

MILITARY CONSTRUCTION AND VETERANS
AFFAIRS AND RELATED AGENCIES APPRO-
PRIATIONS ACT, 2012

CONFERENCE REPORT

TO ACCOMPANY

H.R. 2055



DECEMBER 15, 2011.—Ordered to be printed

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MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND
RELATED AGENCIES APPROPRIATIONS ACT, 2012

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Mr. ROGERS of Kentucky, from the Committee on Conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 2055]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2055), making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Consolidated Appropriations Act, 2012”.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.*
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DIVISION I—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2012

Title I—Department of State and related agency
Title II—United States Agency for International Development
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Title IV—International security assistance
Title V—Multilateral assistance
Title VI—Export and investment assistance
Title VII—General provisions

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2012.

SEC. 5. AVAILABILITY OF FUNDS.

Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

**DIVISION A—DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2012**

TITLE I

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$43,298,409,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$26,803,334,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of

of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: Provided, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed site.

SEC. 9014. The amounts appropriated in title IX of this Act are hereby reduced by \$4,042,500,000 to reflect reduced troop strength in theater: Provided, That the reductions shall be applied to the military personnel and operation and maintenance appropriations only: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to reducing funds for this purpose, notify the congressional defense committees in writing of the details of any such reduction by appropriation and budget line item.

SEC. 9015. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Overseas Contingency Operations Transfer Fund, 2010”,
\$356,810,000;

“Procurement of Ammunition, Army, 2010/2012”,
\$21,000,000;

“Other Procurement, Air Force, 2010/2012”, \$2,250,000.

This division may be cited as the “Department of Defense Appropriations Act, 2012”.

DIVISION B—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2012

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed stud-

ated riparian and watershed resources, in any case in which there are willing sellers or willing participants”;

(2) in paragraph (2), by striking “in the Walker River” and all that follows through “119 Stat. 2268”;

(3) in paragraph (3), by striking “in the Walker River Basin”.

(b) WALKER BASIN RESTORATION PROGRAM.—Section 208(b) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85; 123 Stat. 2858) is amended—

(1) in paragraph (1)(B)(iv), by striking “exercise water rights” and inserting “manage land, water appurtenant to the land, and related interests”; and

(2) in paragraph (2)(A), by striking “The amount made available under subsection (a)(1) shall be provided to the National Fish and Wildlife Foundation” and inserting “Any amount made available to the National Fish and Wildlife Foundation under subsection (a) shall be provided”.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,825,000,000, to remain available until expended: Provided, That \$165,000,000 shall be available until September 30, 2013 for program direction: Provided further, That for the purposes of allocating weatherization assistance funds appropriated by this Act to States and tribes, the Secretary of Energy may waive the allocation formula established pursuant to section 414(a) of the Energy Conservation and Production Act (42 U.S.C. 6864(a)): Provided further, That of the unobligated balances available under this heading, \$9,909,000 are hereby rescinded: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the ac-

quisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$139,500,000, to remain available until expended: Provided, That \$27,010,000 shall be available until September 30, 2013 for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 10 buses, all for replacement only, \$768,663,000, to remain available until expended: Provided, That \$91,000,000 shall be available until September 30, 2013 for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$534,000,000, to remain available until expended: Provided, That \$120,000,000 shall be available until September 30, 2013 for program direction: Provided further, That for all programs funded under Fossil Energy appropriations in this Act or any other Act, the Secretary may vest fee title or other property interests acquired under projects in any entity, including the United States: Provided further, That of prior-year balances, \$187,000,000 are hereby rescinded: Provided further, That no rescission made by the previous proviso shall apply to any amount previously appropriated in Public Law 111-5 or designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, \$14,909,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as

amended (42 U.S.C. 6201 et seq.), \$192,704,000, to remain available until expended.

SPR PETROLEUM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

Of the amounts deposited in the SPR Petroleum Account established under section 167 of the Energy Policy and Conservation Act (42 U.S.C. 6247) in fiscal year 2011 which remain available for obligation under that section, \$500,000,000 are hereby permanently rescinded.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act, \$10,119,000, to remain available until expended: Provided, That amounts net of the purchase of 1 million barrels of petroleum distillates in fiscal year 2012; costs related to transportation, delivery, and storage; and sales of petroleum distillate from the Reserve under section 182 of the Energy Policy and Conservation Act (42 U.S.C. 6250a) are hereby permanently rescinded: Provided further, That notwithstanding section 181 of the Energy Policy and Conservation Act (42 U.S.C. 6250), for fiscal year 2012 and hereafter, the Reserve shall contain no more than 1 million barrels of petroleum distillate.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, \$105,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$235,721,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, \$472,930,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 49 passenger motor vehicles for replacement only, including one ambulance and one bus, \$4,889,000,000, to remain available until expended: Provided, That \$185,000,000 shall be available until September 30, 2013 for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For necessary expenses in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110-69), as amended, \$275,000,000: Provided, That \$20,000,000 shall be available until September 30, 2013 for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b)(2) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That for necessary administrative expenses to carry out this Loan Guarantee program, \$38,000,000 is appropriated to remain available until expended: Provided further, That \$38,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than \$0: Provided further, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, \$6,000,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses not to exceed \$30,000, \$237,623,000, to remain available until September 30, 2013, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases

of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total \$111,623,000 in fiscal year 2012 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during 2012, and any related appropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than \$126,000,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$42,000,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, the purchase of not to exceed one ambulance and one aircraft; \$7,233,997,000, to remain available until expended: Provided, That of such amount not more than \$89,425,000 may be made available for the B-61 Life Extension Program until the Administrator of the National Nuclear Security Administration submits to the Committees on Appropriations of the House of Representatives and the Senate a final report on the Phase 6.2a design definition and cost study.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one passenger motor vehicle for replacement only, \$2,324,303,000, to remain available until expended: Provided, That of the unobligated balances available under this heading, \$21,000,000 are hereby rescinded: Provided further, That no amounts may be rescinded from amounts that were designated by

the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$1,080,000,000, to remain available until expended: Provided, That \$40,000,000 shall be available until September 30, 2013 for program direction.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses not to exceed \$12,000, \$410,000,000, to remain available until September 30, 2013.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one ambulance and one fire truck for replacement only, \$5,023,000,000, to remain available until expended: Provided, That \$321,628,000 shall be available until September 30, 2013 for program direction.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 10 passenger motor vehicles for replacement only, \$823,364,000: Provided, That \$114,086,000 shall be available until September 30, 2013 for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for the Kootenai River Native Fish Conservation Aquaculture Program,

Lolo Creek Permanent Weir Facility, and Improving Anadromous Fish production on the Warm Springs Reservation, and, in addition, for official reception and representation expenses in an amount not to exceed \$7,000. During fiscal year 2012, no new direct loan obligations may be made.

**OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
ADMINISTRATION**

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$8,428,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to \$8,428,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than \$0: Provided further, That, notwithstanding 31 U.S.C. 3302, up to \$100,162,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

**OPERATION AND MAINTENANCE, SOUTHWESTERN POWER
ADMINISTRATION**

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, \$45,010,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$33,118,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than

\$11,892,000: Provided further, That, notwithstanding 31 U.S.C. 3302, up to \$40,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

**CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE,
WESTERN AREA POWER ADMINISTRATION**

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500; \$285,900,000, to remain available until expended, of which \$278,856,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$189,932,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than \$95,968,000, of which \$88,924,000 is derived from the Reclamation Fund: Provided further, That of the amount herein appropriated, not more than \$3,375,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$306,541,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$4,169,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June

18, 1954 (68 Stat. 255) as amended: *Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to \$3,949,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary off-setting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than \$220,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred.*

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed \$3,000, \$304,600,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed \$304,600,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2012 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 301. (a) *No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.*

(b) *The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading "Department of Energy—Energy Programs", enter into a multi-year contract, award a multi-year grant, or enter into a multi-year cooperative agreement unless the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future-year budget authority and the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 14 days in advance.*

(c) Except as provided in this section, the amounts made available by this title shall be expended as authorized by law for the projects and activities specified in the "Conference" column in the "Department of Energy" table included under the heading "Title III—Department of Energy" in the joint explanatory statement accompanying this Act.

(d) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 30 days prior to the use of any proposed reprogramming which would cause any program, project, or activity funding level to increase or decrease by more than \$5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(e) Notwithstanding subsection (c), none of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity,

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act, or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(f)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2012 until the enactment of the Intelligence Authorization Act for fiscal year 2012.

SEC. 304. (a) SUBMISSION TO CONGRESS.—The Secretary of Energy shall submit to Congress each year, at the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years energy program reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years energy program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years. A future-

years energy program shall be included in the fiscal year 2014 budget submission to Congress and every fiscal year thereafter.

(b) **ELEMENTS.**—Each future-years energy program shall contain the following:

(1) The estimated expenditures and proposed appropriations necessary to support programs, projects, and activities of the Secretary of Energy during the 5-fiscal year period covered by the program, expressed in a level of detail comparable to that contained in the budget submitted by the President to Congress under section 1105 of title 31, United States Code.

(2) The estimated expenditures and proposed appropriations shaped by high-level, prioritized program and budgetary guidance that is consistent with the administration's policies and out year budget projections and reviewed by the Department of Energy's (DOE) senior leadership to ensure that the future-years energy program is consistent and congruent with previously established program and budgetary guidance.

(3) A description of the anticipated workload requirements for each DOE national laboratory during the 5-fiscal year period.

(c) **CONSISTENCY IN BUDGETING.**—

(1) The Secretary of Energy shall ensure that amounts described in subparagraph (A) of paragraph (2) for any fiscal year are consistent with amounts described in subparagraph (B) of paragraph (2) for that fiscal year.

(2) Amounts referred to in paragraph (1) are the following:

(A) The amounts specified in program and budget information submitted to Congress by the Secretary of Energy in support of expenditure estimates and proposed appropriations in the budget submitted to Congress by the President under section 1105(a) of title 31, United States Code, for any fiscal year, as shown in the future-years energy program submitted pursuant to subsection (a).

(B) The total amounts of estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the administration included pursuant to paragraph (5) of section 1105(a) of such title in the budget submitted to Congress under that section for any fiscal year.

SEC. 305. Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) **SPECIFIC APPROPRIATION OR CONTRIBUTION.**—

“(1) **IN GENERAL.**—No guarantee shall be made unless—

“(A) an appropriation for the cost of the guarantee has been made;

“(B) the Secretary has received from the borrower a payment in full for the cost of the guarantee and deposited the payment into the Treasury; or

“(C) a combination of one or more appropriations under subparagraph (A) and one or more payments from the borrower under subparagraph (B) has been made that is sufficient to cover the cost of the guarantee.”.

SEC. 306. Plant or construction projects for which amounts are made available under this and subsequent appropriation Acts with

a current estimated cost of less than \$10,000,000 are considered for purposes of section 4703 of Public Law 107-314 as a plant project for which the approved total estimated cost does not exceed the minor construction threshold and for purposes of section 4704 of Public Law 107-314 as a construction project with a current estimated cost of less than a minor construction threshold.

SEC. 307. In section 839b(h)(10)(B) of title 16, United States Code, strike "\$1,000,000" and insert "\$2,500,000".

SEC. 308. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Health, Safety, and Security to ensure the project is in compliance with nuclear safety requirements.

SEC. 309. Of the amounts appropriated in this title, \$73,300,000 are hereby rescinded, to reflect savings from the contractor pay freeze instituted by the Department. The Department shall allocate the rescission among the appropriations made in this title.

SEC. 310. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds \$100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 311. None of the funds made available in this title may be used to make a grant allocation, discretionary grant award, discretionary contract award, or Other Transaction Agreement, or to issue a letter of intent, totaling in excess of \$1,000,000, or to announce publicly the intention to make such an allocation, award, or Agreement, or to issue such a letter, including a contract covered by the Federal Acquisition Regulation, unless the Secretary of Energy notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making such an allocation, award, or Agreement, or issuing such a letter: Provided, That if the Secretary of Energy determines that compliance with this section would pose a substantial risk to human life, health, or safety, an allocation, award, or Agreement may be made, or a letter may be issued, without advance notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after the date on which such an allocation, award, or Agreement is made or letter issued: Provided further, That the notification shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, and the account and program from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

SEC. 312. (a) Any determination (including a determination made prior to the date of enactment of this Act) by the Secretary pursuant to section 3112(d)(2)(B) of the USEC Privatization Act (110 Stat. 1321-335), as amended, that the sale or transfer of uranium will not have an adverse material impact on the domestic uranium mining, conversion, or enrichment industry shall be valid for not more than 2 calendar years subsequent to such determination.

(b) *Not less than 30 days prior to the transfer, sale, barter, distribution, or other provision of uranium in any form for the purpose of accelerating cleanup at a Federal site, the Secretary shall notify the House and Senate Committees on Appropriations of the following:*

(1) *the amount of uranium to be transferred, sold, bartered, distributed, or otherwise provided;*

(2) *an estimate by the Secretary of the gross market value of the uranium on the expected date of the transfer, sale, barter, distribution, or other provision of the uranium;*

(3) *the expected date of transfer, sale, barter, distribution, or other provision of the uranium;*

(4) *the recipient of the uranium; and*

(5) *the value of the services the Secretary expects to receive in exchange for the uranium, including any reductions to the gross value of the uranium by the recipient.*

(c) *Not later than June 30, 2012, the Secretary shall submit to the House and Senate Committees on Appropriations a revised excess uranium inventory management plan for fiscal years 2013 through 2018.*

(d) *Not later than December 31, 2011 the Secretary shall submit to the House and Senate Committees on Appropriations a report evaluating the economic feasibility of re-enriching depleted uranium located at Federal sites.*

SEC. 313. None of the funds made available by this Act may be used to pay the salaries of Department of Energy employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009.

SEC. 314. (a) The Secretary of Energy may openly compete and issue an award to allow a third party, on a fee-for-service basis, to operate and maintain a metering station of the Strategic Petroleum Reserve that is underutilized (as defined in section 102-75.50 of title 41, Code of Federal Regulations (or successor regulations)) and related equipment.

(b) *Not later than 30 days before the issuance of such award, the Secretary of Energy shall certify to the Committees on Appropriations of the House of Representatives and the Senate that the award will not reduce the reliability or accessibility of the Strategic Petroleum Reserve, raise costs of oil in the local market, or negatively impact the supply of oil to current users.*

(c) *Funds collected under subsection (a) shall be deposited in the general fund of the Treasury.*

SEC. 315. None of the funds made available in this Act may be used—

(1) *to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or*

(2) *to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.*

SEC. 316. Recipients of grants awarded by the Department in excess of \$1,000,000 shall certify that they will, by the end of the fiscal year, upgrade the efficiency of their facilities by replacing any lighting that does not meet or exceed the energy efficiency standard

for incandescent light bulbs set forth in section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295).

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$68,263,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$29,130,000, to remain available until September 30, 2013: Provided, That within 90 days of enactment of this Act, the Defense Nuclear Facilities Safety Board shall enter into an agreement for inspector general services with the Office of Inspector General for the Nuclear Regulatory Commission for fiscal years 2012 and 2013: Provided further, That at the expiration of such agreement, the Defense Nuclear Facilities Safety Board shall procure inspector general services annually thereafter.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, \$11,677,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, \$10,679,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105-277), as amended by section 701 of appendix D, title VII, Public Law 106-113 (113 Stat. 1501A-280), and an amount not to exceed 50 percent for non-distressed communities.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in this Act or any other appropriation Act.

SEC. 503. None of the funds made available under this Act may be expended for any new hire by any Federal agency funded in this Act that is not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 504. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 505. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 506. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (“Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”).

This division may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2012”.

**DIVISION C—FINANCIAL SERVICES AND GENERAL
GOVERNMENT APPROPRIATIONS ACT, 2012**

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; terrorism and financial intelligence activities; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities; and Treasury-wide management policies and programs activities, \$308,388,000: Provided, That of the amount appropriated under this heading, \$100,000,000 is for the Office of Terrorism and Financial Intelligence, of which not to exceed \$26,608,000 is available for administrative expenses: Provided further, That of the amount appropriated under this heading, not to exceed \$3,000,000, to remain available until September 30, 2013, is for information technology modernization requirements; not to exceed \$350,000 is for official reception and representation expenses; and not to exceed \$258,000 is for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: Provided further, That of the amount appropriated under this heading, \$6,787,000, to remain available until September 30, 2013, is for the Treasury-wide Financial Statement Audit and Internal Control Program: Provided further, That of the amount appropriated under this heading, \$500,000, to remain available until September 30, 2013, is for secure space requirements: Provided further, That of the amount appropriated under this heading, up to \$3,400,000, to remain available until September 30, 2014, is to develop and implement programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements: Provided further, That notwithstanding any other provision of law, of the amount appropriated under this heading, up to \$1,000,000 may be contributed to the Organization for Economic Cooperation and Development for the Department's participation in programs related to global tax administration.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$29,641,000, including hire of passenger motor vehicles; of which not to exceed \$100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; and of which not

convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 632. Section 8909a(d)(3)(A)(v) of title 5, United States Code, is amended by striking the date specified in such section and inserting "August 1, 2012".

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2012 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at \$13,197 except station wagons for which the maximum shall be \$13,631: Provided, That these limits may be exceeded by not to exceed \$3,700 for police-type vehicles, and by not to exceed \$4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 over the cost of comparable conventionally fueled vehicles: Provided further, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on emerging motor vehicle technology, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922-5924.

SEC. 704. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United

States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: Provided, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: Provided further, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: Provided further, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than \$4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: Provided further, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: Provided further, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13423 (January 24, 2007), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) *Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.*

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of \$5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding section 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 712. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to 5 U.S.C. 3302, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from—

- (1) the Central Intelligence Agency;*
- (2) the National Security Agency;*
- (3) the Defense Intelligence Agency;*
- (4) the National Geospatial-Intelligence Agency;*
- (5) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;*
- (6) the Bureau of Intelligence and Research of the Department of State;*
- (7) any agency, office, or unit of the Army, Navy, Air Force, or Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation or the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, or the Department of Energy performing intelligence functions; or*
- (8) the Director of National Intelligence or the Office of the Director of National Intelligence.*

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 715. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act of 1989 (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.": Provided, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) Effective 180 days after enactment of this Act, subsection (a) is amended by—

(1) striking "Executive Order No. 12958" and inserting "Executive Order No. 13526 (75 Fed. Reg. 707), or any successor thereto";

(2) after "the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents);" inserting "sections 7(c) and 8H of the Inspector General Act of 1978 (5 U.S.C. App.) (relating to disclosures to an inspector general, the inspectors general

of the Intelligence Community, and Congress); section 103H(g)(3) of the National Security Act of 1947 (50 U.S.C. 403-3h(g)(3) (relating to disclosures to the inspector general of the Intelligence Community); sections 17(d)(5) and 17(e)(3) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q(d)(5) and 403q(e)(3)) (relating to disclosures to the Inspector General of the Central Intelligence Agency and Congress); and (3) after "Subversive Activities" inserting "Control".

(c) A nondisclosure agreement entered into before the effective date of the amendment in subsection (b) may continue to be implemented and enforced after that effective date if it complies with the requirements of subsection (a) that were in effect prior to the effective date of the amendment in subsection (b).

SEC. 716. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 717. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 718. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 719. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 720. (a) In this section, the term "agency"—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the Postal Service, and the Postal Regulatory Commission.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

(TRANSFER OF FUNDS)

SEC. 722. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: Provided, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): Provided further, That the total funds transferred or reimbursed shall not exceed \$17,000,000 for Government-Wide innovations, initiatives, and activities: Provided further, That the funds transferred to or for reimbursement of "General Services Administration, Government-wide Policy" during fiscal year 2012 shall remain available for obligation through September 30, 2013: Provided further, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 723. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 724. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 725. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: Provided, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 726. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) **EXCEPTIONS.**—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) **DEFINITIONS.**—For the purposes of this section:

(1) The term “regulatory” means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term “supervisory” means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 727. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 728. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through test-

ing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 729. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A-126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 730. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 731. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 732. (a) For fiscal year 2012, no funds shall be available for transfers or reimbursements to the E-Government initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget and receipt of approval to transfer funds by the Committees on Appropriations of the House of Representatives and the Senate.

(b) The report in subsection (a) and other required justification materials shall include at a minimum—

(1) a description of each initiative including but not limited to its objectives, benefits, development status, risks, cost effectiveness (including estimated net costs or savings to the government), and the estimated date of full operational capability;

(2) the total development cost of each initiative by fiscal year including costs to date, the estimated costs to complete its development to full operational capability, and estimated annual operations and maintenance costs; and

(3) the sources and distribution of funding by fiscal year and by agency and bureau for each initiative including agency contributions to date and estimated future contributions by agency.

(c) No funds shall be available for obligation or expenditure for new E-Government initiatives without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 733. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A-76 or any other administrative regulation, directive, or policy.

SEC. 734. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 735. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) and regulations implementing that section.

SEC. 736. Each executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. Such evaluations for individually billed travel charge cards shall include an assessment of the individual's consumer report from a consumer reporting agency as those terms are defined in section 603 of the Fair Credit Reporting Act (Public Law 91-508): Provided, That the department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: Provided further, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

SEC. 737. (a) DEFINITIONS.—For purposes of this section the following definitions apply:

(1) GREAT LAKES.—The terms "Great Lakes" and "Great Lakes State" have the same meanings as such terms have in section 506 of the Water Resources Development Act of 2000 (42 U.S.C. 1962d-22).

(2) GREAT LAKES RESTORATION ACTIVITIES.—The term "Great Lakes restoration activities" means any Federal or State activity primarily or entirely within the Great Lakes watershed that seeks to improve the overall health of the Great Lakes ecosystem.

(b) REPORT.—Not later than 45 days after submission of the budget of the President to Congress, the Director of the Office of Management and Budget, in coordination with the Governor of each Great Lakes State and the Great Lakes Interagency Task Force,

shall submit to the appropriate authorizing and appropriating committees of the Senate and the House of Representatives a financial report, certified by the Secretary of each agency that has budget authority for Great Lakes restoration activities, containing—

(1) an interagency budget crosscut report that—

(A) displays the budget proposed, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carries out Great Lakes restoration activities in the upcoming fiscal year, separately reporting the amount of funding to be provided under existing laws pertaining to the Great Lakes ecosystem; and

(B) identifies all expenditures since fiscal year 2004 by the Federal Government and State governments for Great Lakes restoration activities;

(2) a detailed accounting of all funds received and obligated by all Federal agencies and, to the extent available, State agencies using Federal funds, for Great Lakes restoration activities during the current and previous fiscal years;

(3) a budget for the proposed projects (including a description of the project, authorization level, and project status) to be carried out in the upcoming fiscal year with the Federal portion of funds for activities; and

(4) a listing of all projects to be undertaken in the upcoming fiscal year with the Federal portion of funds for activities.

SEC. 738. (a) *IN GENERAL.*—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) *WAIVERS.*—

(1) *IN GENERAL.*—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) *REPORT TO CONGRESS.*—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) *EXCEPTION.*—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 739. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled “Competitive Area” published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 740. Section 743 of the Consolidated Appropriations Act, 2010 (Public Law 111–117; 31 U.S.C. 501 note) is amended in subsection (a)(3), by inserting after “exercise of an option” the following: “, and task orders issued under any such contract.”

SEC. 741. During fiscal year 2012, for each employee who—

(1) retires under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code, or

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit

to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 742. Except as expressly provided otherwise, any reference to "this Act" contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

SEC. 743. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract to disclose any of the following information as a condition of submitting the offer:

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any person with the intent or the reasonable expectation that the person will use the funds to make a payment described in paragraph (1).

(b) In this section, each of the terms "contribution", "expenditure", "independent expenditure", "electioneering communication", "candidate", "election", and "Federal office" has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

SEC. 744. Notwithstanding any other provision of law, until September 30, 2013, of the amounts made available for information technology investments under the heading "Independent Agencies, Commodity Futures Trading Commission" in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012 (division A of Public Law 112-55), the Chairman of the Commodity Futures Trading Commission may transfer not to exceed \$10,000,000 under such heading for salaries and expenses of such Commission: Provided, That any transfer pursuant to this section shall be subject to the notification procedures set forth in section 730 of such Act with respect to a reprogramming of funds and shall not be available for obligation or expenditure except in compliance with such procedures.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

SEC. 801. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 802. None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes the Department of Defense Appropriations Act, 2012; the Energy and Water Development Appropriations Act, 2012; the Financial Services and General Government Appropriations Act, 2012; the Department of Homeland Security Appropriations Act, 2012; the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012; the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012; the Legislative Branch Appropriations Act, 2012; the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012; and the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012.

The conference agreement includes a provision stating that each amount designated by Congress as being for Overseas Contingency Operations/Global War on Terrorism is contingent on the President so designating all such amounts and transmitting such designations to Congress. The provision is consistent with new requirements enacted in the Budget Control Act of 2011 for Overseas Contingency Operations/Global War on Terrorism designations by the President.

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

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

The conference agreement on the Department of Defense Appropriations Act, 2012, incorporates some of the provisions of both the House and the Senate versions of the bill. The language and allocations set forth in House Report 112–110 and Senate Report 112–77 shall be complied with unless specifically addressed to the contrary in the accompanying bill and explanatory statement.

DIVISION B—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2012 JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The language and allocations set forth in House Report 112–118 and Senate Report 112–75 should be complied with unless specifically addressed to the contrary in the conference report and statement of managers. Report language included by the House which is not contradicted by the report of the Senate or the conference, and Senate report language which is not contradicted by the report of the House or the conference is approved by the committee of conference. The statement of managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate report address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House report and Senate report are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

Funds for the individual programs and activities within the accounts in this Act are displayed in the detailed table at the end of the explanatory statement for this Act. Funding levels that are not displayed in the detailed table are identified in this explanatory statement.

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables included in this title set forth the dispositions with respect to the individual appropriations, projects, and activities of the Corps of Engineers. The conference agreement includes no new starts as proposed by the House and Senate. Additional items of the Act are discussed below.

INVESTIGATIONS

The conference agreement provides \$125,000,000 for Investigations as proposed by the Senate, instead of \$104,000,000 as proposed by the House. The Act does not include language regarding expenditure of funds as proposed by the House.

The allocation for projects and activities within the Investigations account is shown in the following table:

under the San Joaquin River Restoration Fund. The House proposed no similar provision.

The conference agreement includes a provision proposed by the Senate regarding the Desert Terminal Lakes Program. The House proposed no similar provision.

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the dispositions with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items in the Act are discussed below.

The conference agreement provides \$25,748,081,000 for the Department of Energy, instead of \$24,722,046,000 as proposed by the House and \$25,548,976,000 as proposed by the Senate, to fund programs in its five primary mission areas: science, energy, environment, nuclear non-proliferation and national security.

Contractor Pensions and Benefits.—The conferees support actions taken to improve headquarters oversight of contractor pensions and other post-retirement benefits. Given the government has assumed the long-term liability for pension costs, the conferees encourage the Department to evaluate alternatives to contractually formalize requirements for the management of pension and other post-retirement benefits. Instead of the House direction on reporting requirements for pensions and prohibition on contribution amounts, the conferees direct the Department to report current plan status, funding ratios, reimbursement levels, projected plan status at budgeted levels, and any updates to funding ratios and contributions with or as supplemental information to the budget request. This information should be updated in April and September of each year. Changes to expected contribution levels should be clearly explained and the Department should note any changes in plan management that have impacted contribution amounts. Any funding request which proposes a contribution in excess of the minimum ERISA or Pension Protection Act requirements should include a detailed justification.

Nuclear Safety.—Instead of the House direction for a safety review of all cleanup sites, the conferees direct the Secretary of Energy to review all Department of Energy nuclear facility construction projects with a total project cost greater than \$1,000,000,000 to determine if those projects are being managed in a way which could pressure contractors or Department managers to disregard nuclear safety in order to demonstrate acceptable project performance. The review should investigate contract management, including the award of contractor fee, project management practices, and the framing of program and policy goals to evaluate if Department practices have complicated efforts to foster a positive nuclear safety culture or resolve nuclear safety-related design issues. The Secretary shall report to the House and Senate Committees on Appropriations no later than May 1, 2012, on improvements to contracting and other management practices which will assist Department managers in ensuring that design flaws and safety issues do not go ignored or unrecognized.

H-Canyon.—Instead of the House requirement to provide funding to the National Academy of Sciences, the Department shall conduct its own review to explore the full range of potential uses for the chemical processing areas of H-Canyon at the Savannah River Site and report back to the House and Senate Committees on Appropriations within 3 months of enactment of this Act. The options considered should not be limited to uses by the Office of Environmental Management, but should incorporate uses which may contribute to meeting the goals of other program offices within the Department of Energy and the National Nuclear Security Administration.

Exascale Computing.—The conferees support the Department's initiative to develop exascale computing as a crucial component of long-term U.S. leadership, but are concerned that the Department has not yet developed an integrated strategy and program plan. The Department is directed to submit to the House and Senate Committees on Appropriations, not later than February 10, 2012, a joint, integrated strategy and program plan for the crosscutting effort to develop exascale computing that includes:

- a target date for developing an operational exascale platform;
- interim milestones toward reaching that target;
- minimum requirements for an exascale system, including power consumption efficiency goals;
- multi-year budget estimates for the exascale initiative and costs of meeting each interim milestone;
- clear roles and responsibilities for each office involved in exascale research and development; and
- a complete listing of exascale activities included in the fiscal year 2013 budget request broken out by program, project and activity with comparisons to the current year's funding levels.

Energy Innovation Hubs.—For each Energy Innovation Hub funded in this Act, the Department is directed to deliver to the House and Senate Committees on Appropriations, not later than 120 days after enactment of this Act, a report detailing milestones and performance goals for the end of each of the Hub's five fiscal years, and specific milestones and performance criteria the Hub must meet to be considered for a second five-year term. For Hubs established in prior fiscal years, the report shall include current performance against planned milestones, and a summary of progress against plans for staffing and facilities. For new Hubs, the report shall include a plan and timeline for selecting an awardee.

PCAST Recommendations.—The conferees direct the Secretary of Energy, within 6 months of enactment of this Act, to submit a report detailing how the Department has or will implement in all Energy Programs the following features that have been used successfully in ARPA-E and highlighted by the President's Council of Advisors on Science and Technology:

- a rigorous review process;
- contract or grant negotiations completed in just a few months;

—co-location within the program offices of such support functions as procurement, contracts, human resources, and information technology services; and

—an agile and innovative workforce.

REPROGRAMMING REQUIREMENTS

The conference agreement carries the Department's reprogramming authority in statute to ensure that the Department carries out its programs consistent with congressional direction, as proposed by the House. This modified provision includes reprogramming authority internal to each account, as long as no program, project or activity is increased or decreased by more than \$5,000,000 or 10 percent, compared to the levels included in the "Conference" column in the "Department of Energy" table included under the heading "Title III—Department of Energy" in this joint explanatory statement. No new transfer authority between accounts other than that explicitly granted in this Act is included or implied. The conferees expect the Department to use this additional flexibility to improve budget execution, meet emergent program needs, and reduce program costs. For reallocations above the \$5,000,000 or 10 percent cumulative threshold, a reprogramming request must be submitted to the House and Senate Committees on Appropriations for consideration and may not be implemented prior to approval by the Committees. Any reallocation of new or prior-year budget authority or prior-year de-obligations, or any request to implement a reorganization which includes moving previous appropriations between appropriations accounts must be submitted to the House and Senate Committees on Appropriations in writing and may not be implemented prior to approval by the Committees.

Definitions.—A reprogramming includes the reallocation of funds from one program, project or activity to another within an appropriation.

The conferees are concerned the Department is over-committing future budgets by announcing multi-year awards subject to future appropriations for a substantial portion of activities within Energy Programs. The Department is directed to transition to a model in which it fully funds multi-year awards with appropriated funds, except in the cases of major capital projects, management and operating contracts, and large research centers which require multi-year awards subject to appropriations. As part of that transition, the conference agreement includes a provision requiring that any multi-year award must be subject to appropriations and the Department must notify the House and Senate Committees on Appropriations at least 14 calendar days prior to public announcement of the award. The Department shall deliver each notification as a cumulative list of all notifications under this subsection, to include: recipient; appropriations account, program, and activity; award date; total amount of award; amount awarded from fiscal year 2012 appropriations; amount awarded from prior appropriations; amount awarded subject to future appropriations; and an explanation of the special circumstances justifying commitment of future funds. The conferees do not include a House provision prohibiting the use of multi-year awards, but will reconsider this legisla-

tive prohibition in future years depending on the Department's performance in transitioning to fully funding its multi-year awards.

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING RESCISSION OF FUNDS)

The conference agreement provides \$1,825,000,000 in new budget authority for Energy Efficiency and Renewable Energy, instead of \$1,308,436,000 as proposed by the House and \$1,795,641,000 as proposed by the Senate, and rescinds \$9,909,000 in prior-year balances.

The conference agreement does not include a Senate provision directing energy efficiency rulemakings for televisions and set-top boxes within 12 months of enactment of this Act. The conference agreement does not include a Senate provision regarding the Defense Production Act.

Biomass and Biorefinery Systems Research and Development.—The conferees strongly encourage the Department to conduct only research, development, and demonstration activities advancing technologies that produce fuels and electricity from biomass, crops and crop components that could not otherwise be used as food. To that end, the conferees support efforts to develop cellulosic feedstocks and direct the Department to consider a broad portfolio of options, including biofuels sources such as the non-food components of biomass sorghum.

Within available funds, a total of \$30,000,000 is provided for algae biofuels. The conference agreement includes no funds for the cellulosic biofuels reverse auction proposed in the request.

Solar Energy.—The conferees support the Department's existing solar energy research, development, and demonstration activities, and encourage the Department to include in these efforts disruptive solar energy utilization technologies, fabrication methods that yield ultra-low cost solar cells, technologies for ultra-high efficiency solar cells, technologies designed to simulate the operation of solar cells, and other methods to yield advanced science and engineering approaches to solar cells.

Wind Energy.—The conferees support the Department's efforts to develop advanced offshore wind energy technologies, including freshwater, deepwater, shallow water, and transitional depth installations.

Geothermal Technology.—The Geothermal Technology program may not announce new funding opportunities that result in total mortgages on future fiscal years in excess of half of the program's fiscal year 2012 appropriation. Within available funds, the conferees direct the Department to make not less than \$5,000,000 available to continue development and deployment of low-temperature geothermal systems. The Department shall continue its support of comprehensive programs that support academic and professional development initiatives. For future awards, the full spectrum of geothermal technologies as authorized by the Energy Independence and Security Act of 2007 (Public Law 110-140) shall be

eligible for the funds appropriated for Geothermal Technology by this Act.

Water Power.—The conference agreement provides \$59,000,000 for Water Power, of which \$34,000,000 is for marine and hydrokinetic technology research, development and demonstration, and \$25,000,000 is for conventional hydropower research, development and demonstration. Within available funds, the Department is directed to provide not less than \$10,000,000 to build necessary infrastructure, including environmental performance monitoring, at marine and hydrokinetic industry testing sites designated by the Department as National Marine Renewable Energy Centers.

Vehicle Technologies.—The conference agreement includes \$28,244,000 for lightweight materials, to include \$4,000,000 for modeling and design for vehicle optimization. The conferees provide \$28,000,000 for Vehicle Technologies Deployment, of which \$3,000,000 is to commission a National Academies study on electric vehicle market barriers, as directed in the House report.

Building Technologies.—The conference agreement includes \$24,300,000 for the Energy Efficient Building Systems Design Energy Innovation Hub, and the House direction for a strategic plan regarding geothermal heat pumps. The conferees provide \$25,832,000 for lighting research and development, to include \$12,000,000 for research and development into manufacturing improvements for general illumination solid state lighting. The conference agreement includes no funds within Commercial Buildings Integration for new state and municipal government grant programs relating to codes, performance standards and regulations.

Industrial Technologies.—The conference agreement includes \$20,000,000 for the Energy Innovation Hub for Critical Materials. Within available funds, the conference agreement includes not less than \$4,205,000 for improvements in production in the steel industry, and the Department is directed to continue supporting improvements in mechanical insulation. The Department is directed to continue funding mortgages on all past multi-year awards within the Combined Heat and Power program, unless a project fails to meet milestones or other terms of the award. The conferees provide no funding for Manufacturing Energy Systems.

Strategic Programs.—The Department is directed to only fund activities within the International Program that directly benefit domestic industry, increase American energy self-sufficiency, further United States research efforts, or reduce domestic pollution. Within available funds, the conference agreement includes \$2,000,000 for the U.S.-Israel energy cooperative agreement.

Weatherization Assistance.—The conference agreement includes a provision giving the Secretary authority to waive the weatherization formula in order to distribute fiscal year 2012 funds to states, once they have spent all prior-year and emergency funds, at a rate of spending consistent with the fiscal year 2011 level.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

The conference agreement provides \$139,500,000 for Electricity Delivery and Energy Reliability, instead of \$139,496,000 as proposed by the House and \$141,010,000 as proposed by the Senate.

The conferees provide \$25,490,000 for Clean Energy Transmission and Reliability, and include no funds for the proposed Smart Grid Technology and Systems Energy Innovation Hub. The conference agreement includes \$24,000,000 for Smart Grid Research and Development, \$20,000,000 for Energy Storage, and \$30,000,000 for Cyber Security for Energy Delivery Systems.

NUCLEAR ENERGY

The conference agreement provides \$768,663,000 for nuclear energy activities, instead of \$733,633,000 as proposed by the House and \$583,834,000 as proposed by the Senate.

The conferees direct the Department to develop a strategy for the management of spent nuclear fuel and other nuclear waste within 6 months of publication of the final report of the Blue Ribbon Commission on America's Nuclear Future.

Nuclear Energy Enabling Technologies.—The conference agreement provides \$74,880,000, to include \$14,580,000 for the National Science User Facility at Idaho National Laboratory, \$24,300,000 for the Modeling and Simulation Energy Innovation Hub, and \$36,000,000 for Crosscutting Research.

Small Modular Reactor Licensing Technical Support.—The conference agreement includes \$67,000,000 to provide licensing and first-of-a-kind engineering support for small modular reactor designs that can be deployed expeditiously, to be administered as specified in the budget request. The Department is directed to consider applications utilizing any small modular reactor technologies. The conferees expect the program to total \$452,000,000 over five years.

Reactor Concepts Research and Development.—The conferees provide \$115,544,000, to include \$28,674,000 for Small Modular Reactors Advanced Concepts and \$21,870,000 for Advanced Reactor Concepts.

The conference agreement includes \$25,000,000 for Light Water Reactor Sustainability. Within available funds, the Department is directed to conduct research and development furthering knowledge on how long the current fleet of reactors can safely operate.

The conference agreement includes \$40,000,000 for the Next Generation Nuclear Plant program, \$30,000,000 of which is to accelerate fuel development and qualification activities and \$10,000,000 of which is to continue ongoing research and development projects begun in prior fiscal years.

Fuel Cycle Research and Development.—The conference agreement provides \$187,351,000.

The conference agreement includes \$60,000,000 for Used Nuclear Fuel Disposition. Within available funds, \$10,000,000 is for development and licensing of standardized transportation, aging, and disposition canisters and casks. Multiple geologic repositories will ultimately be required for the long-term disposition of the nation's spent fuel and nuclear waste; the Department should build upon its current knowledge base to fully understand all repository media and storage options and their comparative advantages, and the conferees direct the Department to focus, within available funds, \$3,000,000 on development of models for potential partner-

ships to manage spent nuclear fuel and high level waste, and \$7,000,000 on characterization of potential geologic repository media. The Department is directed to preserve all documentation relating to Yucca Mountain, including technical information, records, and other documents, as well as scientific data and physical materials.

The conference agreement includes \$10,000,000 to expand the Department's capabilities for assessing issues related to the aging and safety of storing spent nuclear fuel, to include experimentation, modeling, and simulation for dry storage casks, as well as for spent fuel pools, as necessary.

The conference agreement includes \$59,000,000 for Advanced Fuels, and directs that priority for the increase in funding be given to efforts to develop and qualify meltdown-resistant, accident-tolerant nuclear fuels that would enhance the safety of light water reactors.

Radiological Facilities Management.—The conference agreement provides \$64,902,000 for space and defense infrastructure, to include \$15,000,000 for nuclear infrastructure at Oak Ridge National Laboratory. The conferees provide no funds for the Plutonium-238 Production Restart Project.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING RESCISSION OF FUNDS)

The conference agreement provides \$534,000,000 in new budget authority for Fossil Energy Research and Development, instead of \$476,993,000 as proposed by the House and \$445,471,000 as proposed by the Senate, and rescinds \$187,000,000 in prior-year balances, as proposed by the Senate. The conference agreement does not include the use of prior-year balances, as proposed by the House and the Senate.

CCS and Power Systems.—The conferees provide \$368,609,000 for CCS and Power Systems. The conference agreement includes \$100,000,000 for Advanced Energy Systems, to include \$5,000,000 for Coal and Coal-Biomass to Liquids, and not less than \$25,000,000 to continue research, development, and demonstration of solid oxide fuel cell systems.

Within CCS and Power Systems, the conference agreement includes \$35,031,000 for NETL Coal Research and Development, to include Integrated Gasification Combined Cycle, Turbines, Carbon Sequestration, Fuels, Fuel Cells, and Advanced Research activities. The reduction in Program Direction funding reflects the relocation of NETL Direct Program Direction into this research line, in order to increase transparency by grouping together all fossil energy research activities and by including only oversight and management activities within Program Direction. The Department is directed to continue including in the budget request all full-time equivalent information within this program line, as it has been doing previously within Program Direction.

Natural Gas Technologies.—The conference agreement provides \$15,000,000, of which \$10,000,000 is for gas hydrates research.

Other Programs.—Within available funds, the conference agreement includes \$2,000,000 for the Department to continue the Risk Based Data Management System.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The conference agreement provides \$14,909,000 for the operation of the Naval Petroleum and Oil Shale Reserves as proposed by the House and Senate.

STRATEGIC PETROLEUM RESERVE

The conference agreement provides \$192,704,000 for the Strategic Petroleum Reserve as proposed by the House and Senate.

SPR PETROLEUM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

The conference agreement includes a rescission of funds in the amount of \$500,000,000 from existing balances within this account, rather than direction included in the House and Senate bills to sell an additional \$500,000,000 of Reserves to enable operational maintenance of the caverns. A sale in calendar year 2011 unanticipated by the Administration's fiscal year 2012 budget request provides the necessary flexibility to address the infrastructure needs. The conference agreement includes no repeal or modification of royalty-in-kind provisions, as proposed by the Senate and House, respectively.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

The conference agreement provides \$10,119,000 for the Northeast Home Heating Oil Reserve as proposed by the House and Senate. The conference agreement includes a rescission of excess revenues from a sale in fiscal year 2011, valued at approximately \$100,000,000, as proposed by the House and Senate. The conference agreement includes a provision proposed by the House affirming the Administration's plans to limit the size of the Reserve to one million barrels of petroleum distillate.

ENERGY INFORMATION ADMINISTRATION

The conference agreement provides \$105,000,000 for the Energy Information Administration.

NON-DEFENSE ENVIRONMENTAL CLEANUP

The conference agreement provides \$235,721,000 for Non-Defense Environmental Cleanup, instead of \$254,121,000 as proposed by the House and \$219,121,000 as proposed by the Senate.

Small Sites.—The conference agreement provides \$67,430,000 for Small Sites. In response to a lack of progress on addressing existing contamination and seismic deficiencies within buildings that are located in heavily used areas at some Department national laboratories, the Department is directed to use additional funds above

the amount requested to improve health and safety by cleaning up existing contamination and improving the seismic standards of buildings within Department laboratory grounds. The conference agreement directs the Department to provide a report on Small Sites as directed in the House and Senate reports within 3 months of enactment of this Act.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement provides \$472,930,000 for activities funded from the Uranium Enrichment Decontamination and Decommissioning Fund, instead of \$449,000,000 as proposed by the House and \$429,000,000 as proposed by the Senate. This amount includes post closure contract liabilities, pensions, and community and regulatory program support. The conference agreement does not include the House provision restricting the Department's use of up to \$150,000,000 in proceeds from the barter, transfer, or sale of uranium to carry out uranium enrichment facility decontamination and decommissioning and remedial actions.

The conferees are aware that the Department has yet to alter the contractual mechanism by which it has been transferring uranium to a contractor in exchange for additional cleanup services at Portsmouth in order to correct the violations of federal law cited in the Government Accountability Office's report "Clarifying DOE's Disposition Options Could Help Avoid Further Legal Violations" (GAO-11-846). This type of arrangement continues to be off-budget and inappropriately bypasses the congressional appropriations process. There is also considerable concern that the increasing amount of uranium being transferred could destabilize the uranium market and thereby adversely impact our domestic uranium mining industry.

The conferees request the Comptroller General to report to the Committees on Appropriations of the House of Representatives and the Senate, not later than March 15, 2012, on the progress the Department has made in resolving the concerns raised in GAO-11-846. To increase transparency into Department of Energy actions, the Department shall fully adhere to the reporting requirements in this Act and have a current determination by the Secretary that any barter, transfer or sale of uranium carried out by the Department will not have an adverse material impact on the domestic uranium mining, conversion, or enrichment industry. The Department is further directed to provide the full details of any proposed barter, transfer or sale of uranium in its fiscal year 2013 budget request.

SCIENCE

The conference agreement provides \$4,889,000,000 for Science, instead of \$4,800,000,000 as proposed by the House and \$4,842,665,000 as proposed by the Senate.

The conference agreement includes the House direction for a report regarding underrepresented college minorities in science, technology, engineering, and mathematics areas.

In order to increase transparency and accountability across all Science activities, the Department is directed, not later than September 1, 2012, to create a performance ranking of all ongoing multi-year research projects across the six major Science research programs, including those at universities, national laboratories, Energy Frontier Research Centers, Energy Innovation Hubs and other recipients, by comparing current performance with original project goals. The report shall include an inventory of the number and dollar amount of awards that have been terminated in fiscal years 2011 and 2012 before their multi-year awards have concluded.

The conferees direct the Department to provide to the House and Senate Committees on Appropriations, not later than February 10, 2012, a budget scenario for fiscal years 2013 and 2014 with the Office of Science funded at the fiscal year 2012 level, highlighting funding levels for each major program and project, including activities, such as ITER, with scheduled changes in funding requirements.

Advanced Scientific Computing Research.—The conferees provide \$442,000,000 for Advanced Scientific Computing Research. The conferees support the exascale initiative, but note that future funding for the initiative is contingent upon delivery of the joint exascale plan, as directed. The conferees provide the budget request for the Leadership Computing Facilities and for High Performance Production Computing, in support of continuing petascale upgrades at the three facilities.

Basic Energy Sciences.—The conference agreement provides \$1,694,000,000 for Basic Energy Sciences. The conference agreement includes \$24,300,000 to continue the Fuels from Sunlight Energy Innovation Hub, and \$20,000,000 to establish the Batteries and Energy Storage Energy Innovation Hub. The conference agreement includes up to \$100,000,000 for the existing Energy Frontier Research Centers; \$10,000,000 for predictive modeling of internal combustion engines; \$8,520,000 for the Experimental Program to Stimulate Competitive Research; and no funding for gas hydrates research within the Office of Science.

The conference agreement includes \$97,000,000 to fund each major item of equipment at the level provided in the budget request. Funding provided for the Linac Coherent Light Source II at SLAC is for the exploration and design of the two-tunnel option.

Biological and Environmental Research.—The conference agreement provides \$611,823,000 for Biological and Environmental Research. Within available funds, the conference agreement includes \$12,000,000 to continue nuclear medicine research with human application. The conferees direct the Department to report to the House and Senate Committees on Appropriations, not later than June 1, 2012, on the Administration's strategy to continue funding this research through more appropriate federal agencies with health-focused missions.

Within available funds, \$16,000,000 is provided for radiobiology to help determine health risks from exposures to low levels of ionizing radiation to properly protect radiation workers and the general public, and to conduct studies of health impacts at and around the Fukushima Daiichi nuclear plant.

Fusion Energy Sciences.—The conference agreement provides \$402,177,000 for Fusion Energy Sciences, of which not more than \$105,000,000 is for U.S. Contributions to ITER. The conference agreement includes \$24,741,000 for the High Energy Density Laboratory Plasma program, of which \$12,000,000 is to be evenly distributed among heavy-ion fusion, laser-driven fusion, and magneto-inertial fusion. The conference agreement includes direction for the submission of a 10-year fusion plan as provided by both the House and Senate.

High Energy Physics.—The conference agreement provides \$791,700,000 for High Energy Physics research.

The conferees understand that the United States has unique capabilities to develop a world-leading neutrino science program. To begin the transition to the intensity frontier, the conferees provide \$21,000,000 for the Long Baseline Neutrino Experiment, which includes \$17,000,000 for research and development and \$4,000,000 for project engineering and design. The conferees provide no funding for long-lead procurements or construction activities. The conferees are concerned that this project is not mature enough for construction because a location and technology for the underground detectors has not been selected. Before consideration of congressional approval of construction, the Department is directed to provide to the House and Senate Committees on Appropriations a detailed project plan and refined total cost estimate for construction, not later than April 1, 2012.

Within available funds, the conferees provide \$15,000,000 as requested, \$10,000,000 within High Energy Physics and \$5,000,000 within Nuclear Physics, to support minimal, sustaining operations at the Homestake Mine in South Dakota.

Nuclear Physics.—The conference agreement provides \$550,000,000 for Nuclear Physics. Within available funds, the conference agreement includes \$22,000,000 for the Facility for Rare Isotope Beams, and \$50,000,000 for the 12 GeV upgrade of the Continuous Electron Beam Accelerator Facility.

Workforce Development for Teachers and Scientists.—The conference agreement provides \$18,500,000 for Science Workforce Development. Within available funds, up to \$5,000,000 is for the graduate fellowship program to fund the existing cohort established in fiscal year 2010.

Science Laboratories Infrastructure.—The conference agreement provides \$111,800,000 for Science Laboratories Infrastructure.

Safeguards and Security.—The conference agreement provides \$82,000,000 for Safeguards and Security.

Science Program Direction.—The conference agreement provides \$185,000,000 for Science Program Direction. No funds shall be used to hire new site office personnel, except for field staff at the Integrated Support Centers in Chicago and Oak Ridge.

NUCLEAR WASTE DISPOSAL

The conference agreement provides \$0 for nuclear waste disposal, instead of \$25,000,000 as proposed by the House.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

The conference agreement provides \$275,000,000 for the Advanced Research Projects Agency—Energy, of which \$20,000,000 is provided for Program Direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

The conference agreement provides \$38,000,000 for administrative expenses for the Title 17 Innovative Loan Guarantee Program, as proposed by the House and Senate. This appropriation is fully offset by revenue, resulting in a \$0 net appropriation. The conference agreement includes no funding for new loan guarantees, instead of \$160,000,000 as proposed by the House and \$200,000,000 as proposed by the Senate.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

The conference agreement provides \$6,000,000 for Advanced Technology Vehicles Manufacturing Loan Program, as proposed by the House and Senate.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides \$237,623,000 for Departmental Administration as proposed by the Senate, instead of \$63,374,000 as proposed by the House. The conferees provide \$1,000,000 within available funds to contract with the National Academy of Public Administration (NAPA) for an independent review of the management and oversight of the Department's national laboratories. NAPA should consider such issues as whether existing laboratory performance metrics for the Department's management and operations contractors measure critical aspects of their performance and how the Department utilizes performance metrics and data. NAPA should coordinate with the GAO and the National Academy of Sciences over the course of its study to prevent duplication of effort by using the results of their studies to the extent that they are available. NAPA should submit a report with its findings, conclusions, and recommendations no later than 9 months after the Department has contracted with NAPA pursuant to this directive.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$42,000,000 for the Office of the Inspector General, instead of \$41,774,000 as proposed by the House and Senate.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department of Energy, manages the nation's nuclear weapons programs, nuclear nonproliferation programs, and naval reactors activities.

The conference agreement provides \$11,000,000,000 for the National Nuclear Security Administration.

Warhead Life Extensions.—The NNSA is directed to fully adhere to the new reporting requirements for early life extension activities contained in the House report beginning with submission of the fiscal year 2013 budget request, and to the reporting requirement for the B61 Life Extension Program in the Senate report within 3 months of enactment. In lieu of the JASON B61 study directed in the Senate report, if the NNSA's selected option for the B61 Life Extension Program includes any nuclear scope, the JASON group of scientific advisors shall submit an assessment by September 1, 2012, to the House and Senate Committees on Appropriations on the extent to which the nuclear scope is needed to enhance the safety, security, and maintainability of a refurbished B61 and whether changes to the weapon will affect its long-term safety, security, reliability, and military characteristics.

Maintenance and Operations.—The conferees support the guidance in the House and Senate reports to establish standardized direct reporting for facility and infrastructure maintenance costs at each site and to identify separate maintenance funding by site in the fiscal year 2014 budget request for Readiness in Technical Base and Facilities.

Human Capital.—In order to meet human capital requirements for the NNSA sites and to support the NNSA's strategic efforts to strengthen its science, technology, management and engineering base, the NNSA should provide incentives for its management and operations contractors, including those at the production sites, to work with universities and other institutions of higher education to develop programs that support graduate research assistantships, implement educational programs that meet NNSA technical needs, and implement workforce development initiatives.

WEAPONS ACTIVITIES

The conference agreement provides \$7,233,997,000 for Weapons Activities, instead of \$7,091,661,000 as proposed by the House and \$7,190,000,000 as proposed by the Senate.

Directed Stockpile Work.—The conference agreement provides \$1,879,527,000 for Directed Stockpile Work. The NNSA is directed to use \$175,000,000 within Stockpile Systems and \$64,000,000 within Stockpile Services for surveillance activities. If the NNSA accomplishes the planned scope of surveillance activities more efficiently than estimated, up to 10 percent of the \$175,000,000 and \$64,000,000 may be reallocated to other activities. The NNSA is directed to provide full funding within amounts provided for Management, Technology, and Production to implement JASON Surety Study recommendations to counter current and future threats to the stockpile. The NNSA is further directed to adhere to the guidance in the Senate report to provide a report on maintaining a pit manufacturing capability to meet stockpile needs to the House and Senate Committees on Appropriations within 3 months of enactment of this Act.

The conference agreement provides \$223,562,000 for the B61 Life Extension Program, as requested. Of these funds, \$134,137,000 shall not be made available for the B61 Life Extension Program.

sion Program until the NNSA submits to the House and Senate Committees on Appropriations the outcome of the Phase 6.2/2A design definition and cost study. The conferees remain concerned about the NNSA's ability to execute its planned scope for the B61 under an affordable life extension program that will meet the requirement to refurbish the first unit by 2017.

The conference agreement provides \$99,518,000 for W78 Stockpile Systems as proposed by the House, which includes \$37,087,000 for a life extension study of the W78 because of delays in commencing the Phase 6.1 study. The conference agreement provides \$75,728,000 for W88 Stockpile Systems, which includes \$30,000,000 to commence a conceptual study for a minor refurbishment of the W88. The NNSA is directed to maintain separate accounting for the W78 and W88 studies and to identify those costs separately within the budget request for Stockpile Systems.

Campaigns.—The conference agreement provides \$1,701,982,000 for the science, technology and engineering campaigns. The conferees provide \$476,274,000 for the Inertial Confinement Fusion and High Yield Campaign, which includes \$62,500,000 for Omega at the University of Rochester, \$48,000,000 for the Z facility at Sandia National Laboratory, and \$5,000,000 for the Naval Research Laboratory, as requested.

Readiness in Technical Base and Facilities.—The conference agreement provides \$2,009,155,000 for Readiness in Technical Base and Facilities. No funding is provided for Institutional Site Support. Historically, the NNSA has used this funding line to mask underfunding in the request for individual site facility operations. More recently, it has pushed the costs of contractor pensions into this activity. Since the conference agreement fully funds operations and maintenance at each site and separately budgets for legacy pensions, this activity is no longer required. Infrastructure activities that are not site specific, such as headquarters contractor support and assessments, may be funded under Program Readiness.

TRU Waste Facility.—The conferees provide \$9,881,000 for Phase A of the TRU Waste Facility project, which consists of site infrastructure preparatory work. No Phase B activities are permitted until a project baseline is completed and provided to the House and Senate Committees on Appropriations.

Chemistry and Metallurgy Research Replacement (CMRR) Project.—The conference agreement provides \$200,000,000. No construction activities are funded for the CMRR-Nuclear Facility during fiscal year 2012.

Legacy Contractor Pensions.—The conference agreement provides \$168,232,000 for Legacy Contractor Pensions to meet the ongoing costs of the University of California contractor defined benefit pension plans. The NNSA requested these funds within Readiness in Technical Base and Facilities and a separate line is provided to improve transparency.

National Security Applications.—The conference agreement provides \$10,000,000, for Advanced Analysis, Tools, and Technologies activities to continue improved support to the intelligence community and to maintain the nuclear technical capabilities for nuclear weapons assessments.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

The conference agreement provides \$2,324,303,000 for Defense Nuclear Nonproliferation, instead of \$2,091,770,000 as proposed by the House and \$2,383,300,000 as proposed by the Senate, and rescinds \$21,000,000, as proposed by the Senate.

Nonproliferation and Verification Research and Development.—The conference agreement provides \$356,150,000 for Nonproliferation and Verification Research and Development. Within this amount, the conferees provide \$132,800,000 for Nuclear Detonation Detection, which includes an additional \$5,700,000 above the request for underground, underwater, and atmospheric detonation detection. The request included \$55,823,000 for legacy contractor pensions that are provided separately, as well as an additional \$15,625,000 above program needs to meet anticipated growth in contractor defined benefit pension plan costs that are no longer needed.

Nonproliferation and International Security.—The conference agreement provides \$155,305,000 for Nonproliferation and International Security. Within this amount, the conferees provide \$14,972,000 for the Global Initiative for Proliferation Prevention.

Fissile Materials Disposition.—The conference agreement provides \$685,386,000 for Fissile Materials Disposition. The conferees provide no construction funding for the Pit Disassembly and Conversion (PDCF) project because the NNSA has not completed a study of alternatives or a conceptual design report with a cost and schedule estimate that is required under Department of Energy guidance. Instead of the Senate requirement for an update of the costs for the PDCF and the MOX Fuel Fabrication Facility, the conferees direct the NNSA to provide a report on the status of plans to provide adequate plutonium feedstock to operate the MOX facility to the House and Senate Committees on Appropriations within 3 months of enactment of this Act. The conferees direct the use of \$20,500,000 in prior-year uncommitted balances within U.S. Plutonium Disposition to prepare plutonium feedstock at H-Canyon in fiscal year 2012 and to identify funding for both H-Canyon and ARIES within the fiscal year 2013 budget request.

Global Threat Reduction Initiative.—The conference agreement provides \$500,000,000 for the Global Threat Reduction Initiative. The conference agreement does not include House direction which restricts funding for Domestic Radiological Material Removal.

Legacy Contractor Pensions.—The conference agreement provides \$55,823,000 for Legacy Contractor Pensions to meet the ongoing costs of the legacy University of California defined benefit pension plans. The NNSA requested these funds within Nonproliferation and Verification Research and Development and a separate line is provided to improve transparency.

Rescission.—The conference agreement rescinds \$21,000,000 in prior-year balances and directs their application to meet fiscal year 2012 needs as described above.

NAVAL REACTORS

The conference agreement provides \$1,080,000,000 for Naval Reactors, instead of \$1,030,600,000 as proposed by the House and \$1,100,000,000 as proposed by the Senate. The conference agreement does not include House language directing a transition to budgeting by ship system. Funding for Naval Reactors Operations and Maintenance is provided under the following control points starting in fiscal year 2012, in order to improve the transparency of the major multi-year initiatives and to distinguish the cost of operations and infrastructure from the cost of research and development.

OHIO Replacement Reactor Systems Development.—The conference agreement provides \$121,300,000 as requested.

S8G Prototype Refueling.—The conference agreement provides \$99,500,000 as requested.

Naval Reactors Development.—The conference agreement provides \$421,000,000.

Naval Reactors Operations and Infrastructure.—The conference agreement provides \$358,300,000, which includes funding for conceptual design of the Spent Fuel Infrastructure Recapitalization Project at Idaho in order to continue critical path activities.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides \$410,000,000 for the Office of the Administrator, instead of \$400,000,000 as proposed by the House and \$404,000,000 as proposed by the Senate. The conference agreement includes the requested amount of \$6,000,000 for Weapons, \$3,000,000 for Defense Nuclear Nonproliferation, and \$1,000,000 for Naval Reactors to engage Historically Black Colleges and Universities, and further directs the engagement of Hispanic Serving Institutions and minority outreach at other colleges and universities.

The conferees are concerned with overlap and duplication between the NNSA Office of Congressional Affairs, the Department of Energy (DOE) Office of Congressional Affairs, and the DOE Chief Financial Officer's External Coordination office (CFO ExCo). The conferees believe that the CFO ExCo can provide appropriate liaison support to the Committees on Appropriations and that one consolidated Congressional Affairs office can provide adequate support to the rest of the legislative branch. The conferees direct the Department to propose a consolidation of the NNSA Congressional Affairs functions into DOE's CFO ExCo, Office of Congressional Affairs, or a combination of both, within 60 days of enactment of this Act. Such consolidation should provide \$1–2 million in budgetary savings.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

The conference agreement provides \$5,023,000,000 for the Defense Environmental Cleanup program, instead of \$4,937,619,000 as proposed by the House and \$5,002,308,000 as proposed by the Senate. Within the amounts provided, the Department is directed

to fund hazardous waste worker training at \$10,000,000. The conferees direct the Department to adhere to the House requirement to report all operating projects with a total project cost greater than \$10,000,000 no later than 90 days after enactment of this Act.

Hanford Site.—The conference agreement provides \$953,252,000 for the Hanford Site, including \$19,540,000 for Richland community and regulatory support. Within this amount, funding is provided for the Hazardous Materials Management and Emergency Response facilities. The conferees provide \$68,458,000 to accelerate cleanup of the Plutonium Finishing Plant.

Idaho National Laboratory.—The conference agreement provides \$386,869,000 for Idaho National Laboratory cleanup activities, including \$4,100,000 for Idaho community and regulatory support.

NNSA Sites.—The conference agreement provides \$282,393,000 for cleanup activities at NNSA sites, including funding for community and regulatory support. Within this amount, the conferees provide \$873,000 for Lawrence Livermore National Laboratory, \$65,945,000 for the Nevada Test Site, \$3,014,000 for Sandia National Laboratories, \$188,561,000 for Los Alamos National Laboratory, and \$24,000,000 to stabilize work at the Separations Process Research Unit following damages that resulted from Hurricane Irene.

Oak Ridge Reservation.—The conference agreement provides \$199,509,000 for the Oak Ridge Reservation, including \$6,409,000 for community and regulatory support.

Office of River Protection.—The conference agreement provides \$1,185,000,000 for the Office of River Protection.

Savannah River Site.—The conference agreement provides \$1,193,822,000 for cleanup activities at the Savannah River Site, including \$9,584,000 for community and regulatory support.

Waste Isolation Pilot Plant.—The conference agreement provides \$215,134,000 for the Waste Isolation Pilot Plant. No funding is provided for voluntary payments of economic assistance.

Use of prior-year balances.—The conference agreement directs the use of \$3,381,000 in prior-year balances to meet fiscal year 2012 needs as described above.

OTHER DEFENSE ACTIVITIES

The conference agreement provides \$823,364,000 for Other Defense Activities, instead of \$814,000,000 as proposed by the House and \$819,000,000 as proposed by the Senate.

Office of Health, Safety, and Security.—The conference agreement provides \$437,436,000 for the Office of Health, Safety, and Security. Within this amount, \$186,699,000 is provided for Specialized Security Activities.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

The conference agreement provides no appropriation for the Bonneville Power Administration, which derives its funding from revenues deposited into the Bonneville Power Administration

Fund. The Act includes a provision regarding funds for official reception and representation expenses as proposed by the Senate. The House proposed a similar provision.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
ADMINISTRATION

The conference agreement provides a net appropriation of \$0 for the Southeastern Power Administration as proposed by the House and Senate. An additional \$1,000,000 is recorded separately as a scorekeeping adjustment.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER
ADMINISTRATION

The conference agreement provides a net appropriation of \$11,892,000 for the Southwestern Power Administration, as proposed by the House and Senate.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE,
WESTERN AREA POWER ADMINISTRATION

The conference agreement provides a net appropriation of \$95,968,000 for the Western Area Power Administration, as proposed by the House and Senate. An additional \$3,000,000 is recorded separately as a scorekeeping adjustment.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

The conference agreement provides a net appropriation of \$220,000 for the Falcon and Amistad Operating and Maintenance Fund, as proposed by the House and Senate. An additional \$1,000,000 is recorded separately as a scorekeeping adjustment.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement provides \$304,600,000 for the Federal Energy Regulatory Commission (FERC), as proposed by the House and Senate. Revenues for FERC are set to an amount equal to the budget authority, resulting in a net appropriation of \$0. The Act does not include language proposed by the Senate directing a rulemaking.

The conferees are aware of significant local concerns with the process for developing, reviewing and approving shoreline management plans at Smith Mountain Lake and Lake of the Ozarks. As the licensees develop and FERC reviews and approves shoreline management plans, both parties must not only ensure the continued unimpeded operation of the project, but also recognize the rights and concerns of private property owners and local communities. The parties should develop innovative and mutually agreeable solutions to resolve conflicts among project purposes and private property, which should be implemented without delay. The conferees note that several options already exist for resolving such conflicts—such as realigning project boundaries, grandfathering non-conforming structures, or conveying the disputed property—

and that the removal of private structures should only be required, if at all, when all other options are inadequate. The conferees direct FERC to review the shoreline management plan process to identify any improvements that could be made to address local concerns at each stage of the process and to submit to the appropriate congressional committees a report detailing any administrative changes to be undertaken as well as any recommended legislative changes that may be necessary.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

The conference agreement includes a modification to the House provision regarding reprogramming of funds. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House regarding workforce restructuring. The Senate proposed no similar provision. The conferees expect the Department to continue to follow the guidelines established by this provision.

The conference agreement includes a provision proposed by the House and Senate relating to unexpended balances.

The conference agreement includes a provision proposed by the Senate specifically authorizing intelligence activities pending enactment of the fiscal year 2012 Intelligence Authorization Act. The House proposed a similar provision.

The conference agreement does not include a House provision regarding Bonneville Power Administration energy efficiency services, although the conferees expect the BPA to continue to follow the guidelines established by that provision. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the Senate relating to a future-years energy program. The House proposed no similar provision.

The conference agreement does not include a provision proposed by the House and Senate directing the governance of user facilities. The conferees expect the Department to continue to follow the guidelines established by this provision.

The conference agreement includes a provision proposed by the Senate relating to loan guarantee co-pay. The House proposed no similar provision.

The conference agreement does not include a provision proposed by the House that establishes certain limitations and requirements with respect to the transfer of funds by the Secretary of Energy to reimburse the costs of defined benefits pension plans for contractor employees. This provision is now contained in current law. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the House establishing estimated cost parameters for plant and construction activities for the purposes of sections 4703 and 4704 of the Atomic Energy Defense Act.

The conference agreement modifies a provision proposed by the Senate relating to the minor construction threshold for the Bonne-

ville Power Administration. The House proposed no similar provision.

The conference agreement includes a provision proposed by the House that prohibits the use of funds in this title for capital construction of high hazard nuclear facilities, unless certain independent oversight is conducted. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the Senate relating to the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund. The House proposed no similar provision.

The conference agreement modifies a provision proposed by the Senate related to contractor pay freeze. The House proposed no similar provision.

The conference agreement includes a provision proposed by the House that prohibits the use of funds to approve critical decision-2 or critical decision-3 for certain construction projects, unless a separate independent cost estimate has been developed for that critical decision.

The conference agreement modifies a provision proposed by the House that establishes certain notification requirements that must be fulfilled before any funds may be used to make certain awards, allocations, agreements, or public announcements. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the Senate relating to the barter of uranium. The House proposed no similar provision.

The conference agreement does not include a provision relating to loan guarantee notifications. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the House regarding the weatherization program eligibility cap. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the Senate on lighting standards. The House proposed no similar provision.

The conference agreement includes a provision proposed by the House prohibiting funds to implement or enforce higher efficiency light bulb standards. The Senate proposed no similar provision.

The conference agreement modifies a provision proposed by the Senate relating to the third-party use of metering stations for the Strategic Petroleum Reserve. The House proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to significant regulatory actions. The Senate proposed no similar provision.

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

ENERGY PROGRAMS		
ENERGY EFFICIENCY AND RENEWABLE ENERGY		
Energy Efficiency and Renewable Energy RDD&D:		
Hydrogen and fuel cell technologies.....	100,450	104,000
Biomass and Biorefinery Systems R&D.....	340,500	200,000
Solar energy.....	457,000	290,000
Wind energy.....	126,859	93,593
Geothermal technology.....	101,535	38,000
Water Power.....	38,500	59,000
Vehicle technologies.....	588,003	330,000
Building technologies.....	470,700	220,000
Industrial technologies.....	319,784	116,000
Federal energy management program.....	33,072	30,000
Facilities and infrastructure:		
National Renewable Energy Laboratory (NREL).....	26,407	26,407
Construction:		
08-EE-01 Energy systems integration facility National Renewal Energy Lab, Golden, Co....	---	---
Subtotal, Facilities and infrastructure.....	26,407	26,407
Program direction.....	176,605	165,000
Program support.....	---	---
Strategic programs.....	53,204	25,000
Subtotal, Energy Efficiency and Renewable Energy RDD&D.....	2,832,619	1,697,000
Weatherization and intragovernmental:		
Weatherization:		
Weatherization assistance.....	220,000	65,000
Training and technical assistance.....	3,000	3,000
Innovations in weatherization.....	97,000	---
Subtotal.....	320,000	68,000
Other:		
State energy program grants.....	63,798	50,000
Tribal energy activities.....	10,000	10,000
Subtotal.....	73,798	60,000
Subtotal, Weatherization and intragovernmental..	393,798	128,000
Floor amendments.....	---	---
Subtotal, Energy efficiency and renewable energy..	3,226,417	1,825,000
Use of prior year balances.....	-26,364	---
Rescission.....	---	-9,909
TOTAL, ENERGY EFFICIENCY AND RENEWABLE ENERGY.....	3,200,053	1,815,091
	=====	=====
ELECTRICITY DELIVERY AND ENERGY RELIABILITY		
Research and development:		
Clean energy transmission and reliability.....	60,817	25,490
Smart grid research and development.....	45,000	24,000
Energy storage.....	57,000	20,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Cyber security for energy delivery systems.....	30,000	30,000
Subtotal.....	192,817	99,490
Permitting, siting and analysis.....	8,000	7,000
Infrastructure security and energy restoration.....	6,187	6,000
Program direction.....	31,217	27,010
Use of prior year balances.....	-504	---
Rescission.....	---	---
TOTAL, ELECTRICITY DELIVERY AND ENERGY RELIABILITY	237,717	139,500
NUCLEAR ENERGY		
Research and development:		
Nuclear energy enabling technologies.....	97,364	74,880
Integrated university program.....	---	5,000
Small modular reactor licensing technical support...	67,000	67,000
Reactor concepts RD&D.....	125,000	115,544
Fuel cycle research and development.....	155,010	187,351
International nuclear energy cooperation.....	3,000	3,000
Subtotal.....	447,374	452,775
Infrastructure:		
Radiological facilities management:		
Space and defense infrastructure.....	49,902	64,902
Research reactor infrastructure.....	4,986	4,986
PU-238 production restart project.....	10,000	---
Subtotal.....	64,888	69,888
INL facilities management:		
INL Operations and infrastructure.....	150,000	155,000
Subtotal, Infrastructure.....	214,888	224,888
Program direction.....	93,133	91,000
Subtotal, Nuclear Energy.....	755,395	768,663
Use of prior year balances.....	-1,367	---
Rescission.....	---	---
TOTAL, NUCLEAR ENERGY	754,028	768,663
FOSSIL ENERGY RESEARCH AND DEVELOPMENT		
CCS and power systems:		
Carbon capture.....	68,938	68,938
Carbon storage.....	115,477	115,477
Advanced energy systems.....	64,193	100,000
Cross cutting research.....	42,750	49,163
NETL Coal Research and Development.....	---	35,031
Subtotal, CCS and power systems.....	291,358	368,609
Fuels and Power Systems:		
Innovations for existing plants.....	---	---
Advanced integrated gasification combined cycle.....	---	---
Advanced turbines.....	---	---
Carbon sequestration.....	---	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Fuels.....	---	---
Fuel cells.....	---	---
Advanced research.....	---	---
Subtotal, Fuels and power systems	---	---
Natural Gas Technologies.....	---	15,000
Unconventional fossil energy technologies from Petroleum - oil technologies.....	---	5,000
Program direction.....	159,233	120,000
Plant and Capital Equipment.....	16,794	16,794
Fossil energy environmental restoration.....	7,897	7,897
Special recruitment programs.....	700	700
Cooperative research and development.....	---	---
Subtotal, Fossil Energy Research and Development..	475,982	534,000
Use of prior year balances.....	-23,007	---
Rescission.....	---	-187,000
TOTAL, FOSSIL ENERGY RESEARCH AND DEVELOPMENT.....	452,975	347,000
NAVAL PETROLEUM AND OIL SHALE RESERVES		
Naval Petroleum and Oil Shale Reserves.....	14,909	14,909
Rescission.....	---	---
TOTAL, NAVAL PETROLEUM AND OIL SHALE RESERVES.....	14,909	14,909
STRATEGIC PETROLEUM RESERVE		
Strategic Petroleum Reserve.....	192,704	192,704
Storage facilities development.....	---	---
Management for SPR operations.....	---	---
Rescission.....	-71,000	---
TOTAL, STRATEGIC PETROLEUM RESERVE.....	121,704	192,704
SPR PETROLEUM ACCOUNT		
SPR PETROLEUM ACCOUNT.....	-250,000	---
Rescission.....	---	-500,000
TOTAL, SPR PETROLEUM ACCOUNT.....	-250,000	-500,000
NORTHEAST HOME HEATING OIL RESERVE		
Northeast Home Heating Oil Reserve.....	10,119	10,119
Rescission.....	-100,000	-100,000
TOTAL, NORTHEAST HOME HEATING OIL RESERVE.....	-89,881	-89,881
ENERGY INFORMATION ADMINISTRATION		
Energy Information Administration.....	123,957	105,000
Rescission.....	---	---
TOTAL, ENERGY INFORMATION ADMINISTRATION.....	123,957	105,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

NON-DEFENSE ENVIRONMENTAL CLEANUP		
Fast Flux Test Reactor Facility (WA).....	2,703	2,703
Gaseous Diffusion Plants.....	100,588	100,588
Small sites.....	57,430	67,430
West Valley Demonstration Project.....	58,400	65,000
Floor amendment.....	---	---
Rescission.....	---	---

TOTAL, NON-DEFENSE ENVIRONMENTAL CLEANUP.....	219,121	235,721
	=====	
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
Oak Ridge.....	182,747	200,856
Paducah.....	77,780	81,807
Portsmouth.....	243,642	190,267
Rescission.....	---	---

TOTAL, UED&D FUND/URANIUM INVENTORY CLEANUP.....	504,169	472,930
	=====	
SCIENCE		
Advanced scientific computing research.....	465,800	442,000
Basic energy sciences:		
Research.....	1,833,600	1,542,600
Construction:		
07-SC-06 Project engineering and design (PED)		
National Synchrotron light source II (NSLS-II)	151,400	151,400

Subtotal, Basic energy sciences.....	1,985,000	1,694,000
Biological and environmental research:		
Biological systems science.....	376,262	---
Climate and environmental sciences.....	341,638	---
Research.....	---	611,823

Subtotal, Biological and environmental research.....	717,900	611,823
Fusion energy sciences program.....	399,700	402,177
High energy physics:		
Research.....	756,200	763,700
Construction:		
11-SC-40 Project engineering and design (PED)		
long baseline neutrino experiment, FNAL.....	17,000	4,000
11-SC-41 Project engineering and design (PED)		
muon to electron conversion experiment, FNAL ..	24,000	24,000

Subtotal.....	41,000	28,000

Subtotal, High energy physics.....	797,200	791,700
Nuclear physics:		
Operations and maintenance.....	539,300	500,000

DEPARTMENT OF ENERGY
 (Amounts in thousands)

	Budget Request	Conference

Construction:		
06-SC-01 Project engineering and design (PED) 12 GeV continuous electron beam accelerator facility upgrade, Thomas Jefferson National Accelerator facility (was project 07-SC-001), Newport News, VA.....	66,000	50,000

Subtotal, Nuclear physics.....	605,300	550,000
Workforce development for teachers and scientists.....	35,600	18,500
Science laboratories infrastructure:		
Infrastructure support:		
Payment in lieu of taxes.....	1,385	1,385
Excess facility disposal.....	---	---
Oak Ridge landlord.....	5,493	5,493

Subtotal.....	6,878	6,878
Construction:		
11-SC-71 Utility infrastructure modernization at TJNAF.....	---	---
12-SC-70 Science and user support building, SLAC.....	12,086	12,086
10-SC-70 Research support building and infrastructure modernization, SLAC.....	12,024	12,024
10-SC-71 Energy sciences building, ANL.....	40,000	40,000
10-SC-72 Renovate science laboratory, Phase II, BNL.....	15,500	15,500
09-SC-72 Seismic life-safety, modernization and replacement of general purpose buildings Phase 2, PED/Construction, LBNL.....	12,975	12,975
09-SC-74, Technology and engineering development facilities PED, TJNAF.....	12,337	12,337

Subtotal.....	104,922	104,922
Subtotal, Science laboratories infrastructure...	111,800	111,800
Safeguards and security.....	83,900	82,000
Science program direction:		
Science program direction.....	216,863	185,000
Headquarters.....	---	---
Office of Science and Technical Information.....	---	---
Field offices.....	---	---

Subtotal, Science program direction.....	216,863	185,000
Subtotal, Science.....	5,418,863	4,889,000
Rescission.....	---	---
Use of prior year balances.....	-2,749	---

TOTAL, SCIENCE.....	5,416,114	4,889,000
=====		

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
ADVANCED RESEARCH PROJECTS AGENCY-ENERGY		
ARPA-E projects.....	521,943	255,000
Program direction.....	28,068	20,000
Undistributed funds.....	---	---
Floor amendment.....	---	---
TOTAL, ADVANCED RESEARCH PROJECTS AGENCY-ENERGY.	550,011	275,000
TITLE 17 - INNOVATIVE TECHNOLOGY LOAN GUARANTEE PGH		
Administrative expenses.....	38,000	38,000
Offsetting collection.....	-38,000	-38,000
Loan volume rescission.....	---	---
Additional loan volume.....	360,000	---
Fed participation in Title 17 loan guarantee projects.....	500,000	---
Additional subsidy cost.....	200,000	---
TOTAL, TITLE 17 - INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM.....	1,060,000	---
ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PGH		
Administrative expenses.....	6,000	6,000
BETTER BUILDINGS PILOT LOAN GUARANTEE INITIATIVE		
Cost of loan guarantees.....	100,000	---
Administrative costs.....	5,000	---
TOTAL, BETTER BUILDINGS PILOT LOAN INITIATIVE...	105,000	---
DEPARTMENTAL ADMINISTRATION		
Administrative operations:		
Salaries and expenses:		
Office of the Secretary:		
Program direction.....	5,030	5,030
Chief Financial Officer.....	53,204	53,204
Management.....	62,693	62,693
Human capital management.....	23,089	23,089
Chief Information Officer.....	36,615	36,615
Congressional and intergovernmental affairs:		
Program direction.....	4,690	4,690
Subtotal, Congressional and intergovernmental affairs.....	4,690	4,690
Economic impact and diversity.....	5,660	5,660
General Counsel.....	34,642	33,053
Policy and international affairs.....	22,429	20,518
Public affairs.....	3,801	3,801
Office of Indian energy policy and programs.....	1,500	2,000
Subtotal, Salaries and expenses.....	253,353	250,353
Program support:		
Minority economic impact.....	1,613	1,813

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

Policy analysis and system studies.....	441	441
Environmental policy studies.....	520	520
Climate change technology program (prog. supp)...	5,482	5,482
Cybersecurity and secure communications.....	21,934	21,934
Corporate management information program.....	---	---
Corporate IT program support (CIO).....	27,379	27,379
Energy information technology services.....	---	---

Subtotal, Program support.....	57,569	57,569

Subtotal, Administrative operations.....	310,922	307,922

Cost of work for others.....	48,537	48,537
Floor amendments.....	---	---

Subtotal, Departmental administration.....	359,459	356,459

Funding from other defense activities.....	-118,836	-118,836

Total, Departmental administration (gross).....	240,623	237,623

Rescission.....	---	---
Miscellaneous revenues.....	-111,883	-111,623

TOTAL, DEPARTMENTAL ADMINISTRATION (net).....	128,740	126,000
=====		

OFFICE OF THE INSPECTOR GENERAL.....	41,774	42,000
=====		

TOTAL, ENERGY PROGRAMS.....	12,596,391	8,839,637
=====		

ATOMIC ENERGY DEFENSE ACTIVITIES		
NATIONAL NUCLEAR SECURITY ADMINISTRATION		
WEAPONS ACTIVITIES		
Directed stockpile work:		
Life extension program:		
B61 Life extension program.....	223,562	223,562
W76 Life extension program.....	257,035	257,035

Subtotal.....	480,597	480,597

Stockpile systems:		
B61 Stockpile systems.....	72,396	72,396
W76 Stockpile systems.....	63,383	63,383
W78 Stockpile systems.....	109,518	99,518
W80 Stockpile systems.....	44,444	44,444
B83 Stockpile systems.....	48,215	48,215
W87 Stockpile systems.....	83,943	83,943
W88 Stockpile systems.....	75,728	75,728

Subtotal.....	497,627	487,627

Weapons dismantlement and disposition:		
Operations and maintenance.....	56,770	56,770

Stockpile services:		
Production support.....	354,502	330,000
Research and development support.....	30,264	30,264
R and D certification and safety.....	180,892	165,569

DEPARTMENT OF ENERGY
 (Amounts in thousands)

	Budget Request	Conference
Management, technology, and production.....	198,700	188,700
Plutonium sustainment.....	154,231	140,000
Subtotal.....	928,589	854,533
Subtotal, Directed stockpile work.....	1,963,583	1,879,527
Campaigns:		
Science campaign:		
Advanced certification.....	94,929	40,000
Primary assessment technologies.....	86,055	86,055
Dynamic materials properties.....	111,836	96,984
Advanced radiography.....	27,058	26,000
Secondary assessment technologies.....	86,061	85,000
Subtotal.....	405,939	334,039
Engineering campaign:		
Enhanced surety.....	41,696	41,696
Weapons system engineering assessment technology.....	15,663	15,663
Nuclear survivability.....	19,545	19,545
Enhanced surveillance.....	66,174	66,174
Subtotal.....	143,078	143,078
Inertial confinement fusion ignition and high yield campaign:		
Ignition.....	109,888	109,888
NIF diagnostics, cryogenics and experimental support.....	86,259	86,259
Pulsed power inertial confinement fusion.....	4,997	4,997
Joint program in high energy density laboratory plasmas.....	9,100	9,100
Facility operations and target production.....	266,030	266,030
Subtotal.....	476,274	476,274
Advanced simulation and computing.....	628,945	620,000
Readiness campaign:		
Stockpile readiness.....	---	---
High explosives and weapon operations.....	---	---
Nonnuclear readiness.....	65,000	65,000
Tritium readiness.....	77,491	63,591
Advanced design and production technologies.....	---	---
Subtotal.....	142,491	128,591
Subtotal, Campaigns.....	1,796,727	1,701,982
Readiness in technical base and facilities (RTBF):		
Operations of facilities:		
Kansas City Plant.....	156,217	156,217
Lawrence Livermore National Laboratory.....	83,990	83,990
Los Alamos National Laboratory.....	318,526	318,526
Nevada Test Site.....	97,559	97,559
Pantex.....	164,848	164,848
Sandia National Laboratory.....	120,708	120,708
Savannah River Site.....	97,767	97,767
Y-12 Productions Plant.....	246,001	246,001
Institutional Site Support.....	199,638	---
Operations of facilities.....	---	---
Subtotal.....	1,485,254	1,285,616
Program readiness.....	74,180	74,180

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Material recycle and recovery.....	85,939	78,000
Containers.....	28,979	28,979
Storage.....	31,272	31,272
Construction:		
12-D-301 TRU waste facility project, LANL.....	9,881	9,881
11-D-801 TA-55 Reinvestment project II, LANL.....	19,402	10,000
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, TN.....	35,387	35,387
09-D-404, Test capabilities revitalization II, Sandia National Laboratory, Albuquerque, NM.....	25,168	25,168
08-D-802 High explosive pressing facility Pantex Plant, Amarillo, TX.....	66,960	66,960
07-D-140 Project engineering and design (PED), various locations.....	3,518	3,518
06-D-140 Project engineering and design (PED), various locations.....	---	---
06-D-141 Project engineering and design (PED), Y-12 Uranium Processing Facility, Oak Ridge, TN.....	160,194	160,194
04-D-125 Chemistry and metallurgy replacement project, Los Alamos National Laboratory, Los Alamos, NM.....	300,000	200,000
Subtotal.....	620,510	511,108
Subtotal, Readiness in technical base and facilities.....	2,326,134	2,009,155
Secure transportation asset:		
Operations and equipment.....	149,274	145,274
Program direction.....	101,998	98,002
Subtotal.....	251,272	243,276
Nuclear counterterrorism incident response.....	222,147	222,147
Facilities and infrastructure recapitalization pgm....	96,380	96,380
Site stewardship:		
Site stewardship.....	104,002	78,680
Construction:		
11-D-601 Sanitary effluent reclamation facility LANL.....	---	---
Subtotal, Site stewardship.....	104,002	78,680
Safeguards and security:		
Defense nuclear security.....	711,105	686,252
Construction:		
08-D-701 Nuclear materials S&S upgrade project Los Alamos National Laboratory.....	11,752	11,752
Subtotal, Defense nuclear security.....	722,857	698,004
Cybersecurity.....	126,614	126,614
Total, Safeguards and security.....	849,471	824,618
Legacy contractor pensions.....	---	168,232
Science, technology and engineering capability.....	---	---
National security applications.....	20,000	10,000
Rescission.....	-40,332	---
TOTAL, WEAPONS ACTIVITIES.....	7,589,384	7,233,997

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D.....	417,598	356,150
Nonproliferation and international security.....	161,833	155,305
International nuclear materials protection and cooperation.....	571,639	571,639
Fissile materials disposition:		
U.S. plutonium disposition.....	274,790	205,632
U.S. uranium disposition.....	26,435	26,000
Construction:		
MOX fuel fabrication facilities:		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC.....	385,172	435,172
99-D-141-01 Pit disassembly and conversion facility, Savannah River, SC.....	176,000	---
99-D-141-02 Waste solidification building, Savannah River, SC.....	17,582	17,582
Subtotal, Construction.....	578,754	452,754
Subtotal, U.S. fissile materials disposition...	879,979	684,386
Russian surplus materials disposition.....	10,174	1,000
Total, Fissile materials disposition.....	890,153	685,386
Global threat reduction initiative.....	508,269	500,000
Floor amendment.....	---	---
Legacy contractor pensions.....	---	55,823
Subtotal, Defense Nuclear Nonproliferation.....	2,549,492	2,324,303
Rescission.....	-30,000	-21,000
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION.....	2,519,492	2,303,303
	=====	=====
NAVAL REACTORS		
Naval reactors development.....	1,069,262	421,000
OHIO replacement reactor systems development.....	---	121,300
S8G Prototype refueling.....	---	99,500
Naval reactors operations and infrastructure.....	---	358,300
Construction:		
10-D-903, Security upgrades, KAPL.....	100	100
10-D-904, NRF infrastructure upgrades, Idaho.....	12,000	12,000
09-D-902, NRF Office Bldg #2 ECC upgrade, Idaho.....	---	---
08-D-190, Project engineering and design, Expanded Core Facility M-290 recovering discharge station, Naval Reactor Facility, ID.....	27,800	27,800
07-D-190, Materials research tech complex (MRTC)....	---	---
Subtotal, Construction.....	39,900	39,900
Program direction.....	44,500	40,000
Rescission.....	---	---
TOTAL, NAVAL REACTORS.....	1,153,662	1,080,000
	=====	=====

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator.....	450,060	410,000
Rescission.....	---	---
Floor amendment.....	---	---
TOTAL, OFFICE OF THE ADMINISTRATOR.....	450,060	410,000
GENERAL PROVISIONS		
Section 309 - Contractor Pay Freeze:		
Security (rescission).....	---	-27,300
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION.....	11,712,598	11,000,000
DEFENSE ENVIRONMENTAL CLEANUP		
Closure Sites:		
Closure sites administration.....	---	---
Closure sites.....	5,375	5,375
Total, Closure sites.....	5,375	5,375
Hanford Site:		
Central plateau remediation:		
Central plateau remediation.....	---	546,890
Nuclear material stabilization and disposition PFP.....	48,458	---
Solid waste stabilization and disposition 2035.....	143,897	---
Soil and water remediation - groundwater vadose zone 2035.....	222,285	---
SNF stabilization and disposition.....	112,250	---
Subtotal, Central plateau remediation.....	526,890	546,890
River corridor and other cleanup operations:		
River corridor and other cleanup operations.....	---	386,822
Nuclear facility D&D river corridor closure project.....	330,534	---
Nuclear facility D&D - remainder of Hanford 2035.....	56,288	---
Subtotal, River corridor and other cleanup operations.....	386,822	386,822
Richland community and regulatory support.....	---	19,540
Total, Hanford Site.....	913,712	953,252
Idaho National Laboratory:		
Idaho cleanup and waste disposition.....	---	382,769
SNF stabilization and disposition - 2012.....	20,114	---
Solid waste stabilization and disposition.....	165,035	---
Radioactive liquid tank waste stabilization and disposition.....	110,169	---
06-D-401, Sodium bearing waste treatment project.....	---	---
Soil and water remediation - 2012.....	87,451	---
Idaho community and regulatory support.....	---	4,100
Total, Idaho National Laboratory.....	382,769	386,869
NNSA:		
NNSA sites and Nevada off-sites.....	---	282,393
Lawrence Livermore National Laboratory.....	873	---
NNSA Service Center/SPRU.....	1,500	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Nevada.....	63,380	---
California site support.....	---	---
Los Alamos National Laboratory.....	357,939	---
Sandia national Laboratory.....	---	---
Total, NNSA sites and Nevada off-sites.....	423,692	282,393
Oak Ridge Reservation:		
Building 3019.....	---	37,000
OR Nuclear facility D&D.....	---	69,100
Nuclear facility D&D ORNL.....	44,000	---
Nuclear facility D&D Y-12.....	30,000	---
Nuclear facility D&D, E. Tenn. Technology Park.....	100	---
OR cleanup and disposition.....	---	87,000
Soil and water remediation--offsites.....	3,000	---
Solid waste stabilization and disposition- 2012..	99,000	---
OR reservation community & regulatory support.....	---	6,409
Total, Oak Ridge Reservation.....	176,100	199,509
Office of River Protection:		
Waste Treatment & Immobilization Plant:		
Waste treatment & immobilization plant O1-D-16 A-D	363,000	430,000
Waste treatment & immobilization plant O1-D-16 E..	477,000	310,000
Subtotal, Waste Treatment and Immobilization Plant	840,000	740,000
Tank Farm activities:		
Rad liquid tank waste stabilization and disposition.....	521,391	445,000
Total, Office of River Protection.....	1,361,391	1,185,000
Savannah River site:		
Savannah River community and regulatory support.....	---	9,584
SR site risk management operations.....	---	343,586
NM stabilization and disposition.....	235,000	---
SNF stabilization and disposition.....	40,137	---
Solid waste stabilization and disposition.....	30,040	---
Soil and water remediation.....	38,409	---
Subtotal, Site risk management operations.....	343,586	343,586
Radioactive liquid tank waste:	---	---
Radioactive liquid tank waste stabilization and disposition.....	710,487	667,081
Construction:		
O5-D-405 Salt waste processing facility, Savannah River.....	170,071	170,071
PE&D Glass Waste Storage Bldg #3.....	---	3,500
Subtotal, Radioactive liquid tank waste.....	880,558	840,652
Total, Savannah River site.....	1,224,144	1,193,822
Waste Isolation Pilot Plant:		
Waste Isolation Pilot Plant.....	---	215,134
Operate WIPP.....	147,136	---
Central characterization project.....	23,875	---
Transportation.....	29,044	---
Community and regulatory support.....	28,771	---
Subtotal, WIPP.....	228,926	215,134

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
<hr style="border-top: 1px dashed black;"/>		
Program direction.....	321,628	321,628
Program support.....	---	20,380
Community, regulatory and program support.....	91,279	---
Safeguards and Security.....	248,826	252,019
Technology development.....	32,320	11,000
Uranium enrichment D&D fund contribution.....	---	---
Subtotal, Defense Environmental Clean up.....	5,410,162	5,026,381
Use of prior year balances.....	-3,381	-3,381
Rescission.....	---	---
TOTAL, DEFENSE ENVIRONMENTAL CLEAN UP.....	5,406,781	5,023,000
<hr style="border-top: 1px dashed black;"/>		
OTHER DEFENSE ACTIVITIES		
Health, safety and security:		
Health, safety and security.....	349,445	335,436
Program direction.....	107,037	102,000
Total, Health, safety and security.....	456,482	437,436
Office of Legacy Management:		
Legacy management.....	157,514	157,514
Program direction.....	12,586	12,086
Total, Office of Legacy Management.....	170,100	169,600
Idaho sitewide safeguards and security.....	98,500	93,350
Defense related administrative support.....	118,836	118,836
Office of hearings and appeals.....	4,142	4,142
Acquisition workforce improvement.....	11,892	---
Subtotal, Other Defense Activities.....	859,952	823,364
Rescission.....	---	---
TOTAL, OTHER DEFENSE ACTIVITIES.....	859,952	823,364
<hr style="border-top: 1px dashed black;"/>		
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES.....	17,979,331	16,846,364
<hr style="border-top: 1px dashed black;"/>		
POWER MARKETING ADMINISTRATIONS (1)		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance:		
Purchase power and wheeling.....	114,870	114,870
Program direction.....	8,428	8,428
Subtotal, Operation and maintenance.....	123,298	123,298
Less alternative financing (PPW).....	-14,708	-14,708
Offsetting collections.....	-108,590	-108,590
TOTAL, SOUTHEASTERN POWER ADMINISTRATION.....	---	---
<hr style="border-top: 1px dashed black;"/>		
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance:		
Operating expenses.....	14,346	14,346
Purchase power and wheeling.....	50,000	50,000
Program direction.....	31,889	31,889

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Construction.....	10,772	10,772
Subtotal, Operation and maintenance.....	107,007	107,007
Less alternative financing.....	-21,997	-21,997
Offsetting collections.....	-73,118	-73,118
TOTAL, SOUTHWESTERN POWER ADMINISTRATION.....	11,892	11,892
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance:		
Construction and rehabilitation.....	110,449	110,449
Operation and maintenance.....	72,863	72,863
Purchase power and wheeling.....	471,535	471,535
Program direction.....	205,247	205,247
Utah mitigation and conservation.....	3,375	3,375
Subtotal, Operation and maintenance.....	863,469	863,469
Less alternative financing.....	-266,207	-266,207
Offsetting collections (P.L. 108-477, P.L. 109-103).....	-306,541	-306,541
Offsetting collections (P.L. 98-381).....	-4,821	-4,821
Offsetting collections (for program direction).....	-156,609	-156,609
Offsetting collections (for O&M).....	-33,323	-33,323
Offsetting collections (for program direction, O&M).....	---	---
TOTAL, WESTERN AREA POWER ADMINISTRATION.....	95,968	95,968
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance.....	4,169	4,169
Offsetting collections.....	-3,949	-3,949
TOTAL, FALCON AND AMISTAD O&M FUND.....	220	220
TOTAL, POWER MARKETING ADMINISTRATIONS.....	108,080	108,080
FEDERAL ENERGY REGULATORY COMMISSION		
Federal Energy Regulatory Commission.....	304,600	304,600
FERC revenues.....	-304,600	-304,600
GENERAL PROVISIONS		
Section 309 - Contractor Pay Freeze:		
Non-Security (rescission).....	---	-46,000
GRAND TOTAL, DEPARTMENT OF ENERGY.....	30,683,802	25,748,081
(Total amount appropriated).....	(30,925,134)	(26,639,290)
(Rescissions).....	(-241,332)	(-891,209)
SUMMARY OF ACCOUNTS		
Energy efficiency and renewable energy.....	3,200,053	1,815,091
Electricity delivery and energy reliability.....	237,717	139,500
Nuclear energy.....	754,028	768,663
Fossil Energy Research and Development.....	452,975	347,000
Naval Petroleum & Oil Shale Reserves.....	14,909	14,809
Strategic petroleum reserves.....	121,704	192,704
SPR Petroleum Account.....	-250,000	-500,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Northeast home heating oil reserve.....	-89,881	-89,881
Energy Information Administration.....	123,957	105,000
Non-Defense Environmental Cleanup.....	219,121	235,721
Uranium enrichment D&D fund.....	504,169	472,930
Science.....	5,416,114	4,889,000
Advanced Research Projects Agency-Energy.....	550,011	275,000
Innovative technology loan guarantee program.....	1,060,000	---
Advanced technology vehicles manufacturing loan pgm...	6,000	6,000
Better buildings program.....	105,000	---
Departmental administration.....	128,740	126,000
Office of the Inspector General.....	41,774	42,000
Atomic energy defense activities:		
National Nuclear Security Administration:		
Weapons activities.....	7,589,384	7,233,997
Defense nuclear nonproliferation.....	2,519,492	2,303,303
Naval reactors.....	1,153,662	1,080,000
Office of the Administrator.....	450,060	410,000
Section 309- Contractor pay freeze.....	---	-27,300
Subtotal, National Nuclear Security Admin.....	11,712,598	11,000,000
Defense environmental cleanup.....	5,406,781	5,023,000
Other defense activities.....	859,952	823,364
Total, Atomic energy defense activities.....	17,979,331	16,846,364
Power marketing administrations (1):		
Southeastern Power Administration.....	---	---
Southwestern Power Administration.....	11,892	11,892
Western Area Power Administration.....	95,968	95,968
Falcon and Amistad operating and maintenance fund...	220	220
Total, Power marketing administrations.....	108,080	108,080
Federal Energy Regulatory Commission:		
Salaries and expenses.....	304,600	304,600
Revenues.....	-304,600	-304,600
Section 309- Contractor pay freeze.....	---	-46,000
Total Summary of Accounts, Department of Energy...	30,683,802	25,748,081
FUNCTION RECAP:		
DEFENSE.....	17,730,505	16,538,522
NON-DEFENSE.....	12,953,297	9,209,559
Environmental management.....	(6,130,071)	(5,731,651)
DEFENSE RELATED.....	(5,406,781)	(5,023,000)
NON-DEFENSE.....	(723,290)	(708,651)
(1) Totals include alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals reflect funds collected for annual expenses, including power purchase and wheeling.		

GENERAL PROVISIONS—INDEPENDENT AGENCIES

The conference agreement modifies a provision proposed by the House relating to the Nuclear Regulatory Commission. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the Senate relating to spent fuel pools. Language addressing this issue is included under the heading “Nuclear Regulatory Commission—Salaries and Expenses” in the Statement of Managers.

The conferees include a modified Senate provision regarding certain NRC requirements. The House proposed no similar provision. The conferees intend that licensees proactively evaluate new information and, where necessary, improve their facilities to keep them current with all NRC requirements relevant to their licenses, including all updates, and urge the NRC to continue its efforts to ensure all license requirements are updated to incorporate the latest knowledge of external hazards facing each site.

TITLE V

GENERAL PROVISIONS

The conference agreement includes a provision proposed by the House and Senate relating to lobbying restrictions.

The conference agreement includes a provision proposed by the House and Senate relating to transfer authority.

The conference agreement does not include a provision proposed by the House prohibiting funds to be provided in contravention of section 6(b) of the Iran Sanctions Act. The Senate proposed no similar provision. The conferees direct the Administration to continue to follow these requirements.

The conference agreement includes a provision proposed by the House requiring new federal hires to be vetted through the E-Verify Program. The Senate proposed no similar provision.

The conference agreement modifies a provision proposed by the House prohibiting the government from entering into contracts or agreements with any corporation that was convicted of a felony criminal violation under any federal law within the preceding 24 months. The Senate proposed no similar provision.

The conference agreement modifies a provision proposed by the House prohibiting funds for contracts or agreements with entities with unpaid federal tax liabilities that have not entered into payment agreements to remedy the liability. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House regarding the amount within the Spending Reduction Account. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to the use of firearms on Corps of Engineers land. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds made available for the Science account to be used in contravention of the Department of

Energy Organization Act. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to the McNary Shoreline Management Plan. The Senate proposed no similar provision. The conferees note that concerns remain regarding the most recent plan and direct the Corps to continue working with residents to address these issues.

The conference agreement does not include a provision proposed by the House prohibiting the use of funds to move the Office of Environmental Management under the Under Secretary for Nuclear Energy of the Department of Energy. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to the lease or purchase of new light duty vehicles. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House relating to reintroduction of salmon in the San Joaquin River. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds to enforce section 526 of the Energy Independence and Security Act. The Senate proposed no similar provision. The conferees agree that increased energy self-sufficiency is an important national goal and the Department of Energy should continue to focus on research, development and government procurements that further progress towards that end.

The conference agreement does not include a provision proposed by the House prohibiting development of a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund. The Senate proposed no similar provision. The conferees support language in the House report opposing the diversion of revenue from existing authorized purposes, namely maintenance dredging, and in light of widespread congressional opposition to the budget proposal, suggest a wiser course of action would be to focus on utilizing the annual receipts for additional harbor dredging work rather than allowing the balance in the Trust Fund to continue to increase.

The conference agreement does not include a provision proposed by the House prohibiting funds for International activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy in China. The Senate proposed no similar provision.

The conference agreement includes a provision proposed by the House prohibiting funds to be used in contravention of the executive order entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations". The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House transferring funds between accounts for the Department of Energy. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House transferring funds between accounts for the Corps of Engineers. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting salaries for recess-appointed Presi-

dential appointees who fall under certain exemptions to Senate confirmation. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds for International activities of the Office of Energy Efficiency and Renewable Energy at the Department of Energy, except for the U.S.-Israel program. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds in this bill from being used to close the Yucca Mountain license application process until a specific condition is met or for actions that would remove the possibility that Yucca Mountain might be an option in the future. The Senate proposed no similar provision.

The conference agreement does not include a provision proposed by the House prohibiting funds to implement any new requirement regarding the disclosure of political contributions. The Senate proposed no similar provision.

TITLE V/VI

EMERGENCY SUPPLEMENTAL FUNDING FOR DISASTER RELIEF

The conference agreement does not include funding for the Corps of Engineers for disaster-related work as proposed in Title V of the House bill and Title VI of the Senate bill. Additional funding to address these needs will be considered separately.

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012

HR 2055

(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted

TITLE I - DEPARTMENT OF DEFENSE - CIVIL				
DEPARTMENT OF THE ARMY				
Corps of Engineers - Civil				
Investigations.....	126,746	104,000	125,000	-1,746
Construction.....	1,789,822	1,480,000	1,694,000	-95,822
Rescission.....	-176,000	---	---	+176,000
Subtotal.....	1,613,822	1,480,000	1,694,000	+80,178
Mississippi River and tributaries.....	263,906	210,000	252,000	-11,906
Rescission.....	-22,000	-23,000	---	+22,000
Rescission of emergency funding (Sec. 105).....	---	-35,000	---	---
Subtotal.....	241,906	152,000	252,000	+10,094
Operations and maintenance.....	2,365,759	2,314,000	2,412,000	+46,241
Regulatory program.....	189,620	196,000	193,000	+3,380
FUSRAP.....	129,740	109,000	109,000	-20,740
Flood control and coastal emergencies.....	---	27,000	27,000	+27,000
Expenses.....	184,630	185,000	185,000	+370
Office of Assistant Secretary of the Army (Civil Works).....	4,990	6,000	5,000	+10
=====	=====	=====	=====	=====
Total, title I, Department of Defense - Civil... Appropriations.....	4,857,213 (5,055,213)	4,573,000 (4,631,000)	5,002,000 (5,002,000)	+144,787 (-53,213)

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DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rescissions.....	(-198,000)	(-23,000)	---	(+198,000)
Rescissions of emergency funding.....	---	(-35,000)	---	---
	=====	=====	=====	=====
TITLE II - DEPARTMENT OF THE INTERIOR				
Central Utah Project Completion Account				
Central Utah project construction.....	---	29,441	25,154	+25,154
Fish, wildlife, and recreation mitigation and conservation.....	---	2,000	2,000	+2,000
Subtotal.....	---	31,441	27,154	+27,154
Program oversight and administration.....	---	1,550	1,550	+1,550
Undistributed funding level.....	31,940	---	---	-31,940
Total, Central Utah project completion account..	31,940	32,991	28,704	-3,236
Bureau of Reclamation				
Water and related resources.....	911,673	805,187	895,000	-16,673
Central Valley project restoration fund.....	49,914	53,068	53,068	+3,154
California Bay-Delta restoration.....	39,920	39,651	39,651	-269
Policy and administration.....	61,078	60,000	60,000	-1,078
Indian water rights settlements.....	---	51,483	---	---
San Joaquin restoration fund.....	---	9,000	---	---

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rescission.....	---	---	---	---
Subtotal.....	---	9,000	---	---
Total, Bureau of Reclamation.....	1,062,585	1,018,389	1,047,719	-14,866
Total, title II, Department of the Interior....	1,094,525	1,051,380	1,076,423	-18,102
TITLE III - DEPARTMENT OF ENERGY				
Energy Programs				
Energy efficiency and renewable energy.....	1,825,641	3,200,053	1,825,000	-641
Rescission.....	-30,000	---	-9,909	+20,091
Subtotal.....	1,795,641	3,200,053	1,815,091	+19,450
Electricity delivery and energy reliability.....	144,710	237,717	139,500	-5,210
Rescission.....	-3,700	---	---	+3,700
Subtotal.....	141,010	237,717	139,500	-1,510
Nuclear energy.....	732,124	754,028	768,663	+36,539
Rescission.....	-6,300	---	---	+6,300
Subtotal.....	725,824	754,028	768,663	+42,839

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012

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(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Fossil energy research and development.....	584,529	452,975	534,000	-50,529
Rescission.....	-140,000	---	-187,000	-47,000
Subtotal.....	444,529	452,975	347,000	-97,529
Naval Petroleum and Oil Shale Reserves.....	22,954	14,909	14,909	-8,045
Rescission.....	-2,100	---	---	+2,100
Subtotal.....	20,854	14,909	14,909	-5,945
Strategic petroleum reserve.....	209,441	192,704	192,704	-16,737
Rescission.....	-86,300	-71,000	---	+86,300
Subtotal.....	123,141	121,704	192,704	+69,563
SPR petroleum account.....	---	-250,000	---	---
Rescission.....	---	---	-500,000	-500,000
Subtotal.....	---	-250,000	-500,000	-500,000
Clean coal technology (rescission).....	-16,500	---	---	+16,500
Northeast home heating oil reserve.....	10,978	10,119	10,119	-859
Rescission.....	---	-100,000	-100,000	-100,000
Subtotal.....	10,978	-89,881	-89,881	-100,859
Energy Information Administration.....	95,409	123,957	105,000	+9,591

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
HR 2055

(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Rescission.....	-400	---	---	+400
Subtotal.....	95,009	123,957	105,000	+9,991
Non-defense environmental clean up.....	224,350	219,121	235,721	+11,371
Rescission.....	-900	---	---	+900
Subtotal.....	223,450	219,121	235,721	+12,271
Uranium enrichment decontamination and decommissioning fund.....	506,984	504,169	472,930	-34,054
Rescission.....	-9,900	---	---	+9,900
Subtotal.....	497,084	504,169	472,930	-24,154
Science.....	4,857,665	5,416,114	4,889,000	+31,335
Rescission.....	-15,000	---	---	+15,000
Subtotal.....	4,842,665	5,416,114	4,889,000	+46,335
Nuclear Waste Disposal.....	---	---	---	---
Rescission.....	-2,800	---	---	+2,800
Subtotal.....	-2,800	---	---	+2,800
Advanced Research Projects Agency-Energy.....	179,640	550,011	275,000	+95,360
Innovative Technology Loan Guarantee Program.....	58,000	38,000	38,000	-20,000
Offsetting collection.....	-58,000	-38,000	-38,000	+20,000

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Loan volume rescission.....	-181,830	---	---	+181,830
Additional loan volume.....	11,830	360,000	---	-11,830
Federal participation in Title 17 loan guarantee projects.....	---	500,000	---	---
Additional subsidy cost.....	169,660	200,000	---	-169,660
Subtotal.....	-340	1,060,000	---	+340
Advanced technology vehicles manufacturing loans program.....	9,978	6,000	6,000	-3,978
Better buildings pilot loan guarantee initiative:				
Loan guarantees.....	---	100,000	---	---
Administrative costs.....	---	5,000	---	---
Subtotal.....	---	105,000	---	---
Departmental administration.....	250,139	240,623	237,623	-12,516
Miscellaneous revenues.....	-119,501	-111,883	-111,623	+7,878
Net appropriation.....	130,638	128,740	126,000	-4,638
Rescission.....	-81,900	---	---	+81,900
Subtotal.....	48,738	128,740	126,000	+77,262

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Office of the Inspector General.....	42,764	41,774	42,000	-764
Total, Energy programs.....	9,181,665	12,596,391	8,839,637	-342,028
Atomic Energy Defense Activities				
National Nuclear Security Administration				
Weapons activities.....	6,946,398	7,629,716	7,233,997	+287,599
Rescission.....	-50,000	-40,332	---	+50,000
Subtotal.....	6,896,398	7,589,384	7,233,997	+337,599
Defense nuclear nonproliferation.....	2,318,653	2,549,492	2,324,303	+5,650
Rescission.....	-45,000	-30,000	-21,000	+24,000
Subtotal.....	2,273,653	2,519,492	2,303,303	+29,650
Naval reactors.....	960,176	1,153,662	1,080,000	+119,824
Rescission.....	-1,000	---	---	+1,000
Subtotal.....	959,176	1,153,662	1,080,000	+120,824
Office of the Administrator.....	398,993	450,060	410,000	+11,007
Rescission.....	-5,700	---	---	+5,700
Subtotal.....	393,293	450,060	410,000	+16,707

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted

General Provision				
Section 309 -- Contractor pay freeze:				
Security (rescission).....	---	---	-27,300	-27,300

Total, National Nuclear Security Administration.	10,522,520	11,712,598	11,000,000	+477,480

Environmental and Other Defense Activities				
Defense environmental cleanup.....	4,991,638	5,406,781	5,023,000	+31,362
(Transfer to Uranium enrichment decontamination and decommissioning fund).....	(-33,633)	---	---	(+33,633)
Rescission.....	-11,900	---	---	+11,900

Subtotal.....	4,979,738	5,406,781	5,023,000	+43,262

Other defense activities.....	788,420	859,952	823,364	+34,944
Rescission.....	-3,400	---	---	+3,400

Subtotal.....	785,020	859,952	823,364	+38,344

Total, Environmental and other defense activities.....	5,764,758	6,266,733	5,846,364	+81,606

Total, Atomic Energy Defense Activities.....	16,287,278	17,979,331	16,846,364	+559,086

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
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 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
<hr style="border-top: 1px dashed black;"/>				
Power Marketing Administrations /1				
Operation and maintenance, Southeastern Power				
Administration.....	78,444	8,428	8,428	-70,016
Offsetting collections.....	-78,444	-8,428	-8,428	+70,016
	-----	-----	-----	-----
Subtotal.....	---	---	---	---
Operation and maintenance, Southwestern Power				
Administration.....	82,918	45,010	45,010	-37,908
Offsetting collection.....	-69,868	-33,118	-33,118	+36,750
	-----	-----	-----	-----
Subtotal.....	13,050	11,892	11,892	-1,158
Construction, rehabilitation, operation and maintenance, Western Area Power Administration.....				
Offsetting collections.....	610,179	285,900	285,900	-324,279
Offsetting collection Colorado River Dam Fund...	-497,337	-189,932	-189,932	+307,405
	-3,879	---	---	+3,879
	-----	-----	-----	-----
Subtotal.....	108,963	95,968	95,968	-12,995
Falcon and Amistad operating and maintenance fund.....				
Offsetting collections.....	2,568	4,169	4,169	+1,601
	-2,348	-3,949	-3,949	-1,601
	-----	-----	-----	-----
Subtotal.....	220	220	220	---
	-----	-----	-----	-----
Total, Power Marketing Administrations.....	122,233	108,080	108,080	-14,153

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012

HR 2055

(Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
Federal Energy Regulatory Commission				
Salaries and expenses.....	298,000	304,600	304,600	+6,600
Revenues applied.....	-298,000	-304,600	-304,600	-6,600
General Provision				
Section 309 -- Contractor pay freeze:				
Non security (rescission).....	---	---	-46,000	-46,000
=====				
Total, title III, Department of Energy.....	25,591,176	30,683,802	25,748,081	+156,905
Appropriations.....	(26,285,806)	(30,925,134)	(26,639,290)	(+353,484)
Rescissions.....	(-694,630)	(-241,332)	(-891,209)	(-196,579)
=====				
TITLE IV - INDEPENDENT AGENCIES				
Appalachian Regional Commission.....	68,263	76,000	68,263	---
Defense Nuclear Facilities Safety Board.....	23,203	29,130	29,130	+5,927
Delta Regional Authority.....	11,677	13,000	11,677	---
Denali Commission.....	10,679	11,965	10,679	---
Rescission.....	-15,000	---	---	+15,000

Subtotal.....	-4,321	11,965	10,679	+15,000
Northern Border Regional Commission.....	1,497	1,500	1,497	---
Southeast Crescent Regional Commission.....	250	---	250	---

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
 HR 2055
 (Amounts in Thousands)

	FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted

Nuclear Regulatory Commission:				
Salaries and expenses.....	1,043,208	1,027,240	1,027,240	-15,968
Revenues.....	-906,220	-899,726	-899,726	+6,494
Subtotal.....	136,988	127,514	127,514	-9,474
Office of Inspector General.....	10,858	10,860	10,860	+2
Revenues.....	-9,774	-9,774	-9,774	---
Subtotal.....	1,084	1,086	1,086	+2
Total, Nuclear Regulatory Commission.....	138,072	128,600	128,600	-9,472
Nuclear Waste Technical Review Board.....	3,883	3,400	3,400	-483
Office of the Federal Coordinator for Alaska natural gas transportation projects.....	4,457	4,032	1,000	-3,457
Total, title IV, Independent agencies.....	246,981	267,627	254,496	+7,515
Appropriations.....	(261,981)	(267,627)	(254,496)	(-7,485)
Rescissions.....	(-15,000)	---	---	(+15,000)
=====	=====	=====	=====	=====
=====	=====	=====	=====	=====
Grand total.....	31,789,895	36,575,809	32,081,000	+291,105
Appropriations.....	(32,697,525)	(36,875,141)	(32,972,209)	(+274,684)
Rescissions.....	(-907,630)	(-264,332)	(-891,209)	(+16,421)
Rescissions of emergency appropriations.....	---	(-35,000)	---	---
=====	=====	=====	=====	=====

DIVISION B: ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2012
HR 2055
(Amounts in Thousands)

FY 2011 Enacted	FY 2012 Request	Conference	Conference vs. Enacted
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1/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling.

DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT
APPROPRIATIONS ACT, 2012

References in this statement to the Senate bill are to the bill (S. 1573) as reported to the Senate by the Committee on Appropriations on September 15, 2011 (S. Rept. 112–79). References to the House bill are to the bill (H.R. 2434) as reported to the House by the Committee on Appropriations on July 7, 2011 (H. Rept. 112–136).

Language included in House Report 112–136 or Senate Report 112–79 that is not changed by this joint explanatory statement is approved by the committee of conference. This explanatory statement, while repeating some report language for emphasis, is not intended to negate the language in the referenced House and Senate committee reports unless expressly provided herein.

Where the House or Senate has directed submission of a report, that report is to be submitted to the Committees on Appropriations of both the House of Representatives and the Senate.

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

The conference agreement provides \$308,388,000 for departmental offices salaries and expenses, instead of \$185,749,000 as proposed by the House and \$306,388,000 as proposed by the Senate.

Within the amount provided under this heading, the conference agreement provides \$100,000,000 for the Office of Terrorism and Financial Intelligence and within that amount no more than \$26,608,000 for administrative expenses. The conference agreement also provides full funding for the Secretary's security and travel, both domestic and international (including civilian and military).

Judgment Fund.—The conferees adopt the House report language regarding the Judgment Fund, except that the first report is due within 180 days of enactment of this Act and annually thereafter.

Volcker Rule.—The conferees note that consistent with Public Law 111–203, the appropriate Federal banking regulators and the U.S. Securities and Exchange Commission proposed regulations implementing the “Volcker Rule,” and the U.S. Commodity Futures Trading Commission is expected to propose a similar rule, that appropriately accommodates the business of insurance by permitting trading by a regulated insurance company for its general account. These accommodations are subject to subsections (d)(1)(F) and (d)(2)(A) of section 13 (or “sections 13(d)(1)(F) and 13(d)(2)(A)”) of the Bank Holding Company Act of 1956.

Economic Sanctions and Divestments.—The conferees direct the Department to fully implement the sanctions and divestment measures applicable to North Korea, Burma, Belarus, Iran, Sudan, and Zimbabwe. The Department is further directed to promptly no-

Section 622 allows the publication in the Federal Register of a reference to the Help America Vote Act State plans, rather than publication of the complete State plans.

Section 623 rescinds \$25,000,000 from the Securities and Exchange Commission Reserve Fund established by the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Section 624 requires certain agencies to provide quarterly reports on unobligated prior year balances.

Section 625 requires agencies covered by this Act with independent leasing authority to consult with the General Services Administration before seeking new office space or making alterations to existing office space.

Section 626 prohibits funds for the FTC to complete the draft report on food marketed to children unless certain requirements are met.

Section 627 prohibits funds for certain positions.

Section 628 provides that no FCC funds may be used, or otherwise permitted, for certain commercial terrestrial operations.

Section 629 prohibits funding for hiring new Federal employees that are not verified through the E-Verify Program.

Section 630 prohibits funds to any corporation with certain unpaid Federal tax liabilities unless the agency has considered suspension or debarment of the corporation and made a determination that further action is not necessary to protect the interests of the Government.

Section 631 prohibits funds to any corporation that was convicted of a felony criminal violation within the preceding 24 months unless the agency has considered suspension or debarment of the corporation and made a determination that further action is not necessary to protect the interests of the Government.

Section 632 delays a statutory requirement for the United States Postal Services to make a payment to the Postal Service Retiree Health Benefit Fund until August 1, 2012.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

The conferees agree to the following provisions:

Section 701 requires all agencies have a written policy for ensuring a drug-free workplace.

Section 702 sets specific limits on the cost of passenger vehicles with exceptions for police, heavy duty, electric hybrid and clean fuels vehicles.

Section 703 makes appropriations available for quarters/cost-of-living allowances.

Section 704 prohibits the use of appropriated funds to compensate officers or employees of the Federal government in the continental United States unless they are citizens of the United States or qualify under other specified exceptions.

Section 705 ensures that appropriations made available to any department or agency for space, services and rental charges shall

also be available for payment to the General Services Administration.

Section 706 allows the use of receipts from the sale of materials for acquisition, waste reduction and prevention, environmental management programs and other Federal employee programs as appropriate.

Section 707 allows funds for administrative expenses of government corporations and certain agencies to also be available for rent in the District of Columbia, services under 5 U.S.C. 3109, and the objects specified under this head.

Section 708 prohibits funds for interagency financing of boards (with exception), commissions, councils, committees or similar groups to receive multi-agency funding without prior statutory approval.

Section 709 precludes funds for regulations which have been disapproved by joint resolution.

Section 710 limits the amount of funds that can be used for redecoration of offices under certain circumstances to \$5,000, unless advance notice is transmitted to the House and Senate Committees on Appropriations.

Section 711 allows for interagency funding of national security and emergency preparedness telecommunications initiatives.

Section 712 requires agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 713 prohibits the salary payment of any employee who prohibits, threatens, prevents or otherwise penalizes another employee from communicating with Congress.

Section 714 prohibits Federal employee training not directly related to the performance of official duties.

Section 715 prevents funds from being used to implement or enforce non-disclosure agreement policies unless certain provisions are included, updates the Executive Order and other citations and makes provisions for nondisclosure agreements entered into before the effective date of any updated statutes of governance.

Section 716 prohibits executive branch agencies from using funds for propaganda or publicity purposes in support or defeat of legislative initiatives.

Section 717 prohibits any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 718 prohibits funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the government without the approval of the House and Senate Committees on Appropriations.

Section 719 prohibits the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 720 directs agency employees to use official time in an honest effort to perform official duties.

Section 721 authorizes the use of funds to finance an appropriate share of the Federal Accounting Standards Advisory Board administrative costs.

Section 722 authorizes the transfer of funds to the General Services Administration to finance an appropriate share of various government-wide boards and councils under certain conditions.

Section 723 permits breastfeeding in a Federal building or on Federal property if the woman and child are authorized to be there.

Section 724 permits interagency funding of the National Science and Technology Council and requires the Office of Management and Budget to provide a report to the House and Senate on the budget and resources of the National Science and Technology Council.

Section 725 requires that the Federal forms that are used in distributing Federal funds to a State must indicate the agency providing the funds, the Federal Domestic Assistance Number, and the amount provided.

Section 726 prohibits the use of funds to monitor personal information relating to the use of Federal Internet sites to collect, review, or create any aggregate list that includes personally identifiable information relating to access to or use of any Federal Internet site of such agency.

Section 727 requires health plans participating in the Federal Employees Health Benefits Program to provide contraceptive coverage and provides exemptions to certain religious plans.

Section 728 recognizes the United States is committed to ensuring the health of the Olympic, Pan American and Paralympic athletes, and supports the strict adherence to antidoping in sport activities.

Section 729 allows funds for official travel to be used by departments and agencies, if consistent with OMB and Budget Circular A-126, to participate in the fractional aircraft ownership pilot program.

Section 730 prohibits funds for implementation of the Office of Personnel Management regulations limiting detailees to the Legislative Branch or implementing limitations on the Coast Guard Congressional Fellowship Program.

Section 731 restricts the use of funds for Federal law enforcement training facilities with an exception for the Federal Law Enforcement Training Center.

Section 732 prohibits funds for E-Government initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the House and Senate Committees on Appropriations and receipt of the Committees' approval to transfer funds. The section also prohibits funds for new E-Government initiatives without the explicit approval of the Committees.

Section 733 prohibits funds to begin or announce a study or public-private competition regarding conversion to contractor performance pursuant to OMB Circular A-76.

Section 734 prohibits executive branch agencies from creating prepackaged news stories that are broadcast or distributed in the United States unless the story includes a clear notification within the text or audio of that news story that the prepackaged news story was prepared or funded by that executive branch agency.

Section 735 prohibits funds from being used in contravention of the Privacy Act or associated regulations.

Section 736 requires agencies to evaluate the creditworthiness of an individual before issuing a government travel charge card and prohibits agencies from issuing a government travel charge card to individuals who have an unsatisfactory credit history.

Section 737 requires the Office of Management and Budget to submit a crosscut budget report on Great Lakes restoration activities not later than 45 days after the submission of the budget of the President to Congress.

Section 738 prohibits funds in this or any other Act to be used for Federal contracts with inverted domestic corporations, unless the contract preceded this Act or the Secretary grants a waiver in the interest of national security.

Section 739 prohibits agencies from using funds to implement regulations changing the competitive areas under reductions-in-force for Federal employees.

Section 740 makes changes to Section 743 of the Consolidated Appropriations Act of 2010 (Public Law 111–117) to require reporting on task orders.

Section 741 requires agencies to pay a fee to the Office of Personnel Management for processing retirements of employees who separate under Voluntary Early Retirement Authority or who receive Voluntary Separation Incentive payments.

Section 742 declares references to “this Act” contained in any title other than title IV or VIII shall not apply to such titles IV or VIII.

Section 743 prohibits funds to require any entity submitting an offer for a Federal contract to disclose political contributions.

Section 744 provides transfer authority for amounts made available to the Commodity Futures Trading Commission for information technology investments under Public Law 112–55.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to the following general provisions for the District of Columbia:

Section 801 allows the use of local funds for making refunds or paying judgments against the District of Columbia government.

Section 802 prohibits the use of Federal funds for publicity or propaganda designed to support or defeat legislation before Congress or any State legislature.

Section 803 establishes reprogramming procedures for Federal funds.

Section 804 prohibits the use of Federal funds for the salaries and expenses of a shadow U.S. Senator or U.S. Representative.

Section 805 places restrictions on the use of District of Columbia government vehicles.

Section 806 prohibits the use of Federal funds for a petition or civil action which seeks to require voting rights for the District of Columbia in Congress.

Section 807 prohibits the use of Federal funds in this Act to distribute, for the purpose of preventing the spread of blood borne