \$52,898,000;

15          “Other Procurement, Air Force, 2012/2014”,  
16          \$55,800,000;

17          “Procurement, Defense-Wide, 2012/2014”,  
18          \$16,000,000;

19          “Research, Development, Test and Evaluation,  
20          Army, 2012/2013”, \$41,000,000;

21          “Research, Development, Test and Evaluation,  
22          Navy, 2012/2013”, \$246,800,000;

23          “Research, Development, Test and Evaluation,  
24          Air Force, 2012/2013”, \$149,460,000.

1       SEC. 8042. None of the funds available in this Act  
2 may be used to reduce the authorized positions for mili-  
3 tary technicians (dual status) of the Army National  
4 Guard, Air National Guard, Army Reserve and Air Force  
5 Reserve for the purpose of applying any administratively  
6 imposed civilian personnel ceiling, freeze, or reduction on  
7 military technicians (dual status), unless such reductions  
8 are a direct result of a reduction in military force struc-  
9 ture.

10       SEC. 8043. None of the funds appropriated or other-  
11 wise made available in this Act may be obligated or ex-  
12 pended for assistance to the Democratic People's Republic  
13 of Korea unless specifically appropriated for that purpose.

14       SEC. 8044. Funds appropriated in this Act for oper-  
15 ation and maintenance of the Military Departments, Com-  
16 batant Commands and Defense Agencies shall be available  
17 for reimbursement of pay, allowances and other expenses  
18 which would otherwise be incurred against appropriations  
19 for the National Guard and Reserve when members of the  
20 National Guard and Reserve provide intelligence or coun-  
21 terintelligence support to Combatant Commands, Defense  
22 Agencies and Joint Intelligence Activities, including the  
23 activities and programs included within the National Intel-  
24 ligence Program and the Military Intelligence Program:  
25 *Provided*, That nothing in this section authorizes deviation

1 from established Reserve and National Guard personnel  
2 and training procedures.

3       SEC. 8045. During the current fiscal year, none of  
4 the funds appropriated in this Act may be used to reduce  
5 the civilian medical and medical support personnel as-  
6 signed to military treatment facilities below the September  
7 30, 2003, level: *Provided*, That the Service Surgeons Gen-  
8 eral may waive this section by certifying to the congres-  
9 sional defense committees that the beneficiary population  
10 is declining in some catchment areas and civilian strength  
11 reductions may be consistent with responsible resource  
12 stewardship and capitation-based budgeting.

13       SEC. 8046. (a) None of the funds available to the  
14 Department of Defense for any fiscal year for drug inter-  
15 diction or counter-drug activities may be transferred to  
16 any other department or agency of the United States ex-  
17 cept as specifically provided in an appropriations law.

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

23       SEC. 8047. None of the funds appropriated by this  
24 Act may be used for the procurement of ball and roller  
25 bearings other than those produced by a domestic source



1 and of domestic origin: *Provided*, That the Secretary of  
2 the military department responsible for such procurement  
3 may waive this restriction on a case-by-case basis by certi-  
4 fying in writing to the Committees on Appropriations of  
5 the House of Representatives and the Senate, that ade-  
6 quate domestic supplies are not available to meet Depart-  
7 ment of Defense requirements on a timely basis and that  
8 such an acquisition must be made in order to acquire ca-  
9 pability for national security purposes: *Provided further*,  
10 That this restriction shall not apply to the purchase of  
11 “commercial items”, as defined by section 4(12) of the  
12 Office of Federal Procurement Policy Act, except that the  
13 restriction shall apply to ball or roller bearings purchased  
14 as end items.

15       SEC. 8048. None of the funds in this Act may be  
16 used to purchase any supercomputer which is not manu-  
17 factured in the United States, unless the Secretary of De-  
18 fense certifies to the congressional defense committees  
19 that such an acquisition must be made in order to acquire  
20 capability for national security purposes that is not avail-  
21 able from United States manufacturers.

22       SEC. 8049. None of the funds made available in this  
23 or any other Act may be used to pay the salary of any  
24 officer or employee of the Department of Defense who ap-  
25 proves or implements the transfer of administrative re-

1 sponsibilities or budgetary resources of any program,  
2 project, or activity financed by this Act to the jurisdiction  
3 of another Federal agency not financed by this Act with-  
4 out the express authorization of Congress: *Provided*, That  
5 this limitation shall not apply to transfers of funds ex-  
6 pressly provided for in Defense Appropriations Acts, or  
7 provisions of Acts providing supplemental appropriations  
8 for the Department of Defense.

9       SEC. 8050. (a) Notwithstanding any other provision  
10 of law, none of the funds available to the Department of  
11 Defense for the current fiscal year may be obligated or  
12 expended to transfer to another nation or an international  
13 organization any defense articles or services (other than  
14 intelligence services) for use in the activities described in  
15 subsection (b) unless the congressional defense commit-  
16 tees, the Committee on Foreign Affairs of the House of  
17 Representatives, and the Committee on Foreign Relations  
18 of the Senate are notified 15 days in advance of such  
19 transfer.

20       (b) This section applies to—

21           (1) any international peacekeeping or peace-en-  
22           forcement operation under the authority of chapter  
23           VI or chapter VII of the United Nations Charter  
24           under the authority of a United Nations Security  
25           Council resolution; and

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

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

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

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

9           (3) In the case of a proposed transfer of equip-  
10          ment or supplies—

11           (A) a statement of whether the inventory  
12          requirements of all elements of the Armed  
13          Forces (including the reserve components) for  
14          the type of equipment or supplies to be trans-  
15          ferred have been met; and

16           (B) a statement of whether the items pro-  
17          posed to be transferred will have to be replaced  
18          and, if so, how the President proposes to pro-  
19          vide funds for such replacement.

20          SEC. 8051. None of the funds available to the De-  
21          partment of Defense under this Act shall be obligated or  
22          expended to pay a contractor under a contract with the  
23          Department of Defense for costs of any amount paid by  
24          the contractor to an employee when—

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

4           (2) such bonus is part of restructuring costs as-  
5           sociated with a business combination.

6           (INCLUDING TRANSFER OF FUNDS)

7           SEC. 8052. During the current fiscal year, no more  
8           than \$30,000,000 of appropriations made in this Act  
9           under the heading “Operation and Maintenance, Defense-  
10          Wide” may be transferred to appropriations available for  
11          the pay of military personnel, to be merged with, and to  
12          be available for the same time period as the appropriations  
13          to which transferred, to be used in support of such per-  
14          sonnel in connection with support and services for eligible  
15          organizations and activities outside the Department of De-  
16          fense pursuant to section 2012 of title 10, United States  
17          Code.

18          SEC. 8053. During the current fiscal year, in the case  
19          of an appropriation account of the Department of Defense  
20          for which the period of availability for obligation has ex-  
21          pired or which has closed under the provisions of section  
22          1552 of title 31, United States Code, and which has a  
23          negative unliquidated or unexpended balance, an obliga-  
24          tion or an adjustment of an obligation may be charged

1 to any current appropriation account for the same purpose  
2 as the expired or closed account if—

3 (1) the obligation would have been properly  
4 chargeable (except as to amount) to the expired or  
5 closed account before the end of the period of avail-  
6 ability or closing of that account;

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

10 (3) in the case of an expired account, the obli-  
11 gation is not chargeable to a current appropriation  
12 of the Department of Defense under the provisions  
13 of section 1405(b)(8) of the National Defense Au-  
14 thorization Act for Fiscal Year 1991, Public Law  
15 101–510, as amended (31 U.S.C. 1551 note): *Pro-*  
16 *vided*, That in the case of an expired account, if sub-  
17 sequent review or investigation discloses that there  
18 was not in fact a negative unliquidated or unex-  
19 pended balance in the account, any charge to a cur-  
20 rent account under the authority of this section shall  
21 be reversed and recorded against the expired ac-  
22 count: *Provided further*, That the total amount  
23 charged to a current appropriation under this sec-  
24 tion may not exceed an amount equal to 1 percent  
25 of the total appropriation for that account.

1           SEC. 8054. (a) Notwithstanding any other provision  
2 of law, the Chief of the National Guard Bureau may per-  
3 mit the use of equipment of the National Guard Distance  
4 Learning Project by any person or entity on a space-avail-  
5 able, reimbursable basis. The Chief of the National Guard  
6 Bureau shall establish the amount of reimbursement for  
7 such use on a case-by-case basis.

8           (b) Amounts collected under subsection (a) shall be  
9 credited to funds available for the National Guard Dis-  
10 tance Learning Project and be available to defray the costs  
11 associated with the use of equipment of the project under  
12 that subsection. Such funds shall be available for such  
13 purposes without fiscal year limitation.

14           SEC. 8055. Using funds made available by this Act  
15 or any other Act, the Secretary of the Air Force, pursuant  
16 to a determination under section 2690 of title 10, United  
17 States Code, may implement cost-effective agreements for  
18 required heating facility modernization in the  
19 Kaiserslautern Military Community in the Federal Repub-  
20 lic of Germany: *Provided*, That in the City of  
21 Kaiserslautern and at the Rhine Ordnance Barracks area,  
22 such agreements will include the use of United States an-  
23 thracite as the base load energy for municipal district heat  
24 to the United States Defense installations: *Provided fur-*  
25 *ther*, That at Landstuhl Army Regional Medical Center

1 and Ramstein Air Base, furnished heat may be obtained  
2 from private, regional or municipal services, if provisions  
3 are included for the consideration of United States coal  
4 as an energy source.

5       SEC. 8056. None of the funds appropriated in title  
6 IV of this Act may be used to procure end-items for deliv-  
7 ery to military forces for operational training, operational  
8 use or inventory requirements: *Provided*, That this restric-  
9 tion does not apply to end-items used in development,  
10 prototyping, and test activities preceding and leading to  
11 acceptance for operational use: *Provided further*, That this  
12 restriction does not apply to programs funded within the  
13 National Intelligence Program: *Provided further*, That the  
14 Secretary of Defense may waive this restriction on a case-  
15 by-case basis by certifying in writing to the Committees  
16 on Appropriations of the House of Representatives and the  
17 Senate that it is in the national security interest to do  
18 so.

19       SEC. 8057. (a) The Secretary of Defense may, on a  
20 case-by-case basis, waive with respect to a foreign country  
21 each limitation on the procurement of defense items from  
22 foreign sources provided in law if the Secretary determines  
23 that the application of the limitation with respect to that  
24 country would invalidate cooperative programs entered  
25 into between the Department of Defense and the foreign

1 country, or would invalidate reciprocal trade agreements  
2 for the procurement of defense items entered into under  
3 section 2531 of title 10, United States Code, and the  
4 country does not discriminate against the same or similar  
5 defense items produced in the United States for that coun-  
6 try.

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

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

10 (2) options for the procurement of items that  
11 are exercised after such date under contracts that  
12 are entered into before such date if the option prices  
13 are adjusted for any reason other than the applica-  
14 tion of a waiver granted under subsection (a).

15 (c) Subsection (a) does not apply to a limitation re-  
16 garding construction of public vessels, ball and roller bear-  
17 ings, food, and clothing or textile materials as defined by  
18 section 11 (chapters 50–65) of the Harmonized Tariff  
19 Schedule and products classified under headings 4010,  
20 4202, 4203, 6401 through 6406, 6505, 7019, 7218  
21 through 7229, 7304.41 through 7304.49, 7306.40, 7502  
22 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

23 SEC. 8058. (a) None of the funds made available by  
24 this Act may be used to support any training program in-  
25 volving a unit of the security forces or police of a foreign



1 country if the Secretary of Defense has received credible  
2 information from the Department of State that the unit  
3 has committed a gross violation of human rights, unless  
4 all necessary corrective steps have been taken.

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

11 (c) The Secretary of Defense, after consultation with  
12 the Secretary of State, may waive the prohibition in sub-  
13 section (a) if he determines that such waiver is required  
14 by extraordinary circumstances.

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

23 SEC. 8059. None of the funds appropriated or other-  
24 wise made available by this or other Department of De-  
25 fense Appropriations Acts may be obligated or expended

1 for the purpose of performing repairs or maintenance to  
2 military family housing units of the Department of De-  
3 fense, including areas in such military family housing  
4 units that may be used for the purpose of conducting offi-  
5 cial Department of Defense business.

6       SEC. 8060. Notwithstanding any other provision of  
7 law, funds appropriated in this Act under the heading  
8 “Research, Development, Test and Evaluation, Defense-  
9 Wide” for any new start advanced concept technology  
10 demonstration project or joint capability demonstration  
11 project may only be obligated 45 days after a report, in-  
12 cluding a description of the project, the planned acquisi-  
13 tion and transition strategy and its estimated annual and  
14 total cost, has been provided in writing to the congres-  
15 sional defense committees: *Provided*, That the Secretary  
16 of Defense may waive this restriction on a case-by-case  
17 basis by certifying to the congressional defense committees  
18 that it is in the national interest to do so.

19       SEC. 8061. The Secretary of Defense shall provide  
20 a classified quarterly report beginning 30 days after enact-  
21 ment of this Act, to the House and Senate Appropriations  
22 Committees, Subcommittees on Defense on certain mat-  
23 ters as directed in the classified annex accompanying this  
24 Act.

1       SEC. 8062. During the current fiscal year, none of  
2 the funds available to the Department of Defense may be  
3 used to provide support to another department or agency  
4 of the United States if such department or agency is more  
5 than 90 days in arrears in making payment to the Depart-  
6 ment of Defense for goods or services previously provided  
7 to such department or agency on a reimbursable basis:  
8 *Provided*, That this restriction shall not apply if the de-  
9 partment is authorized by law to provide support to such  
10 department or agency on a nonreimbursable basis, and is  
11 providing the requested support pursuant to such author-  
12 ity: *Provided further*, That the Secretary of Defense may  
13 waive this restriction on a case-by-case basis by certifying  
14 in writing to the Committees on Appropriations of the  
15 House of Representatives and the Senate that it is in the  
16 national security interest to do so.

17       SEC. 8063. Notwithstanding section 12310(b) of title  
18 10, United States Code, a Reserve who is a member of  
19 the National Guard serving on full-time National Guard  
20 duty under section 502(f) of title 32, United States Code,  
21 may perform duties in support of the ground-based ele-  
22 ments of the National Ballistic Missile Defense System.

23       SEC. 8064. None of the funds provided in this Act  
24 may be used to transfer to any nongovernmental entity  
25 ammunition held by the Department of Defense that has

1 a center-fire cartridge and a United States military no-  
2 menclature designation of “armor penetrator”, “armor  
3 piercing (AP)”, “armor piercing incendiary (API)”, or  
4 “armor-piercing incendiary tracer (API-T)”, except to an  
5 entity performing demilitarization services for the Depart-  
6 ment of Defense under a contract that requires the entity  
7 to demonstrate to the satisfaction of the Department of  
8 Defense that armor piercing projectiles are either: (1) ren-  
9 dered incapable of reuse by the demilitarization process;  
10 or (2) used to manufacture ammunition pursuant to a con-  
11 tract with the Department of Defense or the manufacture  
12 of ammunition for export pursuant to a License for Per-  
13 manent Export of Unclassified Military Articles issued by  
14 the Department of State.

15       SEC. 8065. Notwithstanding any other provision of  
16 law, the Chief of the National Guard Bureau, or his des-  
17 ignee, may waive payment of all or part of the consider-  
18 ation that otherwise would be required under section 2667  
19 of title 10, United States Code, in the case of a lease of  
20 personal property for a period not in excess of 1 year to  
21 any organization specified in section 508(d) of title 32,  
22 United States Code, or any other youth, social, or fra-  
23 ternal nonprofit organization as may be approved by the  
24 Chief of the National Guard Bureau, or his designee, on  
25 a case-by-case basis.

1       SEC. 8066. None of the funds appropriated by this  
2 Act shall be used for the support of any nonappropriated  
3 funds activity of the Department of Defense that procures  
4 malt beverages and wine with nonappropriated funds for  
5 resale (including such alcoholic beverages sold by the  
6 drink) on a military installation located in the United  
7 States unless such malt beverages and wine are procured  
8 within that State, or in the case of the District of Colum-  
9 bia, within the District of Columbia, in which the military  
10 installation is located: *Provided*, That in a case in which  
11 the military installation is located in more than one State,  
12 purchases may be made in any State in which the installa-  
13 tion is located: *Provided further*, That such local procure-  
14 ment requirements for malt beverages and wine shall  
15 apply to all alcoholic beverages only for military installa-  
16 tions in States which are not contiguous with another  
17 State: *Provided further*, That alcoholic beverages other  
18 than wine and malt beverages, in contiguous States and  
19 the District of Columbia shall be procured from the most  
20 competitive source, price and other factors considered.

21                                   (INCLUDING TRANSFER OF FUNDS)

22       SEC. 8067. Of the amounts appropriated in this Act  
23 under the heading “Operation and Maintenance, Army”,  
24 \$133,381,000 shall remain available until expended: *Pro-*  
25 *vided*, That notwithstanding any other provision of law,

1 the Secretary of Defense is authorized to transfer such  
2 funds to other activities of the Federal Government: *Pro-*  
3 *vided further*, That the Secretary of Defense is authorized  
4 to enter into and carry out contracts for the acquisition  
5 of real property, construction, personal services, and oper-  
6 ations related to projects carrying out the purposes of this  
7 section: *Provided further*, That contracts entered into  
8 under the authority of this section may provide for such  
9 indemnification as the Secretary determines to be nec-  
10 essary: *Provided further*, That projects authorized by this  
11 section shall comply with applicable Federal, State, and  
12 local law to the maximum extent consistent with the na-  
13 tional security, as determined by the Secretary of Defense.

14 SEC. 8068. Section 8106 of the Department of De-  
15 fense Appropriations Act, 1997 (titles I through VIII of  
16 the matter under subsection 101(b) of Public Law 104-  
17 208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall con-  
18 tinue in effect to apply to disbursements that are made  
19 by the Department of Defense in fiscal year 2013.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8069. During the current fiscal year, not to ex-  
22 ceed \$200,000,000 from funds available under “Operation  
23 and Maintenance, Defense-Wide” may be transferred to  
24 the Department of State “Global Security Contingency  
25 Fund”: *Provided*, That this transfer authority is in addi-

1 tion to any other transfer authority available to the De-  
2 partment of Defense: *Provided further*, That the Secretary  
3 of Defense shall, not fewer than 30 days prior to making  
4 transfers to the Department of State “Global Security  
5 Contingency Fund”, notify the congressional defense com-  
6 mittees in writing with the source of funds and a detailed  
7 justification, execution plan, and timeline for each pro-  
8 posed project.

9       SEC. 8070. In addition to amounts provided else-  
10 where in this Act, \$4,000,000 is hereby appropriated to  
11 the Department of Defense, to remain available for obliga-  
12 tion until expended: *Provided*, That notwithstanding any  
13 other provision of law, that upon the determination of the  
14 Secretary of Defense that it shall serve the national inter-  
15 est, these funds shall be available only for a grant to the  
16 Fisher House Foundation, Inc., only for the construction  
17 and furnishing of additional Fisher Houses to meet the  
18 needs of military family members when confronted with  
19 the illness or hospitalization of an eligible military bene-  
20 ficiary.

21                               (INCLUDING TRANSFER OF FUNDS)

22       SEC. 8071. Of the amounts appropriated in this Act  
23 under the headings “Procurement, Defense-Wide” and  
24 “Research, Development, Test and Evaluation, Defense-  
25 Wide”, \$479,736,000 shall be for the Israeli Cooperative

1 Programs: *Provided*, That of this amount, \$211,000,000  
2 shall be for the Secretary of Defense to provide to the Gov-  
3 ernment of Israel for the procurement of the Iron Dome  
4 defense system to counter short-range rocket threats,  
5 \$149,679,000 shall be for the Short Range Ballistic Mis-  
6 sile Defense (SRBMD) program, including cruise missile  
7 defense research and development under the SRBMD pro-  
8 gram, of which \$39,200,000 shall be for production activi-  
9 ties of SRBMD missiles in the United States and in Israel  
10 to meet Israel's defense requirements consistent with each  
11 nation's laws, regulations, and procedures, \$74,692,000  
12 shall be available for an upper-tier component to the  
13 Israeli Missile Defense Architecture, and \$44,365,000  
14 shall be for the Arrow System Improvement Program in-  
15 cluding development of a long range, ground and airborne,  
16 detection suite: *Provided further*, That funds made avail-  
17 able under this provision for production of missiles and  
18 missile components may be transferred to appropriations  
19 available for the procurement of weapons and equipment,  
20 to be merged with and to be available for the same time  
21 period and the same purposes as the appropriation to  
22 which transferred: *Provided further*, That the transfer au-  
23 thority provided under this provision is in addition to any  
24 other transfer authority contained in this Act.



1           SEC. 8072. (a) None of the funds available to the  
2 Department of Defense may be obligated to modify com-  
3 mand and control relationships to give Fleet Forces Com-  
4 mand operational and administrative control of U.S. Navy  
5 forces assigned to the Pacific fleet.

6           (b) None of the funds available to the Department  
7 of Defense may be obligated to modify command and con-  
8 trol relationships to give United States Transportation  
9 Command operational and administrative control of C-  
10 130 and KC-135 forces assigned to the Pacific and Euro-  
11 pean Air Force Commands.

12          (c) The command and control relationships in sub-  
13 sections (a) and (b) which existed on March 13, 2011,  
14 shall remain in force unless changes are specifically au-  
15 thorized in a subsequent Act.

16          (d) This subsection does not apply to administrative  
17 control of Navy Air and Missile Defense Command.

18   (INCLUDING TRANSFER OF FUNDS)

19          SEC. 8073. Of the amounts appropriated in this Act  
20 under the heading “Shipbuilding and Conversion, Navy”,  
21 \$372,573,000 shall be available until September 30, 2013,  
22 to fund prior year shipbuilding cost increases: *Provided*,  
23 That upon enactment of this Act, the Secretary of the  
24 Navy shall transfer funds to the following appropriations  
25 in the amounts specified: *Provided further*, That the

1 amounts transferred shall be merged with and be available  
2 for the same purposes as the appropriations to which  
3 transferred to:

4 (1) Under the heading “Shipbuilding and Con-  
5 version, Navy, 2007/2013”: LHA Replacement Pro-  
6 gram \$156,685,000;

7 (2) Under the heading “Shipbuilding and Con-  
8 version, Navy, 2008/2013”: LPD-17 Amphibious  
9 Transport Dock Program \$80,888,000; and

10 (3) Under the heading “Shipbuilding and Con-  
11 version, Navy, 2009/2013”: CVN Refueling Over-  
12 hauls Program \$135,000,000.

13 SEC. 8074. Funds appropriated by this Act, or made  
14 available by the transfer of funds in this Act, for intel-  
15 ligence activities are deemed to be specifically authorized  
16 by the Congress for purposes of section 504 of the Na-  
17 tional Security Act of 1947 (50 U.S.C. 414) during fiscal  
18 year 2013 until the enactment of the Intelligence Author-  
19 ization Act for Fiscal Year 2013.

20 SEC. 8075. None of the funds provided in this Act  
21 shall be available for obligation or expenditure through a  
22 reprogramming of funds that creates or initiates a new  
23 program, project, or activity unless such program, project,  
24 or activity must be undertaken immediately in the interest

1 of national security and only after written prior notifica-  
2 tion to the congressional defense committees.

3       SEC. 8076. The budget of the President for fiscal  
4 year 2014 submitted to the Congress pursuant to section  
5 1105 of title 31, United States Code, shall include sepa-  
6 rate budget justification documents for costs of United  
7 States Armed Forces' participation in contingency oper-  
8 ations for the Military Personnel accounts, the Operation  
9 and Maintenance accounts, and the Procurement ac-  
10 counts: *Provided*, That these documents shall include a de-  
11 scription of the funding requested for each contingency op-  
12 eration, for each military service, to include all Active and  
13 Reserve components, and for each appropriations account:  
14 *Provided further*, That these documents shall include esti-  
15 mated costs for each element of expense or object class,  
16 a reconciliation of increases and decreases for each contin-  
17 gency operation, and programmatic data including, but  
18 not limited to, troop strength for each Active and Reserve  
19 component, and estimates of the major weapons systems  
20 deployed in support of each contingency: *Provided further*,  
21 That these documents shall include budget exhibits OP-  
22 5 and OP-32 (as defined in the Department of Defense  
23 Financial Management Regulation) for all contingency op-  
24 erations for the budget year and the two preceding fiscal  
25 years.

1       SEC. 8077. None of the funds in this Act may be  
2 used for research, development, test, evaluation, procure-  
3 ment or deployment of nuclear armed interceptors of a  
4 missile defense system.

5       SEC. 8078. In addition to the amounts appropriated  
6 or otherwise made available elsewhere in this Act,  
7 \$44,000,000 is hereby appropriated to the Department of  
8 Defense: *Provided*, That upon the determination of the  
9 Secretary of Defense that it shall serve the national inter-  
10 est, he shall make grants in the amounts specified as fol-  
11 lows: \$20,000,000 to the United Service Organizations  
12 and \$24,000,000 to the Red Cross.

13       SEC. 8079. None of the funds appropriated or made  
14 available in this Act shall be used to reduce or disestablish  
15 the operation of the 53rd Weather Reconnaissance Squad-  
16 ron of the Air Force Reserve, if such action would reduce  
17 the WC-130 Weather Reconnaissance mission below the  
18 levels funded in this Act: *Provided*, That the Air Force  
19 shall allow the 53rd Weather Reconnaissance Squadron to  
20 perform other missions in support of national defense re-  
21 quirements during the non-hurricane season.

22       SEC. 8080. None of the funds provided in this Act  
23 shall be available for integration of foreign intelligence in-  
24 formation unless the information has been lawfully col-  
25 lected and processed during the conduct of authorized for-

1 eign intelligence activities: *Provided*, That information  
2 pertaining to United States persons shall only be handled  
3 in accordance with protections provided in the Fourth  
4 Amendment of the United States Constitution as imple-  
5 mented through Executive Order No. 12333.

6 SEC. 8081. (a) At the time members of reserve com-  
7 ponents of the Armed Forces are called or ordered to ac-  
8 tive duty under section 12302(a) of title 10, United States  
9 Code, each member shall be notified in writing of the ex-  
10 pected period during which the member will be mobilized.

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

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8082. The Secretary of Defense may transfer  
18 funds from any available Department of the Navy appro-  
19 priation to any available Navy ship construction appro-  
20 priation for the purpose of liquidating necessary changes  
21 resulting from inflation, market fluctuations, or rate ad-  
22 justments for any ship construction program appropriated  
23 in law: *Provided*, That the Secretary may transfer not to  
24 exceed \$100,000,000 under the authority provided by this  
25 section: *Provided further*, That the Secretary may not

1 transfer any funds until 30 days after the proposed trans-  
2 fer has been reported to the Committees on Appropria-  
3 tions of the House of Representatives and the Senate, un-  
4 less a response from the Committees is received sooner:  
5 *Provided further*, That any funds transferred pursuant to  
6 this section shall retain the same period of availability as  
7 when originally appropriated: *Provided further*, That the  
8 transfer authority provided by this section is in addition  
9 to any other transfer authority contained elsewhere in this  
10 Act.

11 SEC. 8083. For purposes of section 7108 of title 41,  
12 United States Code, any subdivision of appropriations  
13 made under the heading “Shipbuilding and Conversion,  
14 Navy” that is not closed at the time reimbursement is  
15 made shall be available to reimburse the Judgment Fund  
16 and shall be considered for the same purposes as any sub-  
17 division under the heading “Shipbuilding and Conversion,  
18 Navy” appropriations in the current fiscal year or any  
19 prior fiscal year.

20 SEC. 8084. (a) None of the funds appropriated by  
21 this Act may be used to transfer research and develop-  
22 ment, acquisition, or other program authority relating to  
23 current tactical unmanned aerial vehicles (TUAVs) from  
24 the Army.

1           (b) The Army shall retain responsibility for and oper-  
2 ational control of the MQ-1C Gray Eagle Unmanned Aer-  
3 ial Vehicle (UAV) in order to support the Secretary of De-  
4 fense in matters relating to the employment of unmanned  
5 aerial vehicles.

6           SEC. 8085. Up to \$15,000,000 of the funds appro-  
7 priated under the heading “Operation and Maintenance,  
8 Navy” may be made available for the Asia Pacific Re-  
9 gional Initiative Program for the purpose of enabling the  
10 Pacific Command to execute Theater Security Cooperation  
11 activities such as humanitarian assistance, and payment  
12 of incremental and personnel costs of training and exer-  
13 cising with foreign security forces: *Provided*, That funds  
14 made available for this purpose may be used, notwith-  
15 standing any other funding authorities for humanitarian  
16 assistance, security assistance or combined exercise ex-  
17 penses: *Provided further*, That funds may not be obligated  
18 to provide assistance to any foreign country that is other-  
19 wise prohibited from receiving such type of assistance  
20 under any other provision of law.

21           SEC. 8086. None of the funds appropriated by this  
22 Act for programs of the Office of the Director of National  
23 Intelligence shall remain available for obligation beyond  
24 the current fiscal year, except for funds appropriated for

1 research and technology, which shall remain available until  
2 September 30, 2014.

3       SEC. 8087. For purposes of section 1553(b) of title  
4 31, United States Code, any subdivision of appropriations  
5 made in this Act under the heading “Shipbuilding and  
6 Conversion, Navy” shall be considered to be for the same  
7 purpose as any subdivision under the heading “Ship-  
8 building and Conversion, Navy” appropriations in any  
9 prior fiscal year, and the 1 percent limitation shall apply  
10 to the total amount of the appropriation.

11       SEC. 8088. The Director of National Intelligence  
12 shall include the budget exhibits identified in paragraphs  
13 (1) and (2) as described in the Department of Defense  
14 Financial Management Regulation with the congressional  
15 budget justification books:

16           (1) For procurement programs requesting more  
17 than \$10,000,000 in any fiscal year, the P-1, Pro-  
18 curement Program; P-5, Cost Analysis; P-5a, Pro-  
19 curement History and Planning; P-21, Production  
20 Schedule; and P-40, Budget Item Justification.

21           (2) For research, development, test and evalua-  
22 tion projects requesting more than \$5,000,000 in  
23 any fiscal year, the R-1, Research, Development,  
24 Test and Evaluation Program; R-2, Research, De-  
25 velopment, Test and Evaluation Budget Item Jus-



1 tification; R-3, Research, Development, Test and  
2 Evaluation Project Cost Analysis; and R-4, Re-  
3 search, Development, Test and Evaluation Program  
4 Schedule Profile.

5 SEC. 8089. (a) Not later than 60 days after the date  
6 of enactment of this Act, the Director of National Intel-  
7 ligence shall submit a report to the congressional intel-  
8 ligence committees to establish the baseline for application  
9 of reprogramming and transfer authorities for fiscal year  
10 2013: *Provided*, That the report shall include—

11 (1) a table for each appropriation with a sepa-  
12 rate column to display the President's budget re-  
13 quest, adjustments made by Congress, adjustments  
14 due to enacted rescissions, if appropriate, and the  
15 fiscal year enacted level;

16 (2) a delineation in the table for each appro-  
17 priation by Expenditure Center and project; and

18 (3) an identification of items of special congres-  
19 sional interest.

20 (b) None of the funds provided for the National Intel-  
21 ligence Program in this Act shall be available for re-  
22 programming or transfer until the report identified in sub-  
23 section (a) is submitted to the congressional intelligence  
24 committees, unless the Director of National Intelligence  
25 certifies in writing to the congressional intelligence com-

1 mittees that such reprogramming or transfer is necessary  
2 as an emergency requirement.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8090. Of the funds appropriated in the Intel-  
5 ligence Community Management Account for the Program  
6 Manager for the Information Sharing Environment,  
7 \$20,000,000 is available for transfer by the Director of  
8 National Intelligence to other departments and agencies  
9 for purposes of Government-wide information sharing ac-  
10 tivities: *Provided*, That funds transferred under this provi-  
11 sion are to be merged with and available for the same pur-  
12 poses and time period as the appropriation to which trans-  
13 ferred: *Provided further*, That the Office of Management  
14 and Budget must approve any transfers made under this  
15 provision.

16 SEC. 8091. (a) None of the funds provided for the  
17 National Intelligence Program in this or any prior appro-  
18 priations Act shall be available for obligation or expendi-  
19 ture through a reprogramming or transfer of funds in ac-  
20 cordance with section 102A(d) of the National Security  
21 Act of 1947 (50 U.S.C. 403–1(d)) that—

22 (1) creates a new start effort;

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

1           (3) transfers funding into or out of the National In-  
2 telligence Program; or

3           (4) transfers funding between appropriations,  
4 unless the congressional intelligence committees are  
5 notified 30 days in advance of such reprogramming  
6 of funds; this notification period may be reduced for  
7 urgent national security requirements.

8  
9           (b) None of the funds provided for the National Intel-  
10 ligence Program in this or any prior appropriations Act  
11 shall be available for obligation or expenditure through a  
12 reprogramming or transfer of funds in accordance with  
13 section 102A(d) of the National Security Act of 1947 (50  
14 U.S.C. 403–1(d)) that results in a cumulative increase or  
15 decrease of the levels specified in the classified annex ac-  
16 companying the Act unless the congressional intelligence  
17 committees are notified 30 days in advance of such re-  
18 programming of funds; this notification period may be re-  
19 duced for urgent national security requirements.

20           SEC. 8092. The Director of National Intelligence  
21 shall submit to Congress each year, at or about the time  
22 that the President’s budget is submitted to Congress that  
23 year under section 1105(a) of title 31, United States  
24 Code, a future-years intelligence program (including asso-  
25 ciated annexes) reflecting the estimated expenditures and

1 proposed appropriations included in that budget. Any such  
2 future-years intelligence program shall cover the fiscal  
3 year with respect to which the budget is submitted and  
4 at least the four succeeding fiscal years.

5       SEC. 8093. For the purposes of this Act, the term  
6 “congressional intelligence committees” means the Perma-  
7 nent Select Committee on Intelligence of the House of  
8 Representatives, the Select Committee on Intelligence of  
9 the Senate, the Subcommittee on Defense of the Com-  
10 mittee on Appropriations of the House of Representatives,  
11 and the Subcommittee on Defense of the Committee on  
12 Appropriations of the Senate.

13       SEC. 8094. The Department of Defense shall con-  
14 tinue to report incremental contingency operations costs  
15 for Operation New Dawn and Operation Enduring Free-  
16 dom, or any other named operations in the U.S. Central  
17 Command area of operation on a monthly basis in the Cost  
18 of War Execution Report as prescribed in the Department  
19 of Defense Financial Management Regulation Department  
20 of Defense Instruction 7000.14, Volume 12, Chapter 23  
21 “Contingency Operations”, Annex 1, dated September  
22 2005.

23                                   (INCLUDING TRANSFER OF FUNDS)

24       SEC. 8095. During the current fiscal year, not to ex-  
25 ceed \$11,000,000 from each of the appropriations made

1 in title II of this Act for “Operation and Maintenance,  
2 Army”, “Operation and Maintenance, Navy”, and “Oper-  
3 ation and Maintenance, Air Force” may be transferred by  
4 the military department concerned to its central fund es-  
5 tablished for Fisher Houses and Suites pursuant to sec-  
6 tion 2493(d) of title 10, United States Code.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 8096. Funds appropriated by this Act for oper-  
9 ation and maintenance may be available for the purpose  
10 of making remittances to the Defense Acquisition Work-  
11 force Development Fund in accordance with the require-  
12 ments of section 1705 of title 10, United States Code.

13 SEC. 8097. (a) Any agency receiving funds made  
14 available in this Act, shall, subject to subsections (b) and  
15 (c), post on the public Web site of that agency any report  
16 required to be submitted by the Congress in this or any  
17 other Act, upon the determination by the head of the agen-  
18 cy that it shall serve the national interest.

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

20 (1) the public posting of the report com-  
21 promises national security; or

22 (2) the report contains proprietary information.

23 (c) The head of the agency posting such report shall  
24 do so only after such report has been made available to

1 the requesting Committee or Committees of Congress for  
2 no less than 45 days.

3 SEC. 8098. (a) None of the funds appropriated or  
4 otherwise made available by this Act may be expended for  
5 any Federal contract for an amount in excess of  
6 \$1,000,000, unless the contractor agrees not to—

7 (1) enter into any agreement with any of its  
8 employees or independent contractors that requires,  
9 as a condition of employment, that the employee or  
10 independent contractor agree to resolve through ar-  
11 bitration any claim under title VII of the Civil  
12 Rights Act of 1964 or any tort related to or arising  
13 out of sexual assault or harassment, including as-  
14 sault and battery, intentional infliction of emotional  
15 distress, false imprisonment, or negligent hiring, su-  
16 pervision, or retention; or

17 (2) take any action to enforce any provision of  
18 an existing agreement with an employee or inde-  
19 pendent contractor that mandates that the employee  
20 or independent contractor resolve through arbitra-  
21 tion any claim under title VII of the Civil Rights Act  
22 of 1964 or any tort related to or arising out of sex-  
23 ual assault or harassment, including assault and  
24 battery, intentional infliction of emotional distress,

1 false imprisonment, or negligent hiring, supervision,  
2 or retention.

3 (b) None of the funds appropriated or otherwise  
4 made available by this Act may be expended for any Fed-  
5 eral contract unless the contractor certifies that it requires  
6 each covered subcontractor to agree not to enter into, and  
7 not to take any action to enforce any provision of, any  
8 agreement as described in paragraphs (1) and (2) of sub-  
9 section (a), with respect to any employee or independent  
10 contractor performing work related to such subcontract.  
11 For purposes of this subsection, a “covered subcon-  
12 tractor” is an entity that has a subcontract in excess of  
13 \$1,000,000 on a contract subject to subsection (a).

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

18 (d) The Secretary of Defense may waive the applica-  
19 tion of subsection (a) or (b) to a particular contractor or  
20 subcontractor for the purposes of a particular contract or  
21 subcontract if the Secretary or the Deputy Secretary per-  
22 sonally determines that the waiver is necessary to avoid  
23 harm to national security interests of the United States,  
24 and that the term of the contract or subcontract is not  
25 longer than necessary to avoid such harm. The determina-

1 tion shall set forth with specificity the grounds for the  
2 waiver and for the contract or subcontract term selected,  
3 and shall state any alternatives considered in lieu of a  
4 waiver and the reasons each such alternative would not  
5 avoid harm to national security interests of the United  
6 States. The Secretary of Defense shall transmit to Con-  
7 gress, and simultaneously make public, any determination  
8 under this subsection not less than 15 business days be-  
9 fore the contract or subcontract addressed in the deter-  
10 mination may be awarded.

11 SEC. 8099. None of the funds made available under  
12 this Act may be distributed to the Association of Commu-  
13 nity Organizations for Reform Now (ACORN) or its sub-  
14 sidiaries.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8100. From within the funds appropriated for  
17 operation and maintenance for the Defense Health Pro-  
18 gram in this Act, up to \$139,204,000, shall be available  
19 for transfer to the Joint Department of Defense-Depart-  
20 ment of Veterans Affairs Medical Facility Demonstration  
21 Fund in accordance with the provisions of section 1704  
22 of the National Defense Authorization Act for Fiscal Year  
23 2010, Public Law 111–84: *Provided*, That for purposes  
24 of section 1704(b), the facility operations funded are oper-  
25 ations of the integrated Captain James A. Lovell Federal



1 Health Care Center, consisting of the North Chicago Vet-  
2 erans Affairs Medical Center, the Navy Ambulatory Care  
3 Center, and supporting facilities designated as a combined  
4 Federal medical facility as described by section 706 of  
5 Public Law 110–417: *Provided further*, That additional  
6 funds may be transferred from funds appropriated for op-  
7 eration and maintenance for the Defense Health Program  
8 to the Joint Department of Defense-Department of Vet-  
9 erans Affairs Medical Facility Demonstration Fund upon  
10 written notification by the Secretary of Defense to the  
11 Committees on Appropriations of the House of Represent-  
12 atives and the Senate.

13 SEC. 8101. The Office of the Director of National  
14 Intelligence shall not employ more Senior Executive em-  
15 ployees than are specified in the classified annex.

16 SEC. 8102. None of the funds appropriated or other-  
17 wise made available by this Act may be obligated or ex-  
18 pended to pay a retired general or flag officer to serve  
19 as a senior mentor advising the Department of Defense  
20 unless such retired officer files a Standard Form 278 (or  
21 successor form concerning public financial disclosure  
22 under part 2634 of title 5, Code of Federal Regulations)  
23 to the Office of Government Ethics.

24 SEC. 8103. Appropriations available to the Depart-  
25 ment of Defense may be used for the purchase of heavy

1 and light armored vehicles for the physical security of per-  
2 sonnel or for force protection purposes up to a limit of  
3 \$250,000 per vehicle, notwithstanding price or other limi-  
4 tations applicable to the purchase of passenger carrying  
5 vehicles.

6 SEC. 8104. Of the amounts appropriated for “Oper-  
7 ation and Maintenance, Defense-Wide”, the following  
8 amounts shall be available to the Secretary of Defense,  
9 for the following authorized purposes, notwithstanding  
10 any other provision of law, acting through the Office of  
11 Economic Adjustment of the Department of Defense, to  
12 make grants, conclude cooperative agreements, and sup-  
13 plement other Federal funds, to remain available until ex-  
14 pended, to assist the civilian population of Guam in re-  
15 sponse to the military buildup of Guam: (1) \$13,000,000  
16 for addressing the need for construction of a regional pub-  
17 lic health laboratory; and (2) \$106,400,000 for addressing  
18 the need for civilian water and wastewater improvements:  
19 *Provided*, That the Secretary of Defense shall, not fewer  
20 than 15 days prior to obligating funds for either of the  
21 foregoing purposes, notify the congressional defense com-  
22 mittees in writing of the details of any such obligation.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 8105. There is hereby established in the Treas-  
25 ury of the United States the “Ship Modernization, Oper-

1 ations and Sustainment Fund”. There is appropriated  
2 \$2,382,100,000, for the “Ship Modernization, Operations  
3 and Sustainment Fund”, to remain available until Sep-  
4 tember 30, 2014: *Provided*, That the Secretary of the  
5 Navy shall transfer funds from the “Ship Modernization,  
6 Operations and Sustainment Fund” to appropriations for  
7 military personnel; operation and maintenance; research,  
8 development, test and evaluation; and procurement, only  
9 for the purposes of manning, operating, sustaining, equip-  
10 ping and modernizing the Ticonderoga-class guided mis-  
11 sile cruisers CG–63, CG–64, CG–65, CG–66, CG–68, CG–  
12 69, CG–73, and the Whidbey Island-class dock landing  
13 ships LSD–41 and LSD–46: *Provided further*, That funds  
14 transferred shall be merged with and be available for the  
15 same purposes and for the same time period as the appro-  
16 priation to which they are transferred: *Provided further*,  
17 That the transfer authority provided herein shall be in ad-  
18 dition to any other transfer authority available to the De-  
19 partment of Defense: *Provided further*, That the Secretary  
20 of the Navy shall, not less than 30 days prior to making  
21 any transfer from the “Ship Modernization, Operations  
22 and Sustainment Fund”, notify the congressional defense  
23 committees in writing of the details of such transfer.

24 SEC. 8106. None of the funds made available by this  
25 Act may be used by the Secretary of Defense to take bene-

1 ficial occupancy of more than 2,500 parking spaces (other  
2 than handicap-reserved spaces) to be provided by the  
3 BRAC 133 project: *Provided*, That this limitation may be  
4 waived in part if: (1) the Secretary of Defense certifies  
5 to Congress that levels of service at existing intersections  
6 in the vicinity of the project have not experienced failing  
7 levels of service as defined by the Transportation Research  
8 Board Highway Capacity Manual over a consecutive 90-  
9 day period; (2) the Department of Defense and the Vir-  
10 ginia Department of Transportation agree on the number  
11 of additional parking spaces that may be made available  
12 to employees of the facility subject to continued 90-day  
13 traffic monitoring; and (3) the Secretary of Defense noti-  
14 fies the congressional defense committees in writing at  
15 least 14 days prior to exercising this waiver of the number  
16 of additional parking spaces to be made available.

17 SEC. 8107. Not later than 120 days after the date  
18 of the enactment of this Act, the Secretary of Defense  
19 shall resume quarterly reporting of the numbers of civilian  
20 personnel end strength by appropriation account for each  
21 and every appropriation account used to finance Federal  
22 civilian personnel salaries to the congressional defense  
23 committees within 15 days after the end of each fiscal  
24 quarter.

1       SEC. 8108. None of the funds appropriated in this  
2 or any other Act may be used to plan, prepare for, or oth-  
3 erwise take any action to undertake or implement the sep-  
4 aration of the National Intelligence Program budget from  
5 the Department of Defense budget.

6                   (INCLUDING TRANSFER OF FUNDS)

7       SEC. 8109. Upon a determination by the Director of  
8 National Intelligence that such action is necessary and in  
9 the national interest, the Director may, with the approval  
10 of the Office of Management and Budget, transfer not to  
11 exceed \$2,000,000,000 of the funds made available in this  
12 Act for the National Intelligence Program: *Provided*, That  
13 such authority to transfer may not be used unless for  
14 higher priority items, based on unforeseen intelligence re-  
15 quirements, than those for which originally appropriated  
16 and in no case where the item for which funds are re-  
17 quested has been denied by the Congress: *Provided further*,  
18 That a request for multiple reprogrammings of funds  
19 using authority provided in this section shall be made  
20 prior to June 30, 2013.

21                   (INCLUDING TRANSFER OF FUNDS)

22       SEC. 8110. In addition to amounts provided else-  
23 where in the Act, there is appropriated \$270,000,000 for  
24 an additional amount for “Operation and Maintenance,  
25 Defense-Wide”, to be available until expended: *Provided*,

1 That such funds shall only be available to the Secretary  
2 of Defense, acting through the Office of Economic Adjust-  
3 ment of the Department of Defense, or for transfer to the  
4 Secretary of Education, notwithstanding any other provi-  
5 sion of law, to make grants, conclude cooperative agree-  
6 ments, or supplement other Federal funds to construct,  
7 renovate, repair, or expand elementary and secondary pub-  
8 lic schools on military installations in order to address ca-  
9 pacity or facility condition deficiencies at such schools:  
10 *Provided further*, That in making such funds available, the  
11 Office of Economic Adjustment or the Secretary of Edu-  
12 cation shall give priority consideration to those military  
13 installations with schools having the most serious capacity  
14 or facility condition deficiencies as determined by the Sec-  
15 retary of Defense: *Provided further*, That funds may not  
16 be made available for a school unless its enrollment of De-  
17 partment of Defense-connected children is greater than 50  
18 percent.

19 SEC. 8111. None of the funds appropriated or other-  
20 wise made available in this or any other Act may be used  
21 to transfer, release, or assist in the transfer or release to  
22 or within the United States, its territories, or possessions  
23 Khalid Sheikh Mohammed or any other detainee who—  
24 (1) is not a United States citizen or a member  
25 of the Armed Forces of the United States; and

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

4           SEC. 8112. (a)(1) Except as provided in paragraph  
5 (2) and subsection (d), none of the funds appropriated or  
6 otherwise made available in this or any other Act may be  
7 used to transfer any individual detained at Guantánamo  
8 to the custody or control of the individual's country of ori-  
9 gin, any other foreign country, or any other foreign entity  
10 unless the Secretary of Defense submits to Congress the  
11 certification described in subsection (b) not later than 30  
12 days before the transfer of the individual.

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

16           (A) an order affecting the disposition of the in-  
17 dividual that is issued by a court or competent tri-  
18 bunal of the United States having lawful jurisdiction  
19 (which the Secretary shall notify Congress of  
20 promptly after issuance); or

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

24           (b) A certification described in this subsection is a  
25 written certification made by the Secretary of Defense,

1 with the concurrence of the Secretary of State and in con-  
2 sultation with the Director of National Intelligence, that—

3 (1) the government of the foreign country or  
4 the recognized leadership of the foreign entity to  
5 which the individual detained at Guantánamo is to  
6 be transferred—

7 (A) is not a designated state sponsor of  
8 terrorism or a designated foreign terrorist orga-  
9 nization;

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

14 (C) is not, as of the date of the certifi-  
15 cation, facing a threat that is likely to substan-  
16 tially affect its ability to exercise control over  
17 the individual;

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

22 (E) has taken or agreed to take such ac-  
23 tions as the Secretary of Defense determines  
24 are necessary to ensure that the individual can-



1 not engage or re-engage in any terrorist activ-  
2 ity; and

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

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

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

9 (2) includes an assessment, in classified or un-  
10 classified form, of the capacity, willingness, and past  
11 practices (if applicable) of the foreign country or en-  
12 tity in relation to the Secretary's certifications.

13 (c)(1) Except as provided in paragraph (2) and sub-  
14 section (d), none of the funds appropriated or otherwise  
15 made available in this or any other Act may be used to  
16 transfer any individual detained at Guantánamo to the  
17 custody or control of the individual's country of origin, any  
18 other foreign country, or any other foreign entity if there  
19 is a confirmed case of any individual who was detained  
20 at United States Naval Station, Guantánamo Bay, Cuba,  
21 at any time after September 11, 2001, who was trans-  
22 ferred to such foreign country or entity and subsequently  
23 engaged in any terrorist activity.

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

4           (A) an order affecting the disposition of the in-  
5 dividual that is issued by a court or competent tri-  
6 bunal of the United States having lawful jurisdiction  
7 (which the Secretary shall notify Congress of  
8 promptly after issuance); or

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

12          (d)(1) The Secretary of Defense may waive the appli-  
13 cability to a detainee transfer of a certification require-  
14 ment specified in subparagraph (D) or (E) of subsection  
15 (b)(1) or the prohibition in subsection (c), if the Secretary  
16 certifies the rest of the criteria required by subsection (b)  
17 for transfers prohibited by (c) and, with the concurrence  
18 of the Secretary of State and in consultation with the Di-  
19 rector of National Intelligence, determines that—

20           (A) alternative actions will be taken to address  
21 the underlying purpose of the requirement or re-  
22 quirements to be waived;

23           (B) in the case of a waiver of subparagraph (D)  
24 or (E) of subsection (b)(1), it is not possible to cer-  
25 tify that the risks addressed in the paragraph to be

1       waived have been completely eliminated, but the ac-  
2       tions to be taken under subparagraph (A) will sub-  
3       stantially mitigate such risks with regard to the indi-  
4       vidual to be transferred;

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

12              (D) the transfer is in the national security in-  
13      terests of the United States.

14      (2) Whenever the Secretary makes a determination  
15      under paragraph (1), the Secretary shall submit to the ap-  
16      propriate committees of Congress, not later than 30 days  
17      before the transfer of the individual concerned, the fol-  
18      lowing:

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

21              (B) A statement of the basis for the determina-  
22      tion, including—

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

1           (ii) in the case of a waiver of subparagraph  
2           (D) or (E) of subsection (b)(1), an explanation  
3           why it is not possible to certify that the risks  
4           addressed in the subparagraph to be waived  
5           have been completely eliminated.

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

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

12          (e) In this section:

13           (1) The term “appropriate committees of Con-  
14           gress” means—

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

18           (B) the Committee on Armed Services, the  
19           Committee on Appropriations, and the Perma-  
20           nent Select Committee on Intelligence of the  
21           House of Representatives.

22           (2) The term “individual detained at  
23           Guantánamo” means any individual located at  
24           United States Naval Station, Guantánamo Bay,  
25           Cuba, as of October 1, 2009, who—

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

4 (B) is—

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

7 (ii) otherwise under detention at  
8 United States Naval Station, Guantánamo  
9 Bay, Cuba.

10 (3) The term “foreign terrorist organization”  
11 means any organization so designated by the Sec-  
12 retary of State under section 219 of the Immigra-  
13 tion and Nationality Act (8 U.S.C. 1189).

14 SEC. 8113. (a) None of the funds appropriated or  
15 otherwise made available in this or any other Act may be  
16 used to construct, acquire, or modify any facility in the  
17 United States, its territories, or possessions to house any  
18 individual described in subsection (c) for the purposes of  
19 detention or imprisonment in the custody or under the ef-  
20 fective control of the Department of Defense.

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

12 SEC. 8114. None of the funds made available by this  
13 Act may be used to enter into a contract, memorandum  
14 of understanding, or cooperative agreement with, make a  
15 grant to, or provide a loan or loan guarantee to, any cor-  
16 poration that has any unpaid Federal tax liability that has  
17 been assessed, for which all judicial and administrative  
18 remedies have been exhausted or have lapsed, and that  
19 is not being paid in a timely manner pursuant to an agree-  
20 ment with the authority responsible for collecting the tax  
21 liability, where the awarding agency is aware of the unpaid  
22 tax liability, unless the agency has considered suspension  
23 or debarment of the corporation and made a determination  
24 that this further action is not necessary to protect the in-  
25 terests of the Government.

1       SEC. 8115. None of the funds made available by this  
2 Act may be used to enter into a contract, memorandum  
3 of understanding, or cooperative agreement with, make a  
4 grant to, or provide a loan or loan guarantee to, any cor-  
5 poration that was convicted of a felony criminal violation  
6 under any Federal law within the preceding 24 months,  
7 where the awarding agency is aware of the conviction, un-  
8 less the agency has considered suspension or debarment  
9 of the corporation and made a determination that this fur-  
10 ther action is not necessary to protect the interests of the  
11 Government.

12       SEC. 8116. None of the funds made available by this  
13 Act may be used in contravention of section 1590 or 1591  
14 of title 18, United States Code, or in contravention of the  
15 requirements of section 106(g) or (h) of the Trafficking  
16 Victims Protection Act of 2000 (22 U.S.C. 7104(g) or  
17 (h)).

18       SEC. 8117. None of the funds made available by this  
19 Act for International Military education and training, for-  
20 eign military financing, excess defense article, assistance  
21 under section 1206 of the National Defense Authorization  
22 Act for Fiscal year 2006 (Public Law 109–163; 119 Stat.  
23 3456) issuance for direct commercial sales of military  
24 equipment, or peacekeeping operations for the countries  
25 of Chad, Yemen, Somalia, Sudan, the Democratic Repub-

1 lic of the Congo, and Burma may be used to support any  
2 military training or operation that include child soldiers,  
3 as defined by the Child Soldiers Prevention Act of 2008,  
4 and except if such assistance is otherwise permitted under  
5 section 404 of the Child Soldiers Prevention Act of 2008  
6 (Public Law 110–457; 22 U.S.C. 2370c–1).

7       SEC. 8118. None of the funds made available by this  
8 Act may be used in contravention of the War Powers Res-  
9 olution (50 U.S.C. 1541 et seq.).

10       SEC. 8119. None of the funds made available by this  
11 Act may be used to retire, divest, realign, or transfer Air  
12 Force aircraft, to disestablish or convert units associated  
13 with such aircraft, or to disestablish or convert any other  
14 unit of the Air National Guard or Air Force Reserve: *Pro-*  
15 *vided*, That this section shall not apply to actions affecting  
16 C–5, C–17, or E–8 aircraft, or the units associated with  
17 such aircraft: *Provided further*, That this section shall con-  
18 tinue in effect through the date of enactment of an Act  
19 authorizing appropriations for fiscal year 2013 for mili-  
20 tary activities of the Department of Defense.

21       SEC. 8120. The Secretary of the Air Force shall obli-  
22 gate and expend funds previously appropriated for the  
23 procurement of RQ–4B Global Hawk and C–27J Spartan  
24 aircraft for the purposes for which such funds were origi-  
25 nally appropriated.



1       SEC. 8121. It is the Sense of the Senate that the  
2 next available capital warship of the U.S. Navy be named  
3 the USS Ted Stevens to recognize the public service  
4 achievements, military service sacrifice, and undaunted  
5 heroism and courage of the long-serving United States  
6 Senator for Alaska.

7       SEC. 8122. None of the funds made available by this  
8 Act shall be used to retire C-23 Sherpa aircraft.

9       SEC. 8123. The total amount available in the Act for  
10 pay for civilian personnel of the Department of Defense  
11 for fiscal year 2013 shall be the amount otherwise appro-  
12 priated or made available by this Act for such pay reduced  
13 by \$72,718,000.

14       SEC. 8124. None of the funds made available by this  
15 Act may be used to enter into a contract for UH-60 Leak  
16 Proof Drip Pans using procedures other than competitive  
17 procedures (as defined in section 2302(2) of title 10,  
18 United States Code).

19       SEC. 8125. None of the funds appropriated or other-  
20 wise made available by this Act or any other Act may be  
21 used by the Department of Defense or a component there-  
22 of in contravention of section 1244 of the National De-  
23 fense Authorization Act for Fiscal Year 2012 (Public Law  
24 112-81; 125 Stat. 1646; 22 U.S.C. 5952 note) or any pro-  
25 vision of an Act authorizing appropriations for the De-

1 partment of Defense for fiscal year 2013 relating to shar-  
2 ing classified ballistic missile defense information with  
3 Russia.

4 SEC. 8126. None of the Operation and Maintenance  
5 funds made available in this Act may be used in con-  
6 travention of section 41106 of title 49, United States  
7 Code.

8 SEC. 8127. None of the funds made available by this  
9 Act may be used by the Department of Defense or any  
10 other Federal agency to lease or purchase new light duty  
11 vehicles, for any executive fleet, or for an agency's fleet  
12 inventory, except in accordance with Presidential Memo-  
13 randum-Federal Fleet Performance, dated May 24, 2011.

14 SEC. 8128. None of the funds made available by this  
15 Act may be used to enter into a contract with any person  
16 or other entity listed in the Excluded Parties List System  
17 (EPLS)/System for Award Management (SAM) as having  
18 been convicted of fraud against the Federal Government.

19 SEC. 8129. None of the funds made available by this  
20 Act for the Department of Defense may be used to enter  
21 into a contract, memorandum of understanding, or cooper-  
22 ative agreement with, make a grant to, or provide a loan  
23 or loan guarantee to Rosoboronexport: *Provided*, That the  
24 Secretary of Defense may waive this restriction on a case-  
25 by-case basis by certifying in writing to the Committees

1 on Appropriations of the House of Representatives and the  
2 Senate that it is in the national security interest to do  
3 so.

4 SEC. 8130. None of the funds made available by this  
5 Act may be used by the Secretary of Defense to implement  
6 an enrollment fee for the TRICARE for Life program  
7 under chapter 55 of title 10, United States Code, that  
8 does not exist as of the date of the enactment of this Act.

## 9 TITLE IX

### 10 OVERSEAS CONTINGENCY OPERATIONS

#### 11 MILITARY PERSONNEL

##### 12 MILITARY PERSONNEL, ARMY

13 For an additional amount for “Military Personnel,  
14 Army”, \$9,790,082,000: *Provided*, That such amount is  
15 designated by the Congress for Overseas Contingency Op-  
16 erations/Global War on Terrorism pursuant to section  
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

##### 19 MILITARY PERSONNEL, NAVY

20 For an additional amount for “Military Personnel,  
21 Navy”, \$774,225,000: *Provided*, That such amount is des-  
22 ignated by the Congress for Overseas Contingency Oper-  
23 ations/Global War on Terrorism pursuant to section  
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985.

## 1           MILITARY PERSONNEL, MARINE CORPS

2           For an additional amount for “Military Personnel,  
3 Marine Corps”, \$1,425,156,000: *Provided*, That such  
4 amount is designated by the Congress for Overseas Con-  
5 tingency Operations/Global War on Terrorism pursuant to  
6 section 251(b)(2)(A)(ii) of the Balanced Budget and  
7 Emergency Deficit Control Act of 1985.

## 8           MILITARY PERSONNEL, AIR FORCE

9           For an additional amount for “Military Personnel,  
10 Air Force”, \$1,286,783,000: *Provided*, That such amount  
11 is designated by the Congress for Overseas Contingency  
12 Operations/Global War on Terrorism pursuant to section  
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985.

## 15           RESERVE PERSONNEL, ARMY

16           For an additional amount for “Reserve Personnel,  
17 Army”, \$156,893,000: *Provided*, That such amount is  
18 designated by the Congress for Overseas Contingency Op-  
19 erations/Global War on Terrorism pursuant to section  
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
21 Deficit Control Act of 1985.

## 22           RESERVE PERSONNEL, NAVY

23           For an additional amount for “Reserve Personnel,  
24 Navy”, \$39,335,000: *Provided*, That such amount is des-  
25 ignated by the Congress for Overseas Contingency Oper-

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

4 RESERVE PERSONNEL, MARINE CORPS

5 For an additional amount for “Reserve Personnel,  
6 Marine Corps”, \$24,722,000: *Provided*, That such amount  
7 is designated by the Congress for Overseas Contingency  
8 Operations/Global War on Terrorism pursuant to section  
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11 RESERVE PERSONNEL, AIR FORCE

12 For an additional amount for “Reserve Personnel,  
13 Air Force”, \$25,348,000: *Provided*, That such amount is  
14 designated by the Congress for Overseas Contingency Op-  
15 erations/Global War on Terrorism pursuant to section  
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, ARMY

19 For an additional amount for “National Guard Per-  
20 sonnel, Army”, \$583,804,000: *Provided*, That such  
21 amount is designated by the Congress for Overseas Con-  
22 tingency Operations/Global War on Terrorism pursuant to  
23 section 251(b)(2)(A)(ii) of the Balanced Budget and  
24 Emergency Deficit Control Act of 1985.

## 1 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For an additional amount for “National Guard Per-  
3 sonnel, Air Force”, \$10,473,000: *Provided*, That such  
4 amount is designated by the Congress for Overseas Con-  
5 tingency Operations/Global War on Terrorism pursuant to  
6 section 251(b)(2)(A)(ii) of the Balanced Budget and  
7 Emergency Deficit Control Act of 1985.

## 8 OPERATION AND MAINTENANCE

## 9 OPERATION AND MAINTENANCE, ARMY

10 For an additional amount for “Operation and Main-  
11 tenance, Army”, \$28,452,018,000: *Provided*, That such  
12 amount is designated by the Congress for Overseas Con-  
13 tingency Operations/Global War on Terrorism pursuant to  
14 section 251(b)(2)(A)(ii) of the Balanced Budget and  
15 Emergency Deficit Control Act of 1985.

## 16 OPERATION AND MAINTENANCE, NAVY

17 For an additional amount for “Operation and Main-  
18 tenance, Navy”, \$5,839,934,000: *Provided*, That such  
19 amount is designated by the Congress for Overseas Con-  
20 tingency Operations/Global War on Terrorism pursuant to  
21 section 251(b)(2)(A)(ii) of the Balanced Budget and  
22 Emergency Deficit Control Act of 1985.

## 23 OPERATION AND MAINTENANCE, MARINE CORPS

24 For an additional amount for “Operation and Main-  
25 tenance, Marine Corps”, \$4,116,340,000: *Provided*, That

1 such amount is designated by the Congress for Overseas  
2 Contingency Operations/Global War on Terrorism pursu-  
3 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
4 and Emergency Deficit Control Act of 1985.

5 OPERATION AND MAINTENANCE, AIR FORCE

6 For an additional amount for “Operation and Main-  
7 tenance, Air Force”, \$9,249,736,000: *Provided*, That such  
8 amount is designated by the Congress for Overseas Con-  
9 tingency Operations/Global War on Terrorism pursuant to  
10 section 251(b)(2)(A)(ii) of the Balanced Budget and  
11 Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, DEFENSE-WIDE

13 For an additional amount for “Operation and Main-  
14 tenance, Defense-Wide”, \$7,714,079,000: *Provided*, That  
15 of the funds provided under this heading, not to exceed  
16 \$1,650,000,000, to remain available until September 30,  
17 2014, shall be for payments to reimburse key cooperating  
18 nations for logistical, military, and other support, includ-  
19 ing access, provided to United States military operations  
20 in support of Operation Enduring Freedom, and post-op-  
21 eration Iraq border security related to the activities of the  
22 Office of Security Cooperation in Iraq, notwithstanding  
23 any other provision of law: *Provided further*, That such  
24 reimbursement payments may be made in such amounts  
25 as the Secretary of Defense, with the concurrence of the

1 Secretary of State, and in consultation with the Director  
2 of the Office of Management and Budget, may determine,  
3 in his discretion, based on documentation determined by  
4 the Secretary of Defense to adequately account for the  
5 support provided, and such determination is final and con-  
6 clusive upon the accounting officers of the United States,  
7 and 15 days following notification to the appropriate con-  
8 gressional committees: *Provided further*, That the require-  
9 ment under this heading to provide notification to the ap-  
10 propriate congressional committees shall not apply with  
11 respect to a reimbursement for access based on an inter-  
12 national agreement: *Provided further*, That these funds  
13 may be used for the purpose of providing specialized train-  
14 ing and procuring supplies and specialized equipment and  
15 providing such supplies and loaning such equipment on a  
16 non-reimbursable basis to coalition forces supporting  
17 United States military operations in Afghanistan, and 15  
18 days following notification to the appropriate congres-  
19 sional committees: *Provided further*, That the Secretary of  
20 Defense shall provide quarterly reports to the congres-  
21 sional defense committees on the use of funds provided  
22 in this paragraph: *Provided further*, That such amount in  
23 this section is designated by the Congress for Overseas  
24 Contingency Operations/Global War on Terrorism pursu-



1 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
2 and Emergency Deficit Control Act of 1985.

3 OPERATION AND MAINTENANCE, ARMY RESERVE

4 For an additional amount for “Operation and Main-  
5 tenance, Army Reserve”, \$157,887,000: *Provided*, That  
6 such amount is designated by the Congress for Overseas  
7 Contingency Operations/Global War on Terrorism pursu-  
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
9 and Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, NAVY RESERVE

11 For an additional amount for “Operation and Main-  
12 tenance, Navy Reserve”, \$55,924,000: *Provided*, That  
13 such amount is designated by the Congress for Overseas  
14 Contingency Operations/Global War on Terrorism pursu-  
15 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
16 and Emergency Deficit Control Act of 1985.

17 OPERATION AND MAINTENANCE, MARINE CORPS

18 RESERVE

19 For an additional amount for “Operation and Main-  
20 tenance, Marine Corps Reserve”, \$25,477,000: *Provided*,  
21 That such amount is designated by the Congress for Over-  
22 seas Contingency Operations/Global War on Terrorism  
23 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
24 Budget and Emergency Deficit Control Act of 1985.

## 1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For an additional amount for “Operation and Main-  
3 tenance, Air Force Reserve”, \$60,618,000: *Provided*, That  
4 such amount is designated by the Congress for Overseas  
5 Contingency Operations/Global War on Terrorism pursu-  
6 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
7 and Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, ARMY NATIONAL  
9 GUARD

10 For an additional amount for “Operation and Main-  
11 tenance, Army National Guard”, \$392,448,000: *Provided*,  
12 That such amount is designated by the Congress for Over-  
13 seas Contingency Operations/Global War on Terrorism  
14 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
15 Budget and Emergency Deficit Control Act of 1985.

## 16 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

17 For an additional amount for “Operation and Main-  
18 tenance, Air National Guard”, \$34,500,000: *Provided*,  
19 That such amount is designated by the Congress for Over-  
20 seas Contingency Operations/Global War on Terrorism  
21 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
22 Budget and Emergency Deficit Control Act of 1985.

1 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND  
2 (INCLUDING TRANSFER OF FUNDS)

3 In addition to amounts provided elsewhere in this  
4 Act, there is appropriated \$582,884,000 for the “Overseas  
5 Contingency Operations Transfer Fund” for expenses di-  
6 rectly relating to overseas contingency operations by  
7 United States military forces, to be available until ex-  
8 pended: *Provided*, That of the funds made available in this  
9 section, the Secretary of Defense may transfer these funds  
10 only to military personnel accounts, operation and mainte-  
11 nance accounts, procurement accounts, and working cap-  
12 ital fund accounts: *Provided further*, That the funds made  
13 available in this paragraph may only be used for pro-  
14 grams, projects, or activities categorized as Overseas Con-  
15 tingency Operations in the fiscal year 2013 budget request  
16 for the Department of Defense and the justification mate-  
17 rial and other documentation supporting such request:  
18 *Provided further*, That the funds transferred shall be  
19 merged with and shall be available for the same purposes  
20 and for the same time period, as the appropriation to  
21 which transferred: *Provided further*, That the Secretary  
22 shall notify the congressional defense committees 15 days  
23 prior to such transfer: *Provided further*, That the transfer  
24 authority provided under this heading is in addition to any  
25 other transfer authority available to the Department of

1 Defense: *Provided further*, That upon a determination that  
2 all or part of the funds transferred from this appropriation  
3 are not necessary for the purposes provided herein, such  
4 amounts may be transferred back to this appropriation  
5 and shall be available for the same purposes and for the  
6 same time period as originally appropriated: *Provided fur-*  
7 *ther*, That such amount is designated by the Congress for  
8 Overseas Contingency Operations/Global War on Ter-  
9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
10 anced Budget and Emergency Deficit Control Act of 1985.

11 AFGHANISTAN INFRASTRUCTURE FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 For the “Afghanistan Infrastructure Fund”,  
14 \$325,000,000, to remain available until September 30,  
15 2014: *Provided*, That such funds shall be available to the  
16 Secretary of Defense for infrastructure projects in Af-  
17 ghanistan, notwithstanding any other provision of law,  
18 which shall be undertaken by the Secretary of State, un-  
19 less the Secretary of State and the Secretary of Defense  
20 jointly decide that a specific project will be undertaken  
21 by the Department of Defense: *Provided further*, That the  
22 infrastructure referred to in the preceding proviso is in  
23 support of the counterinsurgency strategy, which may re-  
24 quire funding for facility and infrastructure projects, in-  
25 cluding, but not limited to, water, power, and transpor-

1 tation projects and related maintenance and sustainment  
2 costs: *Provided further*, That the authority to undertake  
3 such infrastructure projects is in addition to any other au-  
4 thority to provide assistance to foreign nations: *Provided*  
5 *further*, That any projects funded under this heading shall  
6 be jointly formulated and concurred in by the Secretary  
7 of State and Secretary of Defense: *Provided further*, That  
8 funds may be transferred to the Department of State for  
9 purposes of undertaking projects, which funds shall be  
10 considered to be economic assistance under the Foreign  
11 Assistance Act of 1961 for purposes of making available  
12 the administrative authorities contained in that Act: *Pro-*  
13 *vided further*, That the transfer authority in the preceding  
14 proviso is in addition to any other authority available to  
15 the Department of Defense to transfer funds: *Provided*  
16 *further*, That any unexpended funds transferred to the  
17 Secretary of State under this authority shall be returned  
18 to the Afghanistan Infrastructure Fund if the Secretary  
19 of State, in coordination with the Secretary of Defense,  
20 determines that the project cannot be implemented for any  
21 reason, or that the project no longer supports the counter-  
22 insurgency strategy in Afghanistan: *Provided further*,  
23 That any funds returned to the Secretary of Defense  
24 under the previous proviso shall be available for use under  
25 this appropriation and shall be treated in the same man-

1 ner as funds not transferred to the Secretary of State:  
2 *Provided further*, That contributions of funds for the pur-  
3 poses provided herein to the Secretary of State in accord-  
4 ance with section 635(d) of the Foreign Assistance Act  
5 from any person, foreign government, or international or-  
6 ganization may be credited to this Fund, to remain avail-  
7 able until expended, and used for such purposes: *Provided*  
8 *further*, That the Secretary of Defense shall, not fewer  
9 than 15 days prior to making transfers to or from, or obli-  
10 gations from the Fund, notify the appropriate committees  
11 of Congress in writing of the details of any such transfer:  
12 *Provided further*, That the “appropriate committees of  
13 Congress” are the Committees on Armed Services, For-  
14 eign Relations and Appropriations of the Senate and the  
15 Committees on Armed Services, Foreign Affairs and Ap-  
16 propriations of the House of Representatives: *Provided*  
17 *further*, That such amount is designated by the Congress  
18 for Overseas Contingency Operations/Global War on Ter-  
19 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
20 anced Budget and Emergency Deficit Control Act of 1985.

21 AFGHANISTAN SECURITY FORCES FUND

22 For the “Afghanistan Security Forces Fund”,  
23 \$5,124,167,000, to remain available until September 30,  
24 2014: *Provided*, That such funds shall be available to the  
25 Secretary of Defense, notwithstanding any other provision

1 of law, for the purpose of allowing the Commander, Com-  
2 bined Security Transition Command—Afghanistan, or the  
3 Secretary’s designee, to provide assistance, with the con-  
4 currence of the Secretary of State, to the security forces  
5 of Afghanistan, including the provision of equipment, sup-  
6 plies, services, training, facility and infrastructure repair,  
7 renovation, and construction, and funding: *Provided fur-*  
8 *ther*, That the authority to provide assistance under this  
9 heading is in addition to any other authority to provide  
10 assistance to foreign nations: *Provided further*, That con-  
11 tributions of funds for the purposes provided herein from  
12 any person, foreign government, or international organiza-  
13 tion may be credited to this Fund, to remain available  
14 until expended, and used for such purposes: *Provided fur-*  
15 *ther*, That the Secretary of Defense shall notify the con-  
16 gressional defense committees in writing upon the receipt  
17 and upon the obligation of any contribution, delineating  
18 the sources and amounts of the funds received and the  
19 specific use of such contributions: *Provided further*, That  
20 the Secretary of Defense shall, not fewer than 15 days  
21 prior to obligating from this appropriation account, notify  
22 the congressional defense committees in writing of the de-  
23 tails of any such obligation: *Provided further*, That the  
24 Secretary of Defense shall notify the congressional defense  
25 committees of any proposed new projects or transfer of

1 funds between budget sub-activity groups in excess of  
2 \$20,000,000: *Provided further*, That such amount is des-  
3 ignated by the Congress for Overseas Contingency Oper-  
4 ations/Global War on Terrorism pursuant to section  
5 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
6 Deficit Control Act of 1985.

## 7 PROCUREMENT

### 8 AIRCRAFT PROCUREMENT, ARMY

9 For an additional amount for “Aircraft Procurement,  
10 Army”, \$550,700,000, to remain available until Sep-  
11 tember 30, 2015: *Provided*, That such amount is des-  
12 ignated by the Congress for Overseas Contingency Oper-  
13 ations/Global War on Terrorism pursuant to section  
14 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
15 Deficit Control Act of 1985.

### 16 MISSILE PROCUREMENT, ARMY

17 For an additional amount for “Missile Procurement,  
18 Army”, \$67,951,000, to remain available until September  
19 30, 2015: *Provided*, That such amount is designated by  
20 the Congress for Overseas Contingency Operations/Global  
21 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
22 the Balanced Budget and Emergency Deficit Control Act  
23 of 1985.



1     PROCUREMENT OF WEAPONS AND TRACKED COMBAT  
2   VEHICLES, ARMY

3             For an additional amount for “Procurement of Weap-  
4 ons and Tracked Combat Vehicles, Army”, \$15,422,000,  
5 to remain available until September 30, 2015: *Provided*,  
6 That such amount is designated by the Congress for Over-  
7 seas Contingency Operations/Global War on Terrorism  
8 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
9 Budget and Emergency Deficit Control Act of 1985.

10                                        PROCUREMENT OF AMMUNITION, ARMY

11             For an additional amount for “Procurement of Am-  
12 munition, Army”, \$338,493,000, to remain available until  
13 September 30, 2015: *Provided*, That such amount is des-  
14 ignated by the Congress for Overseas Contingency Oper-  
15 ations/Global War on Terrorism pursuant to section  
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

18                                        OTHER PROCUREMENT, ARMY

19             For an additional amount for “Other Procurement,  
20 Army”, \$1,740,157,000, to remain available until Sep-  
21 tember 30, 2015: *Provided*, That such amount is des-  
22 ignated by the Congress for Overseas Contingency Oper-  
23 ations/Global War on Terrorism pursuant to section  
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985.

## 1 AIRCRAFT PROCUREMENT, NAVY

2 For an additional amount for “Aircraft Procurement,  
3 Navy”, \$215,698,000, to remain available until September  
4 30, 2015: *Provided*, That such amount is designated by  
5 the Congress for Overseas Contingency Operations/Global  
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
7 the Balanced Budget and Emergency Deficit Control Act  
8 of 1985.

## 9 WEAPONS PROCUREMENT, NAVY

10 For an additional amount for “Weapons Procure-  
11 ment, Navy”, \$22,500,000, to remain available until Sep-  
12 tember 30, 2015: *Provided*, That such amount is des-  
13 ignated by the Congress for Overseas Contingency Oper-  
14 ations/Global War on Terrorism pursuant to section  
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985.

17 PROCUREMENT OF AMMUNITION, NAVY AND MARINE  
18 CORPS

19 For an additional amount for “Procurement of Am-  
20 muniton, Navy and Marine Corps”, \$283,059,000, to re-  
21 main available until September 30, 2015: *Provided*, That  
22 such amount is designated by the Congress for Overseas  
23 Contingency Operations/Global War on Terrorism pursu-  
24 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
25 and Emergency Deficit Control Act of 1985.

## 1 OTHER PROCUREMENT, NAVY

2 For an additional amount for “Other Procurement,  
3 Navy”, \$98,882,000, to remain available until September  
4 30, 2015: *Provided*, That such amount is designated by  
5 the Congress for Overseas Contingency Operations/Global  
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
7 the Balanced Budget and Emergency Deficit Control Act  
8 of 1985.

## 9 PROCUREMENT, MARINE CORPS

10 For an additional amount for “Procurement, Marine  
11 Corps”, \$822,054,000, to remain available until Sep-  
12 tember 30, 2015: *Provided*, That such amount is des-  
13 ignated by the Congress for Overseas Contingency Oper-  
14 ations/Global War on Terrorism pursuant to section  
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985.

## 17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For an additional amount for “Aircraft Procurement,  
19 Air Force”, \$305,600,000, to remain available until Sep-  
20 tember 30, 2015: *Provided*, That such amount is des-  
21 ignated by the Congress for Overseas Contingency Oper-  
22 ations/Global War on Terrorism pursuant to section  
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

## 1                   MISSILE PROCUREMENT, AIR FORCE

2           For an additional amount for “Missile Procurement,  
3 Air Force”, \$34,350,000, to remain available until Sep-  
4 tember 30, 2015: *Provided*, That such amount is des-  
5 ignated by the Congress for Overseas Contingency Oper-  
6 ations/Global War on Terrorism pursuant to section  
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
8 Deficit Control Act of 1985.

## 9                   PROCUREMENT OF AMMUNITION, AIR FORCE

10          For an additional amount for “Procurement of Am-  
11 munition, Air Force”, \$116,203,000, to remain available  
12 until September 30, 2015: *Provided*, That such amount  
13 is designated by the Congress for Overseas Contingency  
14 Operations/Global War on Terrorism pursuant to section  
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985.

## 17                   OTHER PROCUREMENT, AIR FORCE

18          For an additional amount for “Other Procurement,  
19 Air Force”, \$2,680,270,000, to remain available until  
20 September 30, 2015: *Provided*, That such amount is des-  
21 ignated by the Congress for Overseas Contingency Oper-  
22 ations/Global War on Terrorism pursuant to section  
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

## 1                   PROCUREMENT, DEFENSE-WIDE

2           For an additional amount for “Procurement, De-  
3 fense-Wide”, \$188,099,000, to remain available until Sep-  
4 tember 30, 2015: *Provided*, That such amount is des-  
5 ignated by the Congress for Overseas Contingency Oper-  
6 ations/Global War on Terrorism pursuant to section  
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
8 Deficit Control Act of 1985.

## 9                   NATIONAL GUARD AND RESERVE EQUIPMENT

10          For procurement of aircraft, missiles, tracked combat  
11 vehicles, ammunition, other weapons and other procure-  
12 ment for the reserve components of the Armed Forces,  
13 \$1,500,000,000, to remain available for obligation until  
14 September 30, 2015: *Provided*, That the Chiefs of Na-  
15 tional Guard and Reserve components shall, not later than  
16 30 days after the enactment of this Act, individually sub-  
17 mit to the congressional defense committees the mod-  
18 ernization priority assessment for their respective Na-  
19 tional Guard or Reserve component: *Provided further*,  
20 That such amount is designated by the Congress for Over-  
21 seas Contingency Operations/Global War on Terrorism  
22 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
23 Budget and Emergency Deficit Control Act of 1985.

1 RESEARCH, DEVELOPMENT, TEST AND  
2 EVALUATION

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
4 ARMY

5 For an additional amount for “Research, Develop-  
6 ment, Test and Evaluation, Army”, \$29,660,000, to re-  
7 main available until September 30, 2014: *Provided*, That  
8 such amount is designated by the Congress for Overseas  
9 Contingency Operations/Global War on Terrorism pursu-  
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
11 and Emergency Deficit Control Act of 1985.

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
13 NAVY

14 For an additional amount for “Research, Develop-  
15 ment, Test and Evaluation, Navy”, \$52,519,000, to re-  
16 main available until September 30, 2014: *Provided*, That  
17 such amount is designated by the Congress for Overseas  
18 Contingency Operations/Global War on Terrorism pursu-  
19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
20 and Emergency Deficit Control Act of 1985.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
22 AIR FORCE

23 For an additional amount for “Research, Develop-  
24 ment, Test and Evaluation, Air Force”, \$53,150,000, to  
25 remain available until September 30, 2014: *Provided*,

1 That such amount is designated by the Congress for Over-  
2 seas Contingency Operations/Global War on Terrorism  
3 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
4 Budget and Emergency Deficit Control Act of 1985.

5 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
6 DEFENSE-WIDE

7 For an additional amount for “Research, Develop-  
8 ment, Test and Evaluation, Defense-Wide”,  
9 \$112,387,000, to remain available until September 30,  
10 2014: *Provided*, That such amount is designated by the  
11 Congress for Overseas Contingency Operations/Global  
12 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
13 the Balanced Budget and Emergency Deficit Control Act  
14 of 1985.

15 REVOLVING AND MANAGEMENT FUNDS

16 DEFENSE WORKING CAPITAL FUNDS

17 For an additional amount for “Defense Working  
18 Capital Funds”, \$243,600,000: *Provided*, That such  
19 amount is designated by the Congress for Overseas Con-  
20 tingency Operations/Global War on Terrorism pursuant to  
21 section 251(b)(2)(A)(ii) of the Balanced Budget and  
22 Emergency Deficit Control Act of 1985.

## 1 OTHER DEPARTMENT OF DEFENSE PROGRAMS

## 2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-  
4 gram”, \$993,898,000, which shall be for operation and  
5 maintenance: *Provided*, That such amount is designated  
6 by the Congress for Overseas Contingency Operations/  
7 Global War on Terrorism pursuant to section  
8 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
9 Deficit Control Act of 1985.

## 10 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

## 11 DEFENSE

12 For an additional amount for “Drug Interdiction and  
13 Counter-Drug Activities, Defense”, \$469,025,000, to re-  
14 main available until September 30, 2014: *Provided*, That  
15 such amount is designated by the Congress for Overseas  
16 Contingency Operations/Global War on Terrorism pursu-  
17 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
18 and Emergency Deficit Control Act of 1985.

## 19 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

## 20 (INCLUDING TRANSFER OF FUNDS)

21 For the “Joint Improvised Explosive Device Defeat  
22 Fund”, \$1,622,614,000, to remain available until Sep-  
23 tember 30, 2015: *Provided*, That such funds shall be avail-  
24 able to the Secretary of Defense, notwithstanding any  
25 other provision of law, for the purpose of allowing the Di-



1 rector of the Joint Improvised Explosive Device Defeat  
2 Organization to investigate, develop and provide equip-  
3 ment, supplies, services, training, facilities, personnel and  
4 funds to assist United States forces in the defeat of impro-  
5 vised explosive devices: *Provided further*, That the Sec-  
6 retary of Defense may transfer funds provided herein to  
7 appropriations for military personnel; operation and main-  
8 tenance; procurement; research, development, test and  
9 evaluation; and defense working capital funds to accom-  
10 plish the purpose provided herein: *Provided further*, That  
11 this transfer authority is in addition to any other transfer  
12 authority available to the Department of Defense: *Pro-*  
13 *vided further*, That the Secretary of Defense shall, not  
14 fewer than 15 days prior to making transfers from this  
15 appropriation, notify the congressional defense committees  
16 in writing of the details of any such transfer: *Provided*  
17 *further*, That such amount is designated by the Congress  
18 for Overseas Contingency Operations/Global War on Ter-  
19 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
20 anced Budget and Emergency Deficit Control Act of 1985.

21 OFFICE OF THE INSPECTOR GENERAL

22 For an additional amount for the “Office of the In-  
23 spector General”, \$10,766,000: *Provided*, That such  
24 amount is designated by the Congress for Overseas Con-  
25 tingency Operations/Global War on Terrorism pursuant to

1 section 251(b)(2)(A)(ii) of the Balanced Budget and  
2 Emergency Deficit Control Act of 1985.

3 GENERAL PROVISIONS—THIS TITLE

4 SEC. 9001. Notwithstanding any other provision of  
5 law, funds made available in this title are in addition to  
6 amounts appropriated or otherwise made available for the  
7 Department of Defense for fiscal year 2013.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 9002. Upon the determination of the Secretary  
10 of Defense that such action is necessary in the national  
11 interest, the Secretary may, with the approval of the Of-  
12 fice of Management and Budget, transfer up to  
13 \$3,500,000,000 between the appropriations or funds made  
14 available to the Department of Defense in this title: *Pro-*  
15 *vided*, That the Secretary shall notify the Congress  
16 promptly of each transfer made pursuant to the authority  
17 in this section: *Provided further*, That the authority pro-  
18 vided in this section is in addition to any other transfer  
19 authority available to the Department of Defense and is  
20 subject to the same terms and conditions as the authority  
21 provided in the Department of Defense Appropriations  
22 Act, 2013.

23 SEC. 9003. Supervision and administration costs as-  
24 sociated with a construction project funded with appro-  
25 priations available for operation and maintenance, “Af-

1 ghanistan Infrastructure Fund”, or the “Afghanistan Se-  
2 curity Forces Fund” provided in this Act and executed  
3 in direct support of overseas contingency operations in Af-  
4 ghanistan, may be obligated at the time a construction  
5 contract is awarded: *Provided*, That for the purpose of this  
6 section, supervision and administration costs include all  
7 in-house Government costs.

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

18       SEC. 9005. Not to exceed \$200,000,000 of the  
19 amount appropriated in this title under the heading “Op-  
20 eration and Maintenance, Army” may be used, notwith-  
21 standing any other provision of law, to fund the Com-  
22 mander’s Emergency Response Program (CERP), for the  
23 purpose of enabling military commanders in Afghanistan  
24 to respond to urgent, small-scale, humanitarian relief and  
25 reconstruction requirements within their areas of responsi-

1 bility: *Provided*, That each project (including any ancillary  
2 or related elements in connection with such project) exe-  
3 cuted under this authority shall not exceed \$20,000,000:  
4 *Provided further*, That not later than 45 days after the  
5 end of each fiscal year quarter, the Secretary of Defense  
6 shall submit to the congressional defense committees a re-  
7 port regarding the source of funds and the allocation and  
8 use of funds during that quarter that were made available  
9 pursuant to the authority provided in this section or under  
10 any other provision of law for the purposes described here-  
11 in: *Provided further*, That, not later than 30 days after  
12 the end of each month, the Army shall submit to the con-  
13 gressional defense committees monthly commitment, obli-  
14 gation, and expenditure data for the Commander's Emer-  
15 gency Response Program in Afghanistan: *Provided fur-*  
16 *ther*, That not less than 15 days before making funds  
17 available pursuant to the authority provided in this section  
18 or under any other provision of law for the purposes de-  
19 scribed herein for a project with a total anticipated cost  
20 for completion of \$5,000,000 or more, the Secretary shall  
21 submit to the congressional defense committees a written  
22 notice containing each of the following:

- 23           (1) The location, nature and purpose of the  
24           proposed project, including how the project is in-

1 tended to advance the military campaign plan for  
2 the country in which it is to be carried out.

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

8 (3) A plan for the sustainment of the proposed  
9 project, including the agreement with either the host  
10 nation, a non-Department of Defense agency of the  
11 United States Government or a third-party contrib-  
12 utor to finance the sustainment of the activities and  
13 maintenance of any equipment or facilities to be pro-  
14 vided through the proposed project.

15 SEC. 9006. Funds available to the Department of De-  
16 fense for operation and maintenance may be used, not-  
17 withstanding any other provision of law, to provide sup-  
18 plies, services, transportation, including airlift and sealift,  
19 and other logistical support to coalition forces supporting  
20 military and stability operations in Afghanistan: *Provided,*  
21 That the Secretary of Defense shall provide quarterly re-  
22 ports to the congressional defense committees regarding  
23 support provided under this section.

24 SEC. 9007. None of the funds appropriated or other-  
25 wise made available by this or any other Act shall be obli-

1 gated or expended by the United States Government for  
2 a purpose as follows:

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

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

8 (3) To establish any military installation or  
9 base for the purpose of providing for the permanent  
10 stationing of United States Armed Forces in Af-  
11 ghanistan.

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

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

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

1       eral Regulations, and part 95 of title 22, Code of  
2       Federal Regulations.

3           (3) Sections 1002 and 1003 of the Department  
4       of Defense, Emergency Supplemental Appropriations  
5       to Address Hurricanes in the Gulf of Mexico, and  
6       Pandemic Influenza Act, 2006 (Public Law 109–  
7       148).

8       SEC. 9009. None of the funds provided for the “Af-  
9       ghanistan Security Forces Fund” (ASFF) may be obli-  
10      gated prior to the approval of a financial and activity plan  
11      by the Afghanistan Resources Oversight Council (AROC)  
12      of the Department of Defense: *Provided*, That the AROC  
13      must approve the requirement and acquisition plan for any  
14      service requirements in excess of \$50,000,000 annually  
15      and any non-standard equipment requirements in excess  
16      of \$100,000,000 using ASFF: *Provided further*, That the  
17      AROC must approve all projects and the execution plan  
18      under the “Afghanistan Infrastructure Fund” (AIF) and  
19      any project in excess of \$5,000,000 from the Commanders  
20      Emergency Response Program (CERP): *Provided further*,  
21      That the Department of Defense must certify to the con-  
22      gressional defense committees that the AROC has con-  
23      vened and approved a process for ensuring compliance  
24      with the requirements in the preceding provisos and ac-

1 accompanying report language for the ASFF, AIF, and  
2 CERP.

3       SEC. 9010. Funds made available in this title to the  
4 Department of Defense for operation and maintenance  
5 may be used to purchase items having an investment unit  
6 cost of not more than \$250,000: *Provided*, That, upon de-  
7 termination by the Secretary of Defense that such action  
8 is necessary to meet the operational requirements of a  
9 Commander of a Combatant Command engaged in contin-  
10 gency operations overseas, such funds may be used to pur-  
11 chase items having an investment item unit cost of not  
12 more than \$500,000.

13       SEC. 9011. Notwithstanding any other provision of  
14 law, up to \$93,000,000 of funds made available in this  
15 title under the heading “Operation and Maintenance,  
16 Army” may be obligated and expended for purposes of the  
17 Task Force for Business and Stability Operations, subject  
18 to the direction and control of the Secretary of Defense,  
19 with concurrence of the Secretary of State, to carry out  
20 strategic business and economic assistance activities in Af-  
21 ghanistan in support of Operation Enduring Freedom:  
22 *Provided*, That not less than 15 days before making funds  
23 available pursuant to the authority provided in this section  
24 for any project with a total anticipated cost of \$5,000,000  
25 or more, the Secretary shall submit to the congressional



1 defense committees a written notice containing a detailed  
2 justification and timeline for each proposed project.

3       SEC. 9012. From funds made available to the De-  
4 partment of Defense in this title under the heading “Oper-  
5 ation and Maintenance, Air Force” up to \$508,000,000  
6 may be used by the Secretary of Defense, notwithstanding  
7 any other provision of law, to support United States Gov-  
8 ernment transition activities in Iraq by funding the oper-  
9 ations and activities of the Office of Security Cooperation  
10 in Iraq and security assistance teams, including life sup-  
11 port, transportation and personal security, and facilities  
12 renovation and construction: *Provided*, That to the extent  
13 authorized under the National Defense Authorization Act  
14 for Fiscal Year 2013, the operations and activities that  
15 may be carried out by the Office of Security Cooperation  
16 in Iraq may, with the concurrence of the Secretary of  
17 State, include non-operational training activities in sup-  
18 port of Iraqi Ministry of Defense and Counter Terrorism  
19 Service personnel in an institutional environment to ad-  
20 dress capability gaps, integrate processes relating to intel-  
21 ligence, air sovereignty, combined arms, logistics and  
22 maintenance, and to manage and integrate defense-related  
23 institutions: *Provided further*, That not later than 30 days  
24 following the enactment of this Act, the Secretary of De-  
25 fense and the Secretary of State shall submit to the con-

1 gressional defense committees a plan for transitioning any  
2 such training activities that they determine are needed  
3 after the end of fiscal year 2013, to existing or new con-  
4 tracts for the sale of defense articles or defense services  
5 consistent with the provisions of the Arms Export Control  
6 Act (22 U.S.C. 2751 et seq.): *Provided further*, That not  
7 less than 15 days before making funds available pursuant  
8 to the authority provided in this section, the Secretary of  
9 Defense shall submit to the congressional defense commit-  
10 tees a written notification containing a detailed justifica-  
11 tion and timeline for the operations and activities of the  
12 Office of Security Cooperation in Iraq at each site where  
13 such operations and activities will be conducted during fis-  
14 cal year 2013.

15 (RESCISSIONS)

16 SEC. 9013. Of the funds appropriated in Department  
17 of Defense Appropriations Acts, the following funds are  
18 hereby rescinded from the following accounts and pro-  
19 grams in the specified amounts: *Provided*, That such  
20 amounts are designated by the Congress for Overseas  
21 Contingency Operations/Global War on Terrorism pursu-  
22 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
23 and Emergency Deficit Control Act of 1985:

24 “Retroactive Stop Loss Special Pay Program,  
25 2009/XXXX”, \$127,200,000;

1 “Afghanistan Security Forces Fund, 2012/  
2 2013”, \$1,000,000,000;

3 “Other Procurement, Army, 2012/2014”,  
4 \$207,600,000;

5 “Procurement of Ammunition, Navy and Ma-  
6 rine Corps, 2012/2014”, \$32,176,000;

7 “Procurement, Marine Corps, 2012/2014”,  
8 \$2,776,000;

9 “Mine Resistant Ambush Protected Vehicle  
10 Fund, 2012/2013”, \$400,000,000;

11 “Research, Development, Test and Evaluation,  
12 Air Force, 2012/2013”, \$50,000,000;

13 “Joint Improvised Explosive Device Defeat  
14 Fund, 2012/2014”, \$40,300,000.

15 SEC. 9014. (a) None of the funds appropriated or  
16 otherwise made available by this Act under the heading  
17 “Operation and Maintenance, Defense-Wide” for pay-  
18 ments under section 1233 of Public Law 110–181 for re-  
19 imbursement to the Government of Pakistan may be made  
20 available unless the Secretary of Defense, in coordination  
21 with the Secretary of State, certifies to the Committees  
22 on Appropriations that the Government of Pakistan is—

23 (1) cooperating with the United States in  
24 counterterrorism efforts against the Haqqani Net-  
25 work, the Quetta Shura Taliban, Lashkar e-Tayyiba,

1 Jaish-e-Mohammed, Al Qaeda, and other domestic  
2 and foreign terrorist organizations, including taking  
3 steps to end support for such groups and prevent  
4 them from basing and operating in Pakistan and  
5 carrying out cross border attacks into neighboring  
6 countries;

7 (2) not supporting terrorist activities against  
8 United States or coalition forces in Afghanistan, and  
9 Pakistan's military and intelligence agencies are not  
10 intervening extra-judicially into political and judicial  
11 processes in Pakistan;

12 (3) dismantling improvised explosive device  
13 (IED) networks and interdicting precursor chemicals  
14 used in the manufacture of IEDs;

15 (4) preventing the proliferation of nuclear-re-  
16 lated material and expertise;

17 (5) issuing visas in a timely manner for United  
18 States visitors engaged in counterterrorism efforts  
19 and assistance programs in Pakistan; and

20 (6) providing humanitarian organizations access  
21 to detainees, internally displaced persons, and other  
22 Pakistani civilians affected by the conflict.

23 (b) The Secretary of Defense, in coordination with  
24 the Secretary of State, may waive the restriction in para-  
25 graph (a) on a case-by-case basis by certifying in writing

1 to the Committees on Appropriations of the House of Rep-  
2 resentatives and the Senate that it is in the national secu-  
3 rity interest to do so: *Provided*, That if the Secretary of  
4 Defense, in coordination with the Secretary of State, exer-  
5 cises the authority of the previous proviso, the Secretaries  
6 shall report to the Committees on Appropriations on both  
7 the justification for the waiver and on the requirements  
8 of this section that the Government of Pakistan was not  
9 able to meet: *Provided further*, That such report may be  
10 submitted in classified form if necessary.

11 This division may be cited as the “Department of De-  
12 fense Appropriations Act, 2013”.

13 **DIVISION D—DEPARTMENT OF HOME-**  
14 **LAND SECURITY APPROPRIATIONS**  
15 **ACT, 2013**

16 The following sums are hereby appropriated, out of  
17 any money in the Treasury not otherwise appropriated,  
18 for the Department of Homeland Security for the fiscal  
19 year ending September 30, 2013, and for other purposes,  
20 namely:

1 TITLE I  
2 DEPARTMENTAL MANAGEMENT AND  
3 OPERATIONS  
4 DEPARTMENTAL OPERATIONS  
5 OFFICE OF THE SECRETARY AND EXECUTIVE  
6 MANAGEMENT

7 For necessary expenses of the Office of the Secretary  
8 of Homeland Security, as authorized by section 102 of the  
9 Homeland Security Act of 2002 (6 U.S.C. 112), and execu-  
10 tive management of the Department of Homeland Secu-  
11 rity, as authorized by law, \$130,000,000: *Provided*, That  
12 not to exceed \$45,000 shall be for official reception and  
13 representation expenses: *Provided further*, That all official  
14 costs associated with the use of government aircraft by  
15 Department of Homeland Security personnel to support  
16 official travel of the Secretary and the Deputy Secretary  
17 shall be paid from amounts made available for the Imme-  
18 diate Office of the Secretary and the Immediate Office of  
19 the Deputy Secretary: *Provided further*, That the Sec-  
20 retary shall submit to the Committees on Appropriations  
21 of the Senate and the House of Representatives, not later  
22 than 90 days after the date of enactment of this Act, ex-  
23 penditure plans for the Office of Policy, the Office for  
24 Intergovernmental Affairs, the Office for Civil Rights and

1 Civil Liberties, the Citizenship and Immigration Services  
2 Ombudsman, and the Privacy Officer.

3 OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

4 For necessary expenses of the Office of the Under  
5 Secretary for Management, as authorized by sections 701  
6 through 705 of the Homeland Security Act of 2002 (6  
7 U.S.C. 341 through 345), \$218,511,000, of which not to  
8 exceed \$2,250 shall be for official reception and represen-  
9 tation expenses: *Provided*, That of the total amount made  
10 available under this heading, \$5,448,000 shall remain  
11 available until September 30, 2017, solely for the alter-  
12 ation and improvement of facilities, tenant improvements,  
13 and relocation costs to consolidate Department head-  
14 quarters operations at the Nebraska Avenue Complex; and  
15 \$9,680,000 shall remain available until September 30,  
16 2015, for the Human Resources Information Technology  
17 program: *Provided further*, That the Under Secretary for  
18 Management shall, pursuant to the requirements con-  
19 tained in House Report 112–331, submit to the Commit-  
20 tees on Appropriations of the Senate and the House of  
21 Representatives with the President’s budget proposal for  
22 fiscal year 2014, submitted pursuant to the requirements  
23 of section 1105(a) of title 31, United States Code, a Com-  
24 prehensive Acquisition Status Report, which shall include  
25 the information required under the heading “Office of the

1 Under Secretary for Management” under title I of division  
2 D of the Consolidated Appropriations Act, 2012 (Public  
3 Law 112–74), and quarterly updates to such report not  
4 later than 45 days after the completion of each quarter.

5 OFFICE OF THE CHIEF FINANCIAL OFFICER

6 For necessary expenses of the Office of the Chief Fi-  
7 nancial Officer, as authorized by section 103 of the Home-  
8 land Security Act of 2002 (6 U.S.C. 113), \$51,500,000,  
9 of which \$5,000,000 shall remain available until Sep-  
10 tember 30, 2014, for financial systems modernization ef-  
11 forts.

12 OFFICE OF THE CHIEF INFORMATION OFFICER

13 For necessary expenses of the Office of the Chief In-  
14 formation Officer, as authorized by section 103 of the  
15 Homeland Security Act of 2002 (6 U.S.C. 113), and De-  
16 partment-wide technology investments, \$243,732,000; of  
17 which \$118,000,000 shall be available for salaries and ex-  
18 penses; and of which \$125,732,000, to remain available  
19 until September 30, 2015, shall be available for develop-  
20 ment and acquisition of information technology equip-  
21 ment, software, services, and related activities for the De-  
22 partment of Homeland Security: *Provided*, That the De-  
23 partment of Homeland Security Chief Information Officer  
24 shall submit to the Committees on Appropriations of the  
25 Senate and the House of Representatives, at the time that



1 the President's budget is submitted each year under sec-  
2 tion 1105(a) of title 31, United States Code, a multi-year  
3 investment and management plan, to include each of fiscal  
4 years 2013 through 2016, for all information technology  
5 acquisition projects funded under this heading or funded  
6 by multiple components of the Department of Homeland  
7 Security through reimbursable agreements, that in-  
8 cludes—

9 (1) the proposed appropriations included for  
10 each project and activity tied to mission require-  
11 ments, program management capabilities, perform-  
12 ance levels, and specific capabilities and services to  
13 be delivered;

14 (2) the total estimated cost and projected  
15 timeline of completion for all multi-year enhance-  
16 ments, modernizations, and new capabilities that are  
17 proposed in such budget or underway;

18 (3) a detailed accounting of operations and  
19 maintenance and contractor services costs; and

20 (4) a current acquisition program baseline for  
21 each project, that—

22 (A) notes and explains any deviations in  
23 cost, performance parameters, schedule, or esti-  
24 mated date of completion from the original ac-  
25 quisition program baseline;

1 (B) aligns the acquisition programs cov-  
2 ered by the baseline to mission requirements by  
3 defining existing capabilities, identifying known  
4 capability gaps between such existing capabili-  
5 ties and stated mission requirements, and ex-  
6 plaining how each increment will address such  
7 known capability gaps; and

8 (C) defines life-cycle costs for such pro-  
9 grams.

10 ANALYSIS AND OPERATIONS

11 For necessary expenses for intelligence analysis and  
12 operations coordination activities, as authorized by title II  
13 of the Homeland Security Act of 2002 (6 U.S.C. 121 et  
14 seq.), \$322,280,000; of which not to exceed \$3,825 shall  
15 be for official reception and representation expenses; and  
16 of which \$94,359,000 shall remain available until Sep-  
17 tember 30, 2014.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector  
20 General in carrying out the provisions of the Inspector  
21 General Act of 1978 (5 U.S.C. App.), \$121,164,000, of  
22 which not to exceed \$300,000 may be used for certain con-  
23 fidential operational expenses, including the payment of  
24 informants, to be expended at the direction of the Inspec-  
25 tor General.

1 TITLE II  
2 SECURITY, ENFORCEMENT, AND  
3 INVESTIGATIONS  
4 U.S. CUSTOMS AND BORDER PROTECTION  
5 SALARIES AND EXPENSES

6 For necessary expenses for enforcement of laws relat-  
7 ing to border security, immigration, customs, agricultural  
8 inspections and regulatory activities related to plant and  
9 animal imports, and transportation of unaccompanied  
10 minor aliens; purchase and lease of up to 7,500 (6,500  
11 for replacement only) police-type vehicles; and contracting  
12 with individuals for personal services abroad;  
13 \$8,293,351,000; of which \$3,274,000 shall be derived  
14 from the Harbor Maintenance Trust Fund for administra-  
15 tive expenses related to the collection of the Harbor Main-  
16 tenance Fee pursuant to section 9505(c)(3) of the Internal  
17 Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and not-  
18 withstanding section 1511(e)(1) of the Homeland Security  
19 Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed  
20 \$34,425 shall be for official reception and representation  
21 expenses; of which such sums as become available in the  
22 Customs User Fee Account, except sums subject to section  
23 13031(f)(3) of the Consolidated Omnibus Budget Rec-  
24 onciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be de-  
25 rived from that account; of which not to exceed \$150,000

1 shall be available for payment for rental space in connec-  
2 tion with preclearance operations; and of which not to ex-  
3 ceed \$1,000,000 shall be for awards of compensation to  
4 informants, to be accounted for solely under the certificate  
5 of the Secretary of Homeland Security: *Provided*, That for  
6 fiscal year 2013, the overtime limitation prescribed in sec-  
7 tion 5(c)(1) of the Act of February 13, 1911 (19 U.S.C.  
8 267(c)(1)) shall be \$35,000; and notwithstanding any  
9 other provision of law, none of the funds appropriated by  
10 this Act shall be available to compensate any employee of  
11 U.S. Customs and Border Protection for overtime, from  
12 whatever source, in an amount that exceeds such limita-  
13 tion, except in individual cases determined by the Sec-  
14 retary of Homeland Security, or the designee of the Sec-  
15 retary, to be necessary for national security purposes, to  
16 prevent excessive costs, or in cases of immigration emer-  
17 gencies: *Provided further*, That the Border Patrol shall  
18 maintain an active duty presence of not less than 21,370  
19 full-time equivalent agents protecting the borders of the  
20 United States in the fiscal year.

21 AUTOMATION MODERNIZATION

22 For necessary expenses for U.S. Customs and Border  
23 Protection for operation and improvement of automated  
24 systems, including salaries and expenses, \$719,866,000;  
25 of which \$325,526,000 shall remain available until Sep-



1 other related equipment, with the exception of aircraft  
2 that are one of a kind and have been identified as excess  
3 to U.S. Customs and Border Protection requirements and  
4 aircraft that have been damaged beyond repair, shall be  
5 transferred to any other Federal agency, department, or  
6 office outside of the Department of Homeland Security  
7 during fiscal year 2013 without prior notice to the Com-  
8 mittees on Appropriations of the Senate and the House  
9 of Representatives: *Provided further*, That the Secretary  
10 of Homeland Security shall report to the Committees on  
11 Appropriations of the Senate and the House of Represent-  
12 atives, not later than 90 days after the date of enactment  
13 of this Act, on any changes to the 5-year strategic plan  
14 for the air and marine program required under this head-  
15 ing in Public Law 112–74.

16 CONSTRUCTION AND FACILITIES MANAGEMENT

17 For necessary expenses to plan, acquire, construct,  
18 renovate, equip, furnish, operate, manage, and maintain  
19 buildings, facilities, and related infrastructure necessary  
20 for the administration and enforcement of the laws relat-  
21 ing to customs, immigration, and border security,  
22 \$233,563,000, to remain available until September 30,  
23 2017: *Provided*, That the Commissioner of U.S. Customs  
24 and Border Protection shall submit to the Committees on  
25 Appropriations of the Senate and the House of Represent-

1 atives, at the time that the President's budget proposal  
2 is submitted pursuant to the requirements of section  
3 1105(a) of title 31, United States Code, an inventory of  
4 the real property of U.S. Customs and Border Protection  
5 and a plan for each activity and project proposed for fund-  
6 ing under this heading that includes the full cost by fiscal  
7 year of each activity and project proposed and underway  
8 in fiscal year 2014.

9 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

10 SALARIES AND EXPENSES

11 For necessary expenses for enforcement of immigra-  
12 tion and customs laws, detention and removals, and inves-  
13 tigation, including overseas vetted units operations; and  
14 purchase and lease of up to 3,790 (2,350 for replacement  
15 only) police-type vehicles; \$5,394,402,000; of which not to  
16 exceed \$10,000,000 shall be available until expended for  
17 conducting special operations under section 3131 of the  
18 Customs Enforcement Act of 1986 (19 U.S.C. 2081); of  
19 which not to exceed \$11,475 shall be for official reception  
20 and representation expenses; of which not to exceed  
21 \$2,000,000 shall be for awards of compensation to inform-  
22 ants, to be accounted for solely under the certificate of  
23 the Secretary of Homeland Security; of which not less  
24 than \$305,000 shall be for promotion of public awareness  
25 of the child pornography tipline and activities to counter

1 child exploitation; of which not less than \$5,400,000 shall  
2 be used to facilitate agreements consistent with section  
3 287(g) of the Immigration and Nationality Act (8 U.S.C.  
4 1357(g)); and of which not to exceed \$11,216,000 shall  
5 be available to fund or reimburse other Federal agencies  
6 for the costs associated with the care, maintenance, and  
7 repatriation of smuggled aliens unlawfully present in the  
8 United States: *Provided*, That none of the funds made  
9 available under this heading shall be available to com-  
10 pensate any employee for overtime in an annual amount  
11 in excess of \$35,000, except that the Secretary of Home-  
12 land Security, or the designee of the Secretary, may waive  
13 that amount as necessary for national security purposes  
14 and in cases of immigration emergencies: *Provided further*,  
15 That of the total amount provided, \$15,770,000 shall be  
16 for activities to enforce laws against forced child labor,  
17 of which not to exceed \$6,000,000 shall remain available  
18 until expended: *Provided further*, That of the total amount  
19 available, not less than \$1,600,000,000 shall be available  
20 to identify aliens convicted of a crime who may be deport-  
21 able, and to remove them from the United States once  
22 they are judged deportable, of which \$138,249,000 shall  
23 be for completion of Secure Communities deployment: *Pro-*  
24 *vided further*, That the Assistant Secretary of Homeland  
25 Security for U.S. Immigration and Customs Enforcement



1 shall report to the Committees on Appropriations of the  
2 Senate and the House of Representatives, not later than  
3 45 days after the end of each quarter of the fiscal year,  
4 on progress in implementing the preceding proviso and the  
5 funds obligated during that quarter to make such  
6 progress: *Provided further*, That the Secretary of Home-  
7 land Security shall prioritize the identification and re-  
8 moval of aliens convicted of a crime by the severity of that  
9 crime: *Provided further*, That funding made available  
10 under this heading shall maintain a level of not less than  
11 34,000 detention beds through September 30, 2013: *Pro-*  
12 *vided further*, That of the total amount provided, not less  
13 than \$2,753,610,000 is for detention and removal oper-  
14 ations, including transportation of unaccompanied minor  
15 aliens: *Provided further*, That of the total amount pro-  
16 vided, \$10,300,000 shall remain available until September  
17 30, 2014, for the Visa Security Program: *Provided further*,  
18 That not less than \$10,000,000 shall be available for in-  
19 vestigation of intellectual property rights violations, in-  
20 cluding operation of the National Intellectual Property  
21 Rights Coordination Center: *Provided further*, That none  
22 of the funds provided under this heading may be used to  
23 continue a delegation of law enforcement authority author-  
24 ized under section 287(g) of the Immigration and Nation-  
25 ality Act (8 U.S.C. 1357(g)) if the Department of Home-

1 land Security Inspector General determines that the terms  
2 of the agreement governing the delegation of authority  
3 have been violated: *Provided further*, That none of the  
4 funds provided under this heading may be used to con-  
5 tinue any contract for the provision of detention services  
6 if the two most recent overall performance evaluations re-  
7 ceived by the contracted facility are less than “adequate”  
8 or the equivalent median score in any subsequent perform-  
9 ance evaluation system: *Provided further*, That nothing  
10 under this heading shall prevent U.S. Immigration and  
11 Customs Enforcement from exercising those authorities  
12 provided under immigration laws (as defined in section  
13 101(a)(17) of the Immigration and Nationality Act (8  
14 U.S.C. 1101(a)(17))) during priority operations per-  
15 taining to aliens convicted of a crime.

16 AUTOMATION MODERNIZATION

17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses of immigration and customs enforce-  
19 ment automated systems, \$33,500,000, to remain avail-  
20 able until September 30, 2015: *Provided*, That of the total  
21 amount provided, up to \$1,000,000 may be transferred  
22 to the Department of Justice Executive Office of Immigra-  
23 tion Review to improve case management and electronic  
24 communication with U.S. Immigration and Customs En-  
25 forcement: *Provided further*, That no transfer described in

1 the previous proviso shall occur until 15 days after the  
2 Committees on Appropriations of the Senate and the  
3 House of Representatives are notified of such transfer.

4 CONSTRUCTION

5 For necessary expenses to plan, construct, renovate,  
6 equip, and maintain buildings and facilities necessary for  
7 the administration and enforcement of the laws relating  
8 to customs and immigration, \$5,000,000, to remain avail-  
9 able until September 30, 2016.

10 TRANSPORTATION SECURITY ADMINISTRATION

11 AVIATION SECURITY

12 For necessary expenses of the Transportation Secu-  
13 rity Administration related to providing civil aviation secu-  
14 rity services pursuant to the Aviation and Transportation  
15 Security Act (Public Law 107–71; 115 Stat. 597; 49  
16 U.S.C. 40101 note), \$5,052,620,000, to remain available  
17 until September 30, 2014, of which not to exceed \$7,650  
18 shall be for official reception and representation expenses:  
19 *Provided*, That of the total amount made available under  
20 this heading, not to exceed \$3,975,517,000 shall be for  
21 screening operations, of which \$408,930,000 shall be  
22 available for explosives detection systems; \$115,204,000  
23 shall be for checkpoint support; and not to exceed  
24 \$1,077,103,000 shall be for aviation security direction and  
25 enforcement: *Provided further*, That of the amount made

1 available in the preceding proviso for explosives detection  
2 systems, \$99,930,000 shall be available for the purchase  
3 and installation of these systems: *Provided further*, That  
4 any award to deploy explosives detection systems shall be  
5 based on risk, the airport's current reliance on other  
6 screening solutions, lobby congestion resulting in increased  
7 security concerns, high injury rates, airport readiness, and  
8 increased cost effectiveness: *Provided further*, That secu-  
9 rity service fees authorized under section 44940 of title  
10 49, United States Code, shall be credited to this appro-  
11 priation as offsetting collections and shall be available only  
12 for aviation security: *Provided further*, That the sum ap-  
13 propriated under this heading from the general fund shall  
14 be reduced on a dollar-for-dollar basis as such offsetting  
15 collections are received during fiscal year 2013 so as to  
16 result in a final fiscal year appropriation from the general  
17 fund estimated at not more than \$2,982,620,000: *Pro-*  
18 *vided further*, That any security service fees collected in  
19 excess of the amount made available under this heading  
20 shall become available during fiscal year 2014: *Provided*  
21 *further*, That notwithstanding section 44923 of title 49,  
22 United States Code, for fiscal year 2013, any funds in  
23 the Aviation Security Capital Fund established by section  
24 44923(h) of title 49, United States Code, may be used  
25 for the procurement and installation of explosives detec-

1 tion systems or for the issuance of other transaction agree-  
2 ments for the purpose of funding projects described in sec-  
3 tion 44923(a) of such title: *Provided further*, That none  
4 of the funds made available in this Act may be used for  
5 any recruiting or hiring of personnel into the Transpor-  
6 tation Security Administration that would cause the agen-  
7 cy to exceed a staffing level of 46,000 full-time equivalent  
8 screeners: *Provided further*, That the preceding proviso  
9 shall not apply to personnel hired as part-time employees:  
10 *Provided further*, That not later than 90 days after the  
11 date of enactment of this Act, the Secretary of Homeland  
12 Security shall submit to the Committees on Appropria-  
13 tions of the Senate and the House of Representatives a  
14 detailed report on—

15 (1) the Department of Homeland Security ef-  
16 forts and resources being devoted to develop more  
17 advanced integrated passenger screening tech-  
18 nologies for the most effective security of passengers  
19 and baggage at the lowest possible operating and ac-  
20 quisition costs;

21 (2) how the Transportation Security Adminis-  
22 tration is deploying its existing passenger and bag-  
23 gage screener workforce in the most cost effective  
24 manner; and

1           (3) labor savings from the deployment of im-  
2           proved technologies for passenger and baggage  
3           screening and how those savings are being used to  
4           offset security costs or reinvested to address security  
5           vulnerabilities:

6   *Provided further*, That the Administrator of the Transpor-  
7   tation Security Administration shall, within 270 days of  
8   the date of enactment of this Act, establish procedures al-  
9   lowing members of cabin flight crews of air carriers to par-  
10   ticipate in the Known Crewmember pilot program, unless  
11   the Administrator determines that meeting the require-  
12   ment within this timeline is not practicable and informs  
13   the Committees on Appropriations of the Senate and  
14   House of Representatives of the basis for that determina-  
15   tion and the new timeline for implementing the require-  
16   ment: *Provided further*, That Members of the United  
17   States House of Representatives and United States Sen-  
18   ate, including the leadership; the heads of Federal agen-  
19   cies and commissions, including the Secretary, Deputy  
20   Secretary, Under Secretaries, and Assistant Secretaries of  
21   the Department of Homeland Security; the United States  
22   Attorney General, Deputy Attorney General, Assistant At-  
23   torneys General, and the United States Attorneys; and  
24   senior members of the Executive Office of the President,  
25   including the Director of the Office of Management and

1 Budget, shall not be exempt from Federal passenger and  
2 baggage screening.

3 SURFACE TRANSPORTATION SECURITY

4 For necessary expenses of the Transportation Secu-  
5 rity Administration related to surface transportation secu-  
6 rity activities, \$124,418,000, to remain available until  
7 September 30, 2014.

8 TRANSPORTATION THREAT ASSESSMENT AND  
9 CREDENTIALING

10 For necessary expenses for the development and im-  
11 plementation of screening programs of the Office of  
12 Transportation Threat Assessment and Credentialing,  
13 \$192,424,000, to remain available until September 30,  
14 2014.

15 TRANSPORTATION SECURITY SUPPORT

16 For necessary expenses of the Transportation Secu-  
17 rity Administration related to transportation security sup-  
18 port and intelligence pursuant to the Aviation and Trans-  
19 portation Security Act (Public Law 107–71; 115 Stat.  
20 597; 49 U.S.C. 40101 note), \$954,277,000, to remain  
21 available until September 30, 2014: *Provided*, That of the  
22 funds appropriated under this heading, \$20,000,000 may  
23 not be obligated for headquarters administration until the  
24 Administrator of the Transportation Security Administra-  
25 tion submits to the Committees on Appropriations of the

1 Senate and the House of Representatives detailed expendi-  
2 ture plans for air cargo security, checkpoint support, and  
3 explosives detection systems refurbishment, procurement,  
4 and installations on an airport-by-airport basis for fiscal  
5 year 2013: *Provided further*, That these plans shall be sub-  
6 mitted not later than 60 days after the date of enactment  
7 of this Act.

8 FEDERAL AIR MARSHALS

9 For necessary expenses of the Federal Air Marshal  
10 Service, \$907,757,000: *Provided*, That the Director of the  
11 Federal Air Marshal Service shall submit to the Commit-  
12 tees on Appropriations of the Senate and the House of  
13 Representatives not later than 45 days after the date of  
14 enactment of this Act a detailed, classified expenditure  
15 and staffing plan for ensuring optimal coverage of high  
16 risk flights.

17 COAST GUARD

18 OPERATING EXPENSES

19 For necessary expenses for the operation and mainte-  
20 nance of the Coast Guard, not otherwise provided for; pur-  
21 chase or lease of not to exceed 25 passenger motor vehi-  
22 cles, which shall be for replacement only; purchase or lease  
23 of small boats for contingent and emergent requirements  
24 (at a unit cost of no more than \$700,000) and repairs  
25 and service-life replacements, not to exceed a total of



1 \$31,000,000; purchase or lease of boats necessary for  
2 overseas deployments and activities; minor shore construc-  
3 tion projects not exceeding \$1,000,000 in total cost on any  
4 location; payments pursuant to section 156 of Public Law  
5 97-377 (42 U.S.C. 402 note; 96 Stat. 1920); and recre-  
6 ation and welfare; \$7,074,782,000; of which \$594,000,000  
7 shall be for defense-related activities, of which  
8 \$254,000,000 is designated by the Congress for Overseas  
9 Contingency Operations/Global War on Terrorism pursu-  
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
11 and Emergency Deficit Control Act of 1985; of which  
12 \$24,500,000 shall be derived from the Oil Spill Liability  
13 Trust Fund to carry out the purposes of section  
14 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.  
15 2712(a)(5)); and of which not to exceed \$15,300 shall be  
16 for official reception and representation expenses: *Pro-*  
17 *vided*, That none of the funds made available by this Act  
18 shall be for expenses incurred for recreational vessels  
19 under section 12114 of title 46, United States Code, ex-  
20 cept to the extent fees are collected from owners of yachts  
21 and credited to this appropriation: *Provided further*, That  
22 of the funds provided under this heading, \$75,000,000  
23 shall be withheld from obligation for Coast Guard Head-  
24 quarters Directorates until a revised future-years capital  
25 investment plan for fiscal years 2014 through 2018, as

1 specified under the heading Coast Guard “Acquisition,  
2 Construction, and Improvements” of this Act is submitted  
3 to the Committees on Appropriations of the Senate and  
4 the House of Representatives: *Provided further*, That  
5 funds made available under this heading for Overseas  
6 Contingency Operations/Global War on Terrorism may be  
7 allocated by program, project, and activity, notwith-  
8 standing section 503 of this Act.

9 ENVIRONMENTAL COMPLIANCE AND RESTORATION

10 For necessary expenses to carry out the environ-  
11 mental compliance and restoration functions of the Coast  
12 Guard under chapter 19 of title 14, United States Code,  
13 \$13,151,000, to remain available until September 30,  
14 2017.

15 RESERVE TRAINING

16 For necessary expenses of the Coast Guard Reserve,  
17 as authorized by law; operations and maintenance of the  
18 Coast Guard reserve program; personnel and training  
19 costs; and equipment and services; \$132,528,000.

20 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

21 For necessary expenses of acquisition, construction,  
22 renovation, and improvement of aids to navigation, shore  
23 facilities, vessels, and aircraft, including equipment related  
24 thereto; and maintenance, rehabilitation, lease and oper-  
25 ation of facilities and equipment; as authorized by law;

1 \$1,545,393,000; of which \$20,000,000 shall be derived  
2 from the Oil Spill Liability Trust Fund to carry out the  
3 purposes of section 1012(a)(5) of the Oil Pollution Act  
4 of 1990 (33 U.S.C. 2712(a)(5)); of which \$10,000,000  
5 shall remain available until September 30, 2017, for mili-  
6 tary family housing, of which not more than \$6,828,691  
7 shall be derived from the Coast Guard Housing Fund es-  
8 tablished pursuant to 14 U.S.C. 687; of which  
9 \$1,082,800,000 shall be available until September 30,  
10 2017, to acquire, effect major repairs to, renovate, or im-  
11 prove vessels, small boats, and related equipment; of which  
12 \$190,500,000 shall be available until September 30, 2017,  
13 to acquire, effect major repairs to, renovate, or improve  
14 aircraft or increase aviation capability; of which  
15 \$64,000,000 shall be available until September 30, 2017,  
16 for other acquisition programs; of which \$84,411,000 shall  
17 be available until September 30, 2017, for shore facilities  
18 and aids to navigation, including waterfront facilities at  
19 Navy installations used by the Coast Guard; of which  
20 \$113,682,000 shall be available for personnel compensa-  
21 tion and benefits and related costs: *Provided*, That the  
22 funds provided by this Act shall be immediately available  
23 and allotted to contract for the production of the sixth  
24 National Security Cutter notwithstanding the availability  
25 of funds for post-production costs: *Provided further*, That

1 the funds provided by this Act shall be immediately avail-  
2 able and allotted to contract for long lead time materials,  
3 components, and designs for the seventh National Security  
4 Cutter notwithstanding the availability of funds for pro-  
5 duction costs or post-production costs: *Provided further,*  
6 That the Commandant of the Coast Guard shall submit  
7 to the Committees on Appropriations of the Senate and  
8 the House of Representatives, at the time that the Presi-  
9 dent's budget is submitted each year under section  
10 1105(a) of title 31, United States Code, a future-years  
11 capital investment plan for the Coast Guard that identifies  
12 for each requested capital asset—

13           (1) the proposed appropriations included in that  
14       budget;

15           (2) the total estimated cost of completion, in-  
16       cluding and clearly delineating the costs of associ-  
17       ated major acquisition systems infrastructure and  
18       transition to operations;

19           (3) projected funding levels for each fiscal year  
20       for the next 5 fiscal years or until acquisition pro-  
21       gram baseline or project completion, whichever is  
22       earlier;

23           (4) an estimated completion date at the pro-  
24       jected funding levels; and

1           (5) a current acquisition program baseline for  
2 each capital asset, as applicable, that—

3           (A) includes the total acquisition cost of  
4 each asset, subdivided by fiscal year and includ-  
5 ing a detailed description of the purpose of the  
6 proposed funding levels for each fiscal year, in-  
7 cluding for each fiscal year funds requested for  
8 design, pre-acquisition activities, production,  
9 structural modifications, missionization, post-  
10 delivery, and transition to operations costs;

11           (B) includes a detailed project schedule  
12 through completion, subdivided by fiscal year,  
13 that details—

14           (i) quantities planned for each fiscal  
15 year; and

16           (ii) major acquisition and project  
17 events, including development of oper-  
18 ational requirements, contracting actions,  
19 design reviews, production, delivery, test  
20 and evaluation, and transition to oper-  
21 ations, including necessary training, shore  
22 infrastructure, and logistics;

23           (C) notes and explains any deviations in  
24 cost, performance parameters, schedule, or esti-  
25 mated date of completion from the original ac-

1           quisition program baseline and the most recent  
2           baseline approved by the Department of Home-  
3           land Security's Acquisition Review Board, if ap-  
4           plicable;

5           (D) aligns the acquisition of each asset to  
6           mission requirements by defining existing capa-  
7           bilities of comparable legacy assets, identifying  
8           known capability gaps between such existing ca-  
9           pabilities and stated mission requirements, and  
10          explaining how the acquisition of each asset will  
11          address such known capability gaps;

12          (E) defines life-cycle costs for each asset  
13          and the date of the estimate on which such  
14          costs are based, including all associated costs of  
15          major acquisitions systems infrastructure and  
16          transition to operations, delineated by purpose  
17          and fiscal year for the projected service life of  
18          the asset;

19          (F) includes the earned value management  
20          system summary schedule performance index  
21          and cost performance index for each asset, if  
22          applicable; and

23          (G) includes a phase-out and decommis-  
24          sioning schedule delineated by fiscal year for

1 each existing legacy asset that each asset is in-  
2 tended to replace or recapitalize:

3 *Provided further*, That the Commandant of the Coast  
4 Guard shall ensure that amounts specified in the future-  
5 years capital investment plan are consistent, to the max-  
6 imum extent practicable, with proposed appropriations  
7 necessary to support the programs, projects, and activities  
8 of the Coast Guard in the President's budget as submitted  
9 under section 1105(a) of title 31, United States Code, for  
10 that fiscal year: *Provided further*, That any inconsistencies  
11 between the capital investment plan and proposed appro-  
12 priations shall be identified and justified: *Provided further*,  
13 That subsections (a) and (b) of section 6402 of Public  
14 Law 110-28 shall apply with respect to the amounts made  
15 available under this heading.

16 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

17 For necessary expenses for applied scientific re-  
18 search, development, test, and evaluation; and for mainte-  
19 nance, rehabilitation, lease, and operation of facilities and  
20 equipment; as authorized by law; \$19,690,000, to remain  
21 available until September 30, 2017, of which \$500,000  
22 shall be derived from the Oil Spill Liability Trust Fund  
23 to carry out the purposes of section 1012(a)(5) of the Oil  
24 Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*,  
25 That there may be credited to and used for the purposes

1 of this appropriation funds received from State and local  
2 governments, other public authorities, private sources, and  
3 foreign countries for expenses incurred for research, devel-  
4 opment, testing, and evaluation.

5 RETIRED PAY

6 For retired pay, including the payment of obligations  
7 otherwise chargeable to lapsed appropriations for this pur-  
8 pose, payments under the Retired Serviceman's Family  
9 Protection and Survivor Benefits Plans, payment for ca-  
10 reer status bonuses, concurrent receipts and combat-re-  
11 lated special compensation under the National Defense  
12 Authorization Act, and payments for medical care of re-  
13 tired personnel and their dependents under chapter 55 of  
14 title 10, United States Code, \$1,423,000,000, to remain  
15 available until expended.

16 UNITED STATES SECRET SERVICE

17 SALARIES AND EXPENSES

18 For necessary expenses of the United States Secret  
19 Service, including purchase of not to exceed 652 vehicles  
20 for police-type use for replacement only; hire of passenger  
21 motor vehicles; purchase of motorcycles made in the  
22 United States; hire of aircraft; services of expert witnesses  
23 at such rates as may be determined by the Director of  
24 the Secret Service; rental of buildings in the District of  
25 Columbia, and fencing, lighting, guard booths, and other



1 facilities on private or other property not in Government  
2 ownership or control, as may be necessary to perform pro-  
3 tective functions; payment of per diem or subsistence al-  
4 lowances to employees in cases in which a protective as-  
5 signment on the actual day or days of the visit of a  
6 protectee requires an employee to work 16 hours per day  
7 or to remain overnight at a post of duty; conduct of and  
8 participation in firearms matches; presentation of awards;  
9 travel of United States Secret Service employees on pro-  
10 tective missions without regard to the limitations on such  
11 expenditures in this or any other Act if approval is ob-  
12 tained in advance from the Committees on Appropriations  
13 of the Senate and the House of Representatives; research  
14 and development; grants to conduct behavioral research in  
15 support of protective research and operations; and pay-  
16 ment in advance for commercial accommodations as may  
17 be necessary to perform protective functions;  
18 \$1,555,913,000; of which not to exceed \$19,125 shall be  
19 for official reception and representation expenses; of which  
20 not to exceed \$100,000 shall be to provide technical assist-  
21 ance and equipment to foreign law enforcement organiza-  
22 tions in counterfeit investigations; of which \$2,366,000  
23 shall be for forensic and related support of investigations  
24 of missing and exploited children; of which \$6,000,000  
25 shall be for a grant for activities related to investigations

1 of missing and exploited children and shall remain avail-  
2 able until September 30, 2014; and of which \$4,000,000  
3 shall be for a grant for activities related to training in  
4 electronic crimes investigations and forensics: *Provided*,  
5 That up to \$18,000,000 for protective travel shall remain  
6 available until September 30, 2014: *Provided further*, That  
7 \$4,500,000 for National Special Security Events shall re-  
8 main available until September 30, 2014: *Provided further*,  
9 That the United States Secret Service is authorized to ob-  
10 ligate funds in anticipation of reimbursements from Fed-  
11 eral agencies and entities, as defined in section 105 of title  
12 5, United States Code, for personnel receiving training  
13 sponsored by the James J. Rowley Training Center, except  
14 that total obligations at the end of the fiscal year shall  
15 not exceed total budgetary resources available under this  
16 heading at the end of the fiscal year: *Provided further*,  
17 That none of the funds made available under this heading  
18 shall be available to compensate any employee for overtime  
19 in an annual amount in excess of \$35,000, except that  
20 the Secretary of Homeland Security, or the designee of  
21 the Secretary, may waive that amount as necessary for  
22 national security purposes: *Provided further*, That none of  
23 the funds made available to the United States Secret Serv-  
24 ice by this Act or by previous appropriations Acts may  
25 be made available for the protection of the head of a Fed-

1 eral agency other than the Secretary of Homeland Secu-  
2 rity: *Provided further*, That the Director of the United  
3 States Secret Service may enter into an agreement to pro-  
4 vide such protection on a fully reimbursable basis: *Pro-*  
5 *vided further*, That none of the funds made available to  
6 the United States Secret Service by this Act or by previous  
7 appropriations Acts may be obligated for the purpose of  
8 opening a new permanent domestic or overseas office or  
9 location unless the Committees on Appropriations of the  
10 Senate and the House of Representatives are notified 15  
11 days in advance of such obligation: *Provided further*, That  
12 for purposes of section 503(b) of this Act, \$15,000,000  
13 or 10 percent, whichever is less, may be transferred be-  
14 tween “Protection of persons and facilities” and “Domes-  
15 tic field operations”.

16 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND  
17 RELATED EXPENSES

18 For necessary expenses for acquisition, construction,  
19 repair, alteration, and improvement of physical and tech-  
20 nological infrastructure, \$56,750,000; of which  
21 \$4,430,000, to remain available until September 30, 2017,  
22 shall be for acquisition, construction, improvement, and  
23 maintenance of facilities; and of which \$52,320,000, to re-  
24 main available until September 30, 2015, shall be for in-  
25 formation integration and technology transformation exe-

1 cution: *Provided*, That the Director of the United States  
2 Secret Service shall submit to the Committees on Appro-  
3 priations of the Senate and the House of Representatives  
4 at the time that the President's budget proposal for fiscal  
5 year 2014 is submitted pursuant to the requirements of  
6 section 1105(a) of title 31, United States Code, a multi-  
7 year investment and management plan for its Information  
8 Integration and Technology Transformation program that  
9 describes funding for the current fiscal year and the fol-  
10 lowing 3 fiscal years, with associated plans for systems  
11 acquisition and technology deployment.

12 TITLE III

13 PROTECTION, PREPAREDNESS, RESPONSE, AND

14 RECOVERY

15 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

16 MANAGEMENT AND ADMINISTRATION

17 For salaries and expenses of the Office of the Under  
18 Secretary for the National Protection and Programs Di-  
19 rectorate, support for operations, and information tech-  
20 nology, \$50,220,000: *Provided*, That not to exceed \$3,825  
21 shall be for official reception and representation expenses.

22 INFRASTRUCTURE PROTECTION AND INFORMATION

23 SECURITY

24 For necessary expenses for infrastructure protection  
25 and information security programs and activities, as au-

1 thORIZED by title II of the Homeland Security Act of 2002  
2 (6 U.S.C. 121 et seq.), \$1,157,529,000, of which  
3 \$200,000,000, shall remain available until September 30,  
4 2014: *Provided*, That of the total amount provided for the  
5 “Infrastructure security compliance” program, project,  
6 and activity, \$20,000,000 shall not be available for obliga-  
7 tion until the Under Secretary for the National Protection  
8 and Programs Directorate submits to the Committees on  
9 Appropriations of the Senate and the House of Represent-  
10 atives an expenditure plan for the Chemical Facility Anti-  
11 Terrorism Standards program that includes the number  
12 of facilities covered by the program, inspectors on-board,  
13 inspections pending, and inspections projected to be com-  
14 pleted by September 30, 2013.

15 FEDERAL PROTECTIVE SERVICE

16 The revenues and collections of security fees credited  
17 to this account shall be available until expended for nec-  
18 essary expenses related to the protection of federally  
19 owned and leased buildings and for the operations of the  
20 Federal Protective Service: *Provided*, That the Secretary  
21 of Homeland Security and the Director of the Office of  
22 Management and Budget shall certify in writing to the  
23 Committees on Appropriations of the Senate and the  
24 House of Representatives not later than May 1, 2013, that  
25 the operations of the Federal Protective Service will be

1 fully funded in fiscal year 2013 through revenues and col-  
2 lection of security fees, and shall adjust the fees to ensure  
3 fee collections are sufficient to ensure that the Federal  
4 Protective Service maintains not fewer than 1,371 full-  
5 time equivalent staff and 1,007 full-time equivalent Police  
6 Officers, Inspectors, Area Commanders, and Special  
7 Agents who, while working, are directly engaged on a daily  
8 basis protecting and enforcing laws at Federal buildings  
9 (referred to as “in-service field staff”): *Provided further,*  
10 That the Director of the Federal Protective Service shall  
11 include with the submission of the President’s fiscal year  
12 2014 budget a strategic human capital plan that aligns  
13 fee collections to personnel requirements based on a cur-  
14 rent threat assessment.

15 OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

16 For necessary expenses for the Office of Biometric  
17 Identity Management, as authorized by section 7208 of  
18 the Intelligence Reform and Terrorism Prevention Act of  
19 2004 (8 U.S.C. 1365b), \$232,422,000: *Provided,* That of  
20 the total amount made available under this heading,  
21 \$113,956,000 shall remain available until September 30,  
22 2015: *Provided further,* That the Secretary of Homeland  
23 Security shall submit to the Committees on Appropria-  
24 tions of the Senate and the House of Representatives, not  
25 later than 60 days after the date of enactment of this Act,

1 an expenditure plan for the Office of Biometric Identity  
2 Management: *Provided further*, That the Secretary shall  
3 submit to the Committees on Appropriations of the Senate  
4 and the House of Representatives at the time the Presi-  
5 dent's budget is submitted each year under section  
6 1105(a) of title 31, United States Code, a multi-year in-  
7 vestment and management plan for the Office of Biomet-  
8 ric Identity Management program, to include each fiscal  
9 year starting with the current fiscal year and the 3 subse-  
10 quent fiscal years, that provides—

11           (1) the proposed appropriation for each activity  
12           tied to mission requirements and outcomes, program  
13           management capabilities, performance levels, and  
14           specific capabilities and services to be delivered, not-  
15           ing any deviations in cost or performance from the  
16           prior fiscal years expenditure or investment and  
17           management plan for United States Visitor and Im-  
18           migrant Status Indicator Technology;

19           (2) the total estimated cost, projected funding  
20           by fiscal year, and projected timeline of completion  
21           for all enhancements, modernizations, and new capa-  
22           bilities proposed in such budget and underway, in-  
23           cluding and clearly delineating associated efforts and  
24           funds requested by other agencies within the De-  
25           partment of Homeland Security and in the Federal

1 Government and detailing any deviations in cost,  
2 performance, schedule, or estimated date of comple-  
3 tion provided in the prior fiscal years expenditure or  
4 investment and management plan for United States  
5 Visitor and Immigrant Status Indicator Technology;  
6 and

7 (3) a detailed accounting of operations and  
8 maintenance, contractor services, and program costs  
9 associated with the management of identity services:

10 *Provided further*, That amounts obligated under Public  
11 Law 112–175 for National Protection and Programs Di-  
12 rectorate, “United States Visitor and Immigrant Status  
13 Indicator Technology” shall be charged to the appropriate  
14 successor account of the following: National Protection  
15 and Programs Directorate, “Office of Biometric Identity  
16 Management”; U.S. Customs and Border Protection,  
17 “Salaries and Expenses”; or U.S. Immigration and Cus-  
18 toms Enforcement, “Salaries and Expenses”.

19 OFFICE OF HEALTH AFFAIRS

20 For necessary expenses of the Office of Health Af-  
21 fairs, \$132,499,000; of which \$26,702,000 is for salaries  
22 and expenses; and of which \$85,390,000 is for BioWatch  
23 operations: *Provided*, That of the amount made available  
24 under this heading, \$20,407,000 shall remain available  
25 until September 30, 2014, for biosurveillance, chemical de-



1 fense, medical and health planning and coordination, and  
2 workforce health protection: *Provided further*, That not to  
3 exceed \$2,250 shall be for official reception and represen-  
4 tation expenses.

5 FEDERAL EMERGENCY MANAGEMENT AGENCY

6 SALARIES AND EXPENSES

7 For necessary expenses of the Federal Emergency  
8 Management Agency, \$973,118,000, including activities  
9 authorized by the National Flood Insurance Act of 1968  
10 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster  
11 Relief and Emergency Assistance Act (42 U.S.C. 5121 et  
12 seq.), the Cerro Grande Fire Assistance Act of 2000 (divi-  
13 sion C, title I, 114 Stat. 583), the Earthquake Hazards  
14 Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the De-  
15 fense Production Act of 1950 (50 U.S.C. App. 2061 et  
16 seq.), sections 107 and 303 of the National Security Act  
17 of 1947 (50 U.S.C. 404, 405), Reorganization Plan No.  
18 3 of 1978 (5 U.S.C. App.), the Homeland Security Act  
19 of 2002 (6 U.S.C. 101 et seq.), the Implementing Rec-  
20 ommendations of the 9/11 Commission Act of 2007 (Pub-  
21 lic Law 110–53), the Federal Fire Prevention and Control  
22 Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina  
23 Emergency Management Reform Act of 2006 (Public Law  
24 109–295; 120 Stat. 1394), and the Biggert-Waters Flood  
25 Insurance Reform Act of 2012 (Public Law 112–141, 126

1 Stat. 917): *Provided*, That not to exceed \$2,250 shall be  
2 for official reception and representation expenses: *Pro-*  
3 *vided further*, That for fiscal year 2013 and thereafter,  
4 for purposes of planning, coordination, execution, and de-  
5 cision making related to mass evacuation during a dis-  
6 aster, the Governors of the State of West Virginia and  
7 the Commonwealth of Pennsylvania, or their designees,  
8 shall be incorporated into efforts to integrate the activities  
9 of Federal, State, and local governments in the National  
10 Capital Region, as defined in section 882 of the Homeland  
11 Security Act of 2002 (Public Law 107–296): *Provided fur-*  
12 *ther*, That of the total amount made available under this  
13 heading, \$35,180,000 shall be for the Urban Search and  
14 Rescue Response System, of which none is available for  
15 Federal Emergency Management Agency administrative  
16 costs: *Provided further*, That of the total amount made  
17 available under this heading, \$22,000,000 shall remain  
18 available until September 30, 2014, for capital improve-  
19 ments and other expenses related to continuity of oper-  
20 ations at the Mount Weather Emergency Operations Cen-  
21 ter: *Provided further*, That of the total amount made avail-  
22 able under this heading, \$5,000,000 shall remain available  
23 until September 30, 2014, for expenses related to mod-  
24 ernization of automated systems: *Provided further*, That  
25 the Administrator of the Federal Emergency Management

1 Agency, in consultation with the Department of Homeland  
2 Security Chief Information Officer, shall submit to the  
3 Committees on Appropriations of the Senate and the  
4 House of Representatives an expenditure plan including  
5 results to date, plans for the program, and a list of  
6 projects with associated funding provided from prior ap-  
7 propriations and provided by this Act for modernization  
8 of automated systems.

9 STATE AND LOCAL PROGRAMS

10 For grants contracts, cooperative agreements, and  
11 other activities, \$1,466,082,000, which shall be allocated  
12 as follows:

13 (1) Not less than \$346,600,000 shall be for the  
14 State Homeland Security Grant Program under sec-  
15 tion 2004 of the Homeland Security Act of 2002 (6  
16 U.S.C. 605), of which not less than \$46,600,000  
17 shall be for Operation Stonegarden: *Provided*, That  
18 notwithstanding subsection (c)(4) of such section  
19 2004, for fiscal year 2013, the Commonwealth of  
20 Puerto Rico shall make available to local and tribal  
21 governments amounts provided to the Common-  
22 wealth of Puerto Rico under this paragraph in ac-  
23 cordance with subsection (c)(1) of such section  
24 2004.

1           (2) Not less than \$500,376,000 shall be for the  
2           Urban Area Security Initiative under section 2003  
3           of the Homeland Security Act of 2002 (6 U.S.C.  
4           604), of which not less than \$10,000,000 shall be  
5           for organizations (as described under section  
6           501(c)(3) of the Internal Revenue Code of 1986 and  
7           exempt from tax section 501(a) of such code) deter-  
8           mined by the Secretary of Homeland Security to be  
9           at high risk of a terrorist attack.

10           (3) Not less than \$97,500,000 shall be for Pub-  
11           lic Transportation Security Assistance and Railroad  
12           Security Assistance under sections 1406 and 1513  
13           of the Implementing Recommendations of the 9/11  
14           Commission Act of 2007 (Public Law 110-53; 6  
15           U.S.C. 1135 and 1163), of which not less than  
16           \$10,000,000 shall be for Amtrak security: *Provided*,  
17           That such public transportation security assistance  
18           shall be provided directly to public transportation  
19           agencies.

20           (4) Not less than \$97,500,000 shall be for Port  
21           Security Grants in accordance with 46 U.S.C.  
22           70107.

23           (5) Notwithstanding section 503 of this Act,  
24           \$188,932,000 shall be distributed, according to  
25           threat, vulnerability, and consequence, at the discre-

1 tion of the Secretary of Homeland Security based on  
2 the following authorities:

3 (A) The State Homeland Security Grant  
4 Program under section 2004 of the Homeland  
5 Security Act of 2002 (6 U.S.C. 605): *Provided*,  
6 That notwithstanding subsection (c)(4) of such  
7 section 2004, for fiscal year 2013, the Com-  
8 monwealth of Puerto Rico shall make available  
9 to local and tribal governments amounts pro-  
10 vided to the Commonwealth of Puerto Rico  
11 under this paragraph in accordance with sub-  
12 section (c)(1) of such section 2004.

13 (B) Operation Stonegarden.

14 (C) The Urban Area Security Initiative  
15 under section 2003 of the Homeland Security  
16 Act of 2002 (6 U.S.C. 604).

17 (D) Organizations (as described under sec-  
18 tion 501(e)(3) of the Internal Revenue Code of  
19 1986 and exempt from tax section 501(a) of  
20 such code) determined by the Secretary of  
21 Homeland Security to be at high risk of a ter-  
22 rorist attack.

23 (E) Public Transportation Security Assist-  
24 ance and Railroad Security Assistance, under  
25 sections 1406 and 1513 of the Implementing

1           Recommendations of the 9/11 Commission Act  
2           of 2007 (6 U.S.C. 1135 and 1163), including  
3           Amtrak security: *Provided*, That such public  
4           transportation security assistance shall be pro-  
5           vided directly to public transportation agencies.

6           (F) Port Security Grants in accordance  
7           with 46 U.S.C. 70107.

8           (G) Over-the-Road Bus Security Assist-  
9           ance under section 1532 of the Implementing  
10          Recommendations of the 9/11 Commission Act  
11          of 2007 (Public Law 110–53; 6 U.S.C. 1182).

12          (H) The Metropolitan Medical Response  
13          System under section 635 of the Post-Katrina  
14          Emergency Management Reform Act of 2006  
15          (6 U.S.C. 723).

16          (I) The Citizen Corps Program.

17          (J) The Driver’s License Security Grants  
18          Program in accordance with section 204 of the  
19          REAL ID Act of 2005 (49 U.S.C. 30301 note).

20          (K) The Interoperable Emergency Commu-  
21          nications Grant Program under section 1809 of  
22          the Homeland Security Act of 2002 (6 U.S.C.  
23          579).

24          (L) Emergency Operations Centers under  
25          section 614 of the Robert T. Stafford Disaster

1 Relief and Emergency Assistance Act (42  
2 U.S.C. 5196e).

3 (M) The Buffer Zone Protection Program  
4 Grants.

5 (N) Regional Catastrophic Preparedness  
6 Grants.

7 (6) \$235,174,000 shall be to sustain current  
8 operations for training, exercises, technical assist-  
9 ance, and other programs, of which \$157,991,000  
10 shall be for training of State, local, and tribal emer-  
11 gency response providers:

12 *Provided*, That for grants under paragraphs (1) through  
13 (5), applications for grants shall be made available to eligi-  
14 ble applicants not later than 60 days after the date of en-  
15 actment of this Act, that eligible applicants shall submit  
16 applications not later than 80 days after the grant an-  
17 nouncement, and the Administrator of the Federal Emer-  
18 gency Management Agency shall act within 65 days after  
19 the receipt of an application: *Provided further*, That not-  
20 withstanding section 2008(a)(11) of the Homeland Secu-  
21 rity Act of 2002 (6 U.S.C. 609(a)(11)), or any other pro-  
22 vision of law, a grantee may not use more than 5 percent  
23 of the amount of a grant made available under this head-  
24 ing for expenses directly related to administration of the  
25 grant: *Provided further*, That for grants under paragraphs

1 (1) and (2), the installation of communications towers is  
2 not considered construction of a building or other physical  
3 facility: *Provided further*, That grantees shall provide re-  
4 ports on their use of funds, as determined necessary by  
5 the Secretary of Homeland Security: *Provided further*,  
6 That in fiscal year 2013 and thereafter: (a) the Center  
7 for Domestic Preparedness may provide training to emer-  
8 gency response providers from the Federal Government,  
9 foreign governments, or private entities, if the Center for  
10 Domestic Preparedness is reimbursed for the cost of such  
11 training, and any reimbursement under this subsection  
12 shall be credited to the account from which the expendi-  
13 ture being reimbursed was made and shall be available,  
14 without fiscal year limitation, for the purposes for which  
15 amounts in the account may be expended; (b) the head  
16 of the Center for Domestic Preparedness shall ensure that  
17 any training provided under (a) does not interfere with  
18 the primary mission of the Center to train State and local  
19 emergency response providers; and (c) subject to (b), noth-  
20 ing in (a) prohibits the Center for Domestic Preparedness  
21 from providing training to employees of the Federal Emer-  
22 gency Management Agency in existing chemical, biological,  
23 radiological, nuclear, explosives, mass casualty, and med-  
24 ical surge courses pursuant to 5 U.S.C. 4103 without re-  
25 imbursement for the cost of such training.



1 FIREFIGHTER ASSISTANCE GRANTS

2 For grants for programs authorized by the Federal  
3 Fire Prevention and Control Act of 1974 (15 U.S.C. 2201  
4 et seq.), \$675,000,000, to remain available until Sep-  
5 tember 30, 2014, of which \$337,500,000 shall be available  
6 to carry out section 33 of that Act (15 U.S.C. 2229) and  
7 \$337,500,000 shall be available to carry out section 34  
8 of that Act (15 U.S.C. 2229a).

9 EMERGENCY MANAGEMENT PERFORMANCE GRANTS

10 For emergency management performance grants, as  
11 authorized by the National Flood Insurance Act of 1968  
12 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster  
13 Relief and Emergency Assistance Act (42 U.S.C. 5121 et  
14 seq.), the Earthquake Hazards Reduction Act of 1977 (42  
15 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of  
16 1978 (5 U.S.C. App.), \$350,000,000.

17 RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

18 The aggregate charges assessed during fiscal year  
19 2013, as authorized in title III of the Departments of Vet-  
20 erans Affairs and Housing and Urban Development, and  
21 Independent Agencies Appropriations Act, 1999 (42  
22 U.S.C. 5196e), shall not be less than 100 percent of the  
23 amounts anticipated by the Department of Homeland Se-  
24 curity necessary for its radiological emergency prepared-  
25 ness program for the next fiscal year: *Provided*, That the

1 methodology for assessment and collection of fees shall be  
2 fair and equitable and shall reflect costs of providing such  
3 services, including administrative costs of collecting such  
4 fees: *Provided further*, That fees received under this head-  
5 ing shall be deposited in this account as offsetting collec-  
6 tions and will become available for authorized purposes on  
7 October 1, 2013, and remain available until September 30,  
8 2015.

9 UNITED STATES FIRE ADMINISTRATION

10 For necessary expenses of the United States Fire Ad-  
11 ministration and for other purposes, as authorized by the  
12 Federal Fire Prevention and Control Act of 1974 (15  
13 U.S.C. 2201 et seq.) and the Homeland Security Act of  
14 2002 (6 U.S.C. 101 et seq.), \$44,000,000.

15 DISASTER RELIEF FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses in carrying out the Robert  
18 T. Stafford Disaster Relief and Emergency Assistance Act  
19 (42 U.S.C. 5121 et seq.), \$7,007,926,000, to remain avail-  
20 able until expended, of which \$24,000,000 shall be trans-  
21 ferred to the Department of Homeland Security Office of  
22 Inspector General for audits and investigations related to  
23 disasters: *Provided*, That the Administrator of the Federal  
24 Emergency Management Agency shall submit an expendi-  
25 ture plan to the Committees on Appropriations of the Sen-

1 ate and the House of Representatives detailing the use of  
2 the funds made available in this or any other Act for dis-  
3 aster readiness and support not later than 60 days after  
4 the date of enactment of this Act: *Provided further*, That  
5 the Administrator of the Federal Emergency Management  
6 Agency shall submit to such Committees a quarterly re-  
7 port detailing obligations against the expenditure plan and  
8 a justification for any changes from the initial plan: *Pro-*  
9 *vided further*, That the Administrator of the Federal  
10 Emergency Management Agency shall submit to the Com-  
11 mittees on Appropriations of the Senate and the House  
12 of Representatives the following reports, including a spe-  
13 cific description of the methodology and the source data  
14 used in developing such reports:

15 (1) an estimate of the following amounts shall  
16 be submitted for the budget year at the time that  
17 the President's budget is submitted each year under  
18 section 1105(a) of title 31, United States Code:

19 (A) the unobligated balance of funds to be  
20 carried over from the prior fiscal year to the  
21 budget year;

22 (B) the unobligated balance of funds to be  
23 carried over from the budget year to the budget  
24 year plus 1;

1 (C) the amount of obligations for non-cata-  
2 strophic events for the budget year;

3 (D) the amount of obligations for the  
4 budget year for catastrophic events delineated  
5 by event and by State;

6 (E) the total amount that has been pre-  
7 viously obligated or will be required for cata-  
8 strophic events delineated by event and by State  
9 for all prior years, the current year, the budget  
10 year, the budget year plus 1, the budget year  
11 plus 2, and the budget year plus 3 and beyond;

12 (F) the amount of previously obligated  
13 funds that will be recovered for the budget  
14 year;

15 (G) the amount that will be required for  
16 obligations for emergencies, as described in sec-  
17 tion 102(1) of the Robert T. Stafford Disaster  
18 Relief and Emergency Assistance Act (42  
19 U.S.C. 5122(1)), major disasters, as described  
20 in section 102(2) of the Robert T. Stafford Dis-  
21 aster Relief and Emergency Assistance Act (42  
22 U.S.C. 5122(2)), fire management assistance  
23 grants, as described in section 420 of the Rob-  
24 ert T. Stafford Disaster Relief and Emergency  
25 Assistance Act (42 U.S.C. 5187), surge activi-

1           ties, and disaster readiness and support activi-  
2           ties;

3           (H) the amount required for activities not  
4           covered under section 251(b)(2)(D)(iii) of the  
5           Balanced Budget and Emergency Deficit Con-  
6           trol Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii);  
7           Public Law 99–177);

8           (2) an estimate or actual amounts, if available,  
9           of the following for the current fiscal year shall be  
10          submitted not later than the fifth day of each  
11          month:

12           (A) a summary of the amount of appro-  
13           priations made available by source, the trans-  
14           fers executed, the previously allocated funds re-  
15           covered, and the commitments, allocations, and  
16           obligations made;

17           (B) a table of disaster relief activity delin-  
18           eated by month, including—

19                   (i) the beginning and ending balances;

20                   (ii) the total obligations to include  
21                   amounts obligated for fire assistance,  
22                   emergencies, surge, and disaster support  
23                   activities;

1 (iii) the obligations for catastrophic  
2 events delineated by event and by State;  
3 and

4 (iv) the amount of previously obli-  
5 gated funds that are recovered;

6 (C) a summary of allocations, obligations,  
7 and expenditures for catastrophic events delin-  
8 eated by event; and

9 (D) the date on which funds appropriated  
10 will be exhausted:

11 *Provided further*, That of the amount provided under this  
12 heading, \$6,400,000,000 is for major disasters declared  
13 pursuant to the Robert T. Stafford Disaster Relief and  
14 Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Pro-*  
15 *vided further*, That the amount in the preceding proviso  
16 is designated by the Congress as being for disaster relief  
17 pursuant to section 251(b)(2)(D) of the Balanced Budget  
18 and Emergency Deficit Control Act of 1985.

19 FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

20 For necessary expenses, including administrative  
21 costs, under section 1360 of the National Flood Insurance  
22 Act of 1968 (42 U.S.C. 4101) and under sections 100215,  
23 100216, 100226, 100230, and 100246 of the Biggert-  
24 Waters Flood Insurance Reform Act of 2012 (Public Law  
25 112–141, 126 Stat. 917), \$95,329,000, and such addi-

1 tional sums as may be provided by State and local govern-  
2 ments or other political subdivisions for cost-shared map-  
3 ping activities under section 1360(f)(2) of such Act (42  
4 U.S.C. 4101(f)(2)), to remain available until expended.

5 NATIONAL FLOOD INSURANCE FUND

6 For activities under the National Flood Insurance  
7 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster  
8 Protection Act of 1973 (42 U.S.C. 4001 et seq.), and the  
9 Biggert-Waters Flood Insurance Reform Act of 2012  
10 (Public Law 112–141, 126 Stat. 917), \$171,000,000,  
11 which shall be derived from offsetting amounts collected  
12 under section 1308(d) of the National Flood Insurance  
13 Act of 1968 (42 U.S.C. 4015(d)); of which not to exceed  
14 \$22,000,000 shall be available for salaries and expenses  
15 associated with flood mitigation and flood insurance oper-  
16 ations; and not less than \$149,000,000 shall be available  
17 for flood plain management and flood mapping, to remain  
18 available until September 30, 2014: *Provided*, That any  
19 additional fees collected pursuant to section 1308(d) of the  
20 National Flood Insurance Act of 1968 (42 U.S.C.  
21 4015(d)) shall be credited as an offsetting collection to  
22 this account, to be available for flood plain management  
23 and flood mapping: *Provided further*, That in fiscal year  
24 2013, no funds shall be available from the National Flood

1 Insurance Fund under section 1310 of that Act (42  
2 U.S.C. 4017) in excess of:

3 (1) \$132,000,000 for operating expenses;

4 (2) \$1,056,602,000 for commissions and taxes  
5 of agents;

6 (3) such sums as are necessary for interest on  
7 Treasury borrowings; and

8 (4) \$120,000,000, which shall remain available  
9 until expended, for flood mitigation actions under  
10 section 1366 of the National Flood Insurance Act of  
11 1968 (42 U.S.C. 4104c): *Provided further*, That the  
12 amounts collected under section 102 of the Flood  
13 Disaster Protection Act of 1973 (42 U.S.C. 4012a)  
14 and section 1366(e) of the National Flood Insurance  
15 Act of 1968 shall be deposited in the National Flood  
16 Insurance Fund to supplement other amounts speci-  
17 fied as available for section 1366 of the National  
18 Flood Insurance Act of 1968, notwithstanding sub-  
19 section (f)(8) of such section 102 (42 U.S.C.  
20 4012a(f)(8)) and subsection 1366(e) and paragraphs  
21 (2) and (3) of section 1367(b) of the National Flood  
22 Insurance Act of 1968 (42 U.S.C. 4104c(e),  
23 4104d(b)(2)–(3)): *Provided further*, That total ad-  
24 ministrative costs shall not exceed 4 percent of the  
25 total appropriation.



1 NATIONAL PREDISASTER MITIGATION FUND

2 For the predisaster mitigation grant program under  
3 section 203 of the Robert T. Stafford Disaster Relief and  
4 Emergency Assistance Act (42 U.S.C. 5133),  
5 \$25,000,000, to remain available until expended.

6 EMERGENCY FOOD AND SHELTER

7 To carry out the emergency food and shelter program  
8 pursuant to title III of the McKinney-Vento Homeless As-  
9 sistance Act (42 U.S.C. 11331 et seq.), \$120,000,000, to  
10 remain available until expended: *Provided*, That total ad-  
11 ministrative costs shall not exceed 3.5 percent of the total  
12 amount made available under this heading.

13 TITLE IV

14 RESEARCH AND DEVELOPMENT, TRAINING,  
15 AND SERVICES

16 UNITED STATES CITIZENSHIP AND IMMIGRATION  
17 SERVICES

18 For necessary expenses for citizenship and immigra-  
19 tion services, \$111,924,000 for the E-Verify Program, as  
20 described in section 403(a) of the Illegal Immigration Re-  
21 form and Immigrant Responsibility Act of 1996 (8 U.S.C.  
22 1324a note), to assist United States employers with main-  
23 taining a legal workforce: *Provided*, That notwithstanding  
24 any other provision of law, funds otherwise made available  
25 to United States Citizenship and Immigration Services

1 may be used to acquire, operate, equip, and dispose of up  
2 to 5 vehicles, for replacement only, for areas where the  
3 Administrator of General Services does not provide vehi-  
4 cles for lease: *Provided further*, That the Director of  
5 United States Citizenship and Immigration Services may  
6 authorize employees who are assigned to those areas to  
7 use such vehicles to travel between the employees' resi-  
8 dences and places of employment.

9 FEDERAL LAW ENFORCEMENT TRAINING CENTER

10 SALARIES AND EXPENSES

11 For necessary expenses of the Federal Law Enforce-  
12 ment Training Center, including materials and support  
13 costs of Federal law enforcement basic training; the pur-  
14 chase of not to exceed 117 vehicles for police-type use and  
15 hire of passenger motor vehicles; expenses for student ath-  
16 letic and related activities; the conduct of and participa-  
17 tion in firearms matches and presentation of awards; pub-  
18 lic awareness and enhancement of community support of  
19 law enforcement training; room and board for student in-  
20 terns; a flat monthly reimbursement to employees author-  
21 ized to use personal mobile phones for official duties; and  
22 services as authorized by section 3109 of title 5, United  
23 States Code; \$228,467,000; of which up to \$44,758,000  
24 shall remain available until September 30, 2014, for mate-  
25 rials and support costs of Federal law enforcement basic

1 training; of which \$300,000 shall remain available until  
2 expended to be distributed to Federal law enforcement  
3 agencies for expenses incurred participating in training ac-  
4 creditation; and of which not to exceed \$9,180 shall be  
5 for official reception and representation expenses: *Pro-*  
6 *vided*, That the Center is authorized to obligate funds in  
7 anticipation of reimbursements from agencies receiving  
8 training sponsored by the Center, except that total obliga-  
9 tions at the end of the fiscal year shall not exceed total  
10 budgetary resources available at the end of the fiscal year:  
11 *Provided further*, That section 1202(a) of Public Law  
12 107–206 (42 U.S.C. 3771 note), as amended by Public  
13 Law 112–74, is further amended by striking “December  
14 31, 2014” and inserting “December 31, 2015”: *Provided*  
15 *further*, That the Director of the Federal Law Enforce-  
16 ment Training Center shall schedule basic or advanced law  
17 enforcement training, or both, at all four training facilities  
18 under the control of the Federal Law Enforcement Train-  
19 ing Center to ensure that such training facilities are oper-  
20 ated at the highest capacity throughout the fiscal year:  
21 *Provided further*, That the Federal Law Enforcement  
22 Training Accreditation Board, including representatives  
23 from the Federal law enforcement community and non-  
24 Federal accreditation experts involved in law enforcement  
25 training, shall lead the Federal law enforcement training

1 accreditation process to continue the implementation of  
2 measuring and assessing the quality and effectiveness of  
3 Federal law enforcement training programs, facilities, and  
4 instructors.

5 ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND  
6 RELATED EXPENSES

7 For acquisition of necessary additional real property  
8 and facilities, construction, and ongoing maintenance, fa-  
9 cility improvements, and related expenses of the Federal  
10 Law Enforcement Training Center, \$28,385,000, to re-  
11 main available until September 30, 2017: *Provided*, That  
12 the Center is authorized to accept reimbursement to this  
13 appropriation from government agencies requesting the  
14 construction of special use facilities.

15 SCIENCE AND TECHNOLOGY

16 MANAGEMENT AND ADMINISTRATION

17 For salaries and expenses of the Office of the Under  
18 Secretary for Science and Technology and for manage-  
19 ment and administration of programs and activities, as  
20 authorized by title III of the Homeland Security Act of  
21 2002 (6 U.S.C. 181 et seq.), \$132,000,000: *Provided*,  
22 That not to exceed \$7,650 shall be for official reception  
23 and representation expenses.

1 RESEARCH, DEVELOPMENT, ACQUISITION, AND  
2 OPERATIONS

3 For necessary expenses for science and technology re-  
4 search, including advanced research projects, development,  
5 test and evaluation, acquisition, and operations as author-  
6 ized by title III of the Homeland Security Act of 2002  
7 (6 U.S.C. 181 et seq.), and the purchase or lease of not  
8 to exceed 5 vehicles, \$703,471,000; of which  
9 \$538,539,000 shall remain available until September 30,  
10 2015; and of which \$164,932,000 shall remain available  
11 until September 30, 2017, solely for operation and con-  
12 struction of laboratory facilities.

13 DOMESTIC NUCLEAR DETECTION OFFICE  
14 MANAGEMENT AND ADMINISTRATION

15 For salaries and expenses of the Domestic Nuclear  
16 Detection Office, as authorized by title XIX of the Home-  
17 land Security Act of 2002 (6 U.S.C. 591 et seq.), for man-  
18 agement and administration of programs and activities,  
19 \$39,650,000: *Provided*, That not to exceed \$2,250 shall  
20 be for official reception and representation expenses: *Pro-*  
21 *vided further*, That not later than 60 days after the date  
22 of enactment of this Act, the Secretary of Homeland Secu-  
23 rity shall submit to the Committees on Appropriations of  
24 the Senate and the House of Representatives a strategic  
25 plan of investments necessary to implement the Depart-

1 ment of Homeland Security's responsibilities under the do-  
2 mestic component of the global nuclear detection architec-  
3 ture that shall:

4 (1) define the role and responsibilities of each  
5 Departmental component in support of the domestic  
6 detection architecture, including any existing or  
7 planned programs to pre-screen cargo or convey-  
8 ances overseas;

9 (2) identify and describe the specific invest-  
10 ments being made by each Departmental component  
11 in fiscal year 2013 and planned for fiscal year 2014  
12 to support the domestic architecture and the secu-  
13 rity of sea, land, and air pathways into the United  
14 States;

15 (3) describe the investments necessary to close  
16 known vulnerabilities and gaps, including associated  
17 costs and timeframes, and estimates of feasibility  
18 and cost effectiveness; and

19 (4) explain how the Department's research and  
20 development funding is furthering the implementa-  
21 tion of the domestic nuclear detection architecture,  
22 including specific investments planned for each of  
23 fiscal years 2013 and 2014.

1 RESEARCH, DEVELOPMENT, AND OPERATIONS

2 For necessary expenses for radiological and nuclear  
3 research, development, testing, evaluation, and operations,  
4 \$226,830,000, to remain available until September 30,  
5 2014.

6 SYSTEMS ACQUISITION

7 For expenses for the Domestic Nuclear Detection Of-  
8 fice acquisition and deployment of radiological detection  
9 systems in accordance with the global nuclear detection  
10 architecture, \$51,455,000, to remain available until Sep-  
11 tember 30, 2015.

12 TITLE V

13 GENERAL PROVISIONS

14 SEC. 501. No part of any appropriation contained in  
15 this Act shall remain available for obligation beyond the  
16 current fiscal year unless expressly so provided herein.

17 SEC. 502. Subject to the requirements of section 503  
18 of this Act, the unexpended balances of prior appropria-  
19 tions provided for activities in this Act may be transferred  
20 to appropriation accounts for such activities established  
21 pursuant to this Act, may be merged with funds in the  
22 applicable established accounts, and thereafter may be ac-  
23 counted for as one fund for the same time period as origi-  
24 nally enacted.

1           SEC. 503. (a) None of the funds provided by this Act,  
2 provided by previous appropriations Acts to the agencies  
3 in or transferred to the Department of Homeland Security  
4 that remain available for obligation or expenditure in fiscal  
5 year 2013, or provided from any accounts in the Treasury  
6 of the United States derived by the collection of fees avail-  
7 able to the agencies funded by this Act, shall be available  
8 for obligation or expenditure through a reprogramming of  
9 funds that:

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

11           (2) eliminates a program, project, office, or ac-  
12 tivity;

13           (3) increases funds for any program, project, or  
14 activity for which funds have been denied or re-  
15 stricted by the Congress;

16           (4) proposes to use funds directed for a specific  
17 activity by either of the Committees on Appropria-  
18 tions of the Senate or the House of Representatives  
19 for a different purpose; or

20           (5) contracts out any function or activity for  
21 which funding levels were requested for Federal full-  
22 time equivalents in the object classification tables  
23 contained in the fiscal year 2013 Budget Appendix  
24 for the Department of Homeland Security, as modi-  
25 fied by the joint explanatory statement accom-



1           panying this Act, unless the Committees on Appro-  
2           priations of the Senate and the House of Represent-  
3           atives are notified 15 days in advance of such re-  
4           programming of funds.

5           (b) None of the funds provided by this Act, provided  
6           by previous appropriations Acts to the agencies in or  
7           transferred to the Department of Homeland Security that  
8           remain available for obligation or expenditure in fiscal  
9           year 2013, or provided from any accounts in the Treasury  
10          of the United States derived by the collection of fees or  
11          proceeds available to the agencies funded by this Act, shall  
12          be available for obligation or expenditure for programs,  
13          projects, or activities through a reprogramming of funds  
14          in excess of \$5,000,000 or 10 percent, whichever is less,  
15          that:

16               (1) augments existing programs, projects, or ac-  
17               tivities;

18               (2) reduces by 10 percent funding for any exist-  
19               ing program, project, or activity;

20               (3) reduces by 10 percent the numbers of per-  
21               sonnel approved by the Congress; or

22               (4) results from any general savings from a re-  
23               duction in personnel that would result in a change  
24               in existing programs, projects, or activities as ap-  
25               proved by the Congress, unless the Committees on

1 Appropriations of the Senate and the House of Rep-  
2 resentatives are notified 15 days in advance of such  
3 reprogramming of funds.

4 (c) Not to exceed 5 percent of any appropriation  
5 made available for the current fiscal year for the Depart-  
6 ment of Homeland Security by this Act or provided by  
7 previous appropriations Acts may be transferred between  
8 such appropriations, but no such appropriation, except as  
9 otherwise specifically provided, shall be increased by more  
10 than 10 percent by such transfers: *Provided*, That any  
11 transfer under this section shall be treated as a re-  
12 programming of funds under subsection (b) and shall not  
13 be available for obligation unless the Committees on Ap-  
14 propriations of the Senate and the House of Representa-  
15 tives are notified 15 days in advance of such transfer.

16 (d) Notwithstanding subsections (a), (b), and (c) of  
17 this section, no funds shall be reprogrammed within or  
18 transferred between appropriations after June 30, except  
19 in extraordinary circumstances that imminently threaten  
20 the safety of human life or the protection of property.

21 (e) The notification thresholds and procedures set  
22 forth in this section shall apply to any use of deobligated  
23 balances of funds provided in previous Department of  
24 Homeland Security Appropriations Acts.

1           SEC. 504. The Department of Homeland Security  
2 Working Capital Fund, established pursuant to section  
3 403 of Public Law 103–356 (31 U.S.C. 501 note), shall  
4 continue operations as a permanent working capital fund  
5 for fiscal year 2013: *Provided*, That none of the funds ap-  
6 propriated or otherwise made available to the Department  
7 of Homeland Security may be used to make payments to  
8 the Working Capital Fund, except for the activities and  
9 amounts allowed in the President’s fiscal year 2013 budg-  
10 et: *Provided further*, That funds provided to the Working  
11 Capital Fund shall be available for obligation until ex-  
12 pended to carry out the purposes of the Working Capital  
13 Fund: *Provided further*, That all departmental components  
14 shall be charged only for direct usage of each Working  
15 Capital Fund service: *Provided further*, That funds pro-  
16 vided to the Working Capital Fund shall be used only for  
17 purposes consistent with the contributing component: *Pro-*  
18 *vided further*, That the Working Capital Fund shall be  
19 paid in advance or reimbursed at rates which will return  
20 the full cost of each service: *Provided further*, That the  
21 Working Capital Fund shall be subject to the require-  
22 ments of section 503 of this Act.

23           SEC. 505. Except as otherwise specifically provided  
24 by law, not to exceed 50 percent of unobligated balances  
25 remaining available at the end of fiscal year 2013 from

1 appropriations for salaries and expenses for fiscal year  
2 2013 in this Act shall remain available through September  
3 30, 2014, in the account and for the purposes for which  
4 the appropriations were provided: *Provided*, That prior to  
5 the obligation of such funds, a request shall be submitted  
6 to the Committees on Appropriations of the Senate and  
7 the House of Representatives for approval in accordance  
8 with section 503 of this Act.

9       SEC. 506. Funds made available by this Act for intel-  
10 ligence activities are deemed to be specifically authorized  
11 by the Congress for purposes of section 504 of the Na-  
12 tional Security Act of 1947 (50 U.S.C. 414) during fiscal  
13 year 2013 until the enactment of an Act authorizing intel-  
14 ligence activities for fiscal year 2013.

15       SEC. 507. (a) Except as provided in subsections (b)  
16 and (c), none of the funds made available by this Act may  
17 be used to—

18           (1) make or award a grant allocation, grant,  
19 contract, other transaction agreement, task or deliv-  
20 ery order on a Department of Homeland Security  
21 multiple award contract, or to issue a letter of intent  
22 totaling in excess of \$1,000,000;

23           (2) award a task or delivery order requiring an  
24 obligation of funds in an amount greater than  
25 \$10,000,000 from multi-year Department of Home-

1 land Security funds or a task or delivery order that  
2 would cause cumulative obligations of multi-year  
3 funds in a single account to exceed 50 percent of the  
4 total amount appropriated;

5 (3) make a sole-source grant award; or

6 (4) announce publicly the intention to make or  
7 award items under paragraph (1), (2), or (3) includ-  
8 ing a contract covered by the Federal Acquisition  
9 Regulation.

10 (b) The Secretary of Homeland Security may waive  
11 the prohibition under subsection (a) if the Secretary noti-  
12 fies the Committees on Appropriations of the Senate and  
13 the House of Representatives at least 3 full business days  
14 in advance of making an award or issuing a letter as de-  
15 scribed in that subsection.

16 (c) If the Secretary of Homeland Security determines  
17 that compliance with this section would pose a substantial  
18 risk to human life, health, or safety, an award may be  
19 made without notification, and the Secretary shall notify  
20 the Committees on Appropriations of the Senate and the  
21 House of Representatives not later than 5 full business  
22 days after such an award is made or letter issued.

23 (d) A notification under this section—

24 (1) may not involve funds that are not available  
25 for obligation; and

1           (2) shall include the amount of the award; the  
2           fiscal year for which the funds for the award were  
3           appropriated; type of contract; and the account and  
4           each program, project, and activity from which the  
5           funds are being drawn.

6           (e) The Administrator of the Federal Emergency  
7           Management Agency shall brief the Committees on Appro-  
8           priations of the Senate and the House of Representatives  
9           5 full business days in advance of announcing publicly the  
10          intention of making an award under “State and Local  
11          Programs”.

12          SEC. 508. Notwithstanding any other provision of  
13          law, no agency shall purchase, construct, or lease any ad-  
14          ditional facilities, except within or contiguous to existing  
15          locations, to be used for the purpose of conducting Federal  
16          law enforcement training without the advance approval of  
17          the Committees on Appropriations of the Senate and the  
18          House of Representatives, except that the Federal Law  
19          Enforcement Training Center is authorized to obtain the  
20          temporary use of additional facilities by lease, contract,  
21          or other agreement for training that cannot be accommo-  
22          dated in existing Center facilities.

23          SEC. 509. None of the funds appropriated or other-  
24          wise made available by this Act may be used for expenses  
25          for any construction, repair, alteration, or acquisition

1 project for which a prospectus otherwise required under  
2 chapter 33 of title 40, United States Code, has not been  
3 approved, except that necessary funds may be expended  
4 for each project for required expenses for the development  
5 of a proposed prospectus.

6 SEC. 510. (a) Sections 520, 522, and 530 of the De-  
7 partment of Homeland Security Appropriations Act, 2008  
8 (division E of Public Law 110–161; 121 Stat. 2073 and  
9 2074) shall apply with respect to funds made available in  
10 this Act in the same manner as such sections applied to  
11 funds made available in that Act.

12 (b) The third proviso of section 537 of the Depart-  
13 ment of Homeland Security Appropriations Act, 2006 (6  
14 U.S.C. 114), shall not apply with respect to funds made  
15 available in this Act.

16 SEC. 511. None of the funds made available in this  
17 Act may be used in contravention of the applicable provi-  
18 sions of the Buy American Act. For purposes of the pre-  
19 ceding sentence, the term “Buy American Act” means  
20 chapter 83 of title 41, United States Code.

21 SEC. 512. None of the funds made available in this  
22 Act may be used by any person other than the Privacy  
23 Officer appointed under subsection (a) of section 222 of  
24 the Homeland Security Act of 2002 (6 U.S.C. 142(a)) to  
25 alter, direct that changes be made to, delay, or prohibit

1 the transmission to Congress of any report prepared under  
2 paragraph (6) of such subsection.

3 SEC. 513. None of the funds made available in this  
4 Act may be used to amend the oath of allegiance required  
5 by section 337 of the Immigration and Nationality Act  
6 (8 U.S.C. 1448).

7 SEC. 514. Within 45 days after the end of each  
8 month, the Chief Financial Officer of the Department of  
9 Homeland Security shall submit to the Committees on Ap-  
10 propriations of the Senate and the House of Representa-  
11 tives a monthly budget and staffing report for that month  
12 that includes total obligations, on-board versus funded  
13 full-time equivalent staffing levels, and the number of con-  
14 tract employees for each office of the Department.

15 SEC. 515. Except as provided in section 44945 of title  
16 49, United States Code, funds appropriated or transferred  
17 to Transportation Security Administration “Aviation Se-  
18 curity”, “Administration”, and “Transportation Security  
19 Support” for fiscal years 2004 and 2005 that are recov-  
20 ered or deobligated shall be available only for the procure-  
21 ment or installation of explosives detection systems, air  
22 cargo, baggage, and checkpoint screening systems, subject  
23 to notification: *Provided*, That quarterly reports shall be  
24 submitted to the Committees on Appropriations of the



1 Senate and the House of Representatives on any funds  
2 that are recovered or deobligated.

3       SEC. 516. None of the funds appropriated by this Act  
4 may be used to process or approve a competition under  
5 Office of Management and Budget Circular A-76 for serv-  
6 ices provided as of June 1, 2004, by employees (including  
7 employees serving on a temporary or term basis) of United  
8 States Citizenship and Immigration Services of the De-  
9 partment of Homeland Security who are known as of that  
10 date as Immigration Information Officers, Contact Rep-  
11 resentatives, or Investigative Assistants.

12       SEC. 517. Any funds appropriated to Coast Guard  
13 “Acquisition, Construction, and Improvements” for fiscal  
14 years 2002, 2003, 2004, 2005, and 2006 for the 110-  
15 123 foot patrol boat conversion that are recovered, col-  
16 lected, or otherwise received as the result of negotiation,  
17 mediation, or litigation, shall be available until expended  
18 for the Fast Response Cutter program.

19       SEC. 518. Section 532(a) of Public Law 109-295  
20 (120 Stat. 1384) is amended by striking “2012” and in-  
21 serting “2013”.

22       SEC. 519. The functions of the Federal Law Enforce-  
23 ment Training Center instructor staff shall be classified  
24 as inherently governmental for the purpose of the Federal

1 Activities Inventory Reform Act of 1998 (31 U.S.C. 501  
2 note).

3 SEC. 520. (a) Except as provided in subsection (b),  
4 none of the funds appropriated in this or any other Act  
5 to the “Office of the Secretary and Executive Manage-  
6 ment”, the “Office of the Under Secretary for Manage-  
7 ment”, or the “Office of the Chief Financial Officer”, may  
8 be obligated for a grant or contract funded under such  
9 headings by any means other than full and open competi-  
10 tion.

11 (b) Subsection (a) does not apply to obligation of  
12 funds for a contract awarded—

13 (1) by a means that is required by a Federal  
14 statute, including obligation for a purchase made  
15 under a mandated preferential program, including  
16 the AbilityOne Program, that is authorized under  
17 chapter 85 of title 41, United States Code;

18 (2) pursuant to the Small Business Act (15  
19 U.S.C. 631 et seq.);

20 (3) in an amount less than the simplified acqui-  
21 sition threshold described under section 3101 (b) of  
22 title 41, United States Code; or

23 (4) by another Federal agency using funds pro-  
24 vided through an interagency agreement.

1           (c)(1) Subject to paragraph (2), the Secretary of  
2 Homeland Security may waive the application of this sec-  
3 tion for the award of a contract in the interest of national  
4 security or if failure to do so would pose a substantial risk  
5 to human health or welfare.

6           (2) Not later than 5 days after the date on which  
7 the Secretary of Homeland Security issues a waiver under  
8 this subsection, the Secretary shall submit notification of  
9 that waiver to the Committees on Appropriations of the  
10 Senate and the House of Representatives, including a de-  
11 scription of the applicable contract to which the waiver  
12 applies and an explanation of why the waiver authority  
13 was used: *Provided*, That the Secretary may not delegate  
14 the authority to grant such a waiver.

15           (d) In addition to the requirements established by  
16 subsections (a), (b), and (c) of this section, the Inspector  
17 General of the Department of Homeland Security shall re-  
18 view departmental contracts awarded through means other  
19 than a full and open competition to assess departmental  
20 compliance with applicable laws and regulations: *Provided*,  
21 That the Inspector General shall review selected contracts  
22 awarded in the previous 3 fiscal years through means  
23 other than a full and open competition: *Provided further*,  
24 That in selecting which contracts to review, the Inspector  
25 General shall consider the cost and complexity of the

1 goods and services to be provided under the contract, the  
2 criticality of the contract to fulfilling Department mis-  
3 sions, past performance problems on similar contracts or  
4 by the selected vendor, complaints received about the  
5 award process or contractor performance, and such other  
6 factors as the Inspector General deems relevant: *Provided*  
7 *further*, That the Inspector General shall report the results  
8 of the reviews to the Committees on Appropriations of the  
9 Senate and the House of Representatives no later than  
10 February 4, 2015, and every 3 years thereafter.

11 SEC. 521. None of the funds provided by this or pre-  
12 vious appropriations Acts shall be used to fund any posi-  
13 tion designated as a Principal Federal Official (or the suc-  
14 cessor thereto) for any Robert T. Stafford Disaster Relief  
15 and Emergency Assistance Act (42 U.S.C. 5121 et seq.)  
16 declared disasters or emergencies unless—

17 (1) the responsibilities of the Principal Federal  
18 Official do not include operational functions related  
19 to incident management, including coordination of  
20 operations, and are consistent with the requirements  
21 of section 509(c) and sections 503(c)(3) and  
22 503(c)(4)(A) of the Homeland Security Act of 2002  
23 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A))  
24 and section 302 of the Robert T. Stafford Disaster  
25 Relief and Assistance Act (42 U.S.C. 5143);

1           (2) not later than 10 business days after the  
2           latter of the date on which the Secretary of Home-  
3           land Security appoints the Principal Federal Official  
4           and the date on which the President issues a dec-  
5           laration under section 401 or section 501 of the  
6           Robert T. Stafford Disaster Relief and Emergency  
7           Assistance Act (42 U.S.C. 5170 and 5191, respec-  
8           tively), the Secretary of Homeland Security shall  
9           submit a notification of the appointment of the Prin-  
10          cipal Federal Official and a description of the re-  
11          sponsibilities of such Official and how such respon-  
12          sibilities are consistent with paragraph (1) to the  
13          Committees on Appropriations of the Senate and the  
14          House of Representatives, the Transportation and  
15          Infrastructure Committee of the House of Rep-  
16          resentatives, and the Homeland Security and Gov-  
17          ernmental Affairs Committee of the Senate; and

18          (3) not later than 60 days after the date of en-  
19          actment of this Act, the Secretary shall provide a re-  
20          port specifying timeframes and milestones regarding  
21          the update of operations, planning and policy docu-  
22          ments, and training and exercise protocols, to ensure  
23          consistency with paragraph (1) of this section.

24          SEC. 522. None of the funds provided or otherwise  
25          made available in this Act shall be available to carry out

1 section 872 of the Homeland Security Act of 2002 (6  
2 U.S.C. 452).

3 SEC. 523. Funds made available in this Act may be  
4 used to alter operations within the Civil Engineering Pro-  
5 gram of the Coast Guard nationwide, including civil engi-  
6 neering units, facilities design and construction centers,  
7 maintenance and logistics commands, and the Coast  
8 Guard Academy, except that none of the funds provided  
9 in this Act may be used to reduce operations within any  
10 Civil Engineering Unit unless specifically authorized by a  
11 statute enacted after the date of enactment of this Act.

12 SEC. 524. None of the funds made available in this  
13 Act may be used by United States Citizenship and Immi-  
14 gration Services to grant an immigration benefit unless  
15 the results of background checks required by law to be  
16 completed prior to the granting of the benefit have been  
17 received by United States Citizenship and Immigration  
18 Services, and the results do not preclude the granting of  
19 the benefit.

20 SEC. 525. Section 831 of the Homeland Security Act  
21 of 2002 (6 U.S.C. 391) is amended—

22 (1) in subsection (a), by striking “Until Sep-  
23 tember 30, 2012,” and inserting “Until September  
24 30, 2013,”;

1           (2) in subsection (c)(1), by striking “September  
2           30, 2012,” and inserting “September 30, 2013,”.

3           SEC. 526. The Secretary of Homeland Security shall  
4 require that all contracts of the Department of Homeland  
5 Security that provide award fees link such fees to success-  
6 ful acquisition outcomes (which outcomes shall be speci-  
7 fied in terms of cost, schedule, and performance).

8           SEC. 527. Notwithstanding any other provision of  
9 law, none of the funds provided in this or any other Act  
10 shall be used to approve a waiver of the navigation and  
11 vessel-inspection laws pursuant to 46 U.S.C. 501(b) for  
12 the transportation of crude oil distributed from the Stra-  
13 tegic Petroleum Reserve until the Secretary of Homeland  
14 Security, after consultation with the Secretaries of the De-  
15 partments of Energy and Transportation and representa-  
16 tives from the United States flag maritime industry, takes  
17 adequate measures to ensure the use of United States flag  
18 vessels: *Provided*, That the Secretary shall notify the Com-  
19 mittees on Appropriations of the Senate and the House  
20 of Representatives, the Committee on Commerce, Science,  
21 and Transportation of the Senate, and the Committee on  
22 Transportation and Infrastructure of the House of Rep-  
23 resentatives within 2 business days of any request for  
24 waivers of navigation and vessel-inspection laws pursuant  
25 to 46 U.S.C. 501(b).

1           SEC. 528. None of the funds made available to the  
2 Office of the Secretary and Executive Management under  
3 this Act may be expended for any new hires by the Depart-  
4 ment of Homeland Security that are not verified through  
5 the E-Verify Program as described in section 403(a) of  
6 the Illegal Immigration Reform and Immigrant Responsi-  
7 bility Act of 1996 (8 U.S.C. 1324a note).

8           SEC. 529. None of the funds in this Act shall be used  
9 to reduce the United States Coast Guard's Operations  
10 Systems Center mission or its government-employed or  
11 contract staff levels.

12          SEC. 530. None of the funds made available in this  
13 Act for U.S. Customs and Border Protection may be used  
14 to prevent an individual not in the business of importing  
15 a prescription drug (within the meaning of section 801(g)  
16 of the Federal Food, Drug, and Cosmetic Act) from im-  
17 porting a prescription drug from Canada that complies  
18 with the Federal Food, Drug, and Cosmetic Act: *Provided*,  
19 That this section shall apply only to individuals trans-  
20 porting on their person a personal-use quantity of the pre-  
21 scription drug, not to exceed a 90-day supply: *Provided*  
22 *further*, That the prescription drug may not be—

23           (1) a controlled substance, as defined in section  
24           102 of the Controlled Substances Act (21 U.S.C.  
25           802); or



1           (2) a biological product, as defined in section  
2           351 of the Public Health Service Act (42 U.S.C.  
3           262).

4           SEC. 531. None of the funds appropriated by this Act  
5 may be used to conduct, or to implement the results of,  
6 a competition under Office of Management and Budget  
7 Circular A-76 for activities performed with respect to the  
8 Coast Guard National Vessel Documentation Center.

9           SEC. 532. The Secretary of Homeland Security, in  
10 consultation with the Secretary of the Treasury, shall no-  
11 tify the Committees on Appropriations of the Senate and  
12 the House of Representatives of any proposed transfers  
13 of funds available under section 9703.1(g)(4)(B) of title  
14 31, United States Code (as added by Public Law 102-  
15 393) from the Department of the Treasury Forfeiture  
16 Fund to any agency within the Department of Homeland  
17 Security: *Provided*, That none of the funds identified for  
18 such a transfer may be obligated until the Committees on  
19 Appropriations of the Senate and the House of Represent-  
20 atives approve the proposed transfers.

21           SEC. 533. None of the funds made available in this  
22 Act may be used for planning, testing, piloting, or devel-  
23 oping a national identification card.

24           SEC. 534. If the Administrator of the Transportation  
25 Security Administration determines that an airport does

1 not need to participate in the E-Verify Program as de-  
2 scribed in section 403(a) of the Illegal Immigration Re-  
3 form and Immigrant Responsibility Act of 1996 (8 U.S.C.  
4 1324a note), the Administrator shall certify to the Com-  
5 mittees on Appropriations of the Senate and the House  
6 of Representatives that no security risks will result from  
7 such non-participation.

8       SEC. 535. (a) Notwithstanding any other provision  
9 of this Act, except as provided in subsection (b), and 30  
10 days after the date on which the President determines  
11 whether to declare a major disaster because of an event  
12 and any appeal is completed, the Administrator shall pub-  
13 lish on the Web site of the Federal Emergency Manage-  
14 ment Agency a report regarding that decision that shall  
15 summarize damage assessment information used to deter-  
16 mine whether to declare a major disaster.

17       (b) The Administrator may redact from a report  
18 under subsection (a) any data that the Administrator de-  
19 termines would compromise national security.

20       (c) In this section—

21               (1) the term “Administrator” means the Ad-  
22 ministrator of the Federal Emergency Management  
23 Agency; and

24               (2) the term “major disaster” has the meaning  
25 given that term in section 102 of the Robert T.

1           Stafford Disaster Relief and Emergency Assistance  
2           Act (42 U.S.C. 5122).

3           SEC. 536. Any official that is required by this Act  
4 to report or to certify to the Committees on Appropria-  
5 tions of the Senate and the House of Representatives may  
6 not delegate such authority to perform that act unless spe-  
7 cifically authorized herein.

8           SEC. 537. Section 550(b) of the Department of  
9 Homeland Security Appropriations Act, 2007 (Public Law  
10 109–295; 6 U.S.C. 121 note), as amended by section 550  
11 of the Department of Homeland Security Appropriations  
12 Act, 2010 (Public Law 111–83), is further amended by  
13 striking “on October 4, 2012” and inserting “on October  
14 4, 2013”.

15          SEC. 538. None of the funds appropriated or other-  
16 wise made available in this or any other Act may be used  
17 to transfer, release, or assist in the transfer or release to  
18 or within the United States, its territories, or possessions  
19 Khalid Sheikh Mohammed or any other detainee who—

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

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

1           SEC. 539. None of the funds made available in this  
2 Act may be used for first-class travel by the employees  
3 of agencies funded by this Act in contravention of sections  
4 301–10.122 through 301.10–124 of title 41, Code of Fed-  
5 eral Regulations.

6           SEC. 540. None of the funds made available in this  
7 or any other Act for fiscal year 2013 and thereafter may  
8 be used to propose or effect a disciplinary or adverse ac-  
9 tion, with respect to any Department of Homeland Secu-  
10 rity employee who engages regularly with the public in the  
11 performance of his or her official duties solely because that  
12 employee elects to utilize protective equipment or meas-  
13 ures, including but not limited to surgical masks, N95 res-  
14 pirators, gloves, or hand-sanitizers, where use of such  
15 equipment or measures is in accord with Department of  
16 Homeland Security policy, and Centers for Disease Con-  
17 trol and Prevention and Office of Personnel Management  
18 guidance.

19           SEC. 541. None of the funds made available in this  
20 Act may be used to employ workers described in section  
21 274A(h)(3) of the Immigration and Nationality Act (8  
22 U.S.C. 1324a(h)(3)).

23           SEC. 542. (a) Any company that collects or retains  
24 personal information directly from any individual who par-  
25 ticipates in the Registered Traveler or successor program

1 of the Transportation Security Administration shall safe-  
2 guard and dispose of such information in accordance with  
3 the requirements in—

4 (1) the National Institute for Standards and  
5 Technology Special Publication 800–30, entitled  
6 “Risk Management Guide for Information Tech-  
7 nology Systems”;

8 (2) the National Institute for Standards and  
9 Technology Special Publication 800–53, Revision 3,  
10 entitled “Recommended Security Controls for Fed-  
11 eral Information Systems and Organizations”; and

12 (3) any supplemental standards established by  
13 the Administrator of the Transportation Security  
14 Administration (referred to in this section as the  
15 “Administrator”).

16 (b) The airport authority or air carrier operator that  
17 sponsors the company under the Registered Traveler pro-  
18 gram shall be known as the “Sponsoring Entity”.

19 (c) The Administrator shall require any company cov-  
20 ered by subsection (a) to provide, not later than 30 days  
21 after the date of enactment of this Act, to the Sponsoring  
22 Entity written certification that the procedures used by  
23 the company to safeguard and dispose of information are  
24 in compliance with the requirements under subsection (a).  
25 Such certification shall include a description of the proce-

1 dures used by the company to comply with such require-  
2 ments.

3 SEC. 543. Notwithstanding any other provision of  
4 this Act, none of the funds appropriated or otherwise  
5 made available by this Act may be used to pay award or  
6 incentive fees for contractor performance that has been  
7 judged to be below satisfactory performance or perform-  
8 ance that does not meet the basic requirements of a con-  
9 tract.

10 SEC. 544. (a) Not later than 180 days after the date  
11 of enactment of this Act, the Administrator of the Trans-  
12 portation Security Administration shall submit to the  
13 Committees on Appropriations of the Senate and the  
14 House of Representatives, a report that either—

15 (1) certifies that the requirement for screening  
16 all air cargo on passenger aircraft by the deadline  
17 under section 44901(g) of title 49, United States  
18 Code, has been met; or

19 (2) includes a strategy to comply with the re-  
20 quirements under title 44901(g) of title 49, United  
21 States Code, including—

22 (A) a plan to meet the requirement under  
23 section 44901(g) of title 49, United States  
24 Code, to screen 100 percent of air cargo trans-  
25 ported on passenger aircraft arriving in the

1 United States in foreign air transportation (as  
2 that term is defined in section 40102 of that  
3 title); and

4 (B) specification of—

5 (i) the percentage of such air cargo  
6 that is being screened; and

7 (ii) the schedule for achieving screen-  
8 ing of 100 percent of such air cargo.

9 (b) The Administrator shall continue to submit re-  
10 ports described in subsection (a)(2) every 180 days there-  
11 after until the Administrator certifies that the Transpor-  
12 tation Security Administration has achieved screening of  
13 100 percent of such air cargo.

14 SEC. 545. In developing any process to screen avia-  
15 tion passengers and crews for transportation or national  
16 security purposes, the Secretary of Homeland Security  
17 shall ensure that all such processes take into consideration  
18 such passengers' and crews' privacy and civil liberties con-  
19 sistent with applicable laws, regulations, and guidance.

20 SEC. 546. (a) Notwithstanding section 1356(n) of  
21 title 8, United States Code, of the funds deposited into  
22 the Immigration Examinations Fee Account, \$7,500,000  
23 shall be allocated by United States Citizenship and Immi-  
24 gration Services in fiscal year 2013 for the purpose of pro-  
25 viding an immigrant integration grants program.

1 (b) For an additional amount for “United States Citi-  
2 zenship and Immigration Services” for the purpose of pro-  
3 viding immigrant integration grants, \$2,500,000.

4 (c) None of the funds made available to United States  
5 Citizenship and Immigration Services for grants for immi-  
6 grant integration may be used to provide services to aliens  
7 who have not been lawfully admitted for permanent resi-  
8 dence.

9 SEC. 547. For an additional amount for necessary ex-  
10 penses for reimbursement of the actual costs to State and  
11 local governments for providing emergency management,  
12 public safety, and security at events, as determined by the  
13 Administrator of the Federal Emergency Management  
14 Agency, related to the presence of a National Special Se-  
15 curity Event, \$5,000,000, to remain available until Sep-  
16 tember 30, 2014.

17 SEC. 548. Notwithstanding the 10 percent limitation  
18 contained in section 503(c) of this Act, the Secretary of  
19 Homeland Security may transfer to the fund established  
20 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-  
21 priations available to the Department of Homeland Secu-  
22 rity: *Provided*, That the Secretary shall notify the Com-  
23 mittees on Appropriations of the Senate and the House  
24 of Representatives 5 days in advance of such transfer.



1           SEC. 549. None of the funds appropriated or other-  
2 wise made available by this Act may be used by the De-  
3 partment of Homeland Security to enter into any Federal  
4 contract unless such contract is entered into in accordance  
5 with the requirements of subtitle I of title 41, United  
6 States Code or chapter 137 of title 10, United States  
7 Code, and the Federal Acquisition Regulation, unless such  
8 contract is otherwise authorized by statute to be entered  
9 into without regard to the above referenced statutes.

10           SEC. 550. (a) For an additional amount for data cen-  
11 ter migration, \$55,000,000.

12           (b) Funds made available in subsection (a) for data  
13 center migration may be transferred by the Secretary of  
14 Homeland Security between appropriations for the same  
15 purpose, notwithstanding section 503 of this Act.

16           (c) No transfer described in subsection (b) shall occur  
17 until 15 days after the Committees on Appropriations of  
18 the Senate and the House of Representatives are notified  
19 of such transfer.

20           SEC. 551. Notwithstanding any other provision of  
21 law, if the Secretary of Homeland Security determines  
22 that specific U.S. Immigration and Customs Enforcement  
23 Service Processing Centers or other U.S. Immigration and  
24 Customs Enforcement owned detention facilities no longer  
25 meet the mission need, the Secretary is authorized to dis-

1 pose of individual Service Processing Centers or other  
2 U.S. Immigration and Customs Enforcement owned de-  
3 tention facilities by directing the Administrator of General  
4 Services to sell all real and related personal property which  
5 support Service Processing Centers or other U.S. Immi-  
6 gration and Customs Enforcement owned detention facili-  
7 ties, subject to such terms and conditions as necessary to  
8 protect Government interests and meet program require-  
9 ments: *Provided*, That the proceeds, net of the costs of  
10 sale incurred by the General Services Administration and  
11 U.S. Immigration and Customs Enforcement, shall be de-  
12 posited as offsetting collections into a separate account  
13 that shall be available, subject to appropriation, until ex-  
14 pended for other real property capital asset needs of exist-  
15 ing U.S. Immigration and Customs Enforcement assets,  
16 excluding daily operations and maintenance costs, as the  
17 Secretary deems appropriate: *Provided further*, That any  
18 sale or collocation of federally owned detention facilities  
19 shall not result in the maintenance of fewer than 34,000  
20 detention beds: *Provided further*, That the Committees on  
21 Appropriations of the Senate and the House of Represent-  
22 atives shall be notified 15 days prior to the announcement  
23 of any proposed sale or collocation.

24 SEC. 552. For an additional amount for the “Office  
25 of the Under Secretary for Management”, \$29,000,000,

1 to remain available until expended, for necessary expenses  
2 to plan, acquire, design, construct, renovate, remediate,  
3 equip, furnish, improve infrastructure, and occupy build-  
4 ings and facilities for the department headquarters con-  
5 solidation project and associated mission support consoli-  
6 dation: *Provided*, That the Committees on Appropriations  
7 of the Senate and the House of Representatives shall re-  
8 ceive an expenditure plan not later than 90 days after the  
9 date of enactment of this Act detailing the allocation of  
10 these funds.

11       SEC. 553. In making grants under the heading “Fire-  
12 fighter Assistance Grants”, the Secretary may grant waiv-  
13 ers from the requirements in subsections (a)(1)(A),  
14 (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section  
15 34 of the Federal Fire Prevention and Control Act of 1974  
16 (15 U.S.C. 2229a).

17       SEC. 554. None of the funds made available under  
18 this Act or any prior appropriations Act may be provided  
19 to the Association of Community Organizations for Re-  
20 form Now (ACORN), or any of its affiliates, subsidiaries,  
21 or allied organizations.

22       SEC. 555. The Commissioner of U.S. Customs and  
23 Border Protection and the Assistant Secretary of Home-  
24 land Security for U.S. Immigration and Customs Enforce-  
25 ment shall, with respect to fiscal years 2013, 2014, 2015,

1 and 2016, submit to the Committees on Appropriations  
2 of the Senate and the House of Representatives, at the  
3 time that the President’s budget proposal for fiscal year  
4 2014 is submitted pursuant to the requirements of section  
5 1105(a) of title 31, United States Code, the information  
6 required in the multi-year investment and management  
7 plans required, respectively, under the headings U.S. Cus-  
8 toms and Border Protection, “Salaries and Expenses”  
9 under title II of division D of the Consolidated Appropria-  
10 tions Act, 2012 (Public Law 112–74), and U.S. Customs  
11 and Border Protection, “Border Security Fencing, Infra-  
12 structure, and Technology” under such title, and section  
13 568 of such Act.

14       SEC. 556. The Secretary of Homeland Security shall  
15 ensure enforcement of immigration laws (as defined in sec-  
16 tion 101(a)(17) of the Immigration and Nationality Act  
17 (8 U.S.C. 1101(a)(17))).

18       SEC. 557. (a) Notwithstanding Office of Management  
19 and Budget Circular A–11, funds made available in fiscal  
20 year 2013, or any fiscal year thereafter, under Depart-  
21 ment of Homeland Security, Coast Guard, “Acquisition,  
22 Construction, and Improvements” for—

23               (1) long lead time materials, components, and  
24       designs of a vessel of the Coast Guard shall be im-  
25       mediately available and allotted to make a contract

1 award notwithstanding the availability of funds for  
2 production, outfitting, post-delivery activities, and  
3 spare or repair parts; and

4 (2) production of a vessel of the Coast Guard  
5 shall be immediately available and allotted to make  
6 a contract award notwithstanding the availability of  
7 funds for outfitting, post-delivery activities, and  
8 spare or repair parts.

9 (b) The Secretary of Homeland Security shall develop  
10 fiscal policy that prescribes Coast Guard budgetary poli-  
11 cies, procedures and technical direction necessary to com-  
12 ply with subsection (a) of this section and consistent with  
13 the Department of Defense Financial Management Regu-  
14 lation (Volume 2A, Chapter 1 C. Procedures for Full  
15 Funding) to include the costs associated with outfitting  
16 and post-delivery activities; spare and repair parts; and  
17 long lead time materials. The requirement set forth in this  
18 section shall not preclude the immediate availability or al-  
19 lotment of funds for fiscal year 2013, pursuant to sub-  
20 section (a).

21 (c) In this section—

22 (1) the term “long lead time items” means  
23 components, parts, material, or effort which must be  
24 procured in advance of the production award in  
25 order to maintain the production schedule;

1           (2) the term “outfitting” means procurement or  
2           installation of onboard repair parts, other secondary  
3           items,        equipage,        and        recreation        items;  
4           precommissioning crew support; general use  
5           consumables furnished to the shipbuilder; the fitting  
6           out activity to fill a vessel’s initial allowances; and  
7           contractor-furnished spares; and

8           (3) the term “post-delivery activities” means  
9           design, planning, Government-furnished material,  
10          and related labor for non-production and non-long  
11          lead time items contract activities and other work,  
12          including certifications, full operational capability  
13          activities and other equipment installation; spares,  
14          logistics, technical analysis, and support; correction  
15          of Government-responsible defects and deficiencies  
16          identified during builders trials, acceptance trials,  
17          and testing during the post-delivery period; costs of  
18          all work required to correct defects or deficiencies  
19          identified during the post-delivery period; and costs  
20          of all work required to correct trial card deficiencies  
21          on a vessel of a particular class, as well as on subse-  
22          quent vessels of that class (whether or not delivered)  
23          until the corrective action for that cutter class is  
24          completed.

1           SEC. 558. (a) Of the amounts made available by this  
2 Act for National Protection and Programs Directorate,  
3 “Infrastructure Protection and Information Security”,  
4 \$202,000,000 for the “Federal Network Security” pro-  
5 gram, project, and activity shall be used to deploy on Fed-  
6 eral systems technology to improve the information secu-  
7 rity of agency information systems covered by section  
8 3543(a) of title 44, United States Code: *Provided*, That  
9 funds made available under this section shall be used to  
10 assist and support Government-wide and agency-specific  
11 efforts to provide adequate, risk-based, and cost-effective  
12 cybersecurity to address escalating and rapidly evolving  
13 threats to information security, including the acquisition  
14 and operation of a continuous monitoring and diagnostics  
15 program, in collaboration with departments and agencies,  
16 that includes equipment, software, and Department of  
17 Homeland Security supplied services: *Provided further*,  
18 That not later than April 1, 2013, and quarterly there-  
19 after, the Under Secretary of Homeland Security of the  
20 National Protection and Programs Directorate shall sub-  
21 mit to the Committees on Appropriations of the Senate  
22 and House of Representatives a report on the obligation  
23 and expenditure of funds made available under this sec-  
24 tion: *Provided further*, That continuous monitoring and  
25 diagnostics software procured by the funds made available

1 by this section shall not transmit to the Department of  
2 Homeland Security any personally identifiable information  
3 or content of network communications of other agencies'  
4 users: *Provided further*, That such software shall be in-  
5 stalled, maintained, and operated in accordance with all  
6 applicable privacy laws and agency-specific policies regard-  
7 ing network content.

8 (b) Funds made available under this section may not  
9 be used to supplant funds provided for any such system  
10 within an agency budget.

11 (c) Not later than July 1, 2013, the heads of all Fed-  
12 eral agencies shall submit to the Committees on Appro-  
13 priations of the Senate and House of Representatives ex-  
14 penditure plans for necessary cybersecurity improvements  
15 to address known vulnerabilities to information systems  
16 described in subsection (a).

17 (d) Not later than October 1, 2013, and quarterly  
18 thereafter, the head of each Federal agency shall submit  
19 to the Director of the Office of Management and Budget  
20 a report on the execution of the expenditure plan for that  
21 agency required by subsection (c): *Provided*, That the Di-  
22 rector of the Office of Management and Budget shall sum-  
23 marize such execution reports and annually submit such  
24 summaries to Congress in conjunction with the annual  
25 progress report on implementation of the E-Government



1 Act of 2002 (Public Law 107–347), as required by section  
2 3606 of title 44, United States Code.

3 (e) This section shall not apply to the legislative and  
4 judicial branches of the Federal Government and shall  
5 apply to all Federal agencies within the executive branch  
6 except for the Department of Defense, the Central Intel-  
7 ligence Agency, and the Office of the Director of National  
8 Intelligence.

9 SEC. 559. (a) None of the funds made available in  
10 this Act may be used to maintain or establish a computer  
11 network unless such network blocks the viewing,  
12 downloading, and exchanging of pornography.

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

17 SEC. 560. (a) Notwithstanding sections 58c(e) and  
18 1451 of title 19, United States Code, upon the request  
19 of any persons, the Commissioner of U.S. Customs and  
20 Border Protection may enter into reimbursable fee agree-  
21 ments for a period of up to 5 years with such persons  
22 for the provision of U.S. Customs and Border Protection  
23 services and any other costs incurred by U.S. Customs and  
24 Border Protection relating to such services. Such requests  
25 may include additional U.S. Customs and Border Protec-

1 tion services at existing U.S. Customs and Border Protec-  
2 tion-serviced facilities (including but not limited to pay-  
3 ment for overtime), the provision of U.S. Customs and  
4 Border Protection services at new facilities, and expanded  
5 U.S. Customs and Border Protection services at land bor-  
6 der facilities.

7 (1) By December 31, 2013, the Commissioner  
8 may enter into not more than 5 agreements under  
9 this section.

10 (2) The Commissioner shall not enter into such  
11 an agreement if it would unduly and permanently  
12 impact services funded in this or any other appro-  
13 priations Acts, or provided from any accounts in the  
14 Treasury of the United States derived by the collec-  
15 tion of fees.

16 (b) Funds collected pursuant to any agreement en-  
17 tered into under this section shall be deposited in a newly  
18 established account as offsetting collections and remain  
19 available until expended, without fiscal year limitation,  
20 and shall directly reimburse each appropriation for the  
21 amount paid out of that appropriation for any expenses  
22 incurred by U.S. Customs and Border Protection in pro-  
23 viding U.S. Customs and Border Protection services and  
24 any other costs incurred by U.S. Customs and Border Pro-  
25 tection relating to such services.

1           (c) The amount of the fee to be charged pursuant  
2 to an agreement authorized under subsection (a) of this  
3 section shall be paid by each person requesting U.S. Cus-  
4 toms and Border Protection services and shall include, but  
5 shall not be limited to, the salaries and expenses of indi-  
6 viduals employed by U.S. Customs and Border Protection  
7 to provide such U.S. Customs and Border Protection serv-  
8 ices and other costs incurred by U.S. Customs and Border  
9 Protection relating to those services, such as temporary  
10 placement or permanent relocation of those individuals.

11           (d) U.S. Customs and Border Protection shall termi-  
12 nate the provision of services pursuant to an agreement  
13 entered into under subsection (a) with a person that, after  
14 receiving notice from the Commissioner that a fee imposed  
15 under subsection (a) is due, fails to pay the fee in a timely  
16 manner. In the event of such termination, all costs in-  
17 curred by U.S. Customs and Border Protection, which  
18 have not been reimbursed, will become immediately due  
19 and payable. Interest on unpaid fees will accrue based on  
20 current U.S. Treasury borrowing rates. Additionally, any  
21 person who, after notice and demand for payment of any  
22 fee charged under subsection (a) of this section, fails to  
23 pay such fee in a timely manner shall be liable for a pen-  
24 alty or liquidated damage equal to two times the amount  
25 of the fee. Any amount collected pursuant to any agree-

1 ment entered into under this subsection shall be deposited  
2 into the account specified under subsection (b) of this sec-  
3 tion and shall be available as described therein.

4 (e) Each facility at which such U.S. Customs and  
5 Border Protection services are performed shall provide,  
6 maintain, and equip, without cost to the Government, fa-  
7 cilities in accordance with U.S. Customs and Border Pro-  
8 tection specifications.

9 (f) The authority found in this section may not be  
10 used to enter into agreements to expand or begin to pro-  
11 vide U.S. Customs and Border Protection services outside  
12 of the United States.

13 (g) The authority found in this section may not be  
14 used at existing U.S. Customs and Border Protection-  
15 serviced air facilities to enter into agreements for costs  
16 other than payment of overtime.

17 (h) The Commissioner shall notify the appropriate  
18 Committees of Congress 15 days prior to entering into any  
19 agreement under the authority of this section and shall  
20 provide a copy of the agreement to the appropriate Com-  
21 mittees of Congress.

22 (i) For purposes of this section the terms:

23 (1) U.S. Customs and Border Protection “serv-  
24 ices” means any activities of any employee or con-  
25 tractor of U.S. Customs and Border Protection per-

1 taining to customs and immigration inspection-re-  
2 lated matters.

3 (2) “Person” means any natural person or any  
4 corporation, partnership, trust, association, or any  
5 other public or private entity, or any officer, em-  
6 ployee, or agent thereof.

7 (3) “Appropriate Committees of Congress”  
8 means the Committees on Appropriations; Finance;  
9 Judiciary; and Homeland Security and Govern-  
10 mental Affairs of the Senate and the Committees on  
11 Appropriations; Judiciary; Ways and Means; and  
12 Homeland Security of the House of Representatives.

13 SEC. 561. None of the funds made available under  
14 this Act may be used by a Federal law enforcement officer  
15 to facilitate the transfer of an operable firearm to an indi-  
16 vidual if the Federal law enforcement officer knows or sus-  
17 pects that the individual is an agent of a drug cartel unless  
18 law enforcement personnel of the United States continu-  
19 ously monitor or control the firearm at all times.

20 SEC. 562. Twenty percent of each of the appropria-  
21 tions provided in this Act for the “Office of the Secretary  
22 and Executive Management”, the “Office of the Under  
23 Secretary for Management”, and the “Office of the Chief  
24 Financial Officer” shall be withheld from obligation until  
25 the reports and plans required in this Act to be submitted

1 on or before May 1, 2013, are received by the Committees  
2 on Appropriations of the Senate and the House of Rep-  
3 resentatives.

4 SEC. 563. Notwithstanding any other provision of  
5 this Act or any other provision of law, during the period  
6 beginning on October 1, 2013, and ending on September  
7 30, 2014, section 204(a)(1)(I) of the Immigration and Na-  
8 tionality Act (8 U.S.C. 1154(a)(1)(I)) is amended by add-  
9 ing at the end the following:

10 “(iv) Each petition to compete for  
11 consideration for a visa under section  
12 1153(c) of this title shall be accompanied  
13 by a fee equal to \$30. All amounts col-  
14 lected under this clause shall be deposited  
15 into the Treasury as miscellaneous re-  
16 ceipts.”:

17 *Provided*, That the Department of State, in consultation  
18 with the Department of Homeland Security, shall report  
19 to the Committees on Appropriations of the Senate and  
20 the House of Representatives not later than 90 days after  
21 the date of enactment of this Act on the steps being taken  
22 to implement the recommendations of GAO–07–1174.

23 SEC. 564. The Administrator of the Federal Emer-  
24 gency Management Agency shall cancel the liquidated bal-  
25 ances of all remaining uncanceled or partially canceled

1 loans disbursed under the Community Disaster Loan Act  
2 of 2005 (Public Law 109–88) and the Emergency Supple-  
3 mental Appropriations Act for Defense, the Global War  
4 on Terror, and Hurricane Recovery, 2006 (Public Law  
5 109–234), as amended by section 4502 of the U.S. Troop  
6 Readiness, Veterans’ Care, Katrina Recovery, and Iraq  
7 Accountability Appropriations Act, 2007 (Public Law  
8 110–28) to the extent that revenues of the local govern-  
9 ment during the period following the major disaster are  
10 insufficient to meet the budget of the local government,  
11 including additional disaster-related expenses of a munic-  
12 ipal character. In calculating a community’s revenues  
13 while determining cancellation, the Administrator shall ex-  
14 clude revenues for special districts and any other revenues  
15 that are required by law to be disbursed to other units  
16 of local government or used for specific purposes more lim-  
17 ited than the scope allowed by the General Fund. In calcu-  
18 lating a community’s expenses, the Administrator shall in-  
19 clude disaster-related capital expenses for which the com-  
20 munity has not been reimbursed by Federal or insurance  
21 proceeds, debt service expenses, and accrued but unpaid  
22 uncompensated absences (vacation and sick pay). In calcu-  
23 lating the operating deficit of the local government, the  
24 Administrator shall also consider all interfund transfers.  
25 When considering the period following the disaster, the

1 Administrator may consider a period of 3, 5, or 7 full fis-  
2 cal years after the disaster, beginning on the date of the  
3 declaration, in determining eligibility for cancellation. The  
4 criteria for cancellation do not apply to those loans already  
5 cancelled in full. Applicants shall submit supplemental  
6 documentation in support of their applications for can-  
7 cellation on or before April 30, 2014, and the Adminis-  
8 trator shall issue determinations and resolve any appeals  
9 on or before April 30, 2015. Loans not cancelled in full  
10 shall be repaid not later than September 30, 2035. The  
11 Administrator may use funds provided under Public Law  
12 109–88 to reimburse those communities that have repaid  
13 all or a portion of loans, including interest, provided as  
14 Special Community Disaster Loans under Public Law  
15 109–88 or Public Law 109–234, as amended by section  
16 4502 of Public Law 110–28. Further, the Administrator  
17 may use funds provided under Public Law 109–88 for nec-  
18 essary expenses to carry out this provision.

19       SEC. 565. The Inspector General shall review the ap-  
20 plications for public assistance provided through the Dis-  
21 aster Relief Fund with a project cost that exceeds  
22 \$10,000,000 and the resulting decisions issued by the  
23 Federal Emergency Management Agency for category A  
24 debris removal for DR–1786 upon receipt of a request  
25 from an applicant made no earlier than 90 days after fil-



1 ing an appeal with the Federal Emergency Management  
2 Agency without regard to whether the Administrator of  
3 the Federal Emergency Management Agency has issued  
4 a final agency determination on the application for assist-  
5 ance: *Provided*, That not later than 180 days after the  
6 date of such request, the Inspector General shall deter-  
7 mine whether the Federal Emergency Management Agen-  
8 cy correctly applied its rules and regulations to determine  
9 eligibility of the applicant's claim: *Provided further*, That  
10 if the Inspector General finds that the Federal Emergency  
11 Management Agency determinations related to eligibility  
12 and cost involved a misapplication of its rules and regula-  
13 tions, the applicant may submit the dispute to the arbitra-  
14 tion process established under the authority granted under  
15 section 601 of Public Law 111-5 not later than 15 days  
16 after the date of issuance of the Inspector General's find-  
17 ing in the previous proviso: *Provided further*, That if the  
18 Inspector General finds that the Federal Emergency Man-  
19 agement Agency provided unauthorized funding, that the  
20 Federal Emergency Management Agency shall take cor-  
21 rective action.

22       SEC. 566. None of the funds provided in this or any  
23 other Act may be obligated to implement the National Pre-  
24 paredness Grant Program or any other successor grant  
25 programs unless explicitly authorized by Congress.

1           SEC. 567. None of the funds made available by this  
2 Act may be used to provide funding for the position of  
3 Public Advocate within U.S. Immigration and Customs  
4 Enforcement.

5           SEC. 568. None of the funds made available in this  
6 Act may be used to reimburse any Federal department  
7 or agency for its participation in a National Special Secu-  
8 rity Event.

9           SEC. 569. None of the funds made available in this  
10 Act may be used to pay for the travel to or attendance  
11 of more than 50 employees of a single component of the  
12 Department of Homeland Security, who are stationed in  
13 the United States, at a single international conference un-  
14 less the Secretary of Homeland Security determines that  
15 such attendance is in the national interest and notifies the  
16 Committees on Appropriations of the Senate and the  
17 House of Representatives within at least 10 days of that  
18 determination and the basis for that determination: *Pro-*  
19 *vided*, That for purposes of this section the term “inter-  
20 national conference” shall mean a conference occurring  
21 outside of the United States attended by representatives  
22 of the United States Government and of foreign govern-  
23 ments, international organizations, or nongovernmental  
24 organizations.

1 (RESCISSIONS)

2 SEC. 570. Of the funds appropriated to the Depart-  
3 ment of Homeland Security, the following funds are here-  
4 by rescinded from the following accounts and programs  
5 in the specified amounts: *Provided*, That no amounts may  
6 be rescinded from amounts that were designated by the  
7 Congress as an emergency requirement pursuant to a con-  
8 current resolution on the budget or the Balanced Budget  
9 and Emergency Deficit Control Act of 1985, as amended:

10 (1) \$1,800,000 from Public Law 112–74 under  
11 the heading “Analysis and Operations”;

12 (2) \$73,232,000 from funds made available in  
13 Public Law 112–10 and Public Law 112–74 under  
14 the heading U.S. Customs and Border Protection,  
15 “Border Security Fencing, Infrastructure, and Tech-  
16 nology”;

17 (3) \$3,108,311 from unobligated prior year bal-  
18 ances from U.S. Immigration and Customs Enforce-  
19 ment, “Construction”;

20 (4) \$25,000,000 from Public Law 110–329  
21 under the heading Coast Guard “Acquisition, Con-  
22 struction, and Improvements”;

23 (5) \$43,000,000 from Public Law 111–83  
24 under the heading Coast Guard “Acquisition, Con-  
25 struction, and Improvements”;



1 (3) \$63,045 from U.S. Customs and Border  
2 Protection “Violent Crime Reduction Programs”;

3 (4) \$86,597 from U.S. Immigration and Cust-  
4 toms Enforcement “Violent Crime Reduction Pro-  
5 grams”;

6 (5) \$1,739 from Coast Guard “Acquisition,  
7 Construction, and Improvements”;

8 (6) \$1,329,239 from Federal Emergency Man-  
9 agement Agency “Office of Domestic Preparedness”;

10 (7) \$3,262,677 from Federal Emergency Man-  
11 agement Agency “National Predisaster Mitigation  
12 Fund”; and

13 (8) \$2,291,844 from Transportation Security  
14 Administration “Administration”.

15 (RESCISSIONS)

16 SEC. 573. The following unobligated balances made  
17 available to the Department of Homeland Security pursu-  
18 ant to section 505 of the Department of Homeland Secu-  
19 rity Appropriations Act, 2012 (Public Law 112–74; 125  
20 Stat. 984) are rescinded:

21 (1) \$314,674 from “Office of the Secretary and  
22 Executive Management”;

23 (2) \$185,813 from “Office of the Under Sec-  
24 retary for Management”;

1           (3) \$114,391 from “Office of the Chief Finan-  
2           cial Officer”;

3           (4) \$59,507 from “Office of the Chief Informa-  
4           tion Officer”;

5           (5) \$568,188 from “Analysis and Operations”;

6           (6) \$45,525 from “Office of Inspector Gen-  
7           eral”;

8           (7) \$568,480 from U.S. Customs and Border  
9           Protection “Salaries and Expenses”;

10          (8) \$3,581,483 from U.S. Immigration and  
11          Customs Enforcement “Salaries and Expenses”;

12          (9) \$1,075,942 from Transportation Security  
13          Administration “Federal Air Marshals”;

14          (10) \$18,142,454 from Coast Guard “Oper-  
15          ating Expenses”;

16          (11) \$991,520 from Coast Guard “Reserve  
17          Training”;

18          (12) \$1,033,599 from Coast Guard “Acquisi-  
19          tion, Construction, and Improvements”;

20          (13) \$2,371,377 from United States Secret  
21          Service “Salaries and Expenses”;

22          (14) \$82,084 from National Protection and  
23          Programs Directorate “Management and Adminis-  
24          tration”;

1           (15) \$1,683,470 from National Protection and  
2 Programs Directorate “Infrastructure Protection  
3 and Information Security”;

4           (16) \$184,583 from National Protection and  
5 Programs Directorate “United States Visitor and  
6 Immigrant Status Indicator Technology”;

7           (17) \$259,874 from Federal Emergency Man-  
8 agement Agency “Salaries and Expenses”;

9           (18) \$206,722 from Federal Emergency Man-  
10 agement Agency “State and Local Programs”;

11           (19) \$450,017 from Office of Health Affairs;

12           (20) \$205,799 from United States Citizenship  
13 and Immigration Services;

14           (21) \$512,660 from Federal Law Enforcement  
15 Training Center “Salaries and Expenses”;

16           (22) \$244,553 from Science and Technology  
17 “Management and Administration”; and

18           (23) \$128,565 from Domestic Nuclear Detec-  
19 tion Office “Management and Administration”.

20       This division may be cited as the “Department of  
21 Homeland Security Appropriations Act, 2013”.

1 **DIVISION E—MILITARY CONSTRUCTION**  
2 **AND VETERANS AFFAIRS, AND RE-**  
3 **LATED AGENCIES APPROPRIATIONS**  
4 **ACT, 2013**

5 The following sums are hereby appropriated, out of  
6 any money in the Treasury not otherwise appropriated,  
7 for military construction, the Department of Veterans Af-  
8 fairs, and related agencies for the fiscal year ending Sep-  
9 tember 30, 2013, and for other purposes, namely:

10 **TITLE I**

11 **DEPARTMENT OF DEFENSE**

12 **MILITARY CONSTRUCTION, ARMY**

13 For acquisition, construction, installation, and equip-  
14 ment of temporary or permanent public works, military  
15 installations, facilities, and real property for the Army as  
16 currently authorized by law, including personnel in the  
17 Army Corps of Engineers and other personal services nec-  
18 essary for the purposes of this appropriation, and for con-  
19 struction and operation of facilities in support of the func-  
20 tions of the Commander in Chief, \$1,684,323,000, to re-  
21 main available until September 30, 2017: *Provided*, That  
22 of this amount, not to exceed \$80,173,000 shall be avail-  
23 able for study, planning, design, architect and engineer  
24 services, and host nation support, as authorized by law,  
25 unless the Secretary of Army determines that additional



1 obligations are necessary for such purposes and notifies  
2 the Committees on Appropriations of both Houses of Con-  
3 gress of the determination and the reasons therefor.

4       MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

5       For acquisition, construction, installation, and equip-  
6 ment of temporary or permanent public works, naval in-  
7 stallations, facilities, and real property for the Navy and  
8 Marine Corps as currently authorized by law, including  
9 personnel in the Naval Facilities Engineering Command  
10 and other personal services necessary for the purposes of  
11 this appropriation, \$1,549,164,000, to remain available  
12 until September 30, 2017: *Provided*, That of this amount,  
13 not to exceed \$102,619,000 shall be available for study,  
14 planning, design, and architect and engineer services, as  
15 authorized by law, unless the Secretary of Navy deter-  
16 mines that additional obligations are necessary for such  
17 purposes and notifies the Committees on Appropriations  
18 of both Houses of Congress of the determination and the  
19 reasons therefor.

20               MILITARY CONSTRUCTION, AIR FORCE

21       For acquisition, construction, installation, and equip-  
22 ment of temporary or permanent public works, military  
23 installations, facilities, and real property for the Air Force  
24 as currently authorized by law, \$322,543,000, to remain  
25 available until September 30, 2017: *Provided*, That of this

1 amount, not to exceed \$18,635,000 shall be available for  
2 study, planning, design, and architect and engineer serv-  
3 ices, as authorized by law, unless the Secretary of Air  
4 Force determines that additional obligations are necessary  
5 for such purposes and notifies the Committees on Appro-  
6 priations of both Houses of Congress of the determination  
7 and the reasons therefor.

8           MILITARY CONSTRUCTION, DEFENSE-WIDE

9                   (INCLUDING TRANSFER OF FUNDS)

10       For acquisition, construction, installation, and equip-  
11 ment of temporary or permanent public works, installa-  
12 tions, facilities, and real property for activities and agen-  
13 cies of the Department of Defense (other than the military  
14 departments), as currently authorized by law,  
15 \$3,582,423,000, to remain available until September 30,  
16 2017: *Provided*, That such amounts of this appropriation  
17 as may be determined by the Secretary of Defense may  
18 be transferred to such appropriations of the Department  
19 of Defense available for military construction or family  
20 housing as the Secretary may designate, to be merged with  
21 and to be available for the same purposes, and for the  
22 same time period, as the appropriation or fund to which  
23 transferred: *Provided further*, That of the amount appro-  
24 priated, not to exceed \$315,562,000 shall be available for  
25 study, planning, design, and architect and engineer serv-

1 ices, as authorized by law, unless the Secretary of Defense  
2 determines that additional obligations are necessary for  
3 such purposes and notifies the Committees on Appropria-  
4 tions of both Houses of Congress of the determination and  
5 the reasons therefor: *Provided further*, That of the amount  
6 appropriated, notwithstanding any other provision of law,  
7 \$26,969,000 shall be available for payments to the North  
8 Atlantic Treaty Organization for the planning, design, and  
9 construction of a new North Atlantic Treaty Organization  
10 headquarters.

11 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

12 For construction, acquisition, expansion, rehabilita-  
13 tion, and conversion of facilities for the training and ad-  
14 ministration of the Army National Guard, and contribu-  
15 tions therefor, as authorized by chapter 1803 of title 10,  
16 United States Code, and Military Construction Authoriza-  
17 tion Acts, \$613,799,000, to remain available until Sep-  
18 tember 30, 2017: *Provided*, That of the amount appro-  
19 priated, not to exceed \$26,622,000 shall be available for  
20 study, planning, design, and architect and engineer serv-  
21 ices, as authorized by law, unless the Director of the Army  
22 National Guard determines that additional obligations are  
23 necessary for such purposes and notifies the Committees  
24 on Appropriations of both Houses of Congress of the de-  
25 termination and the reasons therefor.

## 1       MILITARY CONSTRUCTION, AIR NATIONAL GUARD

2       For construction, acquisition, expansion, rehabilita-  
3 tion, and conversion of facilities for the training and ad-  
4 ministration of the Air National Guard, and contributions  
5 therefor, as authorized by chapter 1803 of title 10, United  
6 States Code, and Military Construction Authorization  
7 Acts, \$42,386,000, to remain available until September  
8 30, 2017: *Provided*, That of the amount appropriated, not  
9 to exceed \$4,000,000 shall be available for study, plan-  
10 ning, design, and architect and engineer services, as au-  
11 thorized by law, unless the Director of the Air National  
12 Guard determines that additional obligations are nec-  
13 essary for such purposes and notifies the Committees on  
14 Appropriations of both Houses of Congress of the deter-  
15 mination and the reasons therefor.

## 16       MILITARY CONSTRUCTION, ARMY RESERVE

17       For construction, acquisition, expansion, rehabilita-  
18 tion, and conversion of facilities for the training and ad-  
19 ministration of the Army Reserve as authorized by chapter  
20 1803 of title 10, United States Code, and Military Con-  
21 struction Authorization Acts, \$305,846,000, to remain  
22 available until September 30, 2017: *Provided*, That of the  
23 amount appropriated, not to exceed \$15,951,000 shall be  
24 available for study, planning, design, and architect and en-  
25 gineer services, as authorized by law, unless the Chief of

1 the Army Reserve determines that additional obligations  
2 are necessary for such purposes and notifies the Commit-  
3 tees on Appropriations of both Houses of Congress of the  
4 determination and the reasons therefor.

5           MILITARY CONSTRUCTION, NAVY RESERVE

6           For construction, acquisition, expansion, rehabilita-  
7 tion, and conversion of facilities for the training and ad-  
8 ministration of the reserve components of the Navy and  
9 Marine Corps as authorized by chapter 1803 of title 10,  
10 United States Code, and Military Construction Authoriza-  
11 tion Acts, \$49,532,000, to remain available until Sep-  
12 tember 30, 2017: *Provided*, That of the amount appro-  
13 priated, not to exceed \$2,118,000 shall be available for  
14 study, planning, design, and architect and engineer serv-  
15 ices, as authorized by law, unless the Secretary of the  
16 Navy determines that additional obligations are necessary  
17 for such purposes and notifies the Committees on Appro-  
18 priations of both Houses of Congress of the determination  
19 and the reasons therefor.

20           MILITARY CONSTRUCTION, AIR FORCE RESERVE

21           For construction, acquisition, expansion, rehabilita-  
22 tion, and conversion of facilities for the training and ad-  
23 ministration of the Air Force Reserve as authorized by  
24 chapter 1803 of title 10, United States Code, and Military  
25 Construction Authorization Acts, \$10,979,000, to remain

1 available until September 30, 2017: *Provided*, That of the  
2 amount appropriated, not to exceed \$2,879,000 shall be  
3 available for study, planning, design, and architect and en-  
4 gineer services, as authorized by law, unless the Chief of  
5 the Air Force Reserve determines that additional obliga-  
6 tions are necessary for such purposes and notifies the  
7 Committees on Appropriations of both Houses of Congress  
8 of the determination and the reasons therefor.

9 NORTH ATLANTIC TREATY ORGANIZATION

10 SECURITY INVESTMENT PROGRAM

11 For the United States share of the cost of the North  
12 Atlantic Treaty Organization Security Investment Pro-  
13 gram for the acquisition and construction of military fa-  
14 cilities and installations (including international military  
15 headquarters) and for related expenses for the collective  
16 defense of the North Atlantic Treaty Area as authorized  
17 by section 2806 of title 10, United States Code, and Mili-  
18 tary Construction Authorization Acts, \$254,163,000, to  
19 remain available until expended.

20 FAMILY HOUSING CONSTRUCTION, ARMY

21 For expenses of family housing for the Army for con-  
22 struction, including acquisition, replacement, addition, ex-  
23 pansion, extension, and alteration, as authorized by law,  
24 \$4,641,000, to remain available until September 30, 2017.

1       FAMILY HOUSING OPERATION AND MAINTENANCE,

2                                       ARMY

3       For expenses of family housing for the Army for op-  
4 eration and maintenance, including debt payment, leasing,  
5 minor construction, principal and interest charges, and in-  
6 surance premiums, as authorized by law, \$530,051,000.

7       FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

8                                       CORPS

9       For expenses of family housing for the Navy and Ma-  
10 rine Corps for construction, including acquisition, replace-  
11 ment, addition, expansion, extension, and alteration, as  
12 authorized by law, \$102,182,000, to remain available until  
13 September 30, 2017.

14       FAMILY HOUSING OPERATION AND MAINTENANCE,

15                                       NAVY AND MARINE CORPS

16       For expenses of family housing for the Navy and Ma-  
17 rine Corps for operation and maintenance, including debt  
18 payment, leasing, minor construction, principal and inter-  
19 est charges, and insurance premiums, as authorized by  
20 law, \$378,230,000.

21       FAMILY HOUSING CONSTRUCTION, AIR FORCE

22       For expenses of family housing for the Air Force for  
23 construction, including acquisition, replacement, addition,  
24 expansion, extension, and alteration, as authorized by law,

1 \$83,824,000, to remain available until September 30,  
2 2017.

3 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR  
4 FORCE

5 For expenses of family housing for the Air Force for  
6 operation and maintenance, including debt payment, leas-  
7 ing, minor construction, principal and interest charges,  
8 and insurance premiums, as authorized by law,  
9 \$497,829,000.

10 FAMILY HOUSING OPERATION AND MAINTENANCE,  
11 DEFENSE-WIDE

12 For expenses of family housing for the activities and  
13 agencies of the Department of Defense (other than the  
14 military departments) for operation and maintenance,  
15 leasing, and minor construction, as authorized by law,  
16 \$52,238,000.

17 DEPARTMENT OF DEFENSE FAMILY HOUSING  
18 IMPROVEMENT FUND

19 For the Department of Defense Family Housing Im-  
20 provement Fund, \$1,786,000, to remain available until ex-  
21 pended, for family housing initiatives undertaken pursu-  
22 ant to section 2883 of title 10, United States Code, pro-  
23 viding alternative means of acquiring and improving mili-  
24 tary family housing and supporting facilities.



1 CHEMICAL DEMILITARIZATION CONSTRUCTION,  
2 DEFENSE-WIDE

3 For expenses of construction, not otherwise provided  
4 for, necessary for the destruction of the United States  
5 stockpile of lethal chemical agents and munitions in ac-  
6 cordance with section 1412 of the Department of Defense  
7 Authorization Act, 1986 (50 U.S.C. 1521), and for the  
8 destruction of other chemical warfare materials that are  
9 not in the chemical weapon stockpile, as currently author-  
10 ized by law, \$151,000,000, to remain available until Sep-  
11 11 tember 30, 2017, which shall be only for the Assembled  
12 Chemical Weapons Alternatives program.

13 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT  
14 1990

15 For deposit into the Department of Defense Base  
16 Closure Account 1990, established by section 2906(a)(1)  
17 of the Defense Base Closure and Realignment Act of 1990  
18 (10 U.S.C. 2687 note), \$409,396,000, to remain available  
19 until expended.

20 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT  
21 2005

22 For deposit into the Department of Defense Base  
23 Closure Account 2005, established by section 2906A(a)(1)  
24 of the Defense Base Closure and Realignment Act of 1990  
25 (10 U.S.C. 2687 note), \$126,697,000, to remain available

1 until expended: *Provided*, That the Department of Defense  
2 shall notify the Committees on Appropriations of both  
3 Houses of Congress 14 days prior to obligating an amount  
4 for a construction project that exceeds or reduces the  
5 amount identified for that project in the most recently  
6 submitted budget request for this account by 20 percent  
7 or \$2,000,000, whichever is less: *Provided further*, That  
8 the previous proviso shall not apply to projects costing less  
9 than \$5,000,000, except for those projects not previously  
10 identified in any budget submission for this account and  
11 exceeding the minor construction threshold under section  
12 2805 of title 10, United States Code.

13 ADMINISTRATIVE PROVISIONS

14 SEC. 101. None of the funds made available in this  
15 title shall be expended for payments under a cost-plus-a-  
16 fixed-fee contract for construction, where cost estimates  
17 exceed \$25,000, to be performed within the United States,  
18 except Alaska, without the specific approval in writing of  
19 the Secretary of Defense setting forth the reasons there-  
20 for.

21 SEC. 102. Funds made available in this title for con-  
22 struction shall be available for hire of passenger motor ve-  
23 hicles.

24 SEC. 103. Funds made available in this title for con-  
25 struction may be used for advances to the Federal High-

1 way Administration, Department of Transportation, for  
2 the construction of access roads as authorized by section  
3 210 of title 23, United States Code, when projects author-  
4 ized therein are certified as important to the national de-  
5 fense by the Secretary of Defense.

6 SEC. 104. None of the funds made available in this  
7 title may be used to begin construction of new bases in  
8 the United States for which specific appropriations have  
9 not been made.

10 SEC. 105. None of the funds made available in this  
11 title shall be used for purchase of land or land easements  
12 in excess of 100 percent of the value as determined by  
13 the Army Corps of Engineers or the Naval Facilities Engi-  
14 neering Command, except: (1) where there is a determina-  
15 tion of value by a Federal court; (2) purchases negotiated  
16 by the Attorney General or the designee of the Attorney  
17 General; (3) where the estimated value is less than  
18 \$25,000; or (4) as otherwise determined by the Secretary  
19 of Defense to be in the public interest.

20 SEC. 106. None of the funds made available in this  
21 title shall be used to: (1) acquire land; (2) provide for site  
22 preparation; or (3) install utilities for any family housing,  
23 except housing for which funds have been made available  
24 in annual Acts making appropriations for military con-  
25 struction.

1       SEC. 107. None of the funds made available in this  
2 title for minor construction may be used to transfer or  
3 relocate any activity from one base or installation to an-  
4 other, without prior notification to the Committees on Ap-  
5 propriations of both Houses of Congress.

6       SEC. 108. None of the funds made available in this  
7 title may be used for the procurement of steel for any con-  
8 struction project or activity for which American steel pro-  
9 ducers, fabricators, and manufacturers have been denied  
10 the opportunity to compete for such steel procurement.

11       SEC. 109. None of the funds available to the Depart-  
12 ment of Defense for military construction or family hous-  
13 ing during the current fiscal year may be used to pay real  
14 property taxes in any foreign nation.

15       SEC. 110. None of the funds made available in this  
16 title may be used to initiate a new installation overseas  
17 without prior notification to the Committees on Appro-  
18 priations of both Houses of Congress.

19       SEC. 111. None of the funds made available in this  
20 title may be obligated for architect and engineer contracts  
21 estimated by the Government to exceed \$500,000 for  
22 projects to be accomplished in Japan, in any North Atlan-  
23 tic Treaty Organization member country, or in countries  
24 bordering the Arabian Sea, unless such contracts are

1 awarded to United States firms or United States firms  
2 in joint venture with host nation firms.

3       SEC. 112. None of the funds made available in this  
4 title for military construction in the United States terri-  
5 tories and possessions in the Pacific and on Kwajalein  
6 Atoll, or in countries bordering the Arabian Sea, may be  
7 used to award any contract estimated by the Government  
8 to exceed \$1,000,000 to a foreign contractor: *Provided*,  
9 That this section shall not be applicable to contract  
10 awards for which the lowest responsive and responsible bid  
11 of a United States contractor exceeds the lowest respon-  
12 sive and responsible bid of a foreign contractor by greater  
13 than 20 percent: *Provided further*, That this section shall  
14 not apply to contract awards for military construction on  
15 Kwajalein Atoll for which the lowest responsive and re-  
16 sponsible bid is submitted by a Marshallese contractor.

17       SEC. 113. The Secretary of Defense shall inform the  
18 appropriate committees of both Houses of Congress, in-  
19 cluding the Committees on Appropriations, of plans and  
20 scope of any proposed military exercise involving United  
21 States personnel 30 days prior to its occurring, if amounts  
22 expended for construction, either temporary or permanent,  
23 are anticipated to exceed \$100,000.

24       SEC. 114. Funds appropriated to the Department of  
25 Defense for construction in prior years shall be available

1 for construction authorized for each such military depart-  
2 ment by the authorizations enacted into law during the  
3 current session of Congress.

4 SEC. 115. Not more than 20 percent of the funds  
5 made available in this title which are limited for obligation  
6 during the current fiscal year shall be obligated during  
7 the last 2 months of the fiscal year.

8 SEC. 116. For military construction or family housing  
9 projects that are being completed with funds otherwise ex-  
10 pired or lapsed for obligation, expired or lapsed funds may  
11 be used to pay the cost of associated supervision, inspec-  
12 tion, overhead, engineering and design on those projects  
13 and on subsequent claims, if any.

14 SEC. 117. Notwithstanding any other provision of  
15 law, any funds made available to a military department  
16 or defense agency for the construction of military projects  
17 may be obligated for a military construction project or  
18 contract, or for any portion of such a project or contract,  
19 at any time before the end of the fourth fiscal year after  
20 the fiscal year for which funds for such project were made  
21 available, if the funds obligated for such project: (1) are  
22 obligated from funds available for military construction  
23 projects; and (2) do not exceed the amount appropriated  
24 for such project, plus any amount by which the cost of  
25 such project is increased pursuant to law.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 118. In addition to any other transfer authority  
3 available to the Department of Defense, proceeds depos-  
4 ited to the Department of Defense Base Closure Account  
5 established by section 207(a)(1) of the Defense Authoriza-  
6 tion Amendments and Base Closure and Realignment Act  
7 (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C)  
8 of such Act, may be transferred to the account established  
9 by section 2906(a)(1) of the Defense Base Closure and  
10 Realignment Act of 1990 (10 U.S.C. 2687 note), to be  
11 merged with, and to be available for the same purposes  
12 and the same time period as that account.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 119. Subject to 30 days prior notification, or  
15 14 days for a notification provided in an electronic me-  
16 dium pursuant to sections 480 and 2883 of title 10,  
17 United States Code, to the Committees on Appropriations  
18 of both Houses of Congress, such additional amounts as  
19 may be determined by the Secretary of Defense may be  
20 transferred to: (1) the Department of Defense Family  
21 Housing Improvement Fund from amounts appropriated  
22 for construction in “Family Housing” accounts, to be  
23 merged with and to be available for the same purposes  
24 and for the same period of time as amounts appropriated  
25 directly to the Fund; or (2) the Department of Defense

1 Military Unaccompanied Housing Improvement Fund  
2 from amounts appropriated for construction of military  
3 unaccompanied housing in “Military Construction” ac-  
4 counts, to be merged with and to be available for the same  
5 purposes and for the same period of time as amounts ap-  
6 propriated directly to the Fund: *Provided*, That appropria-  
7 tions made available to the Funds shall be available to  
8 cover the costs, as defined in section 502(5) of the Con-  
9 gressional Budget Act of 1974, of direct loans or loan  
10 guarantees issued by the Department of Defense pursuant  
11 to the provisions of subchapter IV of chapter 169 of title  
12 10, United States Code, pertaining to alternative means  
13 of acquiring and improving military family housing, mili-  
14 tary unaccompanied housing, and supporting facilities.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 120. In addition to any other transfer authority  
17 available to the Department of Defense, amounts may be  
18 transferred from the accounts established by sections  
19 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure  
20 and Realignment Act of 1990 (10 U.S.C. 2687 note), to  
21 the fund established by section 1013(d) of the Demonstra-  
22 tion Cities and Metropolitan Development Act of 1966 (42  
23 U.S.C. 3374) to pay for expenses associated with the  
24 Homeowners Assistance Program incurred under 42  
25 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be



1 merged with and be available for the same purposes and  
2 for the same time period as the fund to which transferred.

3       SEC. 121. Notwithstanding any other provision of  
4 law, funds made available in this title for operation and  
5 maintenance of family housing shall be the exclusive  
6 source of funds for repair and maintenance of all family  
7 housing units, including general or flag officer quarters:  
8 *Provided*, That not more than \$35,000 per unit may be  
9 spent annually for the maintenance and repair of any gen-  
10 eral or flag officer quarters without 30 days prior notifica-  
11 tion, or 14 days for a notification provided in an electronic  
12 medium pursuant to sections 480 and 2883 of title 10,  
13 United States Code, to the Committees on Appropriations  
14 of both Houses of Congress, except that an after-the-fact  
15 notification shall be submitted if the limitation is exceeded  
16 solely due to costs associated with environmental remedi-  
17 ation that could not be reasonably anticipated at the time  
18 of the budget submission: *Provided further*, That the  
19 Under Secretary of Defense (Comptroller) is to report an-  
20 nually to the Committees on Appropriations of both  
21 Houses of Congress all operation and maintenance ex-  
22 penditures for each individual general or flag officer quar-  
23 ters for the prior fiscal year.

24       SEC. 122. Amounts contained in the Ford Island Im-  
25 provement Account established by subsection (h) of sec-

1 tion 2814 of title 10, United States Code, are appro-  
2 priated and shall be available until expended for the pur-  
3 poses specified in subsection (i)(1) of such section or until  
4 transferred pursuant to subsection (i)(3) of such section.

5       SEC. 123. None of the funds made available in this  
6 title, or in any Act making appropriations for military con-  
7 struction which remain available for obligation, may be ob-  
8 ligated or expended to carry out a military construction,  
9 land acquisition, or family housing project at or for a mili-  
10 tary installation approved for closure, or at a military in-  
11 stallation for the purposes of supporting a function that  
12 has been approved for realignment to another installation,  
13 in 2005 under the Defense Base Closure and Realignment  
14 Act of 1990 (part A of title XXIX of Public Law 101–  
15 510; 10 U.S.C. 2687 note), unless such a project at a mili-  
16 tary installation approved for realignment will support a  
17 continuing mission or function at that installation or a  
18 new mission or function that is planned for that installa-  
19 tion, or unless the Secretary of Defense certifies that the  
20 cost to the United States of carrying out such project  
21 would be less than the cost to the United States of cancel-  
22 ling such project, or if the project is at an active compo-  
23 nent base that shall be established as an enclave or in the  
24 case of projects having multi-agency use, that another  
25 Government agency has indicated it will assume ownership

1 of the completed project. The Secretary of Defense may  
2 not transfer funds made available as a result of this limi-  
3 tation from any military construction project, land acquisi-  
4 tion, or family housing project to another account or use  
5 such funds for another purpose or project without the  
6 prior approval of the Committees on Appropriations of  
7 both Houses of Congress. This section shall not apply to  
8 military construction projects, land acquisition, or family  
9 housing projects for which the project is vital to the na-  
10 tional security or the protection of health, safety, or envi-  
11 ronmental quality: *Provided*, That the Secretary of De-  
12 fense shall notify the congressional defense committees  
13 within seven days of a decision to carry out such a military  
14 construction project.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 124. During the 5-year period after appropria-  
17 tions available in this Act to the Department of Defense  
18 for military construction and family housing operation and  
19 maintenance and construction have expired for obligation,  
20 upon a determination that such appropriations will not be  
21 necessary for the liquidation of obligations or for making  
22 authorized adjustments to such appropriations for obliga-  
23 tions incurred during the period of availability of such ap-  
24 propriations, unobligated balances of such appropriations  
25 may be transferred into the appropriation “Foreign Cur-

1 rency Fluctuations, Construction, Defense”, to be merged  
2 with and to be available for the same time period and for  
3 the same purposes as the appropriation to which trans-  
4 ferred.

5       SEC. 125. None of the funds made available by this  
6 Act may be used by the Secretary of Defense to take bene-  
7 ficial occupancy of more than 2,500 parking spaces (other  
8 than handicap-reserved spaces) to be provided by the  
9 BRAC 133 project: *Provided*, That this limitation may be  
10 waived in part if: (1) the Secretary of Defense certifies  
11 to Congress that levels of service at existing intersections  
12 in the vicinity of the project have not experienced failing  
13 levels of service as defined by the Transportation Research  
14 Board Highway Capacity Manual over a consecutive 90-  
15 day period; (2) the Department of Defense and the Vir-  
16 ginia Department of Transportation agree on the number  
17 of additional parking spaces that may be made available  
18 to employees of the facility subject to continued 90-day  
19 traffic monitoring; and (3) the Secretary of Defense noti-  
20 fies the congressional defense committees in writing at  
21 least 14 days prior to exercising this waiver of the number  
22 of additional parking spaces to be made available.

23       SEC. 126. None of the funds made available by this  
24 Act may be used for any action that relates to or promotes

1 the expansion of the boundaries or size of the Pinon Can-  
2 yon Maneuver Site, Colorado.

3 SEC. 127. Amounts appropriated or otherwise made  
4 available in an account funded under the headings in this  
5 title may be transferred among projects and activities  
6 within the account in accordance with the reprogramming  
7 guidelines for military construction and family housing  
8 construction contained in Department of Defense Finan-  
9 cial Management Regulation 7000.14–R, Volume 3, Chap-  
10 ter 7, of February 2009, as in effect on the date of enact-  
11 ment of this Act.

12 SEC. 128. (a) Except as provided in subsection (b),  
13 none of the funds made available in this Act may be used  
14 by the Secretary of the Army to relocate a unit in the  
15 Army that—

16 (1) performs a testing mission or function that  
17 is not performed by any other unit in the Army and  
18 is specifically stipulated in title 10, United States  
19 Code; and

20 (2) is located at a military installation at which  
21 the total number of civilian employees of the Depart-  
22 ment of the Army and Army contractor personnel  
23 employed exceeds 10 percent of the total number of  
24 members of the regular and reserve components of  
25 the Army assigned to the installation.

1           (b) EXCEPTION.—Subsection (a) shall not apply if  
2 the Secretary of the Army certifies to the congressional  
3 defense committees that in proposing the relocation of the  
4 unit of the Army, the Secretary complied with Army Regu-  
5 lation 5–10 relating to the policy, procedures, and respon-  
6 sibilities for Army stationing actions.

7           SEC. 129. Notwithstanding any other provision of  
8 law, none of the funds made available to the Department  
9 of Defense for military construction in this or any other  
10 Act, may be obligated or expended for planning and design  
11 and construction of projects at Arlington National Ceme-  
12 tery.

13                           (INCLUDING RESCISSION OF FUNDS)

14           SEC. 130. Of the unobligated balances available for  
15 “Military Construction, Defense-Wide”, from prior appro-  
16 priations Acts, \$20,000,000 are hereby cancelled: *Pro-*  
17 *vided*, That no amounts may be cancelled from amounts  
18 that were designated by Congress as an emergency re-  
19 quirement or for Overseas Contingency Operations/Global  
20 War on Terrorism pursuant to the Concurrent Resolution  
21 on the Budget or the Balanced Budget and Emergency  
22 Deficit Control Act of 1985, as amended.

23                           (INCLUDING RESCISSION OF FUNDS)

24           SEC. 131. Of the unobligated balances available for  
25 “Department of Defense Base Closure Account 2005”,

1 from prior appropriations Acts, \$132,513,000 are hereby  
2 cancelled: *Provided*, That no amounts may be cancelled  
3 from amounts that were designated by Congress as an  
4 emergency requirement or for Overseas Contingency Oper-  
5 ations/Global War on Terrorism pursuant to the Concur-  
6 rent Resolution on the Budget or the Balanced Budget  
7 and Emergency Deficit Control Act of 1985, as amended.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 132. Of the proceeds credited to the Depart-  
10 ment of Defense Family Housing Improvement Fund pur-  
11 suant to subsection (c)(1)(C) of section 2883 of title 10,  
12 United States Code, from a Department of Navy land con-  
13 veyance, the Secretary of Defense shall transfer  
14 \$10,500,000 to the Secretary of the Navy under para-  
15 graph (3) of subsection (d) of such section for use by the  
16 Secretary of the Navy as provided in paragraph (1) of  
17 such subsection until expended.

18 TITLE II

19 DEPARTMENT OF VETERANS AFFAIRS

20 VETERANS BENEFITS ADMINISTRATION

21 COMPENSATION AND PENSIONS

22 (INCLUDING TRANSFER OF FUNDS)

23 For the payment of compensation benefits to or on  
24 behalf of veterans and a pilot program for disability ex-  
25 aminations as authorized by section 107 and chapters 11,

1 13, 18, 51, 53, 55, and 61 of title 38, United States Code;  
2 pension benefits to or on behalf of veterans as authorized  
3 by chapters 15, 51, 53, 55, and 61 of title 38, United  
4 States Code; and burial benefits, the Reinstated Entitle-  
5 ment Program for Survivors, emergency and other offi-  
6 cers' retirement pay, adjusted-service credits and certifi-  
7 cates, payment of premiums due on commercial life insur-  
8 ance policies guaranteed under the provisions of title IV  
9 of the Servicemembers Civil Relief Act (50 U.S.C. App.  
10 541 et seq.) and for other benefits as authorized by sec-  
11 tions 107, 1312, 1977, and 2106, and chapters 23, 51,  
12 53, 55, and 61 of title 38, United States Code,  
13 \$60,599,855,000, to remain available until expended: *Pro-*  
14 *vided*, That not to exceed \$9,204,000 of the amount ap-  
15 propriated under this heading shall be reimbursed to  
16 "General operating expenses, Veterans Benefits Adminis-  
17 tration", "Medical support and compliance", and "Infor-  
18 mation technology systems" for necessary expenses in im-  
19 plementing the provisions of chapters 51, 53, and 55 of  
20 title 38, United States Code, the funding source for which  
21 is specifically provided as the "Compensation and pen-  
22 sions" appropriation: *Provided further*, That such sums as  
23 may be earned on an actual qualifying patient basis, shall  
24 be reimbursed to "Medical care collections fund" to aug-



1 ment the funding of individual medical facilities for nurs-  
2 ing home care provided to pensioners as authorized.

3 READJUSTMENT BENEFITS

4 For the payment of readjustment and rehabilitation  
5 benefits to or on behalf of veterans as authorized by chap-  
6 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and  
7 61 of title 38, United States Code, and for the payment  
8 of benefits under the Veterans Retraining Assistance Pro-  
9 gram, \$12,023,458,000, to remain available until ex-  
10 pended: *Provided*, That expenses for rehabilitation pro-  
11 gram services and assistance which the Secretary is au-  
12 thorized to provide under subsection (a) of section 3104  
13 of title 38, United States Code, other than under para-  
14 graphs (1), (2), (5), and (11) of that subsection, shall be  
15 charged to this account.

16 VETERANS INSURANCE AND INDEMNITIES

17 For military and naval insurance, national service life  
18 insurance, servicemen's indemnities, service-disabled vet-  
19 erans insurance, and veterans mortgage life insurance as  
20 authorized by chapters 19 and 21, title 38, United States  
21 Code, \$104,600,000, to remain available until expended.

22 VETERANS HOUSING BENEFIT PROGRAM FUND

23 For the cost of direct and guaranteed loans, such  
24 sums as may be necessary to carry out the program, as  
25 authorized by subchapters I through III of chapter 37 of

1 title 38, United States Code: *Provided*, That such costs,  
2 including the cost of modifying such loans, shall be as de-  
3 fined in section 502 of the Congressional Budget Act of  
4 1974: *Provided further*, That during fiscal year 2013,  
5 within the resources available, not to exceed \$500,000 in  
6 gross obligations for direct loans are authorized for spe-  
7 cially adapted housing loans.

8 In addition, for administrative expenses to carry out  
9 the direct and guaranteed loan programs, \$157,814,000.

10 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

11 For the cost of direct loans, \$19,000, as authorized  
12 by chapter 31 of title 38, United States Code: *Provided*,  
13 That such costs, including the cost of modifying such  
14 loans, shall be as defined in section 502 of the Congres-  
15 sional Budget Act of 1974: *Provided further*, That funds  
16 made available under this heading are available to sub-  
17 sidize gross obligations for the principal amount of direct  
18 loans not to exceed \$2,729,000.

19 In addition, for administrative expenses necessary to  
20 carry out the direct loan program, \$346,000, which may  
21 be paid to the appropriation for “General operating ex-  
22 penses, Veterans Benefits Administration”.

1 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM  
2 ACCOUNT

3 For administrative expenses to carry out the direct  
4 loan program authorized by subchapter V of chapter 37  
5 of title 38, United States Code, \$1,089,000.

6 VETERANS HEALTH ADMINISTRATION  
7 MEDICAL SERVICES

8 For necessary expenses for furnishing, as authorized  
9 by law, inpatient and outpatient care and treatment to  
10 beneficiaries of the Department of Veterans Affairs and  
11 veterans described in section 1705(a) of title 38, United  
12 States Code, including care and treatment in facilities not  
13 under the jurisdiction of the Department, and including  
14 medical supplies and equipment, bioengineering services,  
15 food services, and salaries and expenses of healthcare em-  
16 ployees hired under title 38, United States Code, aid to  
17 State homes as authorized by section 1741 of title 38,  
18 United States Code, assistance and support services for  
19 caregivers as authorized by section 1720G of title 38,  
20 United States Code, loan repayments authorized by sec-  
21 tion 604 of the Caregivers and Veterans Omnibus Health  
22 Services Act of 2010 (Public Law 111–163; 124 Stat.  
23 1174; 38 U.S.C. 7681 note), and hospital care and med-  
24 ical services authorized by section 1787 of title 38, United  
25 States Code; \$155,000,000, which shall be in addition to

1 funds previously appropriated under this heading that be-  
2 come available on October 1, 2012; and in addition,  
3 \$43,557,000,000, plus reimbursements, shall become  
4 available on October 1, 2013, and shall remain available  
5 until September 30, 2014: *Provided*, That notwithstanding  
6 any other provision of law, the Secretary of Veterans Af-  
7 fairs shall establish a priority for the provision of medical  
8 treatment for veterans who have service-connected disabil-  
9 ities, lower income, or have special needs: *Provided further*,  
10 That notwithstanding any other provision of law, the Sec-  
11 retary of Veterans Affairs shall give priority funding for  
12 the provision of basic medical benefits to veterans in en-  
13 rollment priority groups 1 through 6: *Provided further*,  
14 That notwithstanding any other provision of law, the Sec-  
15 retary of Veterans Affairs may authorize the dispensing  
16 of prescription drugs from Veterans Health Administra-  
17 tion facilities to enrolled veterans with privately written  
18 prescriptions based on requirements established by the  
19 Secretary: *Provided further*, That the implementation of  
20 the program described in the previous proviso shall incur  
21 no additional cost to the Department of Veterans Affairs.

22 MEDICAL SUPPORT AND COMPLIANCE

23 For necessary expenses in the administration of the  
24 medical, hospital, nursing home, domiciliary, construction,  
25 supply, and research activities, as authorized by law; ad-

1 ministrative expenses in support of capital policy activi-  
2 ties; and administrative and legal expenses of the Depart-  
3 ment for collecting and recovering amounts owed the De-  
4 partment as authorized under chapter 17 of title 38,  
5 United States Code, and the Federal Medical Care Recov-  
6 ery Act (42 U.S.C. 2651 et seq.); \$6,033,000,000, plus  
7 reimbursements, shall become available on October 1,  
8 2013, and shall remain available until September 30,  
9 2014.

10

## MEDICAL FACILITIES

11 For necessary expenses for the maintenance and op-  
12 eration of hospitals, nursing homes, domiciliary facilities,  
13 and other necessary facilities of the Veterans Health Ad-  
14 ministration; for administrative expenses in support of  
15 planning, design, project management, real property ac-  
16 quisition and disposition, construction, and renovation of  
17 any facility under the jurisdiction or for the use of the  
18 Department; for oversight, engineering, and architectural  
19 activities not charged to project costs; for repairing, alter-  
20 ing, improving, or providing facilities in the several hos-  
21 pitals and homes under the jurisdiction of the Depart-  
22 ment, not otherwise provided for, either by contract or by  
23 the hire of temporary employees and purchase of mate-  
24 rials; for leases of facilities; and for laundry services,  
25 \$4,872,000,000, plus reimbursements, shall become avail-

1 able on October 1, 2013, and shall remain available until  
2 September 30, 2014.

3 MEDICAL AND PROSTHETIC RESEARCH

4 For necessary expenses in carrying out programs of  
5 medical and prosthetic research and development as au-  
6 thorized by chapter 73 of title 38, United States Code,  
7 \$582,674,000, plus reimbursements, shall remain avail-  
8 able until September 30, 2014.

9 NATIONAL CEMETERY ADMINISTRATION

10 For necessary expenses of the National Cemetery Ad-  
11 ministration for operations and maintenance, not other-  
12 wise provided for, including uniforms or allowances there-  
13 for; cemeterial expenses as authorized by law; purchase  
14 of one passenger motor vehicle for use in cemeterial oper-  
15 ations; hire of passenger motor vehicles; and repair, alter-  
16 ation or improvement of facilities under the jurisdiction  
17 of the National Cemetery Administration, \$258,284,000,  
18 of which not to exceed \$25,828,000 shall remain available  
19 until September 30, 2014: *Provided*, That none of the  
20 funds under this heading may be used to expand the  
21 Urban Initiative project beyond those sites outlined in the  
22 fiscal year 2012 or previous budget submissions or any  
23 other rural strategy, other than the Rural Initiative in-  
24 cluded in the fiscal year 2013 budget submission, until  
25 the Secretary of Veterans Affairs submits to the Commit-

1 tees on Appropriations of both Houses of Congress a strat-  
2 egy to serve the burial needs of veterans residing in rural  
3 and highly rural areas and that strategy has been ap-  
4 proved by the Committees: *Provided further*, That the  
5 strategy shall include: (1) A review of previous policies of  
6 the National Cemetery Administration regarding estab-  
7 lishment of new national cemeteries, including whether the  
8 guidelines of the Administration for establishing national  
9 cemetery annexes remain valid; (2) Data identifying the  
10 number of and geographic areas where rural veterans are  
11 not currently served by national or existing State ceme-  
12 teries and identification of areas with the largest unserved  
13 populations, broken down by veterans residing in urban  
14 versus rural and highly rural; (3) Identification of the  
15 number of veterans who reside within the 75-mile radius  
16 of a cemetery that is limited to cremations or of a State  
17 cemetery which has residency restrictions, as well as an  
18 examination of how many communities that fall under a  
19 75-mile radius have an actual driving distance greater  
20 than 75 miles; (4) Reassessment of the gaps in service,  
21 factoring in the above conditions that limit rural and high-  
22 ly rural veteran burial options; (5) An assessment of the  
23 adequacy of the policy of the Administration on estab-  
24 lishing new cemeteries proposed in the fiscal year 2013  
25 budget request; (6) Recommendations for an appropriate

1 policy on new national cemeteries to serve rural or highly  
2 rural areas; (7) Development of a national map showing  
3 the locations and number of all unserved veterans; and  
4 (8) A time line for the implementation of such strategy  
5 and cost estimates for using the strategy to establish new  
6 burial sites in at least five rural or highly rural locations:  
7 *Provided further*, That the Comptroller General of the  
8 United States shall review the strategy to ensure that it  
9 includes the elements listed above: *Provided further*, That  
10 this strategy shall be submitted no later than 180 days  
11 after the date of enactment of this Act: *Provided further*,  
12 That the Secretary of Veterans Affairs shall issue guide-  
13 lines on committal services held at cemeteries under the  
14 jurisdiction of the National Cemetery Administration to  
15 ensure that: (1) veterans' families may arrange to hold  
16 committal services with any religious or secular content  
17 they desire; (2) the choice by a family of an honor guard  
18 and the content and presentation of military honors may  
19 not be interfered with; and (3) attendance at committal  
20 services by outside organizations dedicated to the support  
21 of veterans will not be constrained except at the request  
22 of family members: *Provided further*, That the Department  
23 shall not edit, control, or exercise prior restraints on the  
24 content of religious speech and expression by speakers at  
25 events at veterans national cemeteries except as provided



1 in section 2413 of title 38, United States Code: *Provided*  
2 *further*, That actions permitted by the foregoing provisos  
3 shall be subject to compliance with Department security,  
4 safety, and law enforcement regulations.

5 DEPARTMENTAL ADMINISTRATION

6 GENERAL ADMINISTRATION

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary operating expenses of the Department  
9 of Veterans Affairs, not otherwise provided for, including  
10 administrative expenses in support of Department-Wide  
11 capital planning, management and policy activities, uni-  
12 forms, or allowances therefor; not to exceed \$25,000 for  
13 official reception and representation expenses; hire of pas-  
14 senger motor vehicles; and reimbursement of the General  
15 Services Administration for security guard services,  
16 \$424,737,000, of which not to exceed \$20,837,000 shall  
17 remain available until September 30, 2014: *Provided*,  
18 That the Board of Veterans Appeals shall be funded at  
19 not less than \$86,006,000: *Provided further*, That of the  
20 funds made available under this heading, such sums as  
21 may be necessary shall be available to the Secretary of  
22 Veterans Affairs to comply with the Department's energy  
23 management requirements under section 543(f)(7) of the  
24 National Energy Conservation Policy Act (42 U.S.C.  
25 8253(f)(7)): *Provided further*, That funds provided under

1 this heading may be transferred to “General operating ex-  
2 penses, Veterans Benefits Administration”.

3 GENERAL OPERATING EXPENSES, VETERANS BENEFITS  
4 ADMINISTRATION

5 For necessary operating expenses of the Veterans  
6 Benefits Administration, not otherwise provided for, in-  
7 cluding hire of passenger motor vehicles, reimbursement  
8 of the General Services Administration for security guard  
9 services, and reimbursement of the Department of De-  
10 fense for the cost of overseas employee mail,  
11 \$2,164,074,000: *Provided*, That expenses for services and  
12 assistance authorized under paragraphs (1), (2), (5), and  
13 (11) of section 3104(a) of title 38, United States Code,  
14 that the Secretary of Veterans Affairs determines are nec-  
15 essary to enable entitled veterans: (1) to the maximum ex-  
16 tent feasible, to become employable and to obtain and  
17 maintain suitable employment; or (2) to achieve maximum  
18 independence in daily living, shall be charged to this ac-  
19 count: *Provided further*, That of the funds made available  
20 under this heading, not to exceed \$113,000,000 shall re-  
21 main available until September 30, 2014.

22 INFORMATION TECHNOLOGY SYSTEMS  
23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses for information technology  
25 systems and telecommunications support, including devel-

1 opmental information systems and operational information  
2 systems; for pay and associated costs; and for the capital  
3 asset acquisition of information technology systems, in-  
4 cluding management and related contractual costs of said  
5 acquisitions, including contractual costs associated with  
6 operations authorized by section 3109 of title 5, United  
7 States Code, \$3,327,444,000, plus reimbursements: *Pro-*  
8 *vided*, That \$1,021,000,000 shall be for pay and associ-  
9 ated costs, of which not to exceed \$30,630,000 shall re-  
10 main available until September 30, 2014: *Provided further*,  
11 That \$1,812,045,000 shall be for operations and mainte-  
12 nance, of which not to exceed \$126,000,000 shall remain  
13 available until September 30, 2014: *Provided further*, That  
14 \$494,399,000 shall be for information technology systems  
15 development, modernization, and enhancement, and shall  
16 remain available until September 30, 2014: *Provided fur-*  
17 *ther*, That amounts made available for information tech-  
18 nology systems development, modernization, and enhance-  
19 ment may not be obligated or expended until the Secretary  
20 of Veterans Affairs or the Chief Information Officer of  
21 the Department of Veterans Affairs submits to the Com-  
22 mittees on Appropriations of both Houses of Congress a  
23 certification of the amounts, in parts or in full, to be obli-  
24 gated and expended for each development project: *Pro-*  
25 *vided further*, That amounts made available for salaries

1 and expenses, operations and maintenance, and informa-  
2 tion technology systems development, modernization, and  
3 enhancement may be transferred among the three sub-ac-  
4 counts after the Secretary of Veterans Affairs requests  
5 from the Committees on Appropriations of both Houses  
6 of Congress the authority to make the transfer and an  
7 approval is issued: *Provided further*, That amounts made  
8 available for the “Information technology systems” ac-  
9 count for development, modernization, and enhancement  
10 may be transferred between projects or to newly defined  
11 projects: *Provided further*, That no project may be in-  
12 creased or decreased by more than \$1,000,000 of cost  
13 prior to submitting a request to the Committees on Appro-  
14 priations of both Houses of Congress to make the transfer  
15 and an approval is issued, or absent a response, a period  
16 of 30 days has elapsed: *Provided further*, That of the funds  
17 provided for information technology systems development,  
18 modernization, and enhancement for the development of  
19 a joint Department of Defense—Department of Veterans  
20 Affairs (DOD–VA) integrated electronic health record  
21 (iEHR), not more than 25 percent may be obligated until  
22 the DOD–VA Interagency Program Office submits to the  
23 Committees on Appropriations of both Houses of Con-  
24 gress, and such Committees approve, a plan for expendi-  
25 ture that: (1) defines the budget and cost baseline for de-

1 velopment of the integrated Electronic Health Record; (2)  
2 identifies the deployment timeline for the system for both  
3 Agencies; (3) breaks out annual and total spending for  
4 each Department; (4) relays detailed cost-sharing business  
5 rules; (5) establishes data standardization schedules be-  
6 tween the Departments; (6) has been submitted to the  
7 Government Accountability Office for review; and (7) com-  
8 plies with the acquisition rules, requirements, guidelines,  
9 and systems acquisition management practices of the Fed-  
10 eral Government: *Provided further*, That the funds made  
11 available under this heading for information technology  
12 systems development, modernization, and enhancement,  
13 shall be for the projects, and in the amounts, specified  
14 under this heading in the explanatory statement described  
15 in section 4 (in the matter preceding division A of this  
16 consolidated Act).

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector  
19 General, to include information technology, in carrying out  
20 the provisions of the Inspector General Act of 1978 (5  
21 U.S.C. App.), \$115,000,000, of which \$6,000,000 shall re-  
22 main available until September 30, 2014.

23 CONSTRUCTION, MAJOR PROJECTS

24 For constructing, altering, extending, and improving  
25 any of the facilities, including parking projects, under the

1 jurisdiction or for the use of the Department of Veterans  
2 Affairs, or for any of the purposes set forth in sections  
3 316, 2404, 2406, and chapter 81 of title 38, United States  
4 Code, not otherwise provided for, including planning, ar-  
5 chitectural and engineering services, construction manage-  
6 ment services, maintenance or guarantee period services  
7 costs associated with equipment guarantees provided  
8 under the project, services of claims analysts, offsite utility  
9 and storm drainage system construction costs, and site ac-  
10 quisition, where the estimated cost of a project is more  
11 than the amount set forth in section 8104(a)(3)(A) of title  
12 38, United States Code, or where funds for a project were  
13 made available in a previous major project appropriation,  
14 \$532,470,000, of which \$502,470,000 shall remain avail-  
15 able until September 30, 2017, and of which \$30,000,000  
16 shall remain available until expended: *Provided*, That  
17 \$5,000,000 shall be to make reimbursements as provided  
18 in section 7108 of title 41, United States Code, for claims  
19 paid for contract disputes: *Provided further*, That except  
20 for advance planning activities, including needs assess-  
21 ments which may or may not lead to capital investments,  
22 and other capital asset management related activities, in-  
23 cluding portfolio development and management activities,  
24 and investment strategy studies funded through the ad-  
25 vance planning fund and the planning and design activities

1 funded through the design fund, including needs assess-  
2 ments which may or may not lead to capital investments,  
3 and salaries and associated costs of the resident engineers  
4 who oversee those capital investments funded through this  
5 account, and funds provided for the purchase of land for  
6 the National Cemetery Administration through the land  
7 acquisition line item, none of the funds made available  
8 under this heading shall be used for any project which has  
9 not been approved by the Congress in the budgetary proc-  
10 ess: *Provided further*, That funds made available under  
11 this heading for fiscal year 2013, for each approved  
12 project shall be obligated: (1) by the awarding of a con-  
13 struction documents contract by September 30, 2013; and  
14 (2) by the awarding of a construction contract by Sep-  
15 tember 30, 2014: *Provided further*, That the Secretary of  
16 Veterans Affairs shall promptly submit to the Committees  
17 on Appropriations of both Houses of Congress a written  
18 report on any approved major construction project for  
19 which obligations are not incurred within the time limita-  
20 tions established above.

21 CONSTRUCTION, MINOR PROJECTS

22 For constructing, altering, extending, and improving  
23 any of the facilities, including parking projects, under the  
24 jurisdiction or for the use of the Department of Veterans  
25 Affairs, including planning and assessments of needs

1 which may lead to capital investments, architectural and  
2 engineering services, maintenance or guarantee period  
3 services costs associated with equipment guarantees pro-  
4 vided under the project, services of claims analysts, offsite  
5 utility and storm drainage system construction costs, and  
6 site acquisition, or for any of the purposes set forth in  
7 sections 316, 2404, 2406, and chapter 81 of title 38,  
8 United States Code, not otherwise provided for, where the  
9 estimated cost of a project is equal to or less than the  
10 amount set forth in section 8104(a)(3)(A) of title 38,  
11 United States Code, \$607,530,000, to remain available  
12 until September 30, 2017, along with unobligated balances  
13 of previous “Construction, minor projects” appropriations  
14 which are hereby made available for any project where the  
15 estimated cost is equal to or less than the amount set forth  
16 in such section: *Provided*, That funds made available  
17 under this heading shall be for: (1) repairs to any of the  
18 nonmedical facilities under the jurisdiction or for the use  
19 of the Department which are necessary because of loss or  
20 damage caused by any natural disaster or catastrophe;  
21 and (2) temporary measures necessary to prevent or to  
22 minimize further loss by such causes.



1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
2 FACILITIES

3 For grants to assist States to acquire or construct  
4 State nursing home and domiciliary facilities and to re-  
5 model, modify, or alter existing hospital, nursing home,  
6 and domiciliary facilities in State homes, for furnishing  
7 care to veterans as authorized by sections 8131 through  
8 8137 of title 38, United States Code, \$85,000,000, to re-  
9 main available until expended.

10 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

11 For grants to assist States and tribal governments  
12 in establishing, expanding, or improving veterans ceme-  
13 teries as authorized by section 2408 of title 38, United  
14 States Code, \$46,000,000, to remain available until ex-  
15 pended.

16 ADMINISTRATIVE PROVISIONS

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 201. Any appropriation for fiscal year 2013 for  
19 “Compensation and pensions”, “Readjustment benefits”,  
20 and “Veterans insurance and indemnities” may be trans-  
21 ferred as necessary to any other of the mentioned appro-  
22 priations: *Provided*, That before a transfer may take place,  
23 the Secretary of Veterans Affairs shall request from the  
24 Committees on Appropriations of both Houses of Congress  
25 the authority to make the transfer and such Committees

1 issue an approval, or absent a response, a period of 30  
2 days has elapsed.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 202. Amounts made available for the Depart-  
5 ment of Veterans Affairs for fiscal year 2013, in this Act  
6 or any other Act, under the “Medical services”, “Medical  
7 support and compliance”, and “Medical facilities” ac-  
8 counts may be transferred among the accounts: *Provided*,  
9 That any transfers between the “Medical services” and  
10 “Medical support and compliance” accounts of 1 percent  
11 or less of the total amount appropriated to the account  
12 in this or any other Act may take place subject to notifica-  
13 tion from the Secretary of Veterans Affairs to the Com-  
14 mittees on Appropriations of both Houses of Congress of  
15 the amount and purpose of the transfer: *Provided further*,  
16 That any transfers between the “Medical services” and  
17 “Medical support and compliance” accounts in excess of  
18 1 percent, or exceeding the cumulative 1 percent for the  
19 fiscal year, may take place only after the Secretary re-  
20 quests from the Committees on Appropriations of both  
21 Houses of Congress the authority to make the transfer  
22 and an approval is issued: *Provided further*, That any  
23 transfers to or from the “Medical facilities” account may  
24 take place only after the Secretary requests from the Com-

1 mittees on Appropriations of both Houses of Congress the  
2 authority to make the transfer and an approval is issued.

3 SEC. 203. Appropriations available in this title for  
4 salaries and expenses shall be available for services au-  
5 thorized by section 3109 of title 5, United States Code;  
6 hire of passenger motor vehicles; lease of a facility or land  
7 or both; and uniforms or allowances therefore, as author-  
8 ized by sections 5901 through 5902 of title 5, United  
9 States Code.

10 SEC. 204. No appropriations in this title (except the  
11 appropriations for “Construction, major projects”, and  
12 “Construction, minor projects”) shall be available for the  
13 purchase of any site for or toward the construction of any  
14 new hospital or home.

15 SEC. 205. No appropriations in this title shall be  
16 available for hospitalization or examination of any persons  
17 (except beneficiaries entitled to such hospitalization or ex-  
18 amination under the laws providing such benefits to vet-  
19 erans, and persons receiving such treatment under sec-  
20 tions 7901 through 7904 of title 5, United States Code,  
21 or the Robert T. Stafford Disaster Relief and Emergency  
22 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-  
23 bursement of the cost of such hospitalization or examina-  
24 tion is made to the “Medical services” account at such  
25 rates as may be fixed by the Secretary of Veterans Affairs.

1           SEC. 206. Appropriations available in this title for  
2 “Compensation and pensions”, “Readjustment benefits”,  
3 and “Veterans insurance and indemnities” shall be avail-  
4 able for payment of prior year accrued obligations re-  
5 quired to be recorded by law against the corresponding  
6 prior year accounts within the last quarter of fiscal year  
7 2012.

8           SEC. 207. Appropriations available in this title shall  
9 be available to pay prior year obligations of corresponding  
10 prior year appropriations accounts resulting from sections  
11 3328(a), 3334, and 3712(a) of title 31, United States  
12 Code, except that if such obligations are from trust fund  
13 accounts they shall be payable only from “Compensation  
14 and pensions”.

15                           (INCLUDING TRANSFER OF FUNDS)

16           SEC. 208. Notwithstanding any other provision of  
17 law, during fiscal year 2013, the Secretary of Veterans  
18 Affairs shall, from the National Service Life Insurance  
19 Fund under section 1920 of title 38, United States Code,  
20 the Veterans’ Special Life Insurance Fund under section  
21 1923 of title 38, United States Code, and the United  
22 States Government Life Insurance Fund under section  
23 1955 of title 38, United States Code, reimburse the “Gen-  
24 eral operating expenses, Veterans Benefits Administra-  
25 tion” and “Information technology systems” accounts for

1 the cost of administration of the insurance programs fi-  
2 nanced through those accounts: *Provided*, That reimburse-  
3 ment shall be made only from the surplus earnings accu-  
4 mulated in such an insurance program during fiscal year  
5 2013 that are available for dividends in that program after  
6 claims have been paid and actuarially determined reserves  
7 have been set aside: *Provided further*, That if the cost of  
8 administration of such an insurance program exceeds the  
9 amount of surplus earnings accumulated in that program,  
10 reimbursement shall be made only to the extent of such  
11 surplus earnings: *Provided further*, That the Secretary  
12 shall determine the cost of administration for fiscal year  
13 2013 which is properly allocable to the provision of each  
14 such insurance program and to the provision of any total  
15 disability income insurance included in that insurance pro-  
16 gram.

17 SEC. 209. Amounts deducted from enhanced-use  
18 lease proceeds to reimburse an account for expenses in-  
19 curred by that account during a prior fiscal year for pro-  
20 viding enhanced-use lease services, may be obligated dur-  
21 ing the fiscal year in which the proceeds are received.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 210. Funds available in this title or funds for  
24 salaries and other administrative expenses shall also be  
25 available to reimburse the Office of Resolution Manage-

1 ment of the Department of Veterans Affairs and the Of-  
2 fice of Employment Discrimination Complaint Adjudica-  
3 tion under section 319 of title 38, United States Code,  
4 for all services provided at rates which will recover actual  
5 costs but not to exceed \$42,904,000 for the Office of Reso-  
6 lution Management and \$3,360,000 for the Office of Em-  
7 ployment and Discrimination Complaint Adjudication:  
8 *Provided*, That payments may be made in advance for  
9 services to be furnished based on estimated costs: *Provided*  
10 *further*, That amounts received shall be credited to the  
11 “General administration” and “Information technology  
12 systems” accounts for use by the office that provided the  
13 service.

14 SEC. 211. No appropriations in this title shall be  
15 available to enter into any new lease of real property if  
16 the estimated annual rental cost is more than \$1,000,000,  
17 unless the Secretary submits a report which the Commit-  
18 tees on Appropriations of both Houses of Congress ap-  
19 prove within 30 days following the date on which the re-  
20 port is received.

21 SEC. 212. No funds of the Department of Veterans  
22 Affairs shall be available for hospital care, nursing home  
23 care, or medical services provided to any person under  
24 chapter 17 of title 38, United States Code, for a non-serv-  
25 ice-connected disability described in section 1729(a)(2) of

1 such title, unless that person has disclosed to the Sec-  
2 retary of Veterans Affairs, in such form as the Secretary  
3 may require, current, accurate third-party reimbursement  
4 information for purposes of section 1729 of such title: *Pro-*  
5 *vided*, That the Secretary may recover, in the same man-  
6 ner as any other debt due the United States, the reason-  
7 able charges for such care or services from any person who  
8 does not make such disclosure as required: *Provided fur-*  
9 *ther*, That any amounts so recovered for care or services  
10 provided in a prior fiscal year may be obligated by the  
11 Secretary during the fiscal year in which amounts are re-  
12 ceived.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 213. Notwithstanding any other provision of  
15 law, proceeds or revenues derived from enhanced-use leas-  
16 ing activities (including disposal) may be deposited into  
17 the “Construction, major projects” and “Construction,  
18 minor projects” accounts and be used for construction (in-  
19 cluding site acquisition and disposition), alterations, and  
20 improvements of any medical facility under the jurisdic-  
21 tion or for the use of the Department of Veterans Affairs.  
22 Such sums as realized are in addition to the amount pro-  
23 vided for in “Construction, major projects” and “Con-  
24 struction, minor projects”.

1           SEC. 214. Amounts made available under “Medical  
2 services” are available—

3                   (1) for furnishing recreational facilities, sup-  
4 plies, and equipment; and

5                   (2) for funeral expenses, burial expenses, and  
6 other expenses incidental to funerals and burials for  
7 beneficiaries receiving care in the Department.

8                           (INCLUDING TRANSFER OF FUNDS)

9           SEC. 215. Such sums as may be deposited to the  
10 Medical Care Collections Fund pursuant to section 1729A  
11 of title 38, United States Code, may be transferred to  
12 “Medical services”, to remain available until expended for  
13 the purposes of that account.

14           SEC. 216. The Secretary of Veterans Affairs may  
15 enter into agreements with Indian tribes and tribal organi-  
16 zations which are party to the Alaska Native Health Com-  
17 pact with the Indian Health Service, and Indian tribes and  
18 tribal organizations serving rural Alaska which have en-  
19 tered into contracts with the Indian Health Service under  
20 the Indian Self Determination and Educational Assistance  
21 Act, to provide healthcare, including behavioral health and  
22 dental care. The Secretary shall require participating vet-  
23 erans and facilities to comply with all appropriate rules  
24 and regulations, as established by the Secretary. The term  
25 “rural Alaska” shall mean those lands sited within the ex-



1 ternal boundaries of the Alaska Native regions specified  
2 in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native  
3 Claims Settlement Act, as amended (43 U.S.C. 1606), and  
4 those lands within the Alaska Native regions specified in  
5 sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims  
6 Settlement Act, as amended (43 U.S.C. 1606), which are  
7 not within the boundaries of the municipality of Anchor-  
8 age, the Fairbanks North Star Borough, the Kenai Penin-  
9 sula Borough or the Matanuska Susitna Borough.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 217. Such sums as may be deposited to the De-  
12 partment of Veterans Affairs Capital Asset Fund pursu-  
13 ant to section 8118 of title 38, United States Code, may  
14 be transferred to the “Construction, major projects” and  
15 “Construction, minor projects” accounts, to remain avail-  
16 able until expended for the purposes of these accounts.

17 SEC. 218. None of the funds made available in this  
18 title may be used to implement any policy prohibiting the  
19 Directors of the Veterans Integrated Services Networks  
20 from conducting outreach or marketing to enroll new vet-  
21 erans within their respective Networks.

22 SEC. 219. The Secretary of Veterans Affairs shall  
23 submit to the Committees on Appropriations of both  
24 Houses of Congress a quarterly report on the financial  
25 status of the Veterans Health Administration.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 220. Amounts made available under the “Med-  
3 ical services”, “Medical support and compliance”, “Med-  
4 ical facilities”, “General operating expenses, Veterans  
5 Benefits Administration”, “General administration”, and  
6 “National Cemetery Administration” accounts for fiscal  
7 year 2013, may be transferred to or from the “Informa-  
8 tion technology systems” account: *Provided*, That before  
9 a transfer may take place, the Secretary of Veterans Af-  
10 fairs shall request from the Committees on Appropriations  
11 of both Houses of Congress the authority to make the  
12 transfer and an approval is issued.

13 SEC. 221. None of the funds appropriated or other-  
14 wise made available by this Act or any other Act for the  
15 Department of Veterans Affairs may be used in a manner  
16 that is inconsistent with: (1) section 842 of the Transpor-  
17 tation, Treasury, Housing and Urban Development, the  
18 Judiciary, the District of Columbia, and Independent  
19 Agencies Appropriations Act, 2006 (Public Law 109–115;  
20 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,  
21 United States Code.

22 SEC. 222. Of the amounts made available to the De-  
23 partment of Veterans Affairs for fiscal year 2013, in this  
24 Act or any other Act, under the “Medical facilities” ac-  
25 count for nonrecurring maintenance, not more than 20

1 percent of the funds made available shall be obligated dur-  
2 ing the last 2 months of that fiscal year: *Provided*, That  
3 the Secretary may waive this requirement after providing  
4 written notice to the Committees on Appropriations of  
5 both Houses of Congress.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 223. Of the amounts appropriated to the De-  
8 partment of Veterans Affairs for fiscal year 2013 for  
9 “Medical services”, “Medical support and compliance”,  
10 “Medical facilities”, “Construction, minor projects”, and  
11 “Information technology systems”, up to \$247,356,000,  
12 plus reimbursements, may be transferred to the Joint De-  
13 partment of Defense-Department of Veterans Affairs  
14 Medical Facility Demonstration Fund, established by sec-  
15 tion 1704 of the National Defense Authorization Act for  
16 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)  
17 and may be used for operation of the facilities designated  
18 as combined Federal medical facilities as described by sec-  
19 tion 706 of the Duncan Hunter National Defense Author-  
20 ization Act for Fiscal Year 2009 (Public Law 110–417;  
21 122 Stat. 4500): *Provided*, That additional funds may be  
22 transferred from accounts designated in this section to the  
23 Joint Department of Defense-Department of Veterans Af-  
24 fairs Medical Facility Demonstration Fund upon written  
25 notification by the Secretary of Veterans Affairs to the

1 Committees on Appropriations of both Houses of Con-  
2 gress.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 224. Such sums as may be deposited to the  
5 Medical Care Collections Fund pursuant to section 1729A  
6 of title 38, United States Code, for healthcare provided  
7 at facilities designated as combined Federal medical facili-  
8 ties as described by section 706 of the Duncan Hunter  
9 National Defense Authorization Act for Fiscal Year 2009  
10 (Public Law 110–417; 122 Stat. 4500) shall also be avail-  
11 able: (1) for transfer to the Joint Department of Defense-  
12 Department of Veterans Affairs Medical Facility Dem-  
13 onstration Fund, established by section 1704 of the Na-  
14 tional Defense Authorization Act for Fiscal Year 2010  
15 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-  
16 ations of the facilities designated as combined Federal  
17 medical facilities as described by section 706 of the Dun-  
18 can Hunter National Defense Authorization Act for Fiscal  
19 Year 2009 (Public Law 110–417; 122 Stat. 4500).

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 225. Of the amounts available in this title for  
22 “Medical services”, “Medical support and compliance”,  
23 and “Medical facilities”, a minimum of \$15,000,000, shall  
24 be transferred to the DOD–VA Health Care Sharing In-  
25 centive Fund, as authorized by section 8111(d) of title 38,

1 United States Code, to remain available until expended,  
2 for any purpose authorized by section 8111 of title 38,  
3 United States Code.

4 (INCLUDING RESCISSIONS OF FUNDS)

5 SEC. 226. (a) Of the funds appropriated in title II  
6 of division H of Public Law 112-74, the following  
7 amounts which became available on October 1, 2012, are  
8 hereby rescinded from the following accounts in the  
9 amounts specified:

10 (1) “Department of Veterans Affairs, Medical  
11 services”, \$1,500,000,000.

12 (2) “Department of Veterans Affairs, Medical  
13 support and compliance”, \$200,000,000.

14 (3) “Department of Veterans Affairs, Medical  
15 facilities”, \$250,000,000.

16 (b) In addition to amounts provided elsewhere in this  
17 Act, an additional amount is appropriated to the following  
18 accounts in the amounts specified to remain available until  
19 September 30, 2014:

20 (1) “Department of Veterans Affairs, Medical serv-  
21 ices”, \$1,500,000,000.

22 (2) “Department of Veterans Affairs, Medical sup-  
23 port and compliance”, \$200,000,000.

24 (3) “Department of Veterans Affairs, Medical facili-  
25 ties”, \$250,000,000.

1           SEC. 227. The Secretary of the Department of Vet-  
2 erans Affairs shall notify the Committees on Appropria-  
3 tions of both Houses of Congress of all bid savings in  
4 major construction projects that total at least \$5,000,000,  
5 or 5 percent of the programmed amount of the project,  
6 whichever is less: *Provided*, That such notification shall  
7 occur within 14 days of a contract identifying the pro-  
8 grammed amount: *Provided further*, That the Secretary  
9 shall notify the Committees on Appropriations of both  
10 Houses of Congress 14 days prior to the obligation of such  
11 bid savings and shall describe the anticipated use of such  
12 savings.

13           SEC. 228. The scope of work for a project included  
14 in “Construction, major projects” may not be increased  
15 above the scope specified for that project in the original  
16 justification data provided to the Congress as part of the  
17 request for appropriations.

18           SEC. 229. The Secretary of the Department of Vet-  
19 erans Affairs shall provide on a quarterly basis to the  
20 Committees on Appropriations of both Houses of Congress  
21 notification of any single national outreach and awareness  
22 marketing campaign in which obligations exceed  
23 \$2,000,000.

24           SEC. 230. The Secretary shall submit to the Commit-  
25 tees on Appropriations of both Houses of Congress a re-

1 programming request if at any point during fiscal year  
2 2013, the funding allocated for a medical care initiative  
3 identified in the fiscal year 2013 expenditure plan is ad-  
4 justed by more than \$25,000,000 from the allocation  
5 shown in the corresponding congressional budget justifica-  
6 tion. Such a reprogramming request may go forward only  
7 if the Committees on Appropriations of both Houses of  
8 Congress approve the request or if a period of 14 days  
9 has elapsed.

10       SEC. 231. None of the funds made available in this  
11 Act may be used to enter into a contract using procedures  
12 that do not give to small business concerns owned and con-  
13 trolled by veterans (as that term is defined in section  
14 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3))  
15 that are included in the database under section 8127(f)  
16 of title 38, United States Code, any preference available  
17 with respect to such contract, except for a preference given  
18 to small business concerns owned and controlled by serv-  
19 ice-disabled veterans (as defined in section 3(q)(2) of the  
20 Small Business Act (15 U.S.C. 632(q)(2)).

21       SEC. 232. Funds made available under the heading  
22 “Medical services” in title II of division H of Public Law  
23 112–74 may be used to carry out section 1787 of title  
24 38, United States Code.

1 TITLE III  
2 RELATED AGENCIES  
3 AMERICAN BATTLE MONUMENTS COMMISSION  
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,  
6 of the American Battle Monuments Commission, including  
7 the acquisition of land or interest in land in foreign coun-  
8 tries; purchases and repair of uniforms for caretakers of  
9 national cemeteries and monuments outside of the United  
10 States and its territories and possessions; rent of office  
11 and garage space in foreign countries; purchase (one-for-  
12 one replacement basis only) and hire of passenger motor  
13 vehicles; not to exceed \$7,500 for official reception and  
14 representation expenses; and insurance of official motor  
15 vehicles in foreign countries, when required by law of such  
16 countries, \$62,929,000, to remain available until ex-  
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

19 For necessary expenses, not otherwise provided for,  
20 of the American Battle Monuments Commission, such  
21 sums as may be necessary, to remain available until ex-  
22 pended, for purposes authorized by section 2109 of title  
23 36, United States Code.



## 1 UNITED STATES COURT OF APPEALS FOR VETERANS

## 2 CLAIMS

## 3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the  
5 United States Court of Appeals for Veterans Claims as  
6 authorized by sections 7251 through 7298 of title 38,  
7 United States Code, \$32,481,000: *Provided*, That  
8 \$2,726,000 shall be available for the purpose of providing  
9 financial assistance as described, and in accordance with  
10 the process and reporting procedures set forth, under this  
11 heading in Public Law 102–229.

## 12 DEPARTMENT OF DEFENSE—CIVIL

## 13 CEMETERIAL EXPENSES, ARMY

## 14 SALARIES AND EXPENSES

15 For necessary expenses for maintenance, operation,  
16 and improvement of Arlington National Cemetery and Sol-  
17 diers' and Airmen's Home National Cemetery, including  
18 the purchase or lease of passenger motor vehicles for re-  
19 placement on a one-for-one basis only, and not to exceed  
20 \$1,000 for official reception and representation expenses,  
21 \$65,800,000, of which not to exceed \$27,000,000 shall re-  
22 main available until September 30, 2015. In addition,  
23 such sums as may be necessary for parking maintenance,  
24 repairs and replacement, to be derived from the "Lease

1 of Department of Defense Real Property for Defense  
2 Agencies’’ account.

3  
4 CONSTRUCTION

5 For necessary expenses for planning and design and  
6 construction at Arlington National Cemetery and Soldiers’  
7 and Airmen’s Home National Cemetery, \$103,000,000, to  
8 remain available until September 30, 2017, of which,  
9 \$84,000,000 shall be for planning and design and con-  
10 struction associated with the Millennium Project at Ar-  
11 lington National Cemetery; and \$19,000,000 shall be for  
12 study, planning, design, and architect and engineer serv-  
13 ices for future expansion of burial space at Arlington Na-  
14 tional Cemetery.

15  
16 ARMED FORCES RETIREMENT HOME

17  
18 TRUST FUND

19 For expenses necessary for the Armed Forces Retire-  
20 ment Home to operate and maintain the Armed Forces  
21 Retirement Home—Washington, District of Columbia,  
22 and the Armed Forces Retirement Home—Gulfport, Mis-  
23 sissippi, to be paid from funds available in the Armed  
24 Forces Retirement Home Trust Fund, \$67,590,000, of  
which \$2,000,000 shall remain available until expended  
for construction and renovation of the physical plants at  
the Armed Forces Retirement Home—Washington, Dis-

1 triet of Columbia, and the Armed Forces Retirement  
2 Home—Gulfport, Mississippi.

3 ADMINISTRATIVE PROVISION

4 SEC. 301. Funds appropriated in this Act under the  
5 heading, “Department of Defense—Civil, Cemeterial Ex-  
6 penses, Army”, may be provided to Arlington County, Vir-  
7 ginia, for the relocation of the federally owned water main  
8 at Arlington National Cemetery, making additional land  
9 available for ground burials.

10 TITLE IV

11 OVERSEAS CONTINGENCY OPERATIONS

12 DEPARTMENT OF DEFENSE

13 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

14 For an additional amount for “Military Construction,  
15 Navy and Marine Corps”, \$150,768,000, to remain avail-  
16 able until September 30, 2013: *Provided*, That such  
17 amount is designated by the Congress for Overseas Con-  
18 tingency Operations/Global War on Terrorism pursuant to  
19 section 251(b)(2)(A)(ii) of the Balanced Budget and  
20 Emergency Deficit Control Act of 1985.

21 ADMINISTRATIVE PROVISION

22 (INCLUDING RESCISSION OF FUNDS)

23 SEC. 401. Of the unobligated balances in section  
24 2005 in title X, of Public Law 112–10 and division H  
25 in title IV of Public Law 112–74, \$150,768,000 are here-

1 by rescinded: *Provided*, That such amount is designated  
2 by the Congress for Overseas Contingency Operations/  
3 Global War on Terrorism pursuant to section  
4 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
5 Deficit Control Act of 1985.

6

## TITLE V

7

## GENERAL PROVISIONS

8 SEC. 501. No part of any appropriation contained in  
9 this Act shall remain available for obligation beyond the  
10 current fiscal year unless expressly so provided herein.

11 SEC. 502. None of the funds made available in this  
12 Act may be used for any program, project, or activity,  
13 when it is made known to the Federal entity or official  
14 to which the funds are made available that the program,  
15 project, or activity is not in compliance with any Federal  
16 law relating to risk assessment, the protection of private  
17 property rights, or unfunded mandates.

18 SEC. 503. No part of any funds appropriated in this  
19 Act shall be used by an agency of the executive branch,  
20 other than for normal and recognized executive-legislative  
21 relationships, for publicity or propaganda purposes, and  
22 for the preparation, distribution, or use of any kit, pam-  
23 phlet, booklet, publication, radio, television, or film presen-  
24 tation designed to support or defeat legislation pending  
25 before Congress, except in presentation to Congress itself.

1           SEC. 504. All departments and agencies funded under  
2 this Act are encouraged, within the limits of the existing  
3 statutory authorities and funding, to expand their use of  
4 “E-Commerce” technologies and procedures in the con-  
5 duct of their business practices and public service activi-  
6 ties.

7           SEC. 505. Unless stated otherwise, all reports and no-  
8 tifications required by this Act shall be submitted to the  
9 Subcommittee on Military Construction and Veterans Af-  
10 fairs, and Related Agencies of the Committee on Appro-  
11 priations of the House of Representatives and the Sub-  
12 committee on Military Construction and Veterans Affairs,  
13 and Related Agencies of the Committee on Appropriations  
14 of the Senate.

15          SEC. 506. None of the funds made available in this  
16 Act may be transferred to any department, agency, or in-  
17 strumentality of the United States Government except  
18 pursuant to a transfer made by, or transfer authority pro-  
19 vided in, this or any other appropriations Act.

20          SEC. 507. None of the funds made available in this  
21 Act may be used for a project or program named for an  
22 individual serving as a Member, Delegate, or Resident  
23 Commissioner of the United States House of Representa-  
24 tives.

1           SEC. 508. (a) Any agency receiving funds made avail-  
2 able in this Act, shall, subject to subsections (b) and (c),  
3 post on the public website of that agency any report re-  
4 quired to be submitted by the Congress in this or any  
5 other Act, upon the determination by the head of the agen-  
6 cy that it shall serve the national interest.

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

8                 (1) the public posting of the report com-  
9 promises national security; or

10                (2) the report contains confidential or propri-  
11 etary information.

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

16           SEC. 509. (a) None of the funds made available in  
17 this Act may be used to maintain or establish a computer  
18 network unless such network blocks the viewing,  
19 downloading, and exchanging of pornography.

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

24           SEC. 510. None of the funds made available in this  
25 Act may be distributed to the Association of Community

1 Organizations for Reform Now (ACORN) or its subsidi-  
2 aries or successors.

3 SEC. 511. (a) IN GENERAL.—None of the funds ap-  
4 propriated or otherwise made available to the Department  
5 of Defense in this Act may be used to construct, renovate,  
6 or expand any facility in the United States, its territories,  
7 or possessions to house any individual detained at United  
8 States Naval Station, Guantanamo Bay, Cuba, for the  
9 purposes of detention or imprisonment in the custody or  
10 under the control of the Department of Defense.

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

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

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

19 and

20 (2) is—

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

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

1       SEC. 512. None of the funds appropriated or other-  
2 wise made available in this Act may be used by an agency  
3 of the executive branch to pay for first-class travel by an  
4 employee of the agency in contravention of sections 301-  
5 10.122 through 301-10.124 of title 41, Code of Federal  
6 Regulations.

7       SEC. 513. None of the funds provided in this Act may  
8 be used to execute a contract for goods or services, includ-  
9 ing construction services, where the contractor has not  
10 complied with Executive Order No. 12989.

11       SEC. 514. None of the funds made available by this  
12 Act may be used to enter into a contract, memorandum  
13 of understanding, or cooperative agreement with, make a  
14 grant to, or provide a loan or loan guarantee to, any cor-  
15 poration that was convicted of a felony criminal violation  
16 under any Federal law within the preceding 24 months,  
17 where the awarding agency is aware of the conviction, un-  
18 less the agency has considered suspension or debarment  
19 of the corporation and made a determination that this fur-  
20 ther action is not necessary to protect the interests of the  
21 Government.

22       SEC. 515. None of the funds made available by this  
23 Act may be used to enter into a contract, memorandum  
24 of understanding, or cooperative agreement with, make a  
25 grant to, or provide a loan or loan guarantee to, any cor-



1 poration that has any unpaid Federal tax liability that has  
2 been assessed, for which all judicial and administrative  
3 remedies have been exhausted or have lapsed, and that  
4 is not being paid in a timely manner pursuant to an agree-  
5 ment with the authority responsible for collecting the tax  
6 liability, where the awarding agency is aware of the unpaid  
7 tax liability, unless the agency has considered suspension  
8 or debarment of the corporation and made a determination  
9 that this further action is not necessary to protect the in-  
10 terests of the Government.

11 SEC. 516. Such sums as may be necessary for fiscal  
12 year 2013 for pay raises for programs funded by this Act  
13 shall be absorbed within the levels appropriated in this  
14 Act.

15 SEC. 517. None of the funds made available in this  
16 Act may be used to send or otherwise pay for the attend-  
17 ance of more than 50 employees from a Federal depart-  
18 ment or agency that are stationed within the United  
19 States at any single conference occurring outside a state  
20 of the United States, except for employees of the Depart-  
21 ment of Veterans Affairs stationed in the Philippines, un-  
22 less the relevant Secretary reports to the Committees on  
23 Appropriations of both Houses of Congress at least 5 days  
24 in advance that such attendance is important to the na-  
25 tional interest.

1       This division may be cited as the “Military Construc-  
2 tion and Veterans Affairs, and Related Agencies Appro-  
3 priations Act, 2013”.

4       **DIVISION F—FURTHER CONTINUING**  
5               **APPROPRIATIONS ACT, 2013**

6       The following sums are hereby appropriated, out of  
7 any money in the Treasury not otherwise appropriated,  
8 and out of applicable corporate or other revenues, receipts,  
9 and funds, for the several departments, agencies, corpora-  
10 tions, and other organizational units of Government for  
11 fiscal year 2013, and for other purposes, namely:

12                               **TITLE I**

13                               **GENERAL PROVISIONS**

14       **SEC. 1101.** (a) Such amounts as may be necessary,  
15 at the level specified in subsection (c) and under the au-  
16 thority and conditions provided in applicable appropria-  
17 tions Acts for fiscal year 2012, for projects or activities  
18 (including the costs of direct loans and loan guarantees)  
19 that are not otherwise specifically provided for, and for  
20 which appropriations, funds, or other authority were made  
21 available in the following appropriations Acts:

22               (1) The Energy and Water Development and  
23       Related Agencies Appropriations Act, 2012 (division  
24       B of Public Law 112–74).

1           (2) The Financial Services and General Govern-  
2           ment Appropriations Act, 2012 (division C of Public  
3           Law 112–74).

4           (3) The Department of the Interior, Environ-  
5           ment, and Related Agencies Appropriations Act,  
6           2012 (division E of Public Law 112–74).

7           (4) The Departments of Labor, Health and  
8           Human Services, and Education, and Related Agen-  
9           cies Appropriations Act, 2012 (division F of Public  
10          Law 112–74).

11          (5) The Legislative Branch Appropriations Act,  
12          2012 (division G of Public Law 112–74).

13          (6) The Department of State, Foreign Oper-  
14          ations, and Related Programs Appropriations Act,  
15          2012 (division I of Public Law 112–74).

16          (7) The Transportation, Housing and Urban  
17          Development, and Related Agencies Appropriations  
18          Act, 2012 (division C of Public Law 112–55), except  
19          for the appropriations designated by the Congress as  
20          being for disaster relief under the heading “Depart-  
21          ment of Transportation, Federal Highway Adminis-  
22          tration, Emergency Relief” and in the last proviso of  
23          section 239 of such Act.

24          (8) The Disaster Relief Appropriations Act,  
25          2012 (Public Law 112–77), except for appropria-

1 tions under the heading “Corps of Engineers—  
2 Civil”.

3 (b) For purposes of this division, the term “level”  
4 means an amount.

5 (c) The level referred to in subsection (a) shall be  
6 the amounts appropriated in the appropriations Acts re-  
7 ferred to in such subsection, including transfers and obli-  
8 gation limitations, except that such level shall be cal-  
9 culated without regard to any rescission or cancellation  
10 of funds or contract authority, other than—

11 (1) the 0.16 percent across-the-board rescission  
12 in section 436 of division E of Public Law 112–74  
13 (relating to the Department of the Interior, Environ-  
14 ment, and Related Agencies); and

15 (2) the 0.189 percent across-the-board rescis-  
16 sion in section 527 of division F of Public Law 112–  
17 74, (relating to the Departments of Labor, Health  
18 and Human Services, and Education, and Related  
19 Agencies).

20 SEC. 1102. Appropriations made by section 1101  
21 shall be available to the extent and in the manner that  
22 would be provided by the pertinent appropriations Act.

23 SEC. 1103. Appropriations provided by this division  
24 that, in the applicable appropriations Act for fiscal year

1 2012, carried a multiple-year or no-year period of avail-  
2 ability shall retain a comparable period of availability.

3 SEC. 1104. No appropriation or funds made available  
4 or authority granted pursuant to section 1101 shall be  
5 used to initiate or resume any project or activity for which  
6 appropriations, funds, or other authority were not avail-  
7 able during fiscal year 2012.

8 SEC. 1105. Except as otherwise expressly provided in  
9 this division, the requirements, authorities, conditions,  
10 limitations, and other provisions of the appropriations  
11 Acts referred to in section 1101 shall continue in effect  
12 through the date specified in section 1106.

13 SEC. 1106. Unless otherwise provided for in this divi-  
14 sion or in the applicable appropriations Act, appropria-  
15 tions and funds made available and authority granted pur-  
16 suant to this division shall be available through September  
17 30, 2013.

18 SEC. 1107. Expenditures made pursuant to the Con-  
19 tinuing Appropriations Resolution, 2013 (Public Law  
20 112–175) shall be charged to the applicable appropriation,  
21 fund, or authorization provided by this division.

22 SEC. 1108. Funds appropriated by this division may  
23 be obligated and expended notwithstanding section 10 of  
24 Public Law 91–672 (22 U.S.C. 2412), section 15 of the  
25 State Department Basic Authorities Act of 1956 (22

1 U.S.C. 2680), and section 313 of the Foreign Relations  
2 Authorization Act, Fiscal Years 1994 and 1995 (22  
3 U.S.C. 6212).

4 SEC. 1109. (a) For entitlements and other mandatory  
5 payments whose budget authority was provided in appro-  
6 priations Acts for fiscal year 2012, and for activities under  
7 the Food and Nutrition Act of 2008, the levels established  
8 by section 1101 shall be the amounts necessary to main-  
9 tain program levels under current law and under the au-  
10 thority and conditions provided in the applicable appro-  
11 priations Acts for fiscal year 2012.

12 (b) In addition to the amounts otherwise provided by  
13 section 1101, the following amounts shall be available for  
14 the following accounts for advance payments for the first  
15 quarter of fiscal year 2014:

16 (1) “Department of Labor, Office of Workers’  
17 Compensation Programs, Special Benefits for Dis-  
18 abled Coal Miners”, for benefit payments under title  
19 IV of the Federal Mine Safety and Health Act of  
20 1977, \$40,000,000, to remain available until ex-  
21 pended.

22 (2) “Department of Health and Human Serv-  
23 ices, Centers for Medicare and Medicaid Services,  
24 Grants to States for Medicaid”, for payments to  
25 States or in the case of section 1928 on behalf of

1 States under title XIX of the Social Security Act,  
2 \$106,335,631,000, to remain available until ex-  
3 pended.

4 (3) “Department of Health and Human Serv-  
5 ices, Administration for Children and Families, Pay-  
6 ments to States for Child Support Enforcement and  
7 Family Support Programs”, for payments to States  
8 or other non-Federal entities under titles I, IV–D,  
9 X, XI, XIV, and XVI of the Social Security Act and  
10 the Act of July 5, 1960 (24 U.S.C. ch. 9),  
11 \$1,100,000,000, to remain available until expended.

12 (4) “Department of Health and Human Serv-  
13 ices, Administration for Children and Families, Pay-  
14 ments for Foster Care and Permanency”, for pay-  
15 ments to States or other non-Federal entities under  
16 title IV–E of the Social Security Act,  
17 \$2,200,000,000.

18 (5) “Social Security Administration, Supple-  
19 mental Security Income Program”, for benefit pay-  
20 ments under title XVI of the Social Security Act,  
21 \$19,300,000,000, to remain available until ex-  
22 pended.

23 SEC. 1110. Each amount made available in this divi-  
24 sion by reference to an appropriation that was previously  
25 designated by the Congress for Overseas Contingency Op-

1 erations/Global War on Terrorism pursuant to section  
2 251(b)(2)(A) of the Balanced Budget and Emergency  
3 Deficit Control Act of 1985 or as being for disaster relief  
4 pursuant to section 251(b)(2)(D) of such Act is des-  
5 ignated by the Congress for Overseas Contingency Oper-  
6 ations/Global War on Terrorism pursuant to section  
7 251(b)(2)(A) of such Act or as being for disaster relief  
8 pursuant to section 251(b)(2)(D) of such Act, respectively.

9       SEC. 1111. With respect to any discretionary account  
10 for which advance appropriations were provided for fiscal  
11 year 2013 or 2014 in an appropriations Act for fiscal year  
12 2012, in addition to amounts otherwise made available by  
13 this division, advance appropriations are provided in the  
14 same amount for fiscal year 2014 or 2015, respectively,  
15 with a comparable period of availability.

16       SEC. 1112. (a) Section 147 of the Continuing Appro-  
17 priations Act, 2011 (Public Law 111–242), as added by  
18 section 1(a)(2) of the Continuing Appropriations and Sur-  
19 face Transportation Extensions Act, 2011 (Public Law  
20 111–322; 5 U.S.C. 5303 note), is amended—

21       (1) in subsection (b)(1), by striking the matter after  
22 “ending on” and before “shall be made” and inserting  
23 “December 31, 2013,”; and



1           (2) in subsection (c), by striking the matter after  
2 “ending on” and before “no senior executive” and insert-  
3 ing “December 31, 2013,”.

4           (b) Section 114 of the Continuing Appropriations  
5 Resolution, 2013 (Public Law 112–175; 5 U.S.C. 5303  
6 note) is repealed.

7           SEC. 1113. (a) Not later than 30 days after the date  
8 of the enactment of this division, each department and  
9 agency in subsection (c) shall submit to the Committees  
10 on Appropriations of the House of Representatives and the  
11 Senate a spending, expenditure, or operating plan for fis-  
12 cal year 2013—

13                 (1) at the program, project, or activity level (or,  
14 for foreign assistance programs funded in titles III,  
15 IV and VIII of the Department of State, Foreign  
16 Operations, and Related Programs Appropriations  
17 Act, at the country, regional, and central program  
18 level, and for any international organization); or

19                 (2) as applicable, at any greater level of detail  
20 required for funds covered by such a plan in an ap-  
21 propriations Act referred to in section 1101, in the  
22 joint explanatory statement accompanying such Act,  
23 or in committee report language incorporated by ref-  
24 erence in such joint explanatory statement.

1 (b) If a sequestration is ordered by the President  
2 under section 251A of the Balanced Budget and Emer-  
3 gency Deficit Control Act of 1985, the spending, expendi-  
4 ture, or operating plan required by this section shall re-  
5 flect such sequestration.

6 (c) The departments and agencies to which this sec-  
7 tion applies are as follows:

8 (1) The Department of Agriculture.

9 (2) The Department of Commerce.

10 (3) The Department of Education.

11 (4) The Department of Energy.

12 (5) The Department of Health and Human  
13 Services.

14 (6) The Department of Homeland Security.

15 (7) The Department of Housing and Urban De-  
16 velopment.

17 (8) The Department of the Interior.

18 (9) The Department of Justice.

19 (10) The Department of Labor.

20 (11) The Department of State and United  
21 States Agency for International Development.

22 (12) The Department of Transportation.

23 (13) The Department of the Treasury.

24 (14) The National Aeronautics and Space Ad-  
25 ministration.

1 (15) The National Science Foundation.

2 (16) The Judiciary.

3 (17) With respect to amounts made available  
4 under the heading “Executive Office of the Presi-  
5 dent and Funds Appropriated to the President”,  
6 agencies funded under such heading.

7 (18) The Federal Communications Commission.

8 (19) The General Services Administration.

9 (20) The Office of Personnel Management.

10 (21) The National Archives and Records Ad-  
11 ministration.

12 (22) The Securities and Exchange Commission.

13 (23) The Small Business Administration.

14 (24) The Environmental Protection Agency.

15 (25) The Indian Health Service.

16 (26) The Smithsonian Institution.

17 (27) The Social Security Administration.

18 (28) The Corporation for National and Commu-  
19 nity Service.

20 (29) The Corporation for Public Broadcasting.

21 (30) The Food and Drug Administration.

22 (31) The Commodity Futures Trading Commis-  
23 sion.

24 SEC. 1114. Not later than May 15, 2013, and each  
25 month thereafter through November 1, 2013, the Director

1 of the Office of Management and Budget shall submit to  
2 the Committees on Appropriations of the House of Rep-  
3 resentatives and the Senate a report on all obligations in-  
4 curred in fiscal year 2013, by each department and agen-  
5 cy, using funds made available by this division. Such re-  
6 port shall—

- 7 (1) set forth obligations by account; and
- 8 (2) compare the obligations incurred in the pe-  
9 riod covered by the report to the obligations incurred  
10 in the same period in fiscal year 2012.

11 This division may be cited as the “Full-Year Con-  
12 tinuing Appropriations Act, 2013”.

## 13 TITLE II

### 14 ENERGY AND WATER DEVELOPMENT

15 SEC. 1201. The amounts available for “Corps of En-  
16 gineers—Civil, Department of the Army, Corps of Engi-  
17 neers—Civil, Construction” are hereby reduced by  
18 \$20,000,000.

19 SEC. 1202. Notwithstanding section 1101, the level  
20 for “Department of the Interior, Central Utah Project,  
21 Central Utah Project Completion Account” shall be  
22 \$19,700,000, of which, \$1,200,000 shall be deposited into  
23 the “Utah Reclamation Mitigation and Conservation Ac-  
24 count” for use by the Utah Reclamation Mitigation and  
25 Conservation Commission. In addition \$1,300,000 is pro-

1 vided for necessary expenses incurred in carrying out the  
2 responsibilities of the Secretary of the Interior.

3       SEC. 1203. Notwithstanding section 1101, the level  
4 for each of the following accounts shall be as follows: “De-  
5 partment of Energy, Energy Efficiency and Renewable  
6 Energy”, \$1,814,091,000; “Department of Energy, Nu-  
7 clear Energy”, \$759,000,000; “Department of Energy,  
8 Science”, \$4,876,000,000; “Department of Energy, Ad-  
9 vanced Research Projects Agency—Energy”,  
10 \$265,000,000, to remain available until expended.

11       SEC. 1204. Notwithstanding section 1101, of the un-  
12 obligated balances from prior year appropriations avail-  
13 able under “Department of Energy, Northeast Home  
14 Heating Oil Reserve” \$6,000,000 are hereby permanently  
15 rescinded: *Provided*, That no amounts may be rescinded  
16 from amounts that were designated as an emergency re-  
17 quirement pursuant to the Concurrent Resolution on the  
18 Budget or the Balanced Budget and Emergency Deficit  
19 Control Act of 1985.

20       SEC. 1205. (a) Notwithstanding section 1101, the  
21 level for “Department of Energy, Atomic Energy Defense  
22 Activities, National Nuclear Security Administration,  
23 Weapons Activities” shall be \$7,577,341,000.

1 (b) Section 301(c) of division B of Public Law 112–  
2 274 shall not apply to amounts made available by this sec-  
3 tion.

4 SEC. 1206. In addition to amounts otherwise made  
5 available by this division, \$110,000,000 is appropriated  
6 for “Department of Energy, Atomic Energy Defense Ac-  
7 tivities, National Nuclear Security Administration, De-  
8 fense Nuclear Nonproliferation” for domestic uranium en-  
9 richment research, development, and demonstration.

10 SEC. 1207. Section 14704 of title 40, United States  
11 Code, shall be applied to amounts made available by this  
12 division by substituting the date specified in section 1106  
13 of this division for “October 1, 2012”.

14 TITLE III

15 FINANCIAL SERVICES AND GENERAL

16 GOVERNMENT

17 SEC. 1301. (a) Notwithstanding any other provision  
18 of this division, except section 1106, the District of Co-  
19 lumbia may expend local funds under the heading “Dis-  
20 trict of Columbia Funds” for such programs and activities  
21 under title IV of H.R. 6020 (112th Congress), as reported  
22 by the Committee on Appropriations of the House of Rep-  
23 resentatives, at the rate set forth under “District of Co-  
24 lumbia Funds—Summary of Expenses” as included in the  
25 Fiscal Year 2013 Budget Request Act of 2012 (D.C. Act

1 19–381), as modified as of the date of the enactment of  
2 this division.

3 (b) Section 803(b) of the Financial Services and Gen-  
4 eral Government Appropriations Act, 2012 (division C of  
5 Public Law 112–74; 125 Stat. 940) is amended by strik-  
6 ing “November 1, 2012” and inserting “November 1,  
7 2013”.

8 SEC. 1302. Notwithstanding section 1101, the level  
9 for “District of Columbia, Federal Funds, Federal Pay-  
10 ment for Emergency Planning and Security Costs in the  
11 District of Columbia” shall be \$24,700,000, of which not  
12 less than \$9,800,000 shall be used for costs associated  
13 with the Presidential Inauguration.

14 SEC. 1303. Notwithstanding section 1101, the fifth  
15 proviso under the heading “Federal Communications  
16 Commission, Salaries and Expenses” in division C of Pub-  
17 lic Law 112–74 shall be applied by substituting  
18 “\$98,739,000” for “\$85,000,000”.

19 SEC. 1304. Notwithstanding any other provision of  
20 this division, amounts made available by section 1101 for  
21 “Department of the Treasury, Departmental Offices, Sal-  
22 aries and Expenses” and “Department of the Treasury,  
23 Office of Inspector General, Salaries and Expenses” may  
24 be used for activities in connection with section 1602(e)  
25 of the Resources and Ecosystems Sustainability, Tourist

1 Opportunities, and Revived Economies of the Gulf Coast  
2 States Act of 2012 (subtitle F of title I of division A of  
3 Public Law 112–141).

4 SEC. 1305. Notwithstanding section 1101, the level  
5 for “Office of Government Ethics, Salaries and Expenses”  
6 shall be \$18,664,000, of which \$5,000,000 shall be for de-  
7 velopment and deployment of the centralized, publicly ac-  
8 cessible database required in section 11(b) of the STOCK  
9 Act (Public Law 112–105).

10 SEC. 1306. Notwithstanding section 1101, the level  
11 for “Small Business Administration, Business Loans Pro-  
12 gram Account” for the cost of guaranteed loans as author-  
13 ized by section 7(a) of the Small Business Act and section  
14 503 of the Small Business Investment Act of 1958 shall  
15 be \$333,600,000.

16 SEC. 1307. Of the unobligated balances available for  
17 “Department of the Treasury, Treasury Forfeiture  
18 Fund”, \$950,000,000 are rescinded.

19 SEC. 1308. Notwithstanding section 1101, the Com-  
20 munity Development Financial Institutions Fund is au-  
21 thorized during Fiscal Year 2013 to guarantee bonds and  
22 notes pursuant section 114A of the Riegle Community De-  
23 velopment and Regulatory Improvement Act of 1994 (12  
24 U.S.C. 4701 et seq.): *Provided*, That no funds appro-  
25 priated by this Act for “Department of the Treasury—



1 Community Development Financial Institutions Fund  
2 Program Account” shall be available for the cost, if any,  
3 of guaranteed loans (as defined in section 502 of the Con-  
4 gressional Budget Act of 1974) pursuant to section 114A  
5 of the Riegle Community Development and Regulatory  
6 Improvement Act of 1994 (12 U.S.C. 4701 et seq.) to sub-  
7 sidize total loan principal not to exceed \$500,000,000.

8 SEC. 1309. Sections 9503(a), 9504(a) and (b), and  
9 9505(a) of title 5, United States Code, are amended by  
10 striking “Before July 23, 2013” each place it occurs and  
11 inserting “Before September 30, 2013”.

12 SEC. 1310. Notwithstanding section 1101, the level  
13 for “Executive Office of The President and Funds Appro-  
14 priated to the President, Partnership Fund for Program  
15 Integrity Innovation” shall be \$0.

16 SEC. 1311. Notwithstanding section 1101, the level  
17 for “The Judiciary, Courts of Appeals, District Courts,  
18 and Other Judicial Services, Defender Services” shall be  
19 \$1,040,000,000.

20 SEC. 1312. (a) Section 203(c) of the Judicial Im-  
21 provements Act of 1990 (Public Law 101–650; 28 U.S.C.  
22 133 note), as amended, is amended—

23 (1) in the third sentence (relating to the district  
24 of Kansas), by striking “21 years or more” and in-  
25 serting “22 years and 6 months or more”; and

1           (2) in the seventh sentence (relating to the dis-  
2           trict of Hawaii), by striking “18 years or more” and  
3           inserting “19 years and 6 months or more”.

4           (b) Section 406 of the Transportation, Treasury,  
5           Housing and Urban Development, The Judiciary, The  
6           District of Columbia, and Independent Agencies Appro-  
7           priations Act of 2006 (Public Law 109–115; 119 Stat.  
8           2470; 28 U.S.C. 133 note) is amended in the second sen-  
9           tence (relating to the eastern district of Missouri) by in-  
10          serting “and 6 months” after “20 years”.

11          (c) Section 312(c)(2) of the 21st Century Depart-  
12          ment of Justice Appropriations Authorization Act (Public  
13          Law 107–273; 28 U.S.C. 133 note) is amended—

14                 (1) by inserting after “authorized by this sub-  
15                 section” the following: “, except in the case of the  
16                 central district of California and the western district  
17                 of North Carolina”;

18                 (2) by striking “10 years” and inserting “11  
19                 years”; and

20                 (3) by adding at the end the following: “The  
21                 first vacancy in the office of district judge in the  
22                 central district of California occurring 10 years and  
23                 6 months or more after the confirmation date of the  
24                 judge named to fill the temporary district judgeship  
25                 created in that district by this subsection, shall not

1 be filled. The first vacancy in the office of district  
2 judge in the western district of North Carolina oc-  
3 ccurring 10 years or more after the confirmation date  
4 of the judge named to fill the temporary district  
5 judgeship created in that district by this subsection,  
6 shall not be filled.”.

7 SEC. 1313. Notwithstanding section 1101 of this divi-  
8 sion or division A, the level for the “Commodity Futures  
9 Trading Commission” shall be the level specified under  
10 Public Law 112–55 and the authorities and conditions,  
11 including comparable periods of availability, provided  
12 under such Public Law shall apply to such appropriation.

13 SEC. 1314. Notwithstanding section 1101, the level  
14 for “Federal Deposit Insurance Corporation, Office of the  
15 Inspector General” shall be \$34,568,000.

16 TITLE IV

17 INTERIOR, ENVIRONMENT, AND RELATED

18 AGENCIES

19 SEC. 1401. Notwithstanding section 1101, the levels  
20 for the following appropriations of the Department of the  
21 Interior shall be:

22 (a) \$950,757,000 for “Bureau of Land Management,  
23 Management of Lands and Resources”: *Provided*, That  
24 the amounts included under such heading in division E  
25 of Public Law 112–74 shall be applied to funds appro-

1 priated by this division by substituting “\$950,757,000”  
2 for “\$961,900,000” the second place it appears;

3 (b) \$0 for “Bureau of Land Management, Construc-  
4 tion”;

5 (c) \$1,213,915,000 for “United States Fish and  
6 Wildlife Service, Resource Management”;

7 (d) \$19,136,000 for “United States Fish and Wildlife  
8 Service, Construction”;

9 (e) \$2,214,202,000 for “National Park Service, Op-  
10 eration of the National Park Service”;

11 (f) \$131,173,000 for “National Park Service, Con-  
12 struction”;

13 (g) \$105,910,000 for “Bureau of Indian Affairs,  
14 Construction”;

15 (h) \$84,946,000 for “Insular Affairs, Assistance to  
16 Territories”: *Provided*, That the matter under such head-  
17 ing in division E of Public Law 112–74 shall be applied  
18 to funds appropriated by this division as follows: by sub-  
19 stituting “\$75,684,000” for “\$78,517,000”; and by sub-  
20 stituting “\$9,262,000” for “\$9,480,000”;

21 (i) \$146,000,000 for “Office of the Special Trustee  
22 for American Indians, Federal Trust Programs”; and

23 (j) \$726,473,000 for “Department-wide Programs,  
24 Wildland Fire Management”: *Provided*, That of the

1 amounts made available by section 140(b) of Public Law  
2 112–175 (126 Stat. 1321), \$7,500,000 are rescinded.

3 SEC. 1402. The contract authority provided for fiscal  
4 year 2013 by 16 U.S.C. 460l–10a is rescinded.

5 SEC. 1403. Section 10101(a) of the Omnibus Budget  
6 Reconciliation Act of 1993 (30 U.S.C. 28f(a)), as amend-  
7 ed by section 430 of the Department of the Interior, Envi-  
8 ronment, and Related Agencies Appropriations Act, 2012  
9 (division E of Public Law 112–74; 125 Stat. 1047), is  
10 further amended—

11 (1) in paragraph (1) in the first sentence, by  
12 striking “on” the first place it appears and inserting  
13 “before, on,”; and

14 (2) in paragraph (2)—

15 (A) by striking “located” the second place  
16 it appears;

17 (B) by inserting at the end of the fol-  
18 lowing: “Such claim maintenance fee shall be in  
19 lieu of the assessment work requirement con-  
20 tained in the Mining Law of 1872 (30 U.S.C.  
21 28 to 28e) and the related filing requirements  
22 contained in section 314(a) and (c) of the Fed-  
23 eral Land Policy and Management Act of 1976  
24 (43 U.S.C. 1744(a) and (c)).”; and

1 (C) by striking “(a)” in the first sentence  
2 and inserting “(a)(1)”.

3 SEC. 1404. (a) Division II of Public Law 104–333  
4 (16 U.S.C. 461 note) is amended in each of sections 107,  
5 208, 310, 408, 507, 607, 707, 809, and 910, by striking  
6 “2012” and inserting “2013”.

7 (b) Effective on October 12, 2012, section 7 of Public  
8 Law 99–647, as amended by section 702(d) of Public Law  
9 109–338 and section 1767 of Public Law 112–10, is fur-  
10 ther amended by striking “the date” and all that follows  
11 and inserting “September 30, 2013”.

12 (c) Section 12 of Public Law 100–692 (16 U.S.C.  
13 461 note) is amended—

14 (1) in subsection (c)(1), by striking “2012” and  
15 inserting “2013”; and

16 (2) in subsection (d), by striking “the date that  
17 is 5 years after the date of enactment of this sub-  
18 section” and inserting “September 30, 2013”.

19 (d) Section 108 of Public Law 106–278 (16 U.S.C.  
20 461 note) is amended by striking “2012” and inserting  
21 “2013”.

22 SEC. 1405. Notwithstanding section 1101, the levels  
23 for the following appropriations of the Environmental Pro-  
24 tection Agency shall be:

25 (a) \$785,291,000 for “Science and Technology”;

1 (b) \$2,651,440,000 for “Environmental Programs  
2 and Management”;

3 (c) \$1,176,431,000 for “Hazardous Substance  
4 Superfund”: *Provided*, That the matter under such head-  
5 ing in division E of Public Law 112–74 shall be applied  
6 to funds appropriated by this division as follows: by sub-  
7 stituting “\$1,176,431,000” for “\$1,215,753,000” the sec-  
8 ond place it appears; and by substituting “September 30,  
9 2012” for “September 30, 2011”; and

10 (d) \$3,579,094,000 for “State and Tribal Assistance  
11 Grants”: *Provided*, That the amounts included under such  
12 hearing in division E of Public Law 112–74 shall be ap-  
13 plied to fund appropriated by this division as follows: by  
14 substituting “\$1,451,791,000” for “\$1,468,806,000”; by  
15 substituting “\$908,713,000” for “\$919,363,000”; and by  
16 substituting “\$19,952,000” for “\$30,000,000”.

17 SEC. 1406. (a) Of the unobligated balances available  
18 to the Environmental Protection Agency under the fol-  
19 lowing headings from prior appropriation Acts, the fol-  
20 lowing amounts are rescinded:

21 (1) “Hazardous Substance Superfund”,  
22 \$15,000,000.

23 (2) “State and Tribal Assistance Grants”,  
24 \$35,000,000, as follows:

1 (A) \$10,000,000 from unobligated  
2 Brownfields balances.

3 (B) \$5,000,000 from unobligated categor-  
4 ical grant balances.

5 (C) \$10,000,000 from unobligated Drink-  
6 ing Water State Revolving Funds balances.

7 (D) \$10,000,000 from unobligated Clean  
8 Water State Revolving Funds balances.

9 (b) No amounts may be rescinded under subsection  
10 (a) from amounts that were designated by the Congress  
11 as an emergency requirement pursuant to a concurrent  
12 resolution on the budget or the Balanced Budget and  
13 Emergency Deficit Control Act of 1985.

14 SEC. 1407. Notwithstanding subsection (d)(2) of sec-  
15 tion 33 of the Federal Insecticide, Fungicide, and  
16 Rodenticide Act (7 U.S.C. 136w-8), the Administrator of  
17 the Environmental Protection Agency may assess pesticide  
18 registration service fees under such section for fiscal year  
19 2013.

20 SEC. 1408. Notwithstanding section 1101, the levels  
21 for the following appropriations of the Department of Ag-  
22 riculture shall be:

23 (a) \$1,536,596,000 for “Forest Service, National  
24 Forest System”;



1 (b) \$369,800,000 for “Forest Service, Capital Im-  
2 provement and Maintenance”; and

3 (c) \$1,971,390,000 for “Forest Service, Wildland  
4 Fire Management”.

5 SEC. 1409. Notwithstanding section 1101, the levels  
6 for the following appropriations of the Department of  
7 Health and Human Services shall be:

8 (a) \$3,914,599,000 for “Indian Health Service, In-  
9 dian Health Services”; and

10 (b) \$441,605,000 for “Indian Health Service, Indian  
11 Health Facilities”.

12 SEC. 1410. Notwithstanding section 1101, the level  
13 for “Smithsonian Institution, Salaries and Expenses”  
14 shall be \$640,512,000.

15 SEC. 1411. Notwithstanding section 1101, the level  
16 for “Advisory Council on Historic Preservation, Salaries  
17 and Expenses” shall be \$7,023,000: *Provided*, That of the  
18 funds appropriated herein, \$1,300,000, to remain avail-  
19 able until expended, may be used for expenses related to  
20 the relocation from the Old Post Office Building.

21 SEC. 1412. Notwithstanding section 1101, the level  
22 for “Presidio Trust, Presidio Trust Fund” shall be \$0.

23 SEC. 1413. Notwithstanding section 1101, the level  
24 for “Dwight D. Eisenhower Memorial Commission, Sala-  
25 ries and Expenses” shall be \$1,050,000 and the level for

1 “Dwight D. Eisenhower Memorial Commission, Capital  
2 Construction” shall be \$0: *Provided*, That section  
3 8162(m) of the Department of Defense Appropriations  
4 Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79), as  
5 added by section 8120 (a) of Public Law 107–117 (115  
6 Stat. 2273), is amended by adding at the end the fol-  
7 lowing:

8           “(3) EXPIRATION.—Any reference in section  
9           8903(e) of title 40, U.S.C. to the expiration at the  
10           end of, or extension beyond, a 7-year period shall be  
11           considered to be a reference to an expiration on, or  
12           extension beyond, September 30, 2013.”.

13           SEC. 1414. Notwithstanding section 1101, section  
14           408 of division E of Public Law 112–74 (125 Stat. 1038)  
15           shall be applied to funds appropriated by this division by  
16           substituting “112–10, and 112–74” for “112–10” and by  
17           substituting “2012” for “2011”.

18           SEC. 1415. The authority provided by section 331 of  
19           the Department of the Interior and Related Agencies Ap-  
20           propriations Act, 2000 (enacted by reference in section  
21           1000(a)(3) of Public Law 106–113; 16 U.S.C. 497 note)  
22           shall continue in effect through the date specified in sec-  
23           tion 1106 of this division.

1 TITLE V  
2 LABOR, HEALTH AND HUMAN SERVICES, AND  
3 EDUCATION, AND RELATED AGENCIES  
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 1501. Of the funds available to the Department  
6 of Labor, Employment and Training Administration in  
7 this or any other Act making appropriations that remain  
8 unobligated as of the date of enactment of this Act, up  
9 to \$30,000,000 may be transferred to “Department of  
10 Labor, Employment and Training Administration, Office  
11 of Job Corps” for Job Corps operations for program years  
12 2012 and 2013 and shall be in addition to any other  
13 amounts available to the Office of Job Corps for such pur-  
14 poses: *Provided*, That not less than \$10,000,000 shall be  
15 transferred within 30 days of enactment of this Act to  
16 support Job Corps operations for the program year ending  
17 June 30, 2013: *Provided further*, That not later than 15  
18 days after any transfer has been made under the authority  
19 of this section, the Secretary of Labor shall submit a re-  
20 port to the Committees on Appropriations of the House  
21 of Representatives and the Senate that details the source  
22 of the transferred funds, the specific programs, projects,  
23 or activities for which such funds will be used, provides  
24 a detailed explanation of the need for such transfer, and  
25 itemizes the cost saving measures implemented by the Of-

1 fice of the Job Corps during Program Years 2012 and  
2 2013 and the savings gained by implementing each initia-  
3 tive.

4       SEC. 1502. Notwithstanding section 1101, the level  
5 which may be expended from the Employment Security  
6 Administration Account of the Unemployment Trust Fund  
7 for administrative expenses of “Department of Labor,  
8 Employment and Training Administration, State Unem-  
9 ployment Insurance and Employment Service Operations”  
10 shall be \$3,940,865,000 (which includes all amounts avail-  
11 able to conduct in-person reemployment and eligibility as-  
12 sessments and unemployment insurance improper pay-  
13 ment reviews), of which \$3,115,142,000 shall be for  
14 grants to the States for the administration of State unem-  
15 ployment insurance laws under paragraph (1). For the  
16 purposes of this section, the first proviso under this head-  
17 ing in Public Law 112–74 shall be applied by substituting  
18 “2013” and “4,585,000” for “2012” and “4,832,000”,  
19 respectively.

20       SEC. 1503. Notwithstanding section 1101, language  
21 under the heading “Department of Labor, Mine Safety  
22 and Health Administration, Salaries and Expenses” in  
23 Public Law 112–74 shall be applied to funds appropriated  
24 by this Act by substituting “is authorized to collect and

1 retain up to \$2,499,000” for “may retain up to  
2 \$1,499,000”.

3       SEC. 1504. Notwithstanding section 1101, the level  
4 for “Department of Labor, Veterans Employment and  
5 Training” shall be \$264,436,000, of which \$226,251,000  
6 shall be derived from the Employment Security Adminis-  
7 tration Account in the Unemployment Trust Fund: *Pro-*  
8 *vided*, That the level provided under such heading for Vet-  
9 erans Workforce Investment Program grants shall be used  
10 for the Transition Assistance Program and activities au-  
11 thorized by the VOW to Hire Heroes Act of 2011, shall  
12 be available through September 30, 2013, and shall be in  
13 addition to any other funds available for those purposes:  
14 *Provided further*, That of the level provided under such  
15 heading, not less than \$14,000,000 shall be for the Tran-  
16 sition Assistance Program, and \$3,414,000 shall be for  
17 the National Veterans’ Employment and Training Services  
18 Institute.

19       SEC. 1505. All funds provided for the Health Centers  
20 program, as defined by section 330 of the Public Health  
21 Service Act, by this Act or any other Act providing appro-  
22 priations for fiscal year 2013 shall be obligated by the Sec-  
23 retary of Health and Human Services by September 30,  
24 2013, of which \$48,000,000 shall be awarded for base  
25 grant adjustments.

1           SEC. 1506. The Director of the Centers for Disease  
2 Control and Prevention (hereafter referred to in this divi-  
3 sion as “CDC”) may detail CDC staff without reimburse-  
4 ment for up to 30 days to support an activation of the  
5 CDC Emergency Operations Center, so long as the Direc-  
6 tor provides notification within 15 days of the use of this  
7 authority and a full report to the Committees on Appro-  
8 priations of the House of Representatives and the Senate  
9 within 30 days after the use of this authority, which in-  
10 cludes the number of staff and funding level broken down  
11 by the originating center and number of days detailed:  
12 *Provided*, That the annual reimbursement cannot exceed  
13 \$3,000,000 across CDC.

14   (INCLUDING TRANSFER OF FUNDS)

15           SEC. 1507. To facilitate the implementation of the  
16 permanent Working Capital Fund (“WCF”) authorized in  
17 Public Law 112–74, on or after October 1, 2013, unobli-  
18 gated balances of amounts appropriated for business serv-  
19 ices for fiscal year 2013 shall be transferred to the WCF:  
20 *Provided*, That on or after October 1, 2013, the CDC shall  
21 transfer other amounts available for business services to  
22 other CDC appropriations consistent with the benefit each  
23 appropriation received from the business services appro-  
24 priation in fiscal year 2013: *Provided further*, That assets  
25 purchased with funds appropriated for or reimbursed to

1 business services in this or any other Act may be trans-  
2 ferred to the WCF and customers billed for depreciation  
3 of those assets: *Provided further*, That CDC shall, con-  
4 sistent with the authorities provided in 42 U.S.C. 231, en-  
5 sure that the WCF is used only for administrative support  
6 services and not for programmatic activity funding: *Pro-*  
7 *vided further*, That CDC shall notify the Committees on  
8 Appropriations of the House of Representatives and the  
9 Senate not later than 15 days prior to any transfer made  
10 under the authority provided in this section.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 1508. Notwithstanding section 1101, the level  
13 for “Department of Health and Human Services, National  
14 Institutes of Health, Office of the Director” shall be  
15 \$1,528,181,000: *Provided*, That the fourth proviso under  
16 such heading shall be applied to funds appropriated by  
17 this Act by substituting the following: “: *Provided further*,  
18 That \$165,000,000 shall be for the National Children’s  
19 Study (NCS), except that not later than July 15, 2013  
20 the Director shall estimate the amount needed for the  
21 NCS during fiscal year 2013, taking into account the suc-  
22 ceeding proviso, and any funds in excess of the estimated  
23 need shall be transferred to and merged with the accounts  
24 for the various Institutes and Centers of NIH in propor-  
25 tion to their shares of total NIH appropriations made by

1 this Act: *Provided further*, That the Director shall contract  
2 with the National Academy of Sciences within 60 days of  
3 enactment of this Act to appoint an expert Institute of  
4 Medicine/National Research Council (IOM/NRC) panel to  
5 conduct a comprehensive review and issue a report regard-  
6 ing proposed methodologies for the NCS Main Study, in-  
7 cluding whether such methodologies are likely to produce  
8 scientifically sound results that are generalizable to the  
9 United States population and appropriate sub-populations:  
10 *Provided further*, That no contracts shall be awarded for  
11 conducting the Main Study until at least 60 days after  
12 the IOM/NRC report has been available to the public.”.

13 SEC. 1509. Notwithstanding section 1101, the level  
14 for “Department of Health and Human Services, Admin-  
15 istration for Children and Families, Refugee and Entrant  
16 Assistance” shall be \$1,016,000,000.

17 SEC. 1510. Notwithstanding section 1101, the level  
18 for “Department of Health and Human Services, Admin-  
19 istration for Children and Families, Payments to States  
20 for the Child Care and Development Block Grant” shall  
21 be \$2,328,313,000: *Provided*, That in addition to the  
22 amounts required to be reserved by the States under sec-  
23 tion 658G of the Child Care and Development Block  
24 Grant Act, \$297,078,000 shall be reserved by the States  
25 for activities authorized under section 658G of such Act,



1 of which \$108,950,000 shall be for activities that improve  
2 the quality of infant and toddler care.

3 SEC. 1511. In addition to amounts otherwise made  
4 available by section 1101, \$33,500,000 is appropriated for  
5 “Department of Health and Human Services, Administra-  
6 tion for Children and Families, Children and Families  
7 Services” for making payments under the Head Start Act:  
8 *Provided*, That notwithstanding section 640 of such Act,  
9 up to \$25,000,000 of such funds shall be available for allo-  
10 cation by the Secretary to supplement activities described  
11 in paragraphs (7)(B) and (9) of section 641(c) of the  
12 Head Start Act under the Designation Renewal System,  
13 established under the authority of sections 641(c)(7),  
14 645A(b)(12) and 645A(d) of such Act: *Provided further*,  
15 That amounts allocated to Head Start grantees at the dis-  
16 cretion of the Secretary to supplement activities pursuant  
17 to the previous proviso shall not be included in the calcula-  
18 tion of the “base grant” in subsequent fiscal years, as  
19 such term is used in section 640(a)(7)(A) of the Head  
20 Start Act.

21 SEC. 1512. Notwithstanding section 1101, the level  
22 for “Department of Health and Human Services, Office  
23 of the Secretary, Public Health and Social Services Emer-  
24 gency Fund” shall be increased by \$17,000,000 for ex-  
25 penses necessary for replacement of building leases and

1 associated renovation costs for Public Health Service  
2 agencies and other components of the Department of  
3 Health and Human Services, including relocation and fit-  
4 out costs, to remain available until expended.

5       SEC. 1513. Of the amount provided by section 1101  
6 for “Department of Education, Safe Schools and Citizen-  
7 ship Education” for subpart 2 of part A of title IV of  
8 the Elementary and Secondary Education Act of 1965,  
9 \$3,000,000, to remain available until expended, shall be  
10 for the Project School Emergency Response to Violence  
11 program to provide education-related services to local edu-  
12 cational agencies and institutions of higher education in  
13 which the learning environment has been disrupted due  
14 to a violent or traumatic crisis.

15       SEC. 1514. Notwithstanding section 1101, the pro-  
16 visos under the heading “Department of Education—Spe-  
17 cial Education” shall be applicable as if the following four  
18 provisos were inserted after the first proviso: “: *Provided*  
19 *further*, That the Secretary shall distribute to all other  
20 States (as that term is defined in section 611(g)(2)), sub-  
21 ject to the third proviso, any amount by which a State’s  
22 allocation under section 611(d), from funds appropriated  
23 under this heading, is reduced under section  
24 612(a)(18)(B), in accordance with section  
25 611(d)(3)(A)(i)(II) and (III) without regard to section

1 611(d)(3)(A)(i)(I) and section 611(d)(3)(B): *Provided fur-*  
2 *ther*, That the Secretary may not distribute any funds  
3 under the previous proviso to any State whose reduction  
4 in allocation from funds appropriated under this heading  
5 made funds available for such a distribution: *Provided fur-*  
6 *ther*, That the States shall allocate such funds distributed  
7 under the second preceding proviso to local educational  
8 agencies in accordance with section 611(f): *Provided fur-*  
9 *ther*, That the amount by which a State's allocation under  
10 section 611(d) of the IDEA is reduced under section  
11 612(a)(18)(B) and the amounts distributed to States  
12 under the previous provisos from funds appropriated for  
13 fiscal year 2012 or any subsequent year shall not be con-  
14 sidered in calculating the awards under section 611(d) for  
15 fiscal year 2013 or for any subsequent fiscal years:".

16 SEC. 1515. Of the amount provided by section 1101  
17 for "Department of Education, Higher Education" for  
18 subpart 2 of part A of title VII of the Higher Education  
19 Act of 1965, up to \$4,451,000 shall be available to fund  
20 continuation awards for projects originally supported  
21 under subpart 1 of part A of title VII of such act.

22 SEC. 1516. Notwithstanding section 1101, the level  
23 for "Railroad Retirement Board, Limitation on Adminis-  
24 tration" shall be \$111,149,000.

1           SEC. 1517. Notwithstanding section 1101, the level  
2 for “Social Security Administration, Supplemental Secu-  
3 rity Income Program” for research and demonstrations  
4 under sections 1110, 1115, and 1144 of the Social Secu-  
5 rity Act shall be \$17,000,000.

6           SEC. 1518. Of the funds made available by section  
7 1101 for “Social Security Administration, Limitation on  
8 Administrative Expenses”, \$23,000,000 shall be for sec-  
9 tion 1149 of the Social Security Act and \$7,000,000 shall  
10 be for section 1150 of the Social Security Act.

11          SEC. 1519. Of the funds made available by section  
12 1101 for “Social Security Administration, Limitation on  
13 Administrative Expenses” for the cost associated with con-  
14 tinuing disability reviews under titles II and XVI of the  
15 Social Security Act and for the cost associated with con-  
16 ducting redeterminations of eligibility under title XVI of  
17 the Social Security Act, \$273,000,000 is provided to meet  
18 the terms of section 251(b)(2)(B)(ii)(III) of the Balanced  
19 Budget and Emergency Deficit Control Act of 1985, as  
20 amended, and \$483,052,000 is additional new budget au-  
21 thority specified for purposes of section 251(b)(2)(B) of  
22 such Act.

23          SEC. 1520. Of the funds made available for the Com-  
24 munity-Based Care Transitions Program under section

1 3026 of Public Law 111–148, \$200,000,000 are hereby  
2 rescinded.

3 SEC. 1521. Notwithstanding section 1101, the rescis-  
4 sions made in sections 522 and 525 of division F of Public  
5 Law 112–74 shall be repeated in this Act with respect to  
6 funds available for fiscal year 2013.

7 SEC. 1522. Section 148 of Public Law 112–175 is  
8 amended to read as follows: “Activities authorized by part  
9 A of title IV and section 1108(b) of the Social Security  
10 Act (except for activities authorized in section 403(b) of  
11 such Act) shall continue through September 30, 2013, in  
12 the manner authorized for fiscal year 2012, and out of  
13 any money in the Treasury of the United States not other-  
14 wise appropriated, there are hereby appropriated such  
15 sums as may be necessary for such purpose.”.

16 TITLE VI

17 LEGISLATIVE BRANCH

18 SEC. 1601. Notwithstanding any other provision of  
19 this Act, for a payment to Irene Hirano Inouye, widow  
20 of Daniel K. Inouye, late a Senator from Hawaii,  
21 \$193,400.

22 SEC. 1602. Notwithstanding section 1101, the level  
23 for “Joint Congressional Committee On Inaugural Cere-  
24 monies of 2013” shall be \$0.

1           SEC. 1603. Notwithstanding section 1101, the level  
2 for “Capitol Police, General Expenses” shall be  
3 \$62,004,000.

4           SEC. 1604. Notwithstanding section 1101, the level  
5 of funding for “Architect of the Capitol, General Adminis-  
6 tration” shall be \$97,340,000.

7           SEC. 1605. (a) Notwithstanding section 1104, of the  
8 amounts made available by section 1101 for accounts  
9 under the heading “Architect of the Capitol”, the Archi-  
10 tect of the Capitol may transfer an aggregate amount of  
11 not more than \$61,247,000 to “Architect of the Capitol,  
12 Capitol Building”, solely for expenses related to the reha-  
13 bilitation of the United States Capitol Dome.

14           (b) The transfer of amounts under the authority of  
15 subsection (a) shall be subject to the approval of the Com-  
16 mittees on Appropriations of the House of Representatives  
17 and Senate.

18           (c) Any amounts transferred under the authority of  
19 subsection (a) shall remain available until expended.

20           SEC. 1606. (a) Notwithstanding section 1101, avail-  
21 able balances of expired Architect of the Capitol appro-  
22 priations shall be available to the Architect of the Capitol  
23 to make the deposit to the credit of the Employees’ Com-  
24 pensation Fund required by section 8147(b) of title 5,  
25 United States Code.

1 (b) EFFECTIVE DATE.—This section shall apply with  
2 respect to appropriations for fiscal year 2013 and each  
3 year thereafter.

4 SEC. 1607. Notwithstanding section 1101, the level  
5 for “Library of Congress, Copyright Office, Salaries and  
6 Expenses” shall be \$737,000 under the first proviso, and  
7 shall be \$34,250,000 under the fourth proviso.

8 SEC. 1608. Notwithstanding section 1101, the level  
9 for “Government Printing Office, Congressional Printing  
10 and Binding” shall be \$83,632,000; “Government Print-  
11 ing Office, Government Printing Office Revolving Fund”  
12 shall be \$4,000,000.

13 SEC. 1609. Notwithstanding section 1101, the level  
14 for “Government Printing Office, Office of Superintendent  
15 of Documents, Salaries and Expenses” shall be  
16 \$31,500,000 and the amounts authorized for producing  
17 and disseminating Congressional serial sets and other re-  
18 lated publications to depository and other designated li-  
19 braries shall apply to publications for fiscal years 2011  
20 and 2012.

21 SEC. 1610. Notwithstanding section 1101, the level  
22 for “Government Accountability Office, Salaries and Ex-  
23 penses” shall be \$506,282,000, the amount applicable  
24 under the first proviso under that heading shall be  
25 \$26,404,000.

1           SEC. 1611. (a) IN GENERAL.—Available balances of  
2 expired Government Accountability Office appropriations  
3 shall be available to the Government Accountability Office  
4 to make the deposit to the credit of the Employees’ Com-  
5 pensation Fund required by section 8147(b) of title 5  
6 United States Code.

7           (b) EFFECTIVE DATE.—This section shall apply with  
8 respect to fiscal year 2013 and each fiscal year thereafter.

9           SEC. 1612. Notwithstanding section 1101, the level  
10 for “Open World Leadership Center Trust Fund” shall  
11 be \$8,000,000.

## 12                                   TITLE VII

### 13                   DEPARTMENT OF STATE, FOREIGN

#### 14           OPERATIONS, AND RELATED PROGRAMS

15           SEC. 1701. (a) Notwithstanding section 1101, the  
16 amounts included under the heading “Embassy Security,  
17 Construction, and Maintenance” under title I in division  
18 I of Public Law 112–74 shall be applied to funds appro-  
19 priated by this division as follows: by substituting  
20 “\$938,125,000” for “\$762,000,000” in the first para-  
21 graph; and by substituting “\$688,499,000” for  
22 “\$775,000,000” in the second paragraph.

23           (b) Notwithstanding section 1101, the levels for the  
24 following accounts under title I in division I of Public Law  
25 112–74 shall be applied to funds appropriated by this divi-



1 sion as follows: “Contributions for International Peace-  
2 keeping Activities”, \$2,006,499,000; “International  
3 Boundary and Water Commission, United States and  
4 Mexico, Salaries and Expenses”, \$43,499,000; “Inter-  
5 national Boundary and Water Commission, United States  
6 and Mexico, Construction”, \$27,675,000; “American Sec-  
7 tions, International Commissions”, \$11,923,000; “Inter-  
8 national Fisheries Commissions”, \$34,617,000; “Commis-  
9 sion for the Preservation of America’s Heritage Abroad,  
10 Salaries and Expenses”, \$606,000; “United States Com-  
11 mission on International Religious Freedom, Salaries and  
12 Expenses”, \$2,932,000; “Commission on Security and Co-  
13 operation in Europe, Salaries and Expenses”, \$2,443,000;  
14 “Congressional-Executive Commission on the People’s Re-  
15 public of China, Salaries and Expenses”, \$1,906,000; and  
16 “United States-China Economic and Security Review  
17 Commission, Salaries and Expenses”, \$3,312,000.

18 SEC. 1702. (a) Notwithstanding section 1101, the  
19 amounts included under the heading “Global Health Pro-  
20 grams” under title III in division I of Public Law 112–  
21 74 shall be applied to funds appropriated by this division  
22 as follows: by substituting in the first sentence in the first  
23 paragraph “\$2,755,950,000” for “\$2,625,000,000”; by  
24 substituting in the first sentence in the second paragraph  
25 “\$5,720,499,000” for “\$5,542,860,000”; and by sub-

1 stituting in the second proviso in the second paragraph  
2 “\$1,650,000,000” for “\$1,050,000,000”.

3 (b) Notwithstanding section 1101, the amounts in-  
4 cluded under the heading “Economic Support Fund”  
5 under title III in division I of Public Law 112–74 shall  
6 be applied to funds appropriated by this division by insert-  
7 ing after the tenth proviso and before the period the fol-  
8 lowing: “: *Provided further*, That not less than  
9 \$325,400,000 of the funds appropriated under this head-  
10 ing shall be transferred to, and merged with, funds appro-  
11 priated under the heading ‘Development Assistance’ in  
12 this Act”.

13 SEC. 1703. (a) Notwithstanding section 1101, the  
14 sixth proviso under the heading “Nonproliferation, Anti-  
15 terrorism, Demining and Related Programs” in division  
16 I of Public Law 112–74 shall be applied to funds appro-  
17 priated by this division by substituting the following: “*Pro-*  
18 *vided further*, That funds made available for demining,  
19 conventional weapons destruction, and related activities,  
20 in addition to funds otherwise made available for such pur-  
21 poses, may be used for administrative expenses related to  
22 the operation and management of demining, conventional  
23 weapons destruction, and related programs”.

24 (b) Notwithstanding section 1101, the first sentence  
25 under the heading “Nonproliferation, Anti-terrorism,

1 Demining and Related Programs” in division I of Public  
2 Law 112–74 shall be applied to funds appropriated by this  
3 division by inserting “to remain available until September  
4 30, 2014,” after “\$590,113,000.”

5 (c) Notwithstanding section 1101, the third proviso  
6 under the heading “International Security Assistance, De-  
7 partment of State, Peacekeeping Operations” in division  
8 I of Public Law 112–74 shall be applied to funds appro-  
9 priated by this division by substituting “\$161,000,000”  
10 for “\$91,818,000” and “2014” for “2013”.

11 (d) Notwithstanding section 1101, the amounts in-  
12 cluded in the first paragraph under the heading “Foreign  
13 Military Financing Program” under title IV in division I  
14 of Public Law 112–74 shall be applied to funds appro-  
15 priated by this division by substituting in the second pro-  
16 viso “\$3,100,000,000” for “\$3,075,000,000” and by sub-  
17 stituting in the fourth proviso “\$815,300,000” for  
18 “\$808,725,000”.

19 SEC. 1704. (a) Notwithstanding section 1101, the  
20 levels for the following accounts under title V in division  
21 I of Public Law 112–74 shall be as follows: “Global Envi-  
22 ronment Facility”, \$129,400,000; “Contribution to the  
23 International Bank for Reconstruction and Development”,  
24 \$186,957,000; “Contribution to the Enterprise for the  
25 Americas Multilateral Investment Fund”, \$15,000,000;

1 and in the first paragraph under “Contribution to the  
2 International Development Association”, \$1,358,500,000;  
3 and “Contribution to the Inter-American Development  
4 Bank”, \$111,153,000.

5 (b) Notwithstanding section 1101, the level for the  
6 following accounts shall be \$0: “Multilateral Assistance,  
7 International Financial Institutions, European Bank for  
8 Reconstruction and Development, Limitation on Callable  
9 Capital Subscriptions”; “Bilateral Economic Assistance,  
10 Funds Appropriated to the President, Assistance for Eu-  
11 rope, Eurasia and Central Asia”; and “International Secu-  
12 rity Assistance, Funds Appropriated to the President,  
13 Pakistan Counterinsurgency Capability Fund”.

14 (c) Notwithstanding section 1101, the level for the  
15 second paragraphs for the following accounts under title  
16 V in division I of Public Law 112–74 shall be \$0: “Con-  
17 tribution to the International Development Association”;  
18 “Contribution to the Inter-American Development Bank”;  
19 and “Contribution to the African Development Fund”.

20 (d) Section 70 of the Bretton Woods Agreements Act  
21 (22 U.S.C. 286 et seq.), is amended in subsection (b) by  
22 adding at the end the following:

23 “(3) In order to pay for the increase in the  
24 United States subscription to the Bank under sub-  
25 section (a)(1)(B), there are authorized to be appro-

1        priated, without fiscal year limitation,  
2        \$4,639,501,466 for payment by the Secretary of the  
3        Treasury.

4                “(4) Of the amount authorized to be appro-  
5        priated under paragraph (3), \$278,370,088 shall be  
6        for paid in shares of the Bank, and \$4,361,131,378  
7        shall be for callable shares of the Bank.”.

8        SEC. 1705. Of the unexpended balances available  
9        under the heading “Export and Investment Assistance,  
10       Export-Import Bank of the United States, Subsidy Appro-  
11       piation” from prior Acts making appropriations for the  
12       Department of State, foreign operations, and related pro-  
13       grams, \$400,000,000 are rescinded.

14        SEC. 1706. (a) Notwithstanding section 1101, section  
15       7006 in division I of Public Law 112–74 shall be applied  
16       to funds appropriated by this division by substituting “Af-  
17       ghanistan, Pakistan, and other hostile or high-risk areas”  
18       for “Afghanistan, and Pakistan”.

19        (b) Notwithstanding section 1101, the amount in-  
20       cluded in section 7034(f) in division I of Public Law 112–  
21       74 shall be applied to funds appropriated by this division  
22       by substituting “\$100,000,000” for “\$50,000,000”.

23        (c) Notwithstanding section 1101, section 7054(b) in  
24       division I of Public Law 112–74 shall be applied to funds  
25       appropriated by this division by inserting before the period

1 in paragraph (2) “; or (3) such assistance, license, sale,  
2 or transfer is for the purpose of demilitarizing or disposing  
3 of such cluster munitions”.

4 (d) Notwithstanding section 1101, section 7063 in di-  
5 vision I of Public Law 112–74 shall be applied to funds  
6 appropriated by this division by substituting “September  
7 30, 2014” for “September 30, 2013”.

8 (e) Notwithstanding section 1101, sections 7070(a)  
9 and 7072(a) in division I of Public Law 112–74 shall be  
10 applied to funds appropriated by this division by sub-  
11 stituting “headings” for “heading” and substituting  
12 “‘Global Health Programs’, ‘Economic Support Fund’,  
13 and ‘International Narcotics Control and Law Enforce-  
14 ment’ for ‘Assistance for Europe, Eurasia and Central  
15 Asia’”.

16 (f) Notwithstanding section 1101, section 7070 in di-  
17 vision I of Public Law 112–74 shall be applied to funds  
18 appropriated by this division by adding the following:

19 “(d) Funds appropriated by this division under the  
20 heading ‘Economic Support Fund’ may be made available,  
21 not withstanding any other provision of law, for assistance  
22 and related programs for the countries identified in sec-  
23 tion 3(e) of the Support for Eastern European Democracy  
24 (SEED) Act of 1989 (Public Law 101–179) and section  
25 3 of the FREEDOM Support Act (Public Law 102–511)

1 and may be used to carry out the provisions of those Acts:  
2 *Provided*, That such assistance and related programs from  
3 funds appropriated by this Act under the headings ‘Global  
4 Health Programs’, ‘Economic Support Fund’, and ‘Inter-  
5 national Narcotics Control and Law Enforcement’ shall be  
6 administered in accordance with the responsibilities of the  
7 coordinator designated pursuant to section 601 of the  
8 Support for Eastern European Democracy (SEED) Act  
9 of 1989 (Public Law 101–179) and section 102 of the  
10 FREEDOM Support Act (Public Law 102–511), and  
11 shall be made available in amounts consistent with the  
12 amounts made available under the heading ‘Assistance for  
13 Europe, Eurasia and Central Asia’ in fiscal year 2012,  
14 in consultation with the Committees on Appropriations.”.

15 (g) The Foreign Operations, Export Financing, and  
16 Related Programs Appropriations Act, 1990 (Public Law  
17 101–167) is amended—

18 (1) in section 599D (8 U.S.C. 1157 note)—

19 (A) in subsection (b)(3), by striking “and  
20 2012” and inserting “2012, and 2013”; and

21 (B) in subsection (e), by striking “2012”  
22 each place it appears and inserting “2013”; and

23 (2) in section 599E (8 U.S.C. 1255 note) in  
24 subsection (b)(2), by striking “2012” and inserting  
25 “2013”.

1           (h) Notwithstanding section 1101, section 7041(h) in  
2 division I of Public Law 112–74 shall be applied to funds  
3 appropriated by this division by including the following be-  
4 fore the period: “*Provided*, That prior to obligating funds  
5 made available by this Act for assistance for Syria, the  
6 Secretary of State shall consult with the Committees on  
7 Appropriations and Foreign Relations of the Senate and  
8 the Committees on Appropriations and Foreign Affairs of  
9 the House of Representatives: *Provided further*, That such  
10 funds shall be subject to the regular notification proce-  
11 dures of the Committees on Appropriations”.

12           (i) Notwithstanding section 1101, the fifth proviso  
13 under the heading “Economic Support Fund” in division  
14 I of Public Law 112–74 shall be applied to funds appro-  
15 priated by this division by substituting: “*Provided further*,  
16 That funds appropriated under this heading in this Act  
17 may be made available for the costs, as defined in section  
18 502 of the Congressional Budget Act of 1974, of loan  
19 guarantees for Jordan and” for “*Provided further*, That  
20 up to \$30,000,000 of the funds appropriated for fiscal  
21 year 2011 under this heading in Public Law 112–10, divi-  
22 sion B, may be made available for the costs, as defined  
23 in section 502 of the Congressional Budget Act of 1974,  
24 of loan guarantees for”.



1           SEC. 1707. (a) Notwithstanding section 1101, the  
2 levels for the following accounts under title VIII in division  
3 I of Public Law 112–74 shall be as follows: “Diplomatic  
4 and Consular Programs”, \$3,210,650,000, of which  
5 \$918,435,000 is for Worldwide Security Protection (to re-  
6 main available until expended); and “Embassy Security,  
7 Construction, and Maintenance”, \$1,272,200,000, of  
8 which \$1,261,400,000 is for the costs of worldwide secu-  
9 rity upgrades, acquisition, and construction, as author-  
10 ized: *Provided*, That funds made available under this sub-  
11 section shall be used for operations at high threat posts,  
12 security programs to protect personnel and property under  
13 Chief of Mission authority, preventing the compromise of  
14 classified United States Government information and  
15 equipment, and security construction or upgrade require-  
16 ments at Department of State facilities worldwide, includ-  
17 ing for Worldwide Security Upgrades.

18           (b) Of the unobligated balances from funds appro-  
19 priated under title VIII in division I of Public Law 112–  
20 74 under the heading “Diplomatic and Consular Pro-  
21 grams” and designated by the Congress for Overseas Con-  
22 tingency Operations/Global War on Terrorism pursuant to  
23 section 251(b)(2)(A) of the Balanced Budget and Emer-  
24 gency Deficit Control Act of 1985, \$1,109,700,000 are re-  
25 scinded.

1 (c) Not later than 90 days after enactment of this  
2 Act, the Secretary of State shall submit a report to the  
3 Committees on Appropriations providing an assessment of  
4 security requirements at United States diplomatic facili-  
5 ties worldwide, including those facilities considered expedi-  
6 tious in nature; a comprehensive plan for addressing  
7 such requirements; and a detailed description of Embassy  
8 security improvements to be supported from funds made  
9 available by this section: *Provided*, That such report shall  
10 be submitted in unclassified form, but may include a clas-  
11 sified annex.

12 (d) Notwithstanding section 1101, the amounts in-  
13 cluded under the heading “Office of Inspector General”  
14 under title VIII in division I of Public Law 112–74 shall  
15 be applied to funds appropriated by this division as fol-  
16 lows: by substituting “\$59,151,000” for “\$67,182,000”,  
17 and by substituting “\$6,000,000” for “\$19,545,000” for  
18 the Special Inspector General for Iraq Reconstruction; and  
19 by substituting “\$49,901,000” for “\$44,387,000” for the  
20 Special Inspector General for Afghanistan Reconstruction.

21 (e) Notwithstanding section 1101, the levels for the  
22 following accounts under title VIII in division I of Public  
23 Law 112–74 shall be as follows: “International Disaster  
24 Assistance”, \$774,661,000; “Migration and Refugee As-

1 sistance”, \$1,152,850,000; and “Economic Support  
2 Fund”, \$3,119,896,000.

3 SEC. 1708. Notwithstanding section 1101, title VIII  
4 of division I of Public Law 112–74 shall be applied to  
5 funds appropriated by this division by inserting the fol-  
6 lowing at the end of section 8004:

7 “SEC. 8005. Funds appropriated by this title under  
8 the headings ‘Diplomatic and Consular Programs’, ‘Em-  
9 bassy Security, Construction, and Maintenance’, and  
10 ‘Educational and Cultural Exchange Programs’ may be  
11 transferred to, and merged with, funds appropriated by  
12 this title under such headings: *Provided*, That such trans-  
13 fers shall be subject to the regular notification procedures  
14 of the Committees on Appropriations: *Provided further*,  
15 That the transfer authority in this section is in addition  
16 to any transfer authority otherwise available under any  
17 other provision of law.

18 “SEC. 8006. Funds appropriated by this title shall  
19 be made available for assistance for Jordan, in addition  
20 to amounts otherwise made available by this Act.”.

21 TITLE VIII

22 TRANSPORTATION AND HOUSING AND URBAN  
23 DEVELOPMENT, AND RELATED AGENCIES

24 SEC. 1801. (a) Notwithstanding sections 1101 and  
25 1104, the level for limitations on obligation and liquidation

1 of contract authority shall be available in the following ac-  
2 counts equal to the level of the contract authority subject  
3 to such limitation appropriated out of the Highway Trust  
4 Fund in Sections 1101, 1105, 1107, 1110, 1121, 31101,  
5 32603, and 51001 of Public Law 112–141 for fiscal year  
6 2013:

7 (1) “Department of Transportation—Federal  
8 Highway Administration—Limitation on Adminis-  
9 trative Expenses”;

10 (2) “Department of Transportation—Federal  
11 Highway Administration—Federal-Aid Highways—  
12 (Limitation on Obligations)—(Highway Trust  
13 Fund)—(Liquidation of Contract Authorization)—  
14 (Highway Trust Fund)”;

15 (3) “Department of Transportation—Federal  
16 Motor Carrier Safety Administration—Motor Car-  
17 rier Safety Operations and Programs—(Liquidation  
18 of Contract Authorization)—(Limitation on Oblig-  
19 ations)—(Highway Trust Fund)”;

20 (4) “Department of Transportation—Federal  
21 Motor Carrier Safety Administration—Motor Car-  
22 rier Safety Grants—(Liquidation of Contract Au-  
23 thorization)—(Limitation on Obligations)—(High-  
24 way Trust Fund)”;

25 *Provided*, Section 131 of Divi-  
sion C of Public Law 112–55 is hereby deleted; and

1           (5) “Department of Transportation—National  
2 Highway Traffic Safety Administration—Operations  
3 and Research—(Liquidation of Contract Authoriza-  
4 tion)—(Limitation on Obligations)—(Highway Trust  
5 Fund)”.

6           (b) Section 120 of division C of Public Law 112–55  
7 shall not apply to amounts made available by this division.

8           (c) During the period covered by this division, section  
9 1102 of Public Law 112–141 shall be applied—

10           (1) in subsection (b)(10), as if the limitation  
11 applicable through fiscal year 2011 applied through  
12 fiscal year 2012; and

13           (2) in subsection (c)(5), by treating the ref-  
14 erence to section 204 of title 23, United States  
15 Code, as a reference to sections 202 and 204 of such  
16 title.

17       SEC. 1802. Notwithstanding sections 1101 and 1104,  
18 the language under the heading “Department of Trans-  
19 portation—National Highway Traffic Safety Administra-  
20 tion—Highway Traffic Safety Grants—(Liquidation of  
21 Contract Authorization)—(Limitation on Obligations)—  
22 (Highway Trust Fund)” shall be applied to funds made  
23 available by this Act as if the language read as follows:  
24 “For payment of obligations incurred in carrying out the  
25 provisions of 23 U.S.C. 402 and 405, section 2009 of Pub-

1 lic Law 109–59 (as amended by section 31106 of Public  
2 Law 112–141), and section 31101(a)(6) of Public Law  
3 112–141, \$554,500,000, to remain available until ex-  
4 pended, to be derived from the Highway Trust Fund  
5 (other than the Mass Transit Account): *Provided*, That  
6 none of the funds in this Act shall be available for the  
7 planning or execution of programs the total obligations for  
8 which, in fiscal year 2013, are in excess of \$554,500,000  
9 for programs authorized under 23 U.S.C. 402 and 405,  
10 section 2009 of Public Law 109–59 (as amended by sec-  
11 tion 31106 of Public Law 112–141), and section  
12 31101(a)(6) of Public Law 112–141, of which  
13 \$235,000,000 shall be for ‘Highway Safety Programs’  
14 under 23 U.S.C. 402, \$29,000,000 shall be for ‘High Visi-  
15 bility Enforcement Program’ under section 2009 of Public  
16 Law 109–59 (as amended by section 31106 of Public Law  
17 112–141), \$265,000,000 shall be for ‘National Priority  
18 Safety Programs’ under 23 U.S.C. 405, and \$25,500,000  
19 shall be for ‘Administrative Expenses’ under section  
20 31101(a)(6) of Public Law 112–141: *Provided further*,  
21 That not to exceed \$500,000 of the funds made available  
22 for 23 U.S.C. 405 for ‘Impaired Driving Counter-  
23 measures’ (as described in subsection (d) of such section)  
24 shall be available for technical assistance to the States.”

1           SEC. 1803. (a) Amounts provided by section 1101 for  
2 “Department of Transportation—Federal Transit Admin-  
3 istration—Formula and Bus Grants—(Liquidation of  
4 Contract Authority)—(Limitation on Obligations)—  
5 (Highway Trust Fund)” are available for payment of obli-  
6 gations incurred in the Federal Public Transportation As-  
7 sistance Program in this account, and for payment of obli-  
8 gations incurred in carrying out 49 U.S.C. 5305, 5307,  
9 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337,  
10 5339, and 5340 (as amended by Public Law 112–141),  
11 and 20005(b) of Public Law 112–141: *Provided*, That,  
12 notwithstanding sections 1101 and 1104, the proviso  
13 under such heading shall be applied to funds provided by  
14 this Act as if the proviso read as follows: “*Provided*, That  
15 funds available for the implementation or execution of pro-  
16 grams authorized by 49 U.S.C. 5305, 5307, 5310, 5311,  
17 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340,  
18 as amended by Public Law 112–141; and 20005(b) of  
19 Public Law 112–141 shall not exceed obligations of  
20 \$8,478,000,000.”.

21           (b) Notwithstanding sections 1101 and 1104, for nec-  
22 essary administrative expenses of the Federal Transit Ad-  
23 ministration’s programs authorized by chapter 53 of title  
24 49, United States Code, as amended by Public Law 112–  
25 141, \$102,713,000, to remain available until expended, of

1 which \$4,000,000 shall be available to carry out 49 U.S.C.  
2 5329.

3 (c) Notwithstanding sections 1101 and 1104,  
4 amounts provided for “Department of Transportation—  
5 Federal Transit Administration—Research and University  
6 Research Centers” shall be available for necessary ex-  
7 penses to carry out 49 U.S.C. 5312–5314 and 5322, as  
8 amended by Public Law 112–141: *Provided*, That, of the  
9 amount provided under this heading, not less than  
10 \$35,000,000 shall be available to carry out the provisions  
11 of 49 U.S.C. 5312.

12 (d) Notwithstanding section 1101, the language  
13 under the heading “Department of Transportation—Fed-  
14 eral Transit Administration—Capital Investment Grants”  
15 in division C of Public Law 112–55 shall be applied to  
16 funds appropriated by this Act as if the language: “, of  
17 which \$35,481,000” and all that follows through the end  
18 of the first proviso were deleted.

19 (e) Section 601(e)(1)(B) of division B of Public Law  
20 110–432 shall be applied by substituting the date specified  
21 in section 1106 of this division for “4 years after such  
22 date”.

23 SEC. 1804. Section 112 of division C of Public Law  
24 112–55 shall be applied to funds appropriated by this divi-



1 sion by treating such section as if it were amended by  
2 striking “49 U.S.C. 41742(b) shall not apply, and”.

3 SEC. 1805. Notwithstanding section 1101, the level  
4 for “Department of Housing and Urban Development,  
5 Community Planning and Development, Homeless Assist-  
6 ance Grants” shall be \$2,033,000,000: *Provided*, That the  
7 level for project-based rental assistance with rehabilitation  
8 projects with 10-year grant terms shall be \$0, and any  
9 unobligated amounts appropriated under such heading for  
10 such purpose in fiscal year 2012 or in any prior Act shall  
11 be applied in fiscal year 2013 by making any such  
12 amounts available for any purpose under such heading:  
13 *Provided further*, That the first proviso shall be applied  
14 by striking “\$250,000,000” and inserting  
15 “\$200,000,000”.

16 SEC. 1806. Notwithstanding sections 1101 and 1104,  
17 the level for “Department of Housing and Urban Develop-  
18 ment, Public and Indian Housing, Indian Housing Loan  
19 Guarantee Fund Program Account” shall be \$12,200,000:  
20 *Provided*, the second proviso under such heading in divi-  
21 sion C of Public Law 112–55 shall be applied to funds  
22 appropriated by this division by substituting  
23 “\$976,000,000” for “\$360,000,000”; *Provided further*,  
24 section 184(d) of the Housing and Community Develop-  
25 ment Act of 1992 is amended to read as follows:

1           “(d) GUARANTEE FEE.—The Secretary shall estab-  
2   lish and collect, at the time of issuance of the guarantee,  
3   a fee for the guarantee of loans under this section, in an  
4   amount not exceeding 3 percent of the principal obligation  
5   of the loan. The Secretary may also establish and collect  
6   annual premium payments in an amount not exceeding 1  
7   percent of the remaining guaranteed balance (excluding  
8   the portion of the remaining balance attributable to the  
9   fee collected at the time of issuance of the guarantee). The  
10   Secretary shall establish the amount of the fees and pre-  
11   miums by publishing a notice in the Federal Register. The  
12   Secretary shall deposit any fees and premiums collected  
13   under this subsection in the Indian Housing Loan Guar-  
14   antee Fund established under subsection (i).”.

15           SEC. 1807. Notwithstanding section 1101, the level  
16   for “Department of Housing and Urban Development,  
17   Public and Indian Housing, Tenant-Based Rental Assist-  
18   ance” shall be \$14,939,369,000, to remain available until  
19   expended, which shall be available on October 1, 2012 (in  
20   addition to the \$4,000,000,000 previously appropriated  
21   under such heading that became available on October 1,  
22   2012), and, notwithstanding section 1111, an additional  
23   \$4,000,000,000, to remain available until expended, shall  
24   be available on October 1, 2013: *Provided*, That of the  
25   amounts available for such heading, \$1,375,000,000 shall

1 be for activities specified in paragraph (3) under such  
2 heading in title II of division C of Public Law 112–55:  
3 *Provided further*, That in applying paragraph 1 under such  
4 heading in such Public Law to 2013, under the penul-  
5 timate proviso strike “(4) for incremental” and all that  
6 follows up to the colon and insert “(4) for PHAs, that  
7 despite taking reasonable cost savings measures, as deter-  
8 mined by the Secretary, would otherwise be required to  
9 terminate participating families from the program due to  
10 insufficient funds”.

11 SEC. 1808. The heading “DEPARTMENT OF HOUSING  
12 AND URBAN DEVELOPMENT, PUBLIC AND INDIAN HOUS-  
13 ING, HOUSING CERTIFICATE FUND (RESCISSION)” in divi-  
14 sion C of Public Law 112–55 shall be applied by striking  
15 “(RESCISSION)” in the heading and by replacing all of the  
16 language under such heading with the language under  
17 such heading in division A of Public Law 111–117 and  
18 by striking “2010” in such replacement language and in-  
19 serting “2013”.

20 SEC. 1809. Notwithstanding section 1101, the level  
21 for “Department of Housing and Urban Development,  
22 Public and Indian Housing, Public Housing Operating  
23 Fund” shall be \$4,262,010,000: *Provided*, That such  
24 heading shall be applied in fiscal year 2013 by striking  
25 “, of which” and all that follows up to the period.

1       SEC. 1810. Section 216 in division C of Public Law  
2 112–55 shall be applied in fiscal year 2013 by striking  
3 “September 30, 2012” and inserting “September 30,  
4 2013”.

5                   **DIVISION G—OTHER MATTERS**

6       SEC. 3001. (a) There is hereby rescinded the applica-  
7 ble percentage (as specified in subsection (b)) of the budg-  
8 et authority provided (or obligation limit imposed) for fis-  
9 cal year 2013 for any discretionary account in divisions  
10 A through E of this Act; and

11       (b) For purposes of subsection (a), the applicable per-  
12 centage shall be—

13               (1) for budget authority in the nonsecurity cat-  
14 egory (as defined in section 250(c)(4)(A) of the Bal-  
15 anced Budget and Emergency Deficit Control Act of  
16 1985, in—

17                   (A) divisions A and E, 2.513 percent; and

18                   (B) division B , 1.877 percent; and

19               (2) for budget authority in the security category  
20 (as defined in section 250(c)(4)(B) of the Balanced  
21 Budget and Emergency Deficit Control Act of  
22 1985), 0.092 percent.

23       (c) Any rescission made by subsection (a) shall be ap-  
24 plied proportionately—

1           (1) to each discretionary account and each item  
2           of budget authority described in such subsection;  
3           and

4           (2) within each such account and item, to each  
5           program, project, and activity (with programs,  
6           projects, and activities as delineated in the applica-  
7           ble appropriation Act or accompanying reports cov-  
8           ering such account or item).

9           (d) This section shall not apply to amounts des-  
10          ignated by the Congress for Overseas Contingency Oper-  
11          ations/Global War on Terrorism pursuant to section  
12          251(b)(2)(A) of the Balanced Budget and Emergency  
13          Deficit Control Act of 1985 or as being for disaster relief  
14          pursuant to section 251(b)(2)(D) of such Act; and

15          (e) Within 30 days after the date of the enactment  
16          of this section, the Director of the Office of Management  
17          and Budget shall submit to the Committees on Appropria-  
18          tions of the House of Representatives and the Senate a  
19          report specifying the account and amount of each rescis-  
20          sion made pursuant to this section.

21          SEC. 3002. Notwithstanding any other provision of  
22          this Act, if, on or after the date of enactment of this Act,  
23          a sequestration order issued by the President pursuant to  
24          section 251A(7)(A) of the Balanced Budget and Emer-  
25          gency Deficit Control Act of 1985 is in effect, the reduc-

1 tions in each discretionary account under such order shall  
2 apply to the amounts provided in this Act consistent with  
3 section 253(f) of that Act, and shall be in addition to any  
4 reductions required by section 251(a) of that Act.

5       SEC. 3003. (a) The head of any Executive branch de-  
6 partment, agency, board, commission, or office funded by  
7 this or any other appropriations Act shall submit annual  
8 reports to the Inspector General or senior ethics official  
9 for any entity without an Inspector General, regarding the  
10 costs and contracting procedures related to each con-  
11 ference held by any such department, agency, board, com-  
12 mission, or office during fiscal year 2013 for which the  
13 cost to the United States Government was more than  
14 \$100,000.

15       (b) Each report submitted shall include, for each con-  
16 ference described in subsection (a) held during the applica-  
17 ble period—

18               (1) a description of its purpose;

19               (2) the number of participants attending;

20               (3) a detailed statement of the costs to the  
21 United States Government, including—

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

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

24                       (C) the cost of employee or contractor  
25 travel to and from the conference; and

1 (D) a discussion of the methodology used  
2 to determine which costs relate to the con-  
3 ference; and

4 (4) a description of the contracting procedures  
5 used including—

6 (A) whether contracts were awarded on a  
7 competitive basis; and

8 (B) a discussion of any cost comparison  
9 conducted by the departmental component or  
10 office in evaluating potential contractors for the  
11 conference.

12 (c) Within 15 days of the date of a conference held  
13 by any Executive branch department, agency, board, com-  
14 mission, or office funded by this or any other appropria-  
15 tions Act during fiscal year 2013 for which the cost to  
16 the United States Government was more than \$20,000,  
17 the head of any such department, agency, board, commis-  
18 sion, or office shall notify the Inspector General or senior  
19 ethics official for any entity without an Inspector General,  
20 of the date, location, and number of employees attending  
21 such conference.

22 (d) A grant or contract funded by amounts appro-  
23 priated by this or any other appropriations Act to an Ex-  
24 ecutive branch agency may not be used for the purpose  
25 of defraying the costs of a conference described in sub-

1 section (c) that is not directly and programmatically re-  
2 lated to the purpose for which the grant or contract was  
3 awarded, such as a conference held in connection with  
4 planning, training, assessment, review, or other routine  
5 purposes related to a project funded by the grant or con-  
6 tract.

7 (e) None of the funds made available in this or any  
8 other appropriations Act may be used for travel and con-  
9 ference activities that are not in compliance with Office  
10 of Management and Budget Memorandum M-12-12  
11 dated May 11, 2012.

12 SEC. 3004. (a) If, for fiscal year 2013, the amount  
13 of new budget authority provided in appropriation Acts  
14 exceeds the discretionary spending limits set forth in sec-  
15 tion 251(c)(2) of the Balanced Budget and Emergency  
16 Deficit Control Act on new budget authority for any cat-  
17 egory due to estimating differences with the Congressional  
18 Budget Office, the Director of the Office of Management  
19 and Budget shall increase the applicable percentage in  
20 subsection (c) with respect to that category by such  
21 amount as is necessary to eliminate the amount of the ex-  
22 cess in that category.

23 (b) Subject to subsection (a), there is hereby re-  
24 scinded the applicable percentage (as specified in sub-  
25 section (c)) of—



1           (1) the budget authority provided (or obligation  
2           limit imposed) for fiscal year 2013 for any discre-  
3           tionary account in divisions A through F of this Act;

4           (2) the budget authority provided in any ad-  
5           vance appropriation for fiscal year 2013 for any dis-  
6           cretionary account in any prior fiscal year appro-  
7           priation Act; and

8           (3) the contract authority provided in fiscal  
9           year 2013 for any program subject to limitation in-  
10          corporated or otherwise contained in divisions A  
11          through C of this Act.

12          (c) For purposes of subsection (b), the applicable per-  
13          centage shall be—

14               (1) for budget authority in the nonsecurity cat-  
15               egory (as defined in section 250(c)(4)(A) of the Bal-  
16               anced Budget and Emergency Deficit Control Act of  
17               1985), 0 percent; and

18               (2) for budget authority in the security category  
19               (as defined in section 250(c)(4)(B) of the Balanced  
20               Budget and Emergency Deficit Control Act of  
21               1985), 0 percent.

22          (d) Any rescission made by subsection (b) shall be  
23          applied proportionately—

1           (1) to each discretionary account and each item  
2 of budget authority described in such subsection;  
3 and

4           (2) within each such account and item, to each  
5 program, project, and activity (with programs,  
6 projects, and activities as delineated in the applica-  
7 ble appropriation Act or accompanying reports cov-  
8 ering such account or item).

9 (e) This section shall not apply to—

10           (1) amounts designated by the Congress for  
11 Overseas Contingency Operations/Global War on  
12 Terrorism pursuant to section 251(b)(2)(A) of the  
13 Balanced Budget and Emergency Deficit Control  
14 Act of 1985 or as being for disaster relief pursuant  
15 to section 251(b)(2)(D) of such Act; or

16           (2) the amount made available by division C of  
17 this Act for “Social Security Administration, Limita-  
18 tion on Administrative Expenses” for continuing dis-  
19 ability reviews under titles II and XVI of the Social  
20 Security Act and for the cost associated with con-  
21 ducting redeterminations of eligibility under title  
22 XVI of the Social Security Act.

23 (f) Within 30 days after the date of the enactment  
24 of this section, the Director of the Office of Management  
25 and Budget shall submit to the Committees on Appropria-

1 tions of the House of Representatives and the Senate a  
2 report specifying the account and amount of each rescis-  
3 sion made pursuant to this section.