

DEPARTMENT OF COMMERCE

DEPARTMENTAL MANAGEMENT

Federal Funds

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed \$5,000 for official entertainment, **[\$44,294,000: Provided, That the Secretary, within 120 days of enactment of this Act, shall provide a report to the Committees on Appropriations that audits and evaluates all decision documents and expenditures by the Bureau of the Census as they relate to the 2010 Census: Provided further, That of the amounts provided to the Secretary within this account, \$10,000,000 shall not become available for obligation until the Secretary certifies to the Committees on Appropriations that the Bureau of the Census has followed, and met all best practices, and all Office of Management and Budget guidelines related to information technology projects] \$61,083,000. (Department of Commerce Appropriations Act, 2008.)**

Program and Financing (in millions of dollars)

Identification code 13-0120-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Executive direction	23	21	32
00.02 Departmental staff services	27	25	29
09.01 Reimbursable program	156	266	262
10.00 Total new obligations	206	312	323
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	20	7	.....
22.00 New budget authority (gross)	191	305	323
22.10 Resources available from recoveries of prior year obligations	2	.....	.....
23.90 Total budgetary resources available for obligation	213	312	323
23.95 Total new obligations	-206	-312	-323
24.40 Unobligated balance carried forward, end of year	7	.....	.....
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	47	44	61
42.00 Transferred from other accounts	2	.....	.....
43.00 Appropriation (total discretionary)	49	44	61
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	133	261	262
58.10 Change in uncollected customer payments from Federal sources (unexpired)	9	.....	.....
58.90 Spending authority from offsetting collections (total discretionary)	142	261	262
70.00 Total new budget authority (gross)	191	305	323
Change in obligated balances:			
72.40 Obligated balance, start of year	69	64	7
73.10 Total new obligations	206	312	323
73.20 Total outlays (gross)	-204	-369	-322
73.40 Adjustments in expired accounts (net)	-2	.....	.....
73.45 Recoveries of prior year obligations	-2	.....	.....
74.00 Change in uncollected customer payments from Federal sources (unexpired)	-9	.....	.....
74.10 Change in uncollected customer payments from Federal sources (expired)	6	.....	.....
74.40 Obligated balance, end of year	64	7	8
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	121	300	316
86.93 Outlays from discretionary balances	83	69	6
87.00 Total outlays (gross)	204	369	322

Offsets:

Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources	-139	-261	-262
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	-9	.....	.....
88.96 Portion of offsetting collections (cash) credited to expired accounts	6	.....	.....

Net budget authority and outlays:

89.00 Budget authority	49	44	61
90.00 Outlays	65	108	60

The Salaries and Expenses account funds Executive Direction, which provides policy oversight for the Department, and Departmental staff services, which oversees the day-to-day operations of the Department. This Budget includes funding for initiatives to improve IT Cyber Security and implement National Communications Systems (NCS) Directive 3-10, which will ensure the continuity of telecommunications for senior leadership during an emergency, and funding initiatives related to expanding Electronic Government.

Reimbursable program.—Provides a centralized collection source for special tasks or costs and their billing to users.

Object Classification (in millions of dollars)

Identification code 13-0120-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
11.1 Personnel compensation: Full-time permanent	19	19	20
12.1 Civilian personnel benefits	5	5	6
21.0 Travel and transportation of persons	1	1	1
23.1 Rental payments to GSA	3	3	4
23.3 Communications, utilities, and miscellaneous charges .....	.....	.....	1
25.2 Other services	11	7	14
25.3 Other purchases of goods and services from Government accounts	10	10	14
31.0 Equipment	1	1	1
99.0 Direct obligations	50	46	61
99.0 Reimbursable obligations	156	266	262
99.9 Total new obligations	206	312	323

Employment Summary

Identification code 13-0120-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	178	178	180
Reimbursable:			
2001 Civilian full-time equivalent employment	57	55	53

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), **[\$22,020,000] \$24,766,000. (Department of Commerce Appropriations Act, 2008.)**

Program and Financing (in millions of dollars)

Identification code 13-0126-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program activity	23	22	25
10.00 Total new obligations	23	22	25
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	23	22	25

OFFICE OF INSPECTOR GENERAL—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 13-0126-0-1-376	2007 actual	2008 est.	2009 est.
23.95 Total new obligations	-23	-22	-25
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	23	22	25
Change in obligated balances:			
72.40 Obligated balance, start of year	1	1	3
73.10 Total new obligations	23	22	25
73.20 Total outlays (gross)	-23	-20	-25
74.40 Obligated balance, end of year	1	3	3
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	22	19	22
86.93 Outlays from discretionary balances	1	1	3
87.00 Total outlays (gross)	23	20	25
Net budget authority and outlays:			
89.00 Budget authority	23	22	25
90.00 Outlays	23	20	25

The Office of Inspector General (OIG) promotes efficient and effective programs and works to prevent waste, fraud and abuse through audits, inspections and investigations. The 2009 Budget includes an increase to enhance OIG's ability to reduce information security weaknesses throughout the Department.

Performance measures.—A detailed presentation of the performance outcomes, measures, and targets is found in the department's 2009 budget.

Object Classification (in millions of dollars)

Identification code 13-0126-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
11.1 Personnel compensation: Full-time permanent	13	13	15
12.1 Civilian personnel benefits	3	3	3
23.1 Rental payments to GSA	2	2	2
25.2 Other services	4	3	2
25.3 Other purchases of goods and services from Government accounts	1	1	3
99.9 Total new obligations	23	22	25

Employment Summary

Identification code 13-0126-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	124	120	138

NATIONAL INTELLECTUAL PROPERTY LAW ENFORCEMENT COORDINATION COUNCIL (NIPLECC)

For necessary expenses of the National Intellectual Property Law Enforcement Coordination Council to coordinate domestic and international intellectual property protection and law enforcement relating to intellectual property among Federal and foreign entities, including expenses of cooperative agreements, \$1,021,000, to remain available until September 30, 2010. (15 U.S.C. 1128)

Program and Financing (in millions of dollars)

Identification code 13-0127-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program activity			1
10.00 Total new obligations (object class 25.2)			1
Budgetary resources available for obligation:			
22.00 New budget authority (gross)			1

23.95 Total new obligations			-1
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation			1
Change in obligated balances:			
72.40 Obligated balance, start of year	1		
73.10 Total new obligations			1
73.20 Total outlays (gross)	-1		-1
74.40 Obligated balance, end of year			
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority			1
86.93 Outlays from discretionary balances	1		
87.00 Total outlays (gross)	1		1
Net budget authority and outlays:			
89.00 Budget authority			1
90.00 Outlays	1		1

The National Intellectual Property Law Enforcement Coordination Council coordinates the capabilities and resources of the Federal Government to protect American intellectual property.

Employment Summary

Identification code 13-0127-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment			4

HCHB RENOVATION AND MODERNIZATION

For expenses necessary, including blast windows, for the renovation and modernization of the Herbert C. Hoover Building, [\$3,722,000] \$7,367,000, to remain available until expended. (*Department of Commerce Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 13-0123-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program activity		4	7
10.00 Total new obligations (object class 25.2)		4	7
Budgetary resources available for obligation:			
22.00 New budget authority (gross)		4	7
23.95 Total new obligations		-4	-7
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation		4	7
Change in obligated balances:			
72.40 Obligated balance, start of year			1
73.10 Total new obligations		4	7
73.20 Total outlays (gross)		-3	-6
74.40 Obligated balance, end of year		1	2
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority		3	5
86.93 Outlays from discretionary balances			1
87.00 Total outlays (gross)		3	6
Net budget authority and outlays:			
89.00 Budget authority		4	7
90.00 Outlays		3	6

This account funds the Commerce Department's expenses associated with renovating and modernizing the Herbert C. Hoover Building. The renovation will take 11 years and upgrade infrastructure, remove safety hazards, and improve en-

ergy efficiency. The General Services Administration (GSA) and Commerce are each responsible for certain aspects of the project's costs. Project funding for both GSA and Commerce should occur simultaneously so that design, installation, furnishing and office relocations can be coordinated. To address the high priority security needs of Commerce employees, this account will also finance the installation of blast mitigation windows.

WORKING CAPITAL FUND

Program and Financing (in millions of dollars)

Identification code 13-4511-0-4-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
09.01 Departmental staff services	83	97	99
09.02 Executive direction	45	47	49
09.99 Total reimbursable program	128	144	148
10.00 Total new obligations	128	144	148
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	13	5	
22.00 New budget authority (gross)	120	139	148
23.90 Total budgetary resources available for obligation	133	144	148
23.95 Total new obligations	-128	-144	-148
24.40 Unobligated balance carried forward, end of year	5		
New budget authority (gross), detail:			
Mandatory:			
Spending authority from offsetting collections:			
69.00 Offsetting collections (cash)	125	139	148
69.10 Change in uncollected customer payments from Federal sources (unexpired)	-5		
69.90 Spending authority from offsetting collections (total mandatory)	120	139	148
Change in obligated balances:			
72.40 Obligated balance, start of year	22	32	
73.10 Total new obligations	128	144	148
73.20 Total outlays (gross)	-123	-176	-148
74.00 Change in uncollected customer payments from Federal sources (unexpired)	5		
74.40 Obligated balance, end of year	32		
Outlays (gross), detail:			
86.97 Outlays from new mandatory authority	100	139	148
86.98 Outlays from mandatory balances	23	37	
87.00 Total outlays (gross)	123	176	148
Offsets:			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources	-125	-139	-148
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	5		
Net budget authority and outlays:			
89.00 Budget authority			
90.00 Outlays	-2	37	

This fund finances, on a reimbursable basis, Department-wide administrative functions that are more efficiently performed on a centralized basis, including general counsel, human resources, financial, procurement and security services.

Object Classification (in millions of dollars)

Identification code 13-4511-0-4-376	2007 actual	2008 est.	2009 est.
Reimbursable obligations:			
11.1 Personnel compensation: Full-time permanent	50	60	64
12.1 Civilian personnel benefits	13	16	17

21.0	Travel and transportation of persons	1	1	1
23.1	Rental payments to GSA	5	6	6
23.3	Communications, utilities, and miscellaneous charges	5	5	7
25.2	Other services	30	36	35
25.3	Other purchases of goods and services from Government accounts	14	15	13
26.0	Supplies and materials	3	2	2
31.0	Equipment	7	3	3
99.9	Total new obligations	128	144	148

Employment Summary

Identification code 13-4511-0-4-376	2007 actual	2008 est.	2009 est.	
Reimbursable:				
2001	Civilian full-time equivalent employment	544	575	575

FRANCHISE FUND

Program and Financing (in millions of dollars)

Identification code 13-4564-0-4-376	2007 actual	2008 est.	2009 est.	
Obligations by program activity:				
09.01 Reimbursable program	7	14	15	
10.00 Total new obligations	7	14	15	
Budgetary resources available for obligation:				
21.40 Unobligated balance carried forward, start of year	2	3	2	
22.00 New budget authority (gross)	8	13	13	
23.90 Total budgetary resources available for obligation	10	16	15	
23.95 Total new obligations	-7	-14	-15	
24.40 Unobligated balance carried forward, end of year	3	2		
New budget authority (gross), detail:				
Mandatory:				
69.00	Spending authority from offsetting collections: Offsetting collections (cash)	8	13	13
Change in obligated balances:				
72.40 Obligated balance, start of year	1		-1	
73.10 Total new obligations	7	14	15	
73.20 Total outlays (gross)	-8	-15	-15	
74.40 Obligated balance, end of year		-1	-1	
Outlays (gross), detail:				
86.97 Outlays from new mandatory authority	8	13	13	
86.98 Outlays from mandatory balances		2	2	
87.00 Total outlays (gross)	8	15	15	
Offsets:				
Against gross budget authority and outlays:				
88.00	Offsetting collections (cash) from: Federal sources	-8	-13	-13
Net budget authority and outlays:				
89.00	Budget authority			
90.00	Outlays	2	2	

This fund finances computer support services on a fully competitive and cost-reimbursable basis to Federal customers.

Object Classification (in millions of dollars)

Identification code 13-4564-0-4-376	2007 actual	2008 est.	2009 est.	
Reimbursable obligations:				
11.1	Personnel compensation: Full-time permanent	2	2	2
23.3	Communications, utilities, and miscellaneous charges		2	2
25.2	Other services	4	7	8
31.0	Equipment	1	3	3
99.9	Total new obligations	7	14	15

FRANCHISE FUND—Continued

Employment Summary

Identification code 13-4564-0-4-376	2007 actual	2008 est.	2009 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	16	21	21

EMERGENCY STEEL GUARANTEED LOAN PROGRAM ACCOUNT
(CANCELLATION)

Of the unobligated balances available under this heading from prior year appropriations, all remaining subsidy amounts are cancelled.

Program and Financing (in millions of dollars)

Identification code 13-0122-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.07 Reestimates of loan guarantee subsidy		1	
00.08 Interest on reestimates of loan guarantee subsidy		2	
00.09 Administrative expenses	1		
10.00 Total new obligations	1	3	

Budgetary resources available for obligation:

21.40 Unobligated balance carried forward, start of year	50	49	49
22.00 New budget authority (gross)		3	-49
23.90 Total budgetary resources available for obligation	50	52	
23.95 Total new obligations	-1	-3	
24.40 Unobligated balance carried forward, end of year	49	49	

New budget authority (gross), detail:

Discretionary:			
40.36 Unobligated balance permanently reduced			-49
Mandatory:			
60.00 Appropriation		3	
70.00 Total new budget authority (gross)		3	-49

Change in obligated balances:

72.40 Obligated balance, start of year			-1
73.10 Total new obligations	1	3	
73.20 Total outlays (gross)	-1	-4	
74.40 Obligated balance, end of year		-1	-1

Outlays (gross), detail:

86.93 Outlays from discretionary balances	1	1	
86.97 Outlays from new mandatory authority		3	
87.00 Total outlays (gross)	1	4	

Net budget authority and outlays:

89.00 Budget authority		3	-49
90.00 Outlays	1	4	

Summary of Loan Levels, Subsidy Budget Authority and Outlays by Program (in millions of dollars)

Identification code 13-0122-0-1-376	2007 actual	2008 est.	2009 est.
Guaranteed loan upward reestimates:			
235001 Emergency Steel Loan Guarantee Program		3	
235999 Total upward reestimate budget authority		3	
Guaranteed loan downward reestimates:			
237001 Emergency Steel Loan Guarantee Program	-14		
237999 Total downward reestimate subsidy budget authority	-14		
Administrative expense data:			
3510 Budget authority	1		
3580 Outlays from balances	1		

As required by the Federal Credit Reform Act of 1990, this account records the administrative expenses for this program, as well as the subsidy costs associated with the loan guarantees. The subsidy amounts are estimated on a present

value basis; the administrative expenses are estimated on a cash basis. Only three loans have been made under the Steel program and no new loans have been made since 2003. The proposal will cancel all remaining unobligated subsidy balances associated with the Steel program. For presentation purposes, data for the Emergency Oil and Gas Guaranteed Loan Program has been merged into the Steel account. Authority for new oil and gas loans expired on December 31, 2001.

Object Classification (in millions of dollars)

Identification code 13-0122-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
25.3 Other purchases of goods and services from Government accounts	1		
41.0 Grants, subsidies, and contributions		3	
99.9 Total new obligations	1	3	

EMERGENCY STEEL, OIL, AND GAS GUARANTEED LOAN FINANCING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4328-0-3-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.04 Expenses for Geneva Recovery		1	
00.05 Modification Savings	19		
00.91 Direct Program by Activities	19	1	
08.02 Downward reestimate	13		
08.04 Interest on Downward Reestimate	1		
08.91 Direct Program by Activities	14		
10.00 Total new obligations	33	1	

Budgetary resources available for obligation:

21.40 Unobligated balance carried forward, start of year	82	54	55
22.00 New financing authority (gross)	5	2	1
23.90 Total budgetary resources available for obligation	87	56	56
23.95 Total new obligations	-33	-1	
24.40 Unobligated balance carried forward, end of year	54	55	56

New financing authority (gross), detail:

Mandatory:			
60.00 Appropriation	5		
60.47 Portion applied to repay debt	-3	-2	
62.50 Appropriation (total mandatory)	2	-2	
67.10 Authority to borrow	2		
69.00 Spending authority from offsetting collections: Offsetting collections (cash)	1	4	1
70.00 Total new financing authority (gross)	5	2	1

Change in obligated balances:

72.40 Obligated balance, start of year			-12
73.10 Total new obligations	33	1	
73.20 Total financing disbursements (gross)	-33	-13	-37
74.40 Obligated balance, end of year		-12	-49

Outlays (gross), detail:

87.00 Total financing disbursements (gross)	33	13	37
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Offsets:

Against gross financing authority and financing disbursements:			
Offsetting collections (cash) from:			
88.00 Federal sources		-3	
88.25 Interest on uninvested funds		-1	-1
88.40 Non-Federal sources	-1		
88.90 Total, offsetting collections (cash)	-1	-4	-1

Net financing authority and financing disbursements:

89.00 Financing authority	4	-2	
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90.00	Financing disbursements	32	9	36
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Status of Guaranteed Loans (in millions of dollars)

Identification code 13-4328-0-3-376	2007 actual	2008 est.	2009 est.
Cumulative balance of guaranteed loans outstanding:			
2210 Outstanding, start of year	68	150	125
2251 Repayments and prepayments	-13	-25	-25
2264 Adjustments: Other adjustments, net	95		
2290 Outstanding, end of year	150	125	100
Memorandum:			
2299 Guaranteed amount of guaranteed loans outstanding, end of year	131	110	88

As required by the Federal Credit Reform Act of 1990, this non-budgetary account records all cash flows to and from the Government resulting from guaranteed loans (including modifications of guaranteed loans that resulted from commitments in any year). The amounts in this account are a means of financing and are not included in the budget totals.

Balance Sheet (in millions of dollars)

Identification code 13-4328-0-3-376	2006 actual	2007 actual
ASSETS:		
1101 Federal assets: Fund balances with Treasury	135	105
1999 Total assets	135	105
LIABILITIES:		
Non-Federal liabilities:		
2203 Debt	17	2
2204 Liabilities for loan guarantees	68	55
2207 Other	50	48
2999 Total liabilities	135	105
NET POSITION:		
3999 Total net position		
4999 Total liabilities and net position	135	105

Trust Funds

GIFTS AND BEQUESTS

Special and Trust Fund Receipts (in millions of dollars)

Identification code 13-8501-0-7-376	2007 actual	2008 est.	2009 est.
01.00 Balance, start of year	1	1	1
01.99 Balance, start of year	1	1	1
Receipts:			
02.60 Gifts and Bequests	1	1	1
04.00 Total: Balances and collections	2	2	2
Appropriations:			
05.00 Gifts and Bequests	-1	-1	-1
07.99 Balance, end of year	1	1	1

Program and Financing (in millions of dollars)

Identification code 13-8501-0-7-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program activity	1	1	1
10.00 Total new obligations (object class 25.2)	1	1	1
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	1	1	1
23.95 Total new obligations	-1	-1	-1
New budget authority (gross), detail:			
Mandatory:			
60.26 Appropriation (trust fund)	1	1	1
Change in obligated balances:			
73.10 Total new obligations	1	1	1

73.20	Total outlays (gross)	-1	-1	-1
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Outlays (gross), detail:

86.97	Outlays from new mandatory authority	1	1	1
Net budget authority and outlays:				
89.00	Budget authority	1	1	1
90.00	Outlays	1	1	1

The Secretary of Commerce is authorized to accept, hold, administer, and utilize gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department of Commerce. Property and the proceeds thereof are used in accordance with the terms of the gift or bequest.

ECONOMIC DEVELOPMENT ADMINISTRATION

Federal Funds

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, **[\$30,832,000] \$32,800,000: Provided,** That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977. (19 U.S.C. 2346(b); 42 U.S.C. 3214(c), 3231, 5184, and 6710; Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-0125-0-1-452	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program	29	33	33
09.01 Reimbursable program	2	2	2
10.00 Total new obligations	31	35	35
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	3	3	
22.00 New budget authority (gross)	32	32	35
23.90 Total budgetary resources available for obligation	35	35	35
23.95 Total new obligations	-31	-35	-35
23.98 Unobligated balance expiring or withdrawn	-1		
24.40 Unobligated balance carried forward, end of year	3		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	30	31	33
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	3	1	2
58.10 Change in uncollected customer payments from Federal sources (unexpired)	-1		
58.90 Spending authority from offsetting collections (total discretionary)	2	1	2
70.00 Total new budget authority (gross)	32	32	35
Change in obligated balances:			
72.40 Obligated balance, start of year	1	3	4
73.10 Total new obligations	31	35	35
73.20 Total outlays (gross)	-31	-34	-35
74.00 Change in uncollected customer payments from Federal sources (unexpired)	1		
74.10 Change in uncollected customer payments from Federal sources (expired)	1		
74.40 Obligated balance, end of year	3	4	4
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	26	29	32
86.93 Outlays from discretionary balances	5	5	3
87.00 Total outlays (gross)	31	34	35
Offsets:			
Against gross budget authority and outlays:			

SALARIES AND EXPENSES—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 13-0125-0-1-452	2007 actual	2008 est.	2009 est.
88.00 Offsetting collections (cash) from: Federal sources Against gross budget authority only:	-4	-1	-2
88.95 Change in uncollected customer payments from Federal sources (unexpired)	1		
88.96 Portion of offsetting collections (cash) credited to expired accounts	1		
Net budget authority and outlays:			
89.00 Budget authority	30	31	33
90.00 Outlays	27	33	33

The administration and oversight of the Economic Development Administration's programs are carried out utilizing a network of headquarters and regional personnel that work with local organizations and leaders to identify and invest in projects that demonstrate potential for the greatest economic impact in distressed communities.

Direct program.—These activities include pre-application assistance and development, application processing, and project monitoring, as well as general support functions such as economic development research, technical assistance, information dissemination, legal and environmental compliance, financial management, budgeting, and debt management.

Reimbursable program.—EDA provides grant review and processing services to other Federal agencies on a reimbursable basis. Funds received cover the cost of performing this work.

Object Classification (in millions of dollars)

Identification code 13-0125-0-1-452	2007 actual	2008 est.	2009 est.
Direct obligations:			
11.1 Personnel compensation: Full-time permanent	15	15	18
12.1 Civilian personnel benefits	4	4	4
21.0 Travel and transportation of persons	1	1	1
23.1 Rental payments to GSA	2	2	2
25.2 Other services	1	4	2
25.3 Other purchases of goods and services from Gov- ernment accounts	4	4	5
25.7 Operation and maintenance of equipment	3	3	1
99.0 Direct obligations	30	33	33
99.0 Reimbursable obligations	1	2	2
99.9 Total new obligations	31	35	35

Employment Summary

Identification code 13-0125-0-1-452	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	160	170	175
Reimbursable:			
2001 Civilian full-time equivalent employment	4	2	2

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, [\$249,100,000] \$100,000,000, to remain available until expended.

[(RESCISSION)]

[Of the unobligated balances available under this heading from prior year appropriations, \$5,700,000 are rescinded.] (19 U.S.C. 2343, 2355; 42 U.S.C. 3121, 3141, 3143, 3145, 3147, 3149, 3171, 3173, and 3231-3233; Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-2050-0-1-452	2007 actual	2008 est.	2009 est.
Obligations by program activity:			

00.01 Planning grants	27	28	27
00.02 Technical assistance grants	8	9	9
00.03 Public works grants	177	147	7
00.04 Economic adjustment grants	51	42	40
00.05 Research Grants	1	1	1
00.07 Trade adjustment assistance	13	14	14
00.08 Global Climate Change Initiative		9	2

01.00 Direct Program	277	250	100
09.01 Reimbursable program	17	15	24
10.00 Total new obligations	294	265	124

Budgetary resources available for obligation:

21.40 Unobligated balance carried forward, start of year	14	9	
22.00 New budget authority (gross)	268	256	124
22.10 Resources available from recoveries of prior year obli- gations	21		
23.90 Total budgetary resources available for obligation	303	265	124
23.95 Total new obligations	-294	-265	-124
24.40 Unobligated balance carried forward, end of year	9		

New budget authority (gross), detail:

Discretionary:			
40.00 Appropriation	251	243	100
58.00 Spending authority from offsetting collections: Off- setting collections (cash)	17	13	24
70.00 Total new budget authority (gross)	268	256	124

Change in obligated balances:

72.40 Obligated balance, start of year	774	787	720
73.10 Total new obligations	294	265	124
73.20 Total outlays (gross)	-260	-332	-320
73.45 Recoveries of prior year obligations	-21		
74.40 Obligated balance, end of year	787	720	524

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	260	25	29
86.93 Outlays from discretionary balances		307	291
87.00 Total outlays (gross)	260	332	320

Offsets:

Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	-15	-13	-24
88.40 Non-Federal sources	-2		
88.90 Total, offsetting collections (cash)	-17	-13	-24

Net budget authority and outlays:

89.00 Budget authority	251	243	100
90.00 Outlays	243	319	296

Economic Development Assistance Programs (EDAP).— EDA investments are focused in six broad development assistance programs, which include: Economic Adjustment Assistance, Planning, Technical Assistance, Public Works and Infrastructure, Research and Evaluation, and Trade Adjustment Assistance. EDA provides grants within each of these areas to generate or retain jobs, attract new industry and private sector investment, encourage business expansion, and serve as a backstop to sudden and severe economic impacts. These investments assist communities characterized by substantial and persistent unemployment levels, low income and population growth, loss of jobs, out-migration, and long-term economic deterioration. EDA works in partnership with other Federal agencies, state and local governments, regional economic development districts, public and private non-profit organizations, Native American Indian Tribes, and Alaska Native Villages to accomplish its mission. In 2009, EDA will continue to place funding priority on investments that drive economic growth, enhance regional competitiveness, and diversify the regional and local economy while also seeking to target funds to our Nation's most distressed communities.

Performance measures.—A detailed presentation of the performance outcomes, measures, and targets is found in the department's 2009 budget submission.

ECONOMIC DEVELOPMENT REVOLVING FUND LIQUIDATING ACCOUNT
Program and Financing (in millions of dollars)

Identification code 13-4406-0-3-452	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Interest expense	1	1	1
00.02 Defaults and care and protection of collateral		1	1
10.00 Total new obligations	1	2	2
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	1	2	
22.00 New budget authority (gross)	3	2	2
22.40 Capital transfer to general fund	-1	-2	
23.90 Total budgetary resources available for obligation	3	2	2
23.95 Total new obligations	-1	-2	-2
24.40 Unobligated balance carried forward, end of year	2		
New budget authority (gross), detail:			
Mandatory:			
69.00 Spending authority from offsetting collections: Offsetting collections (cash)	3	2	2
Change in obligated balances:			
72.40 Obligated balance, start of year	1		
73.10 Total new obligations	1	2	2
73.20 Total outlays (gross)	-2	-2	-2
74.40 Obligated balance, end of year			
Outlays (gross), detail:			
86.97 Outlays from new mandatory authority	3	2	2
86.98 Outlays from mandatory balances	-1		
87.00 Total outlays (gross)	2	2	2
Offsets:			
Against gross budget authority and outlays:			
88.40 Offsetting collections (cash) from: Non-Federal sources	-3	-2	-2
Net budget authority and outlays:			
89.00 Budget authority			
90.00 Outlays	-1		

Status of Direct Loans (in millions of dollars)

Identification code 13-4406-0-3-452	2007 actual	2008 est.	2009 est.
Cumulative balance of direct loans outstanding:			
1210 Outstanding, start of year	7	5	4
1251 Repayments: Repayments and prepayments	-1	-1	-1
1263 Write-offs for default: Direct loans	-1		
1290 Outstanding, end of year	5	4	3

As required by the Federal Credit Reform Act of 1990, this account records all cash flows to and from the Government resulting from direct loans obligated and loan guarantees committed prior to 1992 for these programs. This includes interest on loans outstanding; principal repayments from loans made under the Area Redevelopment Act, the Public Works and Economic Development Act of 1965 as amended, the Trade Act of 1974; and proceeds from the sale of collateral. No new loan or guarantee activities are proposed for 2009.

Balance Sheet (in millions of dollars)

Identification code 13-4406-0-3-452	2006 actual	2007 actual
ASSETS:		
1101 Federal assets: Fund balances with Treasury	15	15

1601 Direct loans, gross	7	5
1604 Direct loans and interest receivable, net	7	5
1699 Value of assets related to direct loans	7	5
1999 Total assets	22	20
LIABILITIES:		
2102 Federal liabilities: Interest payable	22	20
2999 Total liabilities	22	20
4999 Total liabilities and net position	22	20

Object Classification (in millions of dollars)

Identification code 13-4406-0-3-452	2007 actual	2008 est.	2009 est.
Direct obligations:			
25.2 Other services		1	1
43.0 Interest and dividends	1	1	1
99.9 Total new obligations	1	2	2

BUREAU OF THE CENSUS

Federal Funds

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, **[\$202,838,000]** \$238,740,000. (13 U.S.C. 4, 6, 8(b), 12, 61-63, 181, 182, 301-307,401; 15 U.S.C. 1516, 4901 et seq.; 19 U.S.C.1484(e), 2354, 2393; 44 U.S.C. 1343; Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-0401-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Current economic statistics	146	152	164
00.02 Current demographic statistics	67	77	101
00.03 Survey development and data services	4	4	4
10.00 Total new obligations	217	233	269
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	217	233	269
23.95 Total new obligations	-217	-233	-269
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	197	203	239
Mandatory:			
60.00 Appropriation	20	30	30
70.00 Total new budget authority (gross)	217	233	269
Change in obligated balances:			
72.40 Obligated balance, start of year	7	9	55
73.10 Total new obligations	217	233	269
73.20 Total outlays (gross)	-214	-187	-246
73.40 Adjustments in expired accounts (net)	-1		
74.40 Obligated balance, end of year	9	55	78
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	188	150	177
86.93 Outlays from discretionary balances	6	7	39
86.97 Outlays from new mandatory authority	20	30	30
87.00 Total outlays (gross)	214	187	246
Net budget authority and outlays:			
89.00 Budget authority	217	233	269
90.00 Outlays	214	187	246

The activities of this appropriation provide for the collection, compilation, and publication of a broad range of current economic, demographic, and social statistics.

Current economic statistics.—These programs provide public and private sector data users with relevant, accurate, and

SALARIES AND EXPENSES—Continued

timely national statistical profiles of every sector of the U.S. economy. The 2009 Budget includes an initiative to close the current gap in service sector coverage. Expanding coverage of the service sector is critical to improving the accuracy of Gross Domestic Product (GDP) and other principal economic indicators.

Current demographic statistics.—These programs provide social and economic information on a monthly, quarterly, and annual basis to inform effective public and private decision-making. The budget requests increased funding to operate the Survey of Income and Program Participation (SIPP) at a 45,000 household sample size that will be re-established in late 2008, and to incorporate improvements developed through reengineering efforts. The Budget also includes additional funds to maintain the accuracy and relevance of Current Population Survey (CPS) data.

Survey of program dynamics.—This program is supported by mandatory appropriations provided by the Personal Responsibility and Work Opportunity Act of 1996, as reauthorized by the 109th Congress, to provide data necessary to determine the impact of welfare provisions.

State Children's Health Insurance Program (SCHIP).—Mandatory appropriations provided by the Medicare, Medicaid, and State Children's Health Insurance Program Balanced Budget Refinement Act of 1999 support data collection by the Current Population Survey (CPS) on the number of low-income children who do not have health insurance coverage. Data from this enhanced survey are used in the formula to allocate funds to States under the SCHIP program.

Performance measures and program information.—A detailed presentation and description of each program, and related performance outcomes, measures, and targets is found in the department's 2009 budget submission.

Object Classification (in millions of dollars)

Identification code 13-0401-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	103	117	131
11.3 Other than full-time permanent	12	13	14
11.5 Other personnel compensation	3	3	4
11.9 Total personnel compensation	118	133	149
12.1 Civilian personnel benefits	31	30	36
21.0 Travel and transportation of persons	4	5	7
22.0 Transportation of things	1		
23.1 Rental payments to GSA	13	11	12
23.3 Communications, utilities, and miscellaneous charges	6	6	7
24.0 Printing and reproduction	1	1	1
25.1 Advisory and assistance services	5	10	11
25.2 Other services	5	13	14
25.3 Other purchases of goods and services from Government accounts	10	9	13
25.4 Operation and maintenance of facilities	7	3	3
25.5 Research and development contracts	2		1
25.7 Operation and maintenance of equipment	10	5	6
26.0 Supplies and materials	1	3	4
31.0 Equipment	3	4	5
99.9 Total new obligations	217	233	269

Employment Summary

Identification code 13-0401-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	1,804	2,048	2,319

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to collect and publish statistics for periodic censuses and programs provided for by law, **[\$1,027,406,000]** \$2,365,882,000, to remain available until **[September 30, 2009]** ex-

ended: **Provided, That [none of the funds provided in this or any other Act for any fiscal year may be used for the collection of census data on race identification that does not include "some other race" as a category] from amounts provided herein, funds may be used for additional promotion, outreach, and marketing activities. (13 U.S.C. 4, 6, 12, 131, 141, 161, 181, 191; 15 U.S.C. 1516; 42 U.S.C. 1973aa-5; Department of Commerce Appropriations Act, 2008.)**

Program and Financing (in millions of dollars)

Identification code 13-0450-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
Economic statistics programs:			
00.01 Economic censuses	82	128	119
00.02 Census of governments	8	9	9
Demographic statistics programs:			
00.06 Intercensal demographic estimates	10	10	10
00.09 2010 decennial census	522	799	2,143
00.11 Demographic surveys sample redesign	12	11	11
00.13 Geographic support	41	41	42
00.14 Data processing	31	31	32
01.00 Total direct program	706	1,029	2,366
10.00 Total new obligations	706	1,029	2,366
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	4	2	
22.00 New budget authority (gross)	696	1,027	2,366
22.10 Resources available from recoveries of prior year obligations	8		
23.90 Total budgetary resources available for obligation	708	1,029	2,366
23.95 Total new obligations	-706	-1,029	-2,366
24.40 Unobligated balance carried forward, end of year	2		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	696	1,027	2,366
Change in obligated balances:			
72.40 Obligated balance, start of year	156	143	216
73.10 Total new obligations	706	1,029	2,366
73.20 Total outlays (gross)	-708	-956	-2,085
73.40 Adjustments in expired accounts (net)	-3		
73.45 Recoveries of prior year obligations	-8		
74.40 Obligated balance, end of year	143	216	497
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	569	811	1,869
86.93 Outlays from discretionary balances	139	145	216
87.00 Total outlays (gross)	708	956	2,085
Net budget authority and outlays:			
89.00 Budget authority	696	1,027	2,366
90.00 Outlays	708	956	2,085

This appropriation funds legislatively mandated periodic economic and demographic censuses and other authorized activities. Major programs include the five-year economic census and census of governments, and the decennial census. In addition, other programs provide annual population estimates, updated survey sample designs, and bureau-wide geographic and data processing systems and support.

Economic census.—The economic census is integral to the Bureau of Economic Analysis (BEA) estimates of Gross Domestic Product (GDP) and industry inputs and outputs. It provides decision-makers with comprehensive, detailed, and authoritative facts about the structure and functioning of the U.S. economy. 2009 is the fifth year of the six-year 2007 Economic Census cycle. This request reflects the transition from intensive data collection and centralized processing activities at the National Processing Center to Headquarters processing including editing, summary data review, and product preparation associated with data dissemination of results from the core census programs. The bureau will also begin to release economic census data in 2009.

Census of governments.—This program is also integral to the BEA's estimates of GDP. It is the only source of comprehensive and uniformly classified data on the economic activities of more than 90,000 state and local governments, which account for about 12 percent of GDP and nearly 16 percent of the U.S. workforce. 2009 is the last year in the five-year cycle of the 2007 Census of Governments.

2010 decennial census program.—As mandated in the U.S. Constitution, the decennial census provides the official population counts for determining the allocation to States of seats in the U.S. House of Representatives and the data used by States to determine how the districts are defined for those seats. Since 2001, the Census Bureau has been engaged in an effort to reengineer the decennial census to reduce operational risk, improve accuracy, provide more relevant data, and contain costs. In 2009, the outcome of these efforts will begin to be realized as early nationwide operations begin. Major activities for which funding is requested include: opening and staffing of 150 local census offices, verifying and geo-coding street addresses, finalizing major information technology systems, printing hundreds of millions of questionnaires and other forms, developing a national advertising strategy, and hiring regional and headquarters staff to oversee field activities. The Census Bureau will also continue to conduct the American Community Survey, the replacement for the long-form.

Performance measures and program information.—A detailed presentation and description of each program, and related performance outcomes, measures, and targets is found in the department's 2009 budget submission.

Object Classification (in millions of dollars)

Identification code 13-0450-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	188	272	302
11.3 Other than full-time permanent	40	94	495
11.5 Other personnel compensation	7	9	12
11.9 Total personnel compensation	235	375	809
12.1 Civilian personnel benefits	65	77	132
13.0 Benefits for former personnel		2	1
21.0 Travel and transportation of persons	18	29	86
22.0 Transportation of things	1	2	16
23.1 Rental payments to GSA	24	37	104
23.3 Communications, utilities, and miscellaneous charges	25	30	39
24.0 Printing and reproduction	7	10	165
25.1 Advisory and assistance services	171	275	240
25.2 Other services	10	81	585
25.3 Other purchases of goods and services from Government accounts	27	25	34
25.4 Operation and maintenance of facilities	14	6	6
25.5 Research and development contracts	1	12	5
25.7 Operation and maintenance of equipment	86	36	35
25.8 Subsistence and support of persons	1	1	1
26.0 Supplies and materials	6	10	64
31.0 Equipment	15	21	44
99.9 Total new obligations	706	1,029	2,366

Employment Summary

Identification code 13-0450-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	4,148	5,935	17,923

CENSUS WORKING CAPITAL FUND

Program and Financing (in millions of dollars)

Identification code 13-4512-0-4-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
09.01 Current economic statistics	185	220	219

09.02 Current demographic statistics	246	262	253
09.03 Other	15	212	213
09.04 Decennial census	175	18	18
10.00 Total new obligations	621	712	703
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	125	152	127
22.00 New budget authority (gross)	641	682	703
22.10 Resources available from recoveries of prior year obligations	7	5	
23.90 Total budgetary resources available for obligation	773	839	830
23.95 Total new obligations	-621	-712	-703
24.40 Unobligated balance carried forward, end of year	152	127	127
New budget authority (gross), detail:			
Mandatory:			
Spending authority from offsetting collections:			
69.00 Offsetting collections (cash)	637	682	703
69.10 Change in uncollected customer payments from Federal sources (unexpired)	4		
69.90 Spending authority from offsetting collections (total mandatory)	641	682	703
Change in obligated balances:			
72.40 Obligated balance, start of year	112	108	133
73.10 Total new obligations	621	712	703
73.20 Total outlays (gross)	-614	-682	-703
73.45 Recoveries of prior year obligations	-7	-5	
74.00 Change in uncollected customer payments from Federal sources (unexpired)	-4		
74.40 Obligated balance, end of year	108	133	133
Outlays (gross), detail:			
86.97 Outlays from new mandatory authority	614	682	703
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources		-682	-703
88.40 Non-Federal sources	-637		
88.90 Total, offsetting collections (cash)	-637	-682	-703
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	-4		
Net budget authority and outlays:			
89.00 Budget authority			
90.00 Outlays	-23		

Identification code 13-4512-0-4-376	2007 actual	2008 est.	2009 est.
Reimbursable obligations:			
Personnel compensation:			
11.1 Full-time permanent	225	249	255
11.3 Other than full-time permanent	48	48	57
11.5 Other personnel compensation	7	12	13
11.9 Total personnel compensation	280	309	325
12.1 Civilian personnel benefits	77	85	89
13.0 Benefits for former personnel		2	1
21.0 Travel and transportation of persons	21	26	24
22.0 Transportation of things	2	5	2
23.1 Rental payments to GSA	48	55	55
23.3 Communications, utilities, and miscellaneous charges	23	25	25
24.0 Printing and reproduction	4	3	1
25.1 Advisory and assistance services	19	24	65
25.2 Other services	21	35	19
25.3 Other purchases of goods and services from Government accounts	34	38	28
25.4 Operation and maintenance of facilities	20	12	13
25.5 Research and development contracts	3		

The Working Capital Fund finances, on a reimbursable basis, functions within the Census Bureau which are more efficiently and economically performed on a centralized basis. The Fund also finances reimbursable work that the Census Bureau performs for other public and private entities.

Object Classification (in millions of dollars)

Identification code 13-4512-0-4-376	2007 actual	2008 est.	2009 est.
Reimbursable obligations:			
Personnel compensation:			
11.1 Full-time permanent	225	249	255
11.3 Other than full-time permanent	48	48	57
11.5 Other personnel compensation	7	12	13
11.9 Total personnel compensation	280	309	325
12.1 Civilian personnel benefits	77	85	89
13.0 Benefits for former personnel		2	1
21.0 Travel and transportation of persons	21	26	24
22.0 Transportation of things	2	5	2
23.1 Rental payments to GSA	48	55	55
23.3 Communications, utilities, and miscellaneous charges	23	25	25
24.0 Printing and reproduction	4	3	1
25.1 Advisory and assistance services	19	24	65
25.2 Other services	21	35	19
25.3 Other purchases of goods and services from Government accounts	34	38	28
25.4 Operation and maintenance of facilities	20	12	13
25.5 Research and development contracts	3		

CENSUS WORKING CAPITAL FUND—Continued

Object Classification (in millions of dollars)—Continued

Identification code 13-4512-0-4-376	2007 actual	2008 est.	2009 est.
25.7 Operation and maintenance of equipment	43	56	23
25.8 Subsistence and support of persons	1	1	1
26.0 Supplies and materials	6	15	9
31.0 Equipment	19	21	23
99.9 Total new obligations	621	712	703

Employment Summary

Identification code 13-4512-0-4-376	2007 actual	2008 est.	2009 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	2,466	2,687	2,721

ECONOMIC AND STATISTICAL ANALYSIS

Federal Funds

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, **[\$81,075,000]** \$90,621,000, to remain available until September 30, **[2009]** 2010.

[(RESCISSION)]

[Of the unobligated balances available under this heading from prior year appropriations, \$800,000 are rescinded.] (15 U.S.C. 171 et seq., 1501 et seq.; 22 U.S.C. 286f, 3101 et seq.; Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-1500-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Bureau of Economic Analysis	76	78	87
00.02 Policy support	4	3	4
09.01 Reimbursable program	5	6	5
10.00 Total new obligations	85	87	96
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	1	1	
22.00 New budget authority (gross)	85	86	96
23.90 Total budgetary resources available for obligation	86	87	96
23.95 Total new obligations	-85	-87	-96
24.40 Unobligated balance carried forward, end of year	1		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	80	81	91
40.36 Unobligated balance permanently reduced		-1	
43.00 Appropriation (total discretionary)	80	80	91
58.00 Spending authority from offsetting collections: Offsetting collections (cash)	5	6	5
70.00 Total new budget authority (gross)	85	86	96
Change in obligated balances:			
72.40 Obligated balance, start of year	12	11	10
73.10 Total new obligations	85	87	96
73.20 Total outlays (gross)	-86	-88	-95
74.40 Obligated balance, end of year	11	10	11
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	74	76	85
86.93 Outlays from discretionary balances	12	12	10
87.00 Total outlays (gross)	86	88	95
Offsets:			
Against gross budget authority and outlays:			

88.00 Offsetting collections (cash) from: Reimbursable projects	-5	-6	-5
Net budget authority and outlays:			
89.00 Budget authority	80	80	91
90.00 Outlays	81	82	90

Bureau of Economic Analysis (BEA).—BEA’s mission is to promote the understanding of the U.S. economy by providing the most timely, relevant, and accurate economic accounts data in an objective and cost-effective manner. BEA’s economic statistics are among the Nation’s most closely watched and provide a comprehensive picture of the U.S. economy; they affect decisions related to interest and exchange rates, tax and budget projections, business investment plans, and the allocation of over \$200 billion in federal funds, including programs such as Medicaid and Temporary Assistance for Needy Families (TANF), among others. BEA prepares national, regional, industry and international accounts that present essential information on such issues as economic growth, regional economic development, inter-industry relationships and the Nation’s position in the world economy. The 2009 Budget proposes two initiatives to significantly improve BEA’s measurement of two key sectors of the U.S. economy.

More accurately measuring health care.—Health care spending has doubled over the last 10 years and is now 16 percent of the gross domestic product (GDP). This Budget includes funding to develop a more accurate measure of the health care sector in GDP and create a supplemental account that provides detailed information on the expenditures of the health care industry and the costs of treating specific diseases.

Improved measurement of research and development.—Over the last few decades, intangible investments like research and development (R&D) have become a critical component of the Nation’s economy. The 2009 Budget includes an initiative to begin incorporating R&D investments into gross domestic product (GDP) and the other national accounts.

Economics and Statistics Administration (ESA) Policy support.—ESA headquarters conducts economic research and policy analysis directly in support of the Secretary of Commerce. ESA also provides oversight of the Census Bureau and BEA. In addition, ESA provides economic and statistical data and analyses to other Federal agencies, individuals, and firms requesting such information through reimbursable funding. The Census Bureau and BEA reimburse ESA headquarters for certain administrative, financial, and policy services.

Performance measures and program information.—A detailed presentation and description of each program, and related performance outcomes, measures, and targets is found in the department’s 2009 budget submission.

Object Classification (in millions of dollars)

Identification code 13-1500-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	42	43	46
11.3 Other than full-time permanent	2	2	3
11.9 Total personnel compensation	44	45	49
12.1 Civilian personnel benefits	11	11	12
21.0 Travel and transportation of persons	1	1	1
23.1 Rental payments to GSA	5	6	6
23.3 Communications, utilities, and miscellaneous charges	1	1	1
25.1 Advisory and assistance services	1		1
25.2 Other services	5	5	7
25.3 Other purchases of goods and services from Government accounts	11	11	12
26.0 Supplies and materials	1	1	1
31.0 Equipment			1
99.0 Direct obligations	80	81	91

99.0	Reimbursable obligations	5	6	5
99.9	Total new obligations	85	87	96

Employment Summary

Identification code 13-1500-0-1-376	2007 actual	2008 est.	2009 est.	
Direct:				
1001	Civilian full-time equivalent employment	498	500	522
Reimbursable:				
2001	Civilian full-time equivalent employment	27	30	26

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

Program and Financing (in millions of dollars)

Identification code 13-4323-0-3-376	2007 actual	2008 est.	2009 est.	
Obligations by program activity:				
00.01	Direct program activity	2	2	2
10.00	Total new obligations	2	2	2
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	2	2	2
22.00	New budget authority (gross)	2	2	2
23.90	Total budgetary resources available for obligation	4	4	4
23.95	Total new obligations	-2	-2	-2
24.40	Unobligated balance carried forward, end of year	2	2	2
New budget authority (gross), detail:				
Discretionary:				
58.00	Spending authority from offsetting collections: Offsetting collections (cash)	2	2	2
Change in obligated balances:				
73.10	Total new obligations	2	2	2
73.20	Total outlays (gross)	-2	-2	-2
74.40	Obligated balance, end of year			
Outlays (gross), detail:				
86.90	Outlays from new discretionary authority	2	2	2
Offsets:				
Against gross budget authority and outlays:				
88.40	Offsetting collections (cash) from: Subscription and fee sales	-2	-2	-2
Net budget authority and outlays:				
89.00	Budget authority			
90.00	Outlays			

The Economic and Statistics Administration operates STAT-USA, a revolving fund activity that provides the public with access to key business, economic, and international trade information. STAT-USA's mission is to compile and disseminate world-class business, economic, and government information products that American businesses and the public can use to make intelligent and informed decisions. User fees from the public represent STAT-USA's sole source of income.

A detailed presentation of STAT-USA objectives is found in the department's 2009 budget submission.

Object Classification (in millions of dollars)

Identification code 13-4323-0-3-376	2007 actual	2008 est.	2009 est.	
Reimbursable obligations:				
11.1	Personnel compensation: Full-time permanent	1	1	1
25.2	Other services	1	1	1
99.0	Reimbursable obligations	2	2	2
99.9	Total new obligations	2	2	2

Employment Summary

Identification code 13-4323-0-3-376	2007 actual	2008 est.	2009 est.	
Reimbursable:				
2001	Civilian full-time equivalent employment	11	12	12

INTERNATIONAL TRADE ADMINISTRATION

Federal Funds

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the [United States and Foreign Commercial Service] *International Trade Administration* between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, [\$413,172,000] \$429,870,000, to remain available until September 30, [2009] 2010, of which [\$8,000,000] \$9,439,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: [Provided, That \$40,520,923 shall be for Manufacturing and Services; \$41,384,054 shall be for Market Access and Compliance; \$62,712,833 shall be for the Import Administration of which \$5,900,000 shall be for the Office of China Compliance; \$236,945,290 shall be for the United States and Foreign Commercial Service; and \$25,146,400 shall be for Executive Direction and Administration:] *Provided [further]*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities[: *Provided further*, That the International Trade Administration shall be exempt from the requirements of Circular A-25 (or any successor administrative regulation or policy) issued by the Office of Management and Budget: *Provided further*, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: *Provided further*, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107-210]. (15 U.S.C. 637(e), 649, 1501 et seq., 1871, 4001 et seq., 4011 et seq.; 19 U.S.C. 81a et seq., 1202nt., 1303, 1671 et seq., 1673 et seq., 1862, 2031, 2155, 2354, 2411 et seq.; 22 U.S.C. 801 et seq., 2451 et seq., 2651 et seq., 3101 et seq.; 40 U.S.C. 512; 42 U.S.C. 300j; 50 U.S.C. 98-98h, 401 et seq., 2061 et seq., 2401 et seq.; Public Law 99-64; Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-1250-0-1-376	2007 actual	2008 est.	2009 est.	
Obligations by program activity:				
00.01	Manufacturing and Services	48	41	49
00.02	Market access and compliance	44	46	42
00.03	Import administration	61	63	66
00.04	U.S. and foreign commercial services	235	237	238
00.05	Administration and executive direction	26	25	25
01.00	Total direct program	414	412	420
09.01	Reimbursable program	14	20	21

OPERATIONS AND ADMINISTRATION—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 13-1250-0-1-376	2007 actual	2008 est.	2009 est.
10.00 Total new obligations	428	432	441
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	7	7	
22.00 New budget authority (gross)	412	425	441
22.10 Resources available from recoveries of prior year obligations	14		
22.30 Expired unobligated balance transfer to unexpired account	2		
23.90 Total budgetary resources available for obligation	435	432	441
23.95 Total new obligations	-428	-432	-441
24.40 Unobligated balance carried forward, end of year	7		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	396	405	420
42.00 Transferred from other accounts	2		
43.00 Appropriation (total discretionary)	398	405	420
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	15	20	21
58.10 Change in uncollected customer payments from Federal sources (unexpired)	-1		
58.90 Spending authority from offsetting collections (total discretionary)	14	20	21
70.00 Total new budget authority (gross)	412	425	441
Change in obligated balances:			
72.40 Obligated balance, start of year	106	95	149
73.10 Total new obligations	428	432	441
73.20 Total outlays (gross)	-426	-378	-421
73.45 Recoveries of prior year obligations	-14		
74.00 Change in uncollected customer payments from Federal sources (unexpired)	1		
74.40 Obligated balance, end of year	95	149	169
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	348	304	315
86.93 Outlays from discretionary balances	78	74	106
87.00 Total outlays (gross)	426	378	421
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	-15	-12	-12
88.40 Non-Federal sources		-8	-9
88.90 Total, offsetting collections (cash)	-15	-20	-21
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	1		
Net budget authority and outlays:			
89.00 Budget authority	398	405	420
90.00 Outlays	411	358	400

The International Trade Administration (ITA) improves the competitiveness of U.S. industry, promotes trade and investment, and ensures fair trade and compliance with trade laws and agreements. ITA is comprised of five program units: Trade Promotion and the U.S. & Foreign Commercial Service, Import Administration, Manufacturing and Services, Market Access and Compliance, and Executive Direction and Administration. The 2009 Budget includes a new group within the Import Administration to determine whether subsidies provided by governments of emerging non-market economies unfairly harm U.S. companies and are eligible to be remedied by the imposition of countervailing duties.

Performance measures.—A detailed presentation of the performance outcomes, measures, and targets is found in the department's 2009 budget submission.

Object Classification (in millions of dollars)

Identification code 13-1250-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	153	165	172
11.3 Other than full-time permanent	19	19	20
11.5 Other personnel compensation	8	7	7
11.9 Total personnel compensation	180	191	199
12.1 Civilian personnel benefits	52	55	58
13.0 Benefits for former personnel	4	4	3
21.0 Travel and transportation of persons	17	14	12
22.0 Transportation of things	2	2	2
23.1 Rental payments to GSA	14	14	15
23.2 Rental payments to others	10	10	10
23.3 Communications, utilities, and miscellaneous charges	6	6	6
24.0 Printing and reproduction	2	2	2
25.1 Advisory and assistance services	4	3	3
25.2 Other services	30	17	15
25.3 Other purchases of goods and services from Government accounts	77	79	86
26.0 Supplies and materials	2	4	2
31.0 Equipment	12	5	6
41.0 Grants, subsidies, and contributions	1	6	1
99.0 Direct obligations	413	412	420
99.0 Reimbursable obligations	15	20	21
99.9 Total new obligations	428	432	441

Employment Summary

Identification code 13-1250-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	1,958	2,001	2,028
Reimbursable:			
2001 Civilian full-time equivalent employment	32	32	32

UNITED STATES TRAVEL AND TOURISM PROMOTION

Program and Financing (in millions of dollars)

Identification code 13-0124-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program activity	8		
10.00 Total new obligations	8		
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	4		
22.00 New budget authority (gross)	4		
23.90 Total budgetary resources available for obligation	8		
23.95 Total new obligations	-8		
24.40 Unobligated balance carried forward, end of year			
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	4		
Change in obligated balances:			
72.40 Obligated balance, start of year	1	7	1
73.10 Total new obligations	8		
73.20 Total outlays (gross)	-2	-6	-1
74.40 Obligated balance, end of year	7	1	
Outlays (gross), detail:			
86.93 Outlays from discretionary balances	2	6	1
Net budget authority and outlays:			
89.00 Budget authority	4		
90.00 Outlays	2	6	1

This program is administered by the International Trade Administration. No funding is requested for this program in 2009, as travel promotion activities can be funded through a variety of non-Federal sources.

Object Classification (in millions of dollars)

Identification code 13-0124-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
25.2 Other services	4		
41.0 Grants, subsidies, and contributions	4		
99.9 Total new obligations	8		

GRANTS TO MANUFACTURERS OF WORSTED WOOL FABRICS

Program and Financing (in millions of dollars)

Identification code 13-5521-0-2-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program activity	5	5	5
10.00 Total new obligations (object class 41.0)	5	5	5
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	5	5	5
23.95 Total new obligations	-5	-5	-5
New budget authority (gross), detail:			
Mandatory:			
62.00 Transferred from other accounts	5	5	5
Change in obligated balances:			
73.10 Total new obligations	5	5	5
73.20 Total outlays (gross)	-5	-5	-5
Outlays (gross), detail:			
86.97 Outlays from new mandatory authority	5	5	5
Net budget authority and outlays:			
89.00 Budget authority	5	5	5
90.00 Outlays	5	5	5

The Wool Trust Fund provides grants to U.S. manufacturers of worsted wool fabric pursuant to the Miscellaneous Trade and Technical Corrections Act of 2004, and extended by Public Law 109-280. Funding is transferred from the Department of Homeland Security into this account for these grants.

BUREAU OF INDUSTRY AND SECURITY

Federal Funds

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, **[\$72,855,000] \$83,676,000**, to remain available until expended, of which **[\$13,627,000] \$14,767,000** shall be for inspections and other activities related to national security: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the

Department of Commerce and other export control programs of the United States and other governments. (15 U.S.C. 1501 et seq. 50 U.S.C. 1501 et seq., 1701 et seq., app. 468, app. 2061 et seq., app. 2401 et seq.; Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-0300-0-1-999	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Management and policy coordination	7	5	6
00.02 Export administration	38	36	41
00.03 Export enforcement	32	32	37
01.00 Total direct program	77	73	84
09.01 Reimbursable program	4	6	2
10.00 Total new obligations	81	79	86
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	10	4	
22.00 New budget authority (gross)	75	75	86
23.90 Total budgetary resources available for obligation	85	79	86
23.95 Total new obligations	-81	-79	-86
24.40 Unobligated balance carried forward, end of year	4		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	75	73	84
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	1	2	2
58.10 Change in uncollected customer payments from Federal sources (unexpired)	-1		
58.90 Spending authority from offsetting collections (total discretionary)		2	2
70.00 Total new budget authority (gross)	75	75	86
Change in obligated balances:			
72.40 Obligated balance, start of year	19	15	16
73.10 Total new obligations	81	79	86
73.20 Total outlays (gross)	-86	-78	-84
74.00 Change in uncollected customer payments from Federal sources (unexpired)	1		
74.40 Obligated balance, end of year	15	16	18
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	69	64	73
86.93 Outlays from discretionary balances	17	14	11
87.00 Total outlays (gross)	86	78	84
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources		-1	-1
88.40 Non-Federal sources	-1	-1	-1
88.90 Total, offsetting collections (cash)	-1	-2	-2
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	1		
Net budget authority and outlays:			
89.00 Budget authority	75	73	84
90.00 Outlays	85	76	82

The Bureau of Industry and Security (BIS) advances U.S. national security, foreign policy, and economic objectives by administering and enforcing controls on the export of sensitive goods and technologies. BIS also enforces antiboycott laws, monitors the economic viability of the U.S. defense industry, and assists U.S. companies in complying with certain international arms agreements.

The 2009 Budget provides resources to increase the number of criminal investigators working on counter-proliferation issues and enhance efforts to stop transshipments of sensitive technologies in Southeast Asia. Also, the Budget includes funding for a Validated End-User initiative, where BIS identi-

OPERATIONS AND ADMINISTRATION—Continued

fies trusted foreign customers that are eligible to receive sensitive exports without individual export licenses. This initiative will help streamline the export control process, while ensuring that sensitive technologies are only exported to responsible foreign customers.

Performance measures.—A detailed presentation of the performance outcomes, measures, and targets is found in the department's 2009 budget submission.

Object Classification (in millions of dollars)

Identification code 13-0300-0-1-999	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	31	30	34
11.5 Other personnel compensation	2	3	4
11.9 Total personnel compensation	33	33	38
12.1 Civilian personnel benefits	9	9	11
21.0 Travel and transportation of persons	3	3	3
23.1 Rental payments to GSA	5	5	5
23.3 Communications, utilities, and miscellaneous charges	2	1	2
25.1 Advisory and assistance services	1	1	1
25.2 Other services	9	7	7
25.3 Other purchases of goods and services from Government accounts	12	11	13
26.0 Supplies and materials	1	1	2
31.0 Equipment	2	2	2
99.0 Direct obligations	77	73	84
99.0 Reimbursable obligations	4	6	2
99.9 Total new obligations	81	79	86

Employment Summary

Identification code 13-0300-0-1-999	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	364	364	392
Reimbursable:			
2001 Civilian full-time equivalent employment	2	1	1

MINORITY BUSINESS DEVELOPMENT AGENCY

Federal Funds

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, **[\$28,623,000] \$29,000,000, of which \$12,000,000 shall remain available until September 30, 2010. (Department of Commerce Appropriations Act, 2008.)**

Program and Financing (in millions of dollars)

Identification code 13-0201-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Business Development	29	29	29
10.00 Total new obligations	29	29	29
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	30	29	29
23.95 Total new obligations	-29	-29	-29
23.98 Unobligated balance expiring or withdrawn	-1		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	30	29	29
Change in obligated balances:			
72.40 Obligated balance, start of year	9	11	17
73.10 Total new obligations	29	29	29
73.20 Total outlays (gross)	-27	-23	-28

74.40 Obligated balance, end of year	11	17	18
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	15	15	15
86.93 Outlays from discretionary balances	12	8	13
87.00 Total outlays (gross)	27	23	28
Net budget authority and outlays:			
89.00 Budget authority	30	29	29
90.00 Outlays	27	23	28

The Minority Business Development Agency (MBDA) provides management and technical assistance services to minority business enterprises. MBDA's long-term mission is to promote entrepreneurial parity and wealth creation for the minority business community. MBDA supports a nationwide network of centers to provide business assistance, information and customer service to the rapidly expanding minority business population in the United States.

Performance measures.—A detailed presentation of the performance outcomes, measures, and targets is found in the department's 2009 budget submission.

Object Classification (in millions of dollars)

Identification code 13-0201-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
11.1 Personnel compensation: Full-time permanent	8	9	9
12.1 Civilian personnel benefits	2	2	2
23.1 Rental payments to GSA	2	2	2
25.1 Advisory and assistance services	2	2	2
25.2 Other services	3	1	1
25.3 Other purchases of goods and services from Government accounts	1	1	2
41.0 Grants, subsidies, and contributions	11	12	11
99.9 Total new obligations	29	29	29

Employment Summary

Identification code 13-0201-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	88	100	100

MINORITY BUSINESS DEVELOPMENT

(Legislative proposal, not subject to PAYGO)

Notwithstanding 31 U.S.C. 3302, the Secretary is authorized to collect and retain fees for conferences provided, and may use such funds to pay for expenses of such conferences.

MBDA holds an annual Minority Enterprise Development (MED) Week Conference, and the requested language will allow MBDA to charge and retain fees for expenses related to MED Week.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Federal Funds

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, **[\$2,856,277,000] \$2,831,253,000, to remain available until September 30, [2009] 2010, except for funds provided for cooperative enforcement, which shall remain available until September 30, [2010] 2011: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided**

further, That in addition, \$3,000,000 shall be derived by transfer from the fund entitled "Coastal Zone Management" and in addition \$77,000,000 \$79,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That of the \$2,941,277,000 \$2,924,253,000 provided for in direct obligations under this heading \$2,856,277,000 \$2,831,253,000 is appropriated from the general fund, \$80,000,000 \$82,000,000 is provided by transfer, and \$5,000,000 \$11,000,000 is derived from recoveries of prior year obligations: *Provided further*, That of the funds provided under this heading, \$235,000 is made available until expended subject to procedures set forth in section 209 of Public Law 108-447: *Provided further*, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$206,484,000: *Provided further*, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed \$34,164,000: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,000,000, unless funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year: *Provided further*, That if funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year, then no State shall receive more than 5 percent or less than 1 percent of the additional funds: *Provided further*, That the Administrator of the National Oceanic and Atmospheric Administration may engage in formal and informal education activities, including primary and secondary education, related to the agency's mission goals: *Provided further*, That in accordance with section 215 of Public Law 107-372 the number of officers in the NOAA Commissioned Officer Corps shall increase to 321: *Provided further*, That of the funds provided, \$13,395,000 is provided for the alleviation of economic impacts associated with Framework 42 on the Massachusetts groundfish fishery].

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary. (*Department of Commerce Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 13-1450-0-1-306	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 National Ocean Service	472	494	449
00.02 National Marine Fisheries Service	829	715	724
00.03 Oceanic and Atmospheric Research	362	391	372
00.04 National Weather Service	774	809	819
00.05 National Environmental Satellite, Data, and Information Service	177	180	165
00.06 Program support	366	398	395
00.09 Retired pay for NOAA Corps Officers	20	23	24
01.00 Total direct program	3,000	3,010	2,948
09.01 National Ocean Service	22	42	17
09.02 National Marine Fisheries Service	84	84	71
09.03 Oceanic and Atmospheric Research	37	65	40
09.04 National Weather Service	60	77	57
09.05 National Environmental Satellite, Data and Information Service	32	51	36
09.06 Program support	16	41	21
09.99 Total reimbursable program	251	360	242
10.00 Total new obligations	3,251	3,370	3,190
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	180	163	.....
22.00 New budget authority (gross)	3,226	3,202	3,179
22.10 Resources available from recoveries of prior year obligations	9	5	11
23.90 Total budgetary resources available for obligation	3,415	3,370	3,190
23.95 Total new obligations	-3,251	-3,370	-3,190
23.98 Unobligated balance expiring or withdrawn	-1	.....	.....

24.40 Unobligated balance carried forward, end of year	163	.....	.....
New budget authority (gross), detail:			
Discretionary:			
40.00 Operations, research & facilities	2,738	2,856	2,831
40.00 Appropriation, hurricane supplemental P.L. 110-28	170	.....	.....
40.36 Unobligated balance permanently reduced .....	.....	-5	.....
42.00 Transferred from other accounts	80	78	79
43.00 Appropriation (total discretionary)	2,988	2,929	2,910
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	247	247	242
58.10 Change in uncollected customer payments from Federal sources (unexpired)	-33	.....	.....
58.62 Transferred from other accounts	3	3	3
58.90 Spending authority from offsetting collections (total discretionary)	217	250	245
Mandatory:			
60.00 Appropriation	21	23	24
70.00 Total new budget authority (gross)	3,226	3,202	3,179
Change in obligated balances:			
72.40 Obligated balance, start of year	1,741	1,906	1,880
73.10 Total new obligations	3,251	3,370	3,190
73.20 Total outlays (gross)	-3,098	-3,391	-3,260
73.40 Adjustments in expired accounts (net)	-12	.....	.....
73.45 Recoveries of prior year obligations	-9	-5	-11
74.00 Change in uncollected customer payments from Federal sources (unexpired)	33	.....	.....
74.40 Obligated balance, end of year	1,906	1,880	1,799
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	2,052	2,066	2,049
86.93 Outlays from discretionary balances	1,028	1,299	1,187
86.97 Outlays from new mandatory authority	18	23	24
86.98 Outlays from mandatory balances .....	.....	3	.....
87.00 Total outlays (gross)	3,098	3,391	3,260
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	-175	-190	-186
88.40 Non-Federal sources	-73	-57	-56
88.90 Total, offsetting collections (cash)	-248	-247	-242
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	33	.....	.....
88.96 Portion of offsetting collections (cash) credited to expired accounts	1	.....	.....
Net budget authority and outlays:			
89.00 Budget authority	3,012	2,955	2,937
90.00 Outlays	2,850	3,144	3,018

This mission of the National Oceanic and Atmospheric Administration (NOAA) is to understand and predict changes in the Earth's environment and to conserve and manage coastal and marine resources to meet our Nation's economic, social, and environmental needs.

NOAA executes activities to achieve its mission through the following six line offices:

National Ocean Service (NOS).—NOS programs work to promote safe navigation; assess the health of coastal and marine resources and respond to natural and human-induced threats; and preserve the coastal ocean environment. The Budget increases funding in support of the Integrated Ocean Observing System, maritime commerce (e.g., mapping and PORTS), and the removal of marine debris.

National Marine Fisheries Service (NMFS).—NMFS programs provide for the management and conservation of the Nation's living marine resources including fish stocks, marine mammals, and endangered species and their habitats within the United States Exclusive Economic Zone. The Budget continues to support the reauthorized Magnuson-Stevens Act through increased funding to rebuild, recover, and conserve

OPERATIONS, RESEARCH, AND FACILITIES—Continued
(INCLUDING TRANSFERS OF FUNDS)—Continued

major fish stocks and protected species, promote market-based management approaches, improve recreational fisheries data collection, reduce bycatch of protected living marine resources, and discourage illegal, unregulated, and unreported (IUU) fishing.

Office of Oceanic and Atmospheric Research (OAR).—OAR programs provide environmental research and technology for improving NOAA weather and air quality warnings and forecasts, climate predictions, and marine services. To accomplish these goals, OAR supports a network of scientists in its Federal research laboratories, universities, and cooperative institutes and partnership programs. The Budget provides increased support for developing an integrated drought early warning system as well as utilizing unmanned aerial vehicles in weather and climate forecasts.

National Weather Service (NWS).—NWS programs provide timely and accurate meteorological, hydrologic, and oceanographic warnings and forecasts to ensure the safety of the population, minimize property losses, and improve the economic productivity of the Nation. NWS is also responsible for issuing operational climate forecasts for the United States, which are used by agriculture and other industries. The budget provides increases for forecasts of aviation weather and wind profiling and forecasts of hurricanes and associated storm surge.

National Environmental Satellite, Data, and Information Service (NESDIS).—NESDIS programs operate polar-orbiting and geostationary environmental satellites and collect and archive global environmental data and information for distribution to private and public sector users.

Program support.—Program support provides management and administrative support for NOAA, including acquisition and grant administration, budget, accounting functions, and human resources. Through the Office of Marine and Aviation Operations (OMAO), it provides aircraft and marine data acquisition fleet repair and maintenance, planning of future fleet modernization, and technical and management support for NOAA-wide activities.

Foreign Fishing Observer Fund.—This fund is financed through collections from foreign vessel owners who fish within the U.S. Exclusive Economic Zone. Fund balances can be made available through annual appropriations for use by the Secretary of Commerce to pay the salaries aboard foreign fishing vessels. The observers collect fishery management data and monitor compliance with U.S. fishery laws. No new appropriations are proposed for this account as unobligated balances are sufficient to provide observer coverage aboard foreign vessels fishing within the U.S. Exclusive Economic Zone.

Performance measures.—A detailed listing of performance outcomes, measures, and targets is found in the department's 2009 budget.

Object Classification (in millions of dollars)

Identification code 13-1450-0-1-306	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	893	958	967
11.3 Other than full-time permanent	9	8	9
11.5 Other personnel compensation	55	56	66
11.7 Military personnel	25	28	30
11.9 Total personnel compensation	982	1,050	1,072
12.1 Civilian personnel benefits	269	278	292
13.0 Benefits for former personnel	18	21	21
21.0 Travel and transportation of persons	43	42	53
22.0 Transportation of things	15	15	17
23.1 Rental payments to GSA	69	63	73
23.2 Rental payments to others	16	13	20

23.3 Communications, utilities, and miscellaneous charges	64	61	101
24.0 Printing and reproduction	4	5	8
25.1 Advisory and assistance services	131	151	160
25.2 Other services	420	434	550
25.3 Other purchases of goods and services from Government accounts	110	93	122
25.4 Operation and maintenance of facilities	7	1	20
25.5 Research and development contracts	82	96	97
26.0 Supplies and materials	35	44	49
31.0 Equipment	2	3	9
32.0 Land and structures	733	625	284
41.0 Grants, subsidies, and contributions			
99.0 Direct obligations	3,000	3,010	2,948
99.0 Reimbursable obligations	251	360	242
99.9 Total new obligations	3,251	3,370	3,190

Employment Summary

Identification code 13-1450-0-1-306	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	11,360	11,419	11,608
1101 Military full-time equivalent employment	293	301	301
Reimbursable:			
2001 Civilian full-time equivalent employment	706	706	706

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, **[\$979,207,000] \$1,238,660,000**, to remain available until September 30, **[2010] 2011**, except funds provided for construction of facilities which shall remain available until expended: *Provided*, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar-for-dollar matching basis with funds provided for the same purpose by the Department of Defense: *Provided further*, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act]. (*Department of Commerce Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 13-1460-0-1-306	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 National Ocean Service	61	58	27
00.02 National Marine Fisheries Service	33	9	.....
00.03 Office of Oceanic and Atmospheric Research	35	10	10
00.04 National Weather Service	113	107	111
00.05 National Environmental Satellite, Data, and Information Service	806	777	993
00.06 Program support	70	47	98
10.00 Total new obligations	1,118	1,008	1,239
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	65	37	.....
22.00 New budget authority (gross)	1,086	971	1,239
22.10 Resources available from recoveries of prior year obligations	4	.....	2
23.90 Total budgetary resources available for obligation	1,155	1,008	1,241
23.95 Total new obligations	-1,118	-1,008	-1,239
24.40 Unobligated balance carried forward, end of year	37	.....	2
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	1,110	979	1,239
40.35 Appropriation permanently reduced	-24	-7	.....
41.00 Transferred to other accounts	-1	-1	.....

43.00	Appropriation (total discretionary)	1,085	971	1,239
58.00	Spending authority from offsetting collections: Offsetting collections (cash)	1		
70.00	Total new budget authority (gross)	1,086	971	1,239
Change in obligated balances:				
72.40	Obligated balance, start of year	914	1,071	1,087
73.10	Total new obligations	1,118	1,008	1,239
73.20	Total outlays (gross)	-954	-992	-1,078
73.40	Adjustments in expired accounts (net)	-3		
73.45	Recoveries of prior year obligations	-4		-2
74.40	Obligated balance, end of year	1,071	1,087	1,246
Outlays (gross), detail:				
86.90	Outlays from new discretionary authority	531	340	433
86.93	Outlays from discretionary balances	423	652	645
87.00	Total outlays (gross)	954	992	1,078
Offsets:				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.40	Non-Federal sources	-1		
88.45	Offsetting governmental collections (from non-Federal sources)	-1		
88.90	Total, offsetting collections (cash)	-2		
Against gross budget authority only:				
88.96	Portion of offsetting collections (cash) credited to expired accounts	1		
Net budget authority and outlays:				
89.00	Budget authority	1,085	971	1,239
90.00	Outlays	952	992	1,078

This account funds capital acquisition, construction, and fleet and aircraft replacement projects that support NOAA's operational mission across all line offices. The 2009 Budget provides increased capital acquisition funding for geostationary and polar orbiting satellites, the development of climate sensors necessary to maintain the Nation's climate data record, and the weather radio improvement project. The Budget also supports construction projects including new facilities for the Fairbanks Command and Data Acquisition Station, the NOAA Center for Weather and Climate Prediction, and the Pacific Regional Center. Fleet and aircraft replacement includes calibration for NOAA's latest fishery survey vessel and a major repair period for the RAINIER. Funding is provided to continue important technology upgrades for the Advanced Weather Interactive Processing System (AWIPS) and the Weather Radio Improvement Project to meet growing demands for high impact forecast and warning services.

Object Classification (in millions of dollars)

Identification code 13-1460-0-1-306	2007 actual	2008 est.	2009 est.	
Direct obligations:				
Personnel compensation:				
11.1	Full-time permanent	18	20	18
11.5	Other personnel compensation	2	3	1
11.9	Total personnel compensation	20	23	19
12.1	Civilian personnel benefits	8	7	5
21.0	Travel and transportation of persons	4	3	2
23.1	Rental payments to GSA	7	7	3
23.2	Rental payments to others	3	2	3
23.3	Communications, utilities, and miscellaneous charges	6	5	13
25.1	Advisory and assistance services	66	51	125
25.2	Other services	150	122	139
25.3	Other purchases of goods and services from Government accounts	662	612	661
25.5	Research and development contracts	31	32	18
26.0	Supplies and materials	15	14	23
31.0	Equipment	57	53	100
32.0	Land and structures	29	22	16
41.0	Grants, subsidies, and contributions	59	55	112
99.0	Direct obligations	1,117	1,008	1,239

99.5	Below reporting threshold	1		
99.9	Total new obligations	1,118	1,008	1,239

Employment Summary

Identification code 13-1460-0-1-306	2007 actual	2008 est.	2009 est.	
Direct:				
1001	Civilian full-time equivalent employment	224	190	190

LIMITED ACCESS SYSTEM ADMINISTRATION FUND

Special and Trust Fund Receipts (in millions of dollars)

Identification code 13-5284-0-2-306	2007 actual	2008 est.	2009 est.	
01.00	Balance, start of year			
01.99	Balance, start of year			
Receipts:				
02.60	Permit Title Registration Fees, Limited Access System Administration Fund	7	7	7
04.00	Total: Balances and collections	7	7	7
Appropriations:				
05.00	Limited Access System Administration Fund	-7	-7	-7
07.99	Balance, end of year			

Program and Financing (in millions of dollars)

Identification code 13-5284-0-2-306	2007 actual	2008 est.	2009 est.	
Obligations by program activity:				
00.01	Direct program activity	5	18	7
10.00	Total new obligations	5	18	7
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	9	11	
22.00	New budget authority (gross)	7	7	7
23.90	Total budgetary resources available for obligation	16	18	7
23.95	Total new obligations	-5	-18	-7
24.40	Unobligated balance carried forward, end of year	11		

New budget authority (gross), detail:

Mandatory:				
60.20	Appropriation (special fund)	7	7	7

Change in obligated balances:

72.40	Obligated balance, start of year	1	2	
73.10	Total new obligations	5	18	7
73.20	Total outlays (gross)	-4	-20	-7
74.40	Obligated balance, end of year	2		

Outlays (gross), detail:

86.97	Outlays from new mandatory authority	1	7	7
86.98	Outlays from mandatory balances	3	13	
87.00	Total outlays (gross)	4	20	7

Net budget authority and outlays:

89.00	Budget authority	7	7	7
90.00	Outlays	4	20	7

Fee collections equaling no more than three percent of the proceeds from the sale or transfer of fishing permits within a limited access system are deposited into this Fund to administer an exclusive central registry system for the limited access system permits.

Object Classification (in millions of dollars)

Identification code 13-5284-0-2-306	2007 actual	2008 est.	2009 est.	
Direct obligations:				
11.1	Personnel compensation: Full-time permanent	2		
12.1	Civilian personnel benefits	1		

LIMITED ACCESS SYSTEM ADMINISTRATION FUND—Continued

Object Classification (in millions of dollars)—Continued

Identification code 13-5284-0-2-306	2007 actual	2008 est.	2009 est.
25.2 Other services	1		
41.0 Grants, subsidies, and contributions	1	18	7
99.9 Total new obligations	5	18	7

Employment Summary

Identification code 13-5284-0-2-306	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	40		

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, **[\$67,000,000] \$35,000,000**, to remain available until September 30, **[2009] 2010: Provided, That of the funds provided herein the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, California, and Alaska, and Federally-recognized tribes of the Columbia River and Pacific Coast for projects necessary for restoration of salmon and steelhead populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: Provided further, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least thirty-three percent of the Federal funds. (Department of Commerce Appropriations Act, 2008.)**

Program and Financing (in millions of dollars)

Identification code 13-1451-0-1-306	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.08 Grants to States and Tribes	67	67	35
10.00 Total new obligations	67	67	35
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	67	67	35
23.95 Total new obligations	-67	-67	-35
24.40 Unobligated balance carried forward, end of year			
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	67	67	35
Change in obligated balances:			
72.40 Obligated balance, start of year	240	228	221
73.10 Total new obligations	67	67	35
73.20 Total outlays (gross)	-79	-74	-67
74.40 Obligated balance, end of year	228	221	189
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority		17	9
86.93 Outlays from discretionary balances	79	57	58
87.00 Total outlays (gross)	79	74	67
Net budget authority and outlays:			
89.00 Budget authority	67	67	35
90.00 Outlays	79	74	67

This account funds State, Tribal and local conservation initiatives to help recover Pacific salmon populations. State and local recipients of this funding will provide matching contributions of at least thirty-three percent of Federal funds. In addition, funds will be available to Tribes that do not require matching dollars. A 2006 Program Assessment Rating Tool analysis found that the program has substantially improved

its ability to demonstrate effectiveness. The program has developed performance measures and has demonstrated progress in salmon recovery efforts. However, the program should be permitted to target funding based on the recovery needs of threatened, endangered, or other sensitive salmon populations. The language proposed here states that the Secretary will establish terms and conditions for the effective use of the funds to help address this concern.

Object Classification (in millions of dollars)

Identification code 13-1451-0-1-306	2007 actual	2008 est.	2009 est.
Direct obligations:			
25.2 Other services	1		
41.0 Grants, subsidies, and contributions	66	67	35
99.9 Total new obligations	67	67	35

COASTAL IMPACT ASSISTANCE

Program and Financing (in millions of dollars)

Identification code 13-1462-0-1-302	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program activity	1		
10.00 Total new obligations (object class 25.2)	1		
Budgetary resources available for obligation:			
22.10 Resources available from recoveries of prior year obligations	1		
23.95 Total new obligations	-1		
24.40 Unobligated balance carried forward, end of year			
Change in obligated balances:			
72.40 Change in obligated balances	31	14	7
73.10 Total new obligations	1		
73.20 Total outlays (gross)	-17	-7	-6
73.45 Recoveries of prior year obligations	-1		
74.40 Obligated balance, end of year	14	7	1
Outlays (gross), detail:			
86.93 Outlays from discretionary balances	17	7	6
Net budget authority and outlays:			
89.00 Budget authority			
90.00 Outlays	17	7	6

No funds have been proposed for this account since 2001, as the program has been terminated. Similar activities are covered by other sources of funding.

MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTION, NOAA

Program and Financing (in millions of dollars)

Identification code 13-1465-0-1-306	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program activity	2	2	2
10.00 Total new obligations (object class 25.3)	2	2	2
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	2	2	2
23.95 Total new obligations	-2	-2	-2
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	2	2	2
Change in obligated balances:			
73.10 Total new obligations	2	2	2
73.20 Total outlays (gross)	-2	-2	-2

Outlays (gross), detail:				
86.90	Outlays from new discretionary authority	2	2	2
Net budget authority and outlays:				
89.00	Budget authority	2	2	2
90.00	Outlays	2	2	2

This account includes amounts necessary to finance the cost of Tricare retirement health care benefits accrued by the active duty members of the NOAA Commissioned Corps. The Ronald W. Reagan National Defense Authorization Act for 2005 (P.L. 108-375) provided permanent, indefinite appropriations to finance these costs for all uniformed service members. As these costs are borne in support of NOAA's mission, they are shown as part of the NOAA discretionary total. Total obligations on behalf of active NOAA Commissioned Corps personnel include both the wages and related amounts requested for appropriation and amounts paid from the permanent, indefinite authority.

**PROMOTE AND DEVELOP FISHERY PRODUCTS AND RESEARCH
PERTAINING TO AMERICAN FISHERIES**

Program and Financing (in millions of dollars)

Identification code 13-5139-0-2-376	2007 actual	2008 est.	2009 est.	
Obligations by program activity:				
00.01	Direct program activity	4	8	6
10.00	Total new obligations (object class 41.0)	4	8	6
Budgetary resources available for obligation:				
22.00	New budget authority (gross)	4	8	6
23.95	Total new obligations	-4	-8	-6
24.40	Unobligated balance carried forward, end of year			
New budget authority (gross), detail:				
Discretionary:				
41.00	Transferred to other accounts	-79		-79
Mandatory:				
61.00	Transferred to other accounts		-77	
62.00	Transferred from other accounts	83	85	85
62.50	Appropriation (total mandatory)	83	8	85
70.00	Total new budget authority (gross)	4	8	6
Change in obligated balances:				
72.40	Obligated balance, start of year	7	5	6
73.10	Total new obligations	4	8	6
73.20	Total outlays (gross)	-6	-7	-6
74.40	Obligated balance, end of year	5	6	6
Outlays (gross), detail:				
86.90	Outlays from new discretionary authority			-47
86.97	Outlays from new mandatory authority	6	5	51
86.98	Outlays from mandatory balances		2	2
87.00	Total outlays (gross)	6	7	6
Net budget authority and outlays:				
89.00	Budget authority	4	8	6
90.00	Outlays	6	7	6

An amount equal to 30 percent of the gross receipts from customs duties on imported fishery products is transferred to the Department of Commerce annually from the Department of Agriculture. A portion of the funds is transferred to offset the appropriation requirements for fisheries research and management in the Operations, Research, and Facilities account. The remainder of the funds support the Saltonstall-Kennedy grants program for fisheries research and development projects to enhance the productivity and improve the sustainable yield of domestic marine fisheries resources.

Employment Summary

Identification code 13-5139-0-2-376	2007 actual	2008 est.	2009 est.	
Direct:				
1001	Civilian full-time equivalent employment	4	4	4

FISHERMEN'S CONTINGENCY FUND

Special and Trust Fund Receipts (in millions of dollars)

Identification code 13-5120-0-2-376	2007 actual	2008 est.	2009 est.	
01.00	Balance, start of year		1	2
01.99	Balance, start of year		1	2
Receipts:				
02.60	Fees, Fishermen's Contingency Fund	1	1	1
07.99	Balance, end of year	1	2	3

Program and Financing (in millions of dollars)

Identification code 13-5120-0-2-376	2007 actual	2008 est.	2009 est.	
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	1	1	1
24.40	Unobligated balance carried forward, end of year	1	1	1
Net budget authority and outlays:				
89.00	Budget authority			
90.00	Outlays			

This program provides compensation to commercial fishermen for damages to or loss of fishing gear related to oil and gas exploration, development, and production on the Outer Continental Shelf. The fund is supported by assessments to holders of leases, permits, easements, and rights of way in areas of the Outer Continental Shelf. No new funds are proposed for this account in 2009; remaining unobligated balances are sufficient to carry out this program for the year.

Employment Summary

Identification code 13-5120-0-2-376	2007 actual	2008 est.	2009 est.	
Direct:				
1001	Civilian full-time equivalent employment		1	1

ENVIRONMENTAL IMPROVEMENT AND RESTORATION FUND

Special and Trust Fund Receipts (in millions of dollars)

Identification code 13-5362-0-2-302	2007 actual	2008 est.	2009 est.	
01.00	Balance, start of year			
01.99	Balance, start of year			
Receipts:				
02.40	Interest Earned, Environmental Improvement and Restoration Fund	9	8	9
04.00	Total: Balances and collections	9	8	9
Appropriations:				
05.00	Environmental Improvement and Restoration Fund	-9	-8	-9
07.99	Balance, end of year			

Program and Financing (in millions of dollars)

Identification code 13-5362-0-2-302	2007 actual	2008 est.	2009 est.	
Obligations by program activity:				
00.01	North Pacific Research Board	8	17	9
10.00	Total new obligations (object class 41.0)	8	17	9
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	8	9	

ENVIRONMENTAL IMPROVEMENT AND RESTORATION FUND—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 13-5362-0-2-302	2007 actual	2008 est.	2009 est.
22.00 New budget authority (gross)	9	8	9
23.90 Total budgetary resources available for obligation	17	17	9
23.95 Total new obligations	-8	-17	-9
24.40 Unobligated balance carried forward, end of year	9		
New budget authority (gross), detail:			
Mandatory:			
60.20 Appropriation (special fund)	9	8	9
Change in obligated balances:			
72.40 Obligated balance, start of year	17	21	29
73.10 Total new obligations	8	17	9
73.20 Total outlays (gross)	-4	-9	-11
74.40 Obligated balance, end of year	21	29	27
Outlays (gross), detail:			
86.97 Outlays from new mandatory authority	2	2	2
86.98 Outlays from mandatory balances	2	7	9
87.00 Total outlays (gross)	4	9	11
Net budget authority and outlays:			
89.00 Budget authority	9	8	9
90.00 Outlays	4	9	11

This fund was established by Title IV of P.L. 105-83. Twenty percent of the interest earned from this fund is made available to the Department of Commerce. Funds are to be used by Federal, State, private or foreign organizations or individuals to conduct research activities on or relating to the fisheries or marine ecosystems in the North Pacific Ocean, Bering Sea, and Arctic Ocean. Research priorities and grant requests are reviewed and approved by the North Pacific Research Board with emphasis placed on cooperative research efforts designed to address pressing fishery management or marine ecosystem information needs.

COASTAL ZONE MANAGEMENT FUND
(INCLUDING TRANSFER OF FUNDS)

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$3,000,000 shall be transferred to the "Operations, Research, and Facilities" account to offset the costs of implementing such Act. (*Department of Commerce Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 13-4313-0-3-306	2007 actual	2008 est.	2009 est.
New budget authority (gross), detail:			
Discretionary:			
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	2	2	2
58.26 Offsetting collections (previously unavailable)	1	1	1
58.61 Transferred to other accounts	-3	-3	-3
58.90 Spending authority from offsetting collections (total discretionary)			
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.40 Non-Federal sources			
88.45 Offsetting governmental collections (from non-Federal sources)	-7		
88.90 Total, offsetting collections (cash)	-7		
Net budget authority and outlays:			
89.00 Budget authority	-2	-2	-2
90.00 Outlays	-2	-2	-2
Memorandum (non-add) entries:			
94.01 Unavailable balance, start of year: Offsetting collections	29	28	27

94.02 Unavailable balance, end of year: Offsetting collections	28	27	26
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This fund was established by the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA). The fund consists of loan repayments from the former Coastal Energy Impact Program. The proceeds are to be used to offset the Operations, Research, and Facilities account for the costs of implementing the Coastal Zone Management Act of 1972, as amended.

DAMAGE ASSESSMENT AND RESTORATION REVOLVING FUND

Program and Financing (in millions of dollars)

Identification code 13-4316-0-3-306	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
09.01 Reimbursable program	21	37	12
10.00 Total new obligations	21	37	12
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	21	25	
22.00 New budget authority (gross)	11	9	9
22.22 Unobligated balance transferred from other accounts	14	3	3
23.90 Total budgetary resources available for obligation	46	37	12
23.95 Total new obligations	-21	-37	-12
24.40 Unobligated balance carried forward, end of year	25		
New budget authority (gross), detail:			
Mandatory:			
62.00 Transferred from other accounts	4	1	1
69.00 Spending authority from offsetting collections: Offsetting collections (cash)	7	8	8
70.00 Total new budget authority (gross)	11	9	9
Change in obligated balances:			
72.40 Obligated balance, start of year	7	8	18
73.10 Total new obligations	21	37	12
73.20 Total outlays (gross)	-20	-27	-29
74.40 Obligated balance, end of year	8	18	1
Outlays (gross), detail:			
86.97 Outlays from new mandatory authority	10	5	5
86.98 Outlays from mandatory balances	10	22	24
87.00 Total outlays (gross)	20	27	29
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.40 Non-Federal sources		-8	-8
88.45 Offsetting governmental collections (from non-Federal sources)	-7		
88.90 Total, offsetting collections (cash)	-7	-8	-8
Net budget authority and outlays:			
89.00 Budget authority	4	1	1
90.00 Outlays	13	19	21

Pursuant to the Oil Pollution Act of 1990, sums recovered from awards or settlements for natural resource damages to NOAA trust resources are retained in this revolving trust account. NOAA will utilize funds transferred to this account to respond to hazardous materials spills in the coastal and marine environments by conducting damage assessments, providing scientific support during litigation, and using recovered damages to restore injured resources.

Object Classification (in millions of dollars)

Identification code 13-4316-0-3-306	2007 actual	2008 est.	2009 est.
Reimbursable obligations:			
11.1 Personnel compensation: Full-time permanent	1	1	1

25.1	Advisory and assistance services	1	1	1
25.2	Other services	6	6	6
41.0	Grants, subsidies, and contributions	13	29	4
99.0	Reimbursable obligations	21	37	12
99.9	Total new obligations	21	37	12

Employment Summary

Identification code 13-4316-0-3-306	2007 actual	2008 est.	2009 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	12	16	16

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year [2008] 2009, obligations of direct loans may not exceed \$8,000,000 for Individual Fishing Quota loans [and not to exceed \$59,000,000 for traditional direct loans] as authorized by the Merchant Marine Act of 1936[; *Provided*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery]. (*Department of Commerce Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 13-1456-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.05 Reestimates of direct loan subsidy	1	21	
00.06 Interest on reestimates of direct loan subsidy		4	
00.07 Reestimates of guaranteed loan subsidy	2		
00.08 Interest on reestimates of guaranteed loan subsidy	2	2	
10.00 Total new obligations (object class 25.2)	5	27	
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	4	3	4
22.00 New budget authority (gross)	4	28	
23.90 Total budgetary resources available for obligation	8	31	4
23.95 Total new obligations	-5	-27	
24.40 Unobligated balance carried forward, end of year	3	4	4

New budget authority (gross), detail:

Discretionary:			
40.36 Unobligated balance permanently reduced	-1		
Mandatory:			
60.00 Appropriation	5	28	
70.00 Total new budget authority (gross)	4	28	

Change in obligated balances:

72.40 Obligated balance, start of year	1	1	
73.10 Total new obligations	5	27	
73.20 Total outlays (gross)	-5	-28	
74.40 Obligated balance, end of year	1		

Outlays (gross), detail:

86.97 Outlays from new mandatory authority	5	28	
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Net budget authority and outlays:

89.00 Budget authority	4	28	
90.00 Outlays	5	28	

Summary of Loan Levels, Subsidy Budget Authority and Outlays by Program (in millions of dollars)

Identification code 13-1456-0-1-376	2007 actual	2008 est.	2009 est.
Direct loan levels supportable by subsidy budget authority:			
115001 Individual Fishing Quota Loans	5	8	8
115002 Traditional Direct Loans	43	59	
115011 SEIN Buyback		23	
115999 Total direct loan levels	48	90	8
Direct loan subsidy (in percent):			

132001 Individual Fishing Quota Loans	-8.08	-10.58	-12.78
132002 Traditional Direct Loans	-8.01	-4.63	0.00
132011 SEIN Buyback	0.00	1.00	0.00
132999 Weighted average subsidy rate	-8.02	-3.72	-12.78
Direct loan subsidy budget authority:			
133001 Individual Fishing Quota Loans		-1	-1
133002 Traditional Direct Loans	-4	-3	
133999 Total subsidy budget authority	-4	-3	-1
Direct loan subsidy outlays:			
134001 Individual Fishing Quota Loans		-1	-1
134002 Traditional Direct Loans	-4	-3	
134999 Total subsidy outlays	-4	-4	-1
Direct loan upward reestimates:			
135001 Individual Fishing Quota Loans		1	
135002 Traditional Direct Loans		4	
135007 Pollock Buyback	1	3	
135008 Crab Buyback loans		16	
135009 Tuna Buyback		1	
135999 Total upward reestimate budget authority	1	25	
Direct loan downward reestimates:			
137001 Individual Fishing Quota Loans		-1	
137002 Traditional Direct Loans	-6	-8	
137003 Pacific Ground Fish	-2	-9	
137007 Pollock Buyback		-2	
137008 Crab Buyback loans	-6		
137009 Tuna Buyback		-1	
137999 Total downward reestimate budget authority	-14	-21	
Guaranteed loan upward reestimates:			
235002 Guaranteed Traditional Loans	4	3	
235999 Total upward reestimate budget authority	4	3	
Guaranteed loan downward reestimates:			
237002 Guaranteed Traditional Loans	-1	-1	
237999 Total downward reestimate subsidy budget authority	-1	-1	

This account covers the subsidy costs of guaranteed loans (pre-1997) and direct loans (post-1996) obligated or committed subsequent to October 1, 1991, as authorized by the Merchant Marine Act of 1936 as amended. For 2009, loan authority is proposed only for loans to finance the purchase of Individual Fishing Quota loans, which have a negative subsidy rate and do not require appropriations to cover the costs of the loan.

FISHERIES FINANCE DIRECT LOAN FINANCING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4324-0-3-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct loans	48	90	8
00.02 Interest payments to Treasury	24	24	22
00.91 Subtotal	72	114	30
08.01 Negative subsidy	4	3	1
08.02 Downward reestimate	13	10	
08.04 Interest on downward reestimate		11	
08.91 Subtotal	17	24	1
10.00 Total new obligations	89	138	31
Budgetary resources available for obligation:			
22.00 New financing authority (gross)	89	138	38
22.10 Resources available from recoveries of prior year obligations	2		
22.60 Portion applied to repay debt	-2		-7
23.90 Total budgetary resources available for obligation	89	138	31
23.95 Total new obligations	-89	-138	-31
24.40 Unobligated balance carried forward, end of year			
New financing authority (gross), detail:			
Mandatory:			
67.10 Authority to borrow	69	90	8
Spending authority from offsetting collections:			

FISHERIES FINANCE DIRECT LOAN FINANCING ACCOUNT—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 13-4324-0-3-376	2007 actual	2008 est.	2009 est.
69.00 Offsetting collections (cash)	59	48	30
69.10 Change in uncollected customer payments from Federal sources (unexpired)	-1		
69.47 Portion applied to repay debt	-38		
69.90 Spending authority from offsetting collections (total mandatory)	20	48	30
70.00 Total new financing authority (gross)	89	138	38
Change in obligated balances:			
72.40 Obligated balance, start of year	245	208	262
73.10 Total new obligations	89	138	31
73.20 Total financing disbursements (gross)	-125	-84	-65
73.45 Recoveries of prior year obligations	-2		
74.00 Change in uncollected customer payments from Fed- eral sources (unexpired)	1		
74.40 Obligated balance, end of year	208	262	228
Outlays (gross), detail:			
87.00 Total financing disbursements (gross)	125	84	65
Offsets:			
Against gross financing authority and financing dis- bursements:			
Offsetting collections (cash) from:			
88.00 Payments from program account	-1	-25	
88.25 Interest on uninvested funds	-1		
88.40 Repayments of principal, net	-35	-10	-11
88.40 Interest Received on loans	-22	-13	-19
88.90 Total, offsetting collections (cash)	-59	-48	-30
Against gross financing authority only:			
88.95 Change in receivables from program accounts	1		
Net financing authority and financing disbursements:			
89.00 Financing authority	31	90	8
90.00 Financing disbursements	66	36	35

Status of Direct Loans (in millions of dollars)

Identification code 13-4324-0-3-376	2007 actual	2008 est.	2009 est.
Position with respect to appropriations act limitation on obligations:			
1111 Limitation on direct loans	48	90	8
1150 Total direct loan obligations	48	90	8
Cumulative balance of direct loans outstanding:			
1210 Outstanding, start of year	352	401	444
1231 Disbursements: Direct loan disbursements	84	52	39
1251 Repayments: Repayments and prepayments	-35	-9	-11
1290 Outstanding, end of year	401	444	472

This account covers the financing of direct loans as authorized by the Magnuson-Stevens Fishery Conservation and Management Act to promote market-based approaches to sustainable fisheries management. Funds are not used for purposes that would contribute to the overcapitalization of the fishing industry. The amounts in this account are a means of financing and are not included in the budget totals.

Balance Sheet (in millions of dollars)

Identification code 13-4324-0-3-376	2006 actual	2007 actual
ASSETS:		
Federal assets:		
1101 Fund balances with Treasury	5	2
Investments in US securities:		
1106 Federal Receivables, net		24
Net value of assets related to post-1991 direct loans receiv- able:		
1401 Direct loans receivable, gross	353	401
1402 Interest receivable	5	7

1405 Allowance for subsidy cost (-)	59	72
1499 Net present value of assets related to direct loans	417	480
1999 Total assets	422	506
LIABILITIES:		
Federal liabilities:		
2101 Accounts payable	15	36
2103 Federal liabilities, debt	407	470
2999 Total liabilities	422	506
4999 Total liabilities and net position	422	506

FISHERIES FINANCE GUARANTEED LOAN FINANCING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4314-0-3-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.02 Interest payments to Treasury	1	1	1
08.02 Downward restimate	1	1	
10.00 Total new obligations	2	2	1
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	4	4	5
22.00 New financing authority (gross)	5	3	1
22.60 Portion applied to repay debt	-3		
23.90 Total budgetary resources available for obligation	6	7	6
23.95 Total new obligations	-2	-2	-1
24.40 Unobligated balance carried forward, end of year	4	5	5
New financing authority (gross), detail:			
Mandatory:			
67.10 Authority to borrow	1		
Spending authority from offsetting collections:			
69.00 Offsetting collections (cash)	5	3	1
69.47 Offsetting collections used for repayment of treasury debt	-1		
69.90 Spending authority from offsetting collections (total mandatory)	4	3	1
70.00 Total new financing authority (gross)	5	3	1
Change in obligated balances:			
72.40 Obligated balance, start of year			1
73.10 Total new obligations	2	2	1
73.20 Total financing disbursements (gross)	-2	-1	-1
74.40 Obligated balance, end of year		1	1
Outlays (gross), detail:			
87.00 Total financing disbursements (gross)	2	1	1
Offsets:			
Against gross financing authority and financing dis- bursements:			
Offsetting collections (cash) from:			
88.00 Payments from program account	-4	-3	-1
88.40 Non-Federal sources	-1		
88.90 Total, offsetting collections (cash)	-5	-3	-1
Net financing authority and financing disbursements:			
89.00 Financing authority			
90.00 Financing disbursements	-3	-2	

Status of Guaranteed Loans (in millions of dollars)

Identification code 13-4314-0-3-376	2007 actual	2008 est.	2009 est.
Cumulative balance of guaranteed loans outstanding:			
2210 Outstanding, start of year	8	6	3
2251 Repayments and prepayments	-2	-3	-2
2290 Outstanding, end of year	6	3	1
Memorandum:			
2299 Guaranteed amount of guaranteed loans outstanding, end of year	5	3	1

Addendum:			
Cumulative balance of defaulted guaranteed loans that result in loans receivable:			
2310	Outstanding, start of year	15	18
2364	Other adjustments, net	3	
2390	Outstanding, end of year	18	18

This account covers the financing of guaranteed loans obligated or committed subsequent to October 1, 1991 as authorized by the Merchant Marine Act of 1936 as amended. Funds are not used for purposes which would contribute to the overcapitalization of the fishing industry. The amounts in this account are a means of financing and are not included in the budget totals.

Balance Sheet (in millions of dollars)

Identification code 13-4314-0-3-376			
		2006 actual	2007 actual
ASSETS:			
Federal assets:			
1101	Fund balances with Treasury	4	4
1106	Investments in US securities:	4	3
Net value of assets related to post-1991 acquired defaulted guaranteed loans receivable:			
1501	Defaulted guaranteed loans receivable, gross	15	18
1502	Interest receivable	1	1
1504	Foreclosed property related to default guarantee	3	1
1505	Allowance for subsidy cost (-)	-8	-15
1599	Net present value of assets related to defaulted guaranteed loans	11	5
1999	Total assets	19	12
LIABILITIES:			
Federal liabilities:			
2101	Federal accounts payable	1	2
2103	Debt	12	9
2204	Non-Federal liabilities: Liabilities for loan guarantees	6	1
2999	Total liabilities	19	12
4999	Total liabilities and net position	19	12

FEDERAL SHIP FINANCING FUND FISHING VESSELS LIQUIDATING ACCOUNT

Program and Financing (in millions of dollars)

Identification code 13-4417-0-3-376			
		2007 actual	2008 est.
Obligations by program activity:			
00.07	Cost of Loan Defaults	1	1
10.00	Total new obligations (object class 33.0)	1	1
Budgetary resources available for obligation:			
22.00	New budget authority (gross)	1	1
23.95	Total new obligations	-1	-1
New budget authority (gross), detail:			
Mandatory:			
Spending authority from offsetting collections:			
69.00	Offsetting collections (cash)	2	2
69.27	Capital transfer to general fund	-1	-1
69.90	Spending authority from offsetting collections (total mandatory)	1	1
Change in obligated balances:			
73.10	Total new obligations	1	1
73.20	Total outlays (gross)	-1	-1
74.40	Obligated balance, end of year		
Outlays (gross), detail:			
86.97	Outlays from new mandatory authority	1	1
Offsets:			
Against gross budget authority and outlays:			

88.40	Offsetting collections (cash) from: Non-Federal sources	-2	-2
Net budget authority and outlays:			
89.00	Budget authority	-1	-1
90.00	Outlays	-1	-1

Status of Guaranteed Loans (in millions of dollars)

Identification code 13-4417-0-3-376			
		2007 actual	2008 est.
Cumulative balance of guaranteed loans outstanding:			
2210	Outstanding, start of year	9	8
2251	Repayments and prepayments	-1	-3
2290	Outstanding, end of year	8	5
Memorandum:			
2299	Guaranteed amount of guaranteed loans outstanding, end of year	8	3

Addendum:

Cumulative balance of defaulted guaranteed loans that result in loans receivable:			
2310	Outstanding, start of year	14	14
2351	Repayments of loans receivable	-1	-1
2361	Write-offs of loans receivable		
2390	Outstanding, end of year	14	13

Premiums and fees collected under the Fishing Vessel Obligations Guarantee program for loan commitments made prior to October 1, 1991 are deposited in this fund to pay the costs of defaults, foreclosures, and federal upkeep activities. Proceeds from the sale of collateral are also deposited in the Fund for defaults on loans committed prior to October 1, 1991 (46 U.S.C. 1272, 1273(f), and 1274).

Balance Sheet (in millions of dollars)

Identification code 13-4417-0-3-376			
		2006 actual	2007 actual
ASSETS:			
1701	Defaulted guaranteed loans, gross	15	15
1703	Allowance for estimated uncollectible loans and interest (-)	-13	-13
1704	Defaulted guaranteed loans and interest receivable, net	2	2
1799	Value of assets related to loan guarantees	2	2
1999	Total assets	2	2
LIABILITIES:			
2104	Federal liabilities: Resources payable to Treasury	2	2
2999	Total liabilities	2	2
4999	Total liabilities and net position	2	2

[(RESCISSION)]

[Of the unobligated balances available in accounts under this heading from prior year appropriations, \$11,372,000 are rescinded.] (Department of Commerce Appropriations Act, 2008.)

U.S. PATENT AND TRADEMARK OFFICE

Federal Funds

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, **[\$1,915,500,000] \$2,074,773,000**, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year **[2008] 2009**, so as to result in a fiscal year **[2008] 2009** appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year **[2008] 2009**, should the total amount

SALARIES AND EXPENSES—Continued

of offsetting fee collections be less than **[\$1,915,500,000]** \$2,074,773,000, this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of **[\$1,915,500,000]** \$2,074,773,000 in fiscal year **[2008]** 2009, in an amount up to \$100,000,000, shall remain available until expended: *Provided further*, That not less than 1,020 full-time equivalents, 1,082 positions and \$214,150,000 shall be for the examination of trademark applications; and not less than 8,522 full-time equivalents, 9,000 positions and \$1,701,402,000 shall be for the examination and searching of patent applications: *Provided further*, That not less than \$16,015,000 shall be for training of personnel: *Provided further*, That \$1,000,000 may be transferred to “Departmental Management”, “Salaries and Expenses” for activities associated with the National Intellectual Property Law Enforcement Coordination Council: *Provided further*, That any deviation from the full-time equivalent, position, and funding designations set forth in the preceding provisos shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That from amounts provided herein, not to exceed \$1,000 shall be made available in fiscal year **[2008]** 2009 for official reception and representation expenses: *Provided further*, That in fiscal year **[2008]** 2009 and hereafter, from the amounts made available for “Salaries and Expenses” for the **[United States Patent and Trademark Office (PTO)]** USPTO, the amounts necessary to pay: (1) the difference between the percentage of basic pay contributed by the US PTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all PTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That sections 801, 802, and 803 of division B, Public Law 108–447 shall remain in effect during fiscal year **[2008]** 2009: *Provided further*, That the Director may, *this year*, reduce by regulation **[patent filing]** fees payable **[in 2008]** for documents in patent and trademark matters, **[for]** in connection with the filing of documents filed electronically **[consistent with Federal regulation]** in a form prescribed by the Director. (*Department of Commerce Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 13–1006–0–1–376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
09.01 Patents	1,556	1,714	1,839
09.02 Trademarks	210	243	249
09.09 Reimbursable program	1,766	1,957	2,088
10.00 Total new obligations	1,766	1,957	2,088
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	6	29	.....
22.00 New budget authority (gross)	1,779	1,924	2,084
22.10 Resources available from recoveries of prior year obligations	10	4	4
23.90 Total budgetary resources available for obligation	1,795	1,957	2,088
23.95 Total new obligations	–1,766	–1,957	–2,088
24.40 Unobligated balance carried forward, end of year	29	.....	.....
New budget authority (gross), detail:			
Discretionary:			
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	1,791	1,924	2,084
58.45 Portion precluded from obligation (limitation on obligations)	–12	.....	.....
58.90 Spending authority from offsetting collections (total discretionary)	1,779	1,924	2,084
Change in obligated balances:			
72.40 Obligated balance, start of year	555	513	645
73.10 Total new obligations	1,766	1,957	2,088
73.20 Total outlays (gross)	–1,798	–1,821	–1,960

73.45 Recoveries of prior year obligations	–10	–4	–4
74.40 Obligated balance, end of year	513	645	769
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	1,352	1,443	1,563
86.93 Outlays from discretionary balances	446	378	397
87.00 Total outlays (gross)	1,798	1,821	1,960
Offsets:			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	–8	–9	–9
88.40 Non-Federal sources	–1,783	–1,915	–2,075
88.90 Total, offsetting collections (cash)	–1,791	–1,924	–2,084
Net budget authority and outlays:			
89.00 Budget authority	–12	.....	.....
90.00 Outlays	8	–103	–124
Memorandum (non-add) entries:			
94.01 Unavailable balance, start of year: Offsetting collections	516	529	529
94.02 Unavailable balance, end of year: Offsetting collections	529	529	529

The United States Patent and Trademark Office (USPTO) issues patents and registers trademarks, which provide protection to inventors and businesses for their inventions and corporate and product identifications. USPTO also advises other U.S. government agencies on intellectual property issues and promotes stronger intellectual property protections in other countries. USPTO is funded through fees that are paid to obtain patents and trademarks; the 2009 Budget requests a program level of \$2,075 million for USPTO and full access for the agency to its fee collections. Legislation restructuring and increasing patent fees was enacted for 2005 and 2006 and subsequently extended through 2008. The Budget requests an extension of these provisions through 2009.

Patent program.—Resources requested in 2009 will be used to fund additional patent examiner staff workload; continue the implementation of e-Government to more efficiently process patent applications; competitively source the classification and reclassification functions currently performed by patent examiners; continue retention incentives to retain a highly qualified and productive workforce; and to improve patent practices worldwide. These resources will help optimize patent quality and timeliness.

Trademark program.—The 2009 Budget provides resources to fund increased staffing levels and the expansion of e-Government to achieve a fully electronic workflow. In addition, resources will be used to improve trademark practices domestically and worldwide, thereby optimizing trademark quality and timeliness.

Performance measures.—A detailed presentation of the performance outcomes, measures, and targets is found in USPTO’s 2009 budget submission.

Object Classification (in millions of dollars)

Identification code 13–1006–0–1–376	2007 actual	2008 est.	2009 est.
99.0 Reimbursable obligations	1,766	1,957	2,088
99.9 Total new obligations	1,766	1,957	2,088

Employment Summary

Identification code 13–1006–0–1–376	2007 actual	2008 est.	2009 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	8,291	9,549	10,723

TECHNOLOGY ADMINISTRATION

Federal Funds

SALARIES AND EXPENSES

Program and Financing (in millions of dollars)

Identification code 13-1100-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program	2		
10.00 Total new obligations	2		
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	2		
23.95 Total new obligations	-2		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	2		
Change in obligated balances:			
72.40 Obligated balance, start of year	2	1	
73.10 Total new obligations	2		
73.20 Total outlays (gross)	-3	-1	
74.40 Obligated balance, end of year	1		
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	2		
86.93 Outlays from discretionary balances	1	1	
87.00 Total outlays (gross)	3	1	
Net budget authority and outlays:			
89.00 Budget authority	2		
90.00 Outlays	3	1	

The America COMPETES Act (P.L. 110-69) and the Consolidated Appropriations Act of 2008 (P.L. 110-161) eliminated the Technology Administration and distributed its functions elsewhere in the Department.

Object Classification (in millions of dollars)

Identification code 13-1100-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
11.1 Personnel compensation: Full-time permanent	1		
25.3 Other purchases of goods and services from Government accounts	1		
99.9 Total new obligations	2		

Employment Summary

Identification code 13-1100-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	7		

NATIONAL TECHNICAL INFORMATION SERVICE

Federal Funds

NTIS REVOLVING FUND

Program and Financing (in millions of dollars)

Identification code 13-4295-0-3-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
09.01 Reimbursable program	28	41	42
10.00 Total new obligations	28	41	42
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	10	9	10
22.00 New budget authority (gross)	27	42	42

23.90 Total budgetary resources available for obligation	37	51	52
23.95 Total new obligations	-28	-41	-42
24.40 Unobligated balance carried forward, end of year	9	10	10

New budget authority (gross), detail:

Discretionary:			
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	29	42	42
58.10 Change in uncollected customer payments from Federal sources (unexpired)	-2		
58.90 Spending authority from offsetting collections (total discretionary)	27	42	42
Change in obligated balances:			
72.40 Obligated balance, start of year	12	18	9
73.10 Total new obligations	28	41	42
73.20 Total outlays (gross)	-24	-50	-42
74.00 Change in uncollected customer payments from Federal sources (unexpired)	2		
74.40 Obligated balance, end of year	18	9	9

Outlays (gross), detail:

86.90 Outlays from new discretionary authority	13	23	23
86.93 Outlays from discretionary balances	11	27	19
87.00 Total outlays (gross)	24	50	42

Offsets:

Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources	-17	-23	-23
88.40 Non-Federal sources	-12	-19	-19
88.90 Total, offsetting collections (cash)	-29	-42	-42
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	2		

Net budget authority and outlays:

89.00 Budget authority			
90.00 Outlays	-5	8	

The National Technical Information Service (NTIS) collects and sells government scientific, technical, and business-related information. NTIS operates this revolving fund for the payment of all expenses incurred in performing these activities.

Balance Sheet (in millions of dollars)

Identification code 13-4295-0-3-376	2006 actual	2007 actual
ASSETS:		
1101 Federal assets: Fund balances with Treasury	32	29
1206 Non-Federal assets: Receivables, net		1
1901 Other Federal assets: Other assets	6	5
1999 Total assets	38	35
LIABILITIES:		
Federal liabilities:		
2101 Accounts payable	6	7
2105 Other	8	5
Non-Federal liabilities:		
2201 Accounts payable	1	1
2207 Other	7	7
2999 Total liabilities	22	20
NET POSITION:		
3300 Cumulative results of operations	16	15
4999 Total liabilities and net position	38	35

Object Classification (in millions of dollars)

Identification code 13-4295-0-3-376	2007 actual	2008 est.	2009 est.
Reimbursable obligations:			
11.1 Personnel compensation: Full-time permanent	9	14	15
12.1 Civilian personnel benefits	3	4	4
22.0 Transportation of things	1	1	1
23.1 Rental payments to GSA	1	1	1
23.2 Rental payments to others	1	2	2

NTIS REVOLVING FUND—Continued

Object Classification (in millions of dollars)—Continued

Identification code 13-4295-0-3-376	2007 actual	2008 est.	2009 est.
23.3 Communications, utilities, and miscellaneous charges	1	2	2
24.0 Printing and reproduction		4	4
25.2 Other services	10	5	5
25.3 Other purchases of goods and services from Government accounts	1	2	2
25.7 Operation and maintenance of equipment	1	1	1
26.0 Supplies and materials		3	3
31.0 Equipment		2	2
99.0 Reimbursable obligations	28	41	42
99.9 Total new obligations	28	41	42

Employment Summary

Identification code 13-4295-0-3-376	2007 actual	2008 est.	2009 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	131	150	150

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Federal Funds

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, **[\$440,517,000]** \$535,000,000, to remain available until expended, of which not to exceed **[\$6,580,000]** \$12,300,000 may be transferred to the "Working Capital Fund": *Provided*, That not to exceed \$5,000 shall be for official reception and representation expenses. (15 U.S.C. 272, 273, 278b-j; p, 290b-f, 1454(d), 1454(e), 1511, 1512, 3711; Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-0500-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Laboratories and technical programs	370	382	445
00.02 National research facilities	63	65	74
00.91 NIST laboratories	433	447	519
01.01 Baldrige national quality program	8	8	9
10.00 Total new obligations	441	455	528
Budgetary resources available for obligation:			
21.40 Budgetary resources available for obligation	5	9	
22.00 New budget authority (gross)	438	445	527
22.10 Resources available from recoveries of prior year obligations	2	1	1
22.22 Unobligated balance transferred from other accounts	5		
23.90 Total budgetary resources available for obligation	450	455	528
23.95 Total new obligations	-441	-455	-528
24.40 Unobligated balance carried forward, end of year	9		
New budget authority (gross), detail:			
Discretionary:			
40.00 New budget authority (gross), detail	434	441	535
41.00 Transferred to other accounts	-1	-1	-12
42.00 Transferred from other accounts	5	5	4
43.00 Appropriation (total discretionary)	438	445	527
Change in obligated balances:			
72.40 Change in obligated balances	106	131	115
73.10 Total new obligations	441	455	528
73.20 Total outlays (gross)	-414	-470	-511
73.45 Recoveries of prior year obligations	-2	-1	-1
74.40 Obligated balance, end of year	131	115	131
Outlays (gross), detail:			
86.90 Outlays (gross), detail	347	343	406

86.93 Outlays from discretionary balances	67	127	105
87.00 Total outlays (gross)	414	470	511

Net budget authority and outlays:

89.00 Budget authority	438	445	527
90.00 Outlays	414	470	511

The mission of the National Institute of Standards and Technology (NIST) is to develop and promote measurement, standards, and technology to enhance productivity, facilitate trade, and improve the quality of life. To carry out its mission, NIST has an intramural research program made up of laboratories and technical programs and national research facilities. NIST also manages the Baldrige National Quality Program.

As part of the President's 10-year American Competitiveness Initiative to significantly increase Federal funding for basic research in the physical sciences, NIST will target key investments that promote U.S. innovation and industrial competitiveness, including, among other things: expanding NIST's neutron facility to aid in characterizing novel materials in high-growth research fields; improving nanotechnology manufacturing capabilities; enhancing innovation in the biosciences through measurement and standards development related to complex life systems; increasing communications capabilities through research in optical technologies; and enhancing cyber security by developing infrastructure needed to respond to emerging online threats.

Object Classification (in millions of dollars)

Identification code 13-0500-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	154	167	192
11.3 Other than full-time permanent	13	14	14
11.5 Other personnel compensation	6	6	6
11.9 Total personnel compensation	173	187	212
12.1 Civilian personnel benefits	45	49	58
21.0 Travel and transportation of persons	10	10	12
22.0 Transportation of things	1	1	3
23.2 Rental payments to others	2	1	2
23.3 Communications, utilities, and miscellaneous charges	24	25	35
24.0 Printing and reproduction	1	1	1
25.1 Advisory and assistance services	5	3	2
25.2 Other services	45	40	34
25.3 Other purchases of goods and services from Government accounts	24	24	30
25.5 Research and development contracts	2	2	12
25.7 Operation and maintenance of equipment	14	14	16
26.0 Supplies and materials	23	24	29
31.0 Equipment	36	37	42
41.0 Grants, subsidies, and contributions	36	37	40
99.9 Total new obligations	441	455	528

Employment Summary

Identification code 13-0500-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	1,830	1,995	2,147

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Hollings Manufacturing Extension Partnership of the National Institute of Standards and Technology, **[\$89,640,000]** \$4,000,000, to remain available until expended.

[In addition, for necessary expenses of the Technology Innovation Program of the National Institute of Standards and Technology, \$65,200,000, to remain available until expended: *Provided*, That of the \$70,200,000 provided for in direct obligations under this heading, \$65,200,000 is appropriated from the general fund and \$5,000,000 is derived from recoveries of prior year obligations from the Advanced Technology Program.]

[(RESCISSION)]

[Of the unobligated balances available under this heading from prior year appropriations, \$18,800,000 are rescinded]. (Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-0525-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Advanced technology program	93	70	6
00.02 Manufacturing extension partnership	107	91	4
01.00 Total direct program	200	161	10
10.00 Total new obligations	200	161	10
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	30	20	
22.00 New budget authority (gross)	178	136	4
22.10 Resources available from recoveries of prior year obligations	12	5	6
23.90 Total budgetary resources available for obligation	220	161	10
23.95 Total new obligations	-200	-161	-10
24.40 Unobligated balance carried forward, end of year	20		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	184	155	4
40.36 Unobligated balance permanently reduced	-7	-19	
43.00 Appropriation (total discretionary)	177	136	4
58.00 Spending authority from offsetting collections: Offsetting collections (cash)	1		
70.00 Total new budget authority (gross)	178	136	4
Change in obligated balances:			
72.40 Obligated balance, start of year	155	156	114
73.10 Total new obligations	200	161	10
73.20 Total outlays (gross)	-187	-198	-99
73.45 Recoveries of prior year obligations	-12	-5	-6
74.40 Obligated balance, end of year	156	114	19
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	82	62	2
86.93 Outlays from discretionary balances	105	136	97
87.00 Total outlays (gross)	187	198	99
Offsets:			
Against gross budget authority and outlays:			
88.40 Offsetting collections (cash) from: Non-Federal sources	-1		
Net budget authority and outlays:			
89.00 Budget authority	177	136	4
90.00 Outlays	186	198	99

The 2009 Budget phases out Federal funding for the Manufacturing Extension Partnership (MEP). MEP centers will become independent, as intended in the program's original authorization.

Object Classification (in millions of dollars)

Identification code 13-0525-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	16	12	6
11.3 Other than full-time permanent	1		
11.5 Other personnel compensation	1	1	
11.9 Total personnel compensation	18	13	6
12.1 Civilian personnel benefits	5	3	2
13.0 Benefits for former personnel			1
21.0 Travel and transportation of persons	1	1	
23.3 Communications, utilities, and miscellaneous charges	3	3	1
25.1 Advisory and assistance services	6	4	
25.2 Other services	6	8	

25.3 Other purchases of goods and services from Government accounts	2	2	
25.5 Research and development contracts	1	1	
25.7 Operation and maintenance of equipment	1	1	
26.0 Supplies and materials	1	1	
31.0 Equipment	1	1	
41.0 Grants, subsidies, and contributions	155	123	
99.9 Total new obligations	200	161	10

Employment Summary

Identification code 13-0525-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	192	133	47

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities [including agency recreational and welfare facilities], not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, [\$160,490,000] \$99,000,000, to remain available until expended[, of which \$30,080,000 is for a competitive construction grant program for research science buildings: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than \$5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years: *Provided further*, That notwithstanding any other provision of law, of the amount made available for construction of research facilities, \$7,332,000 shall be for the University of Mississippi Medical Center Biotechnology Research Park; \$7,332,000 shall be for the Mississippi State University Research, Technology and Economic Development Park; \$1,598,000 shall be for the University of Southern Mississippi Innovation and Commercialization Park Infrastructure and Building Construction and Equipage; \$5,000,000 shall be for the Alabama State University Life Sciences Building; and \$30,000,000 shall be for laboratory and research space at the University of South Alabama Engineering and Science Center]. (Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-0515-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Direct program activity	52	177	99
10.00 Total new obligations	52	177	99
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	9	17	
22.00 New budget authority (gross)	59	160	99
22.10 Resources available from recoveries of prior year obligations	1		
23.90 Total budgetary resources available for obligation	69	177	99
23.95 Total new obligations	-52	-177	-99
24.40 Unobligated balance carried forward, end of year	17		
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	59	160	99
Change in obligated balances:			
72.40 Change in obligated balances	201	193	283
73.10 Total new obligations	52	177	99
73.20 Total outlays (gross)	-59	-87	-93
73.45 Recoveries of prior year obligations	-1		
74.40 Obligated balance, end of year	193	283	289
Outlays (gross), detail:			
86.90 Outlays (gross), detail	16	19	12

CONSTRUCTION OF RESEARCH FACILITIES—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 13-0515-0-1-376	2007 actual	2008 est.	2009 est.
86.93 Outlays from discretionary balances	43	68	81
87.00 Total outlays (gross)	59	87	93
Net budget authority and outlays:			
89.00 Budget authority	59	160	99
90.00 Outlays	59	87	93

This appropriation supports the construction of new facilities and the renovation and maintenance of NIST's current buildings and laboratories to comply with scientific and engineering requirements and to keep pace with Federal, State, and local health and safety regulations. As part of the President's 10-year American Competitiveness Initiative, the 2009 Budget includes \$99 million to complete construction of a new building extension at the NIST labs in Boulder, Colorado, to expand its world-class joint research institute at the University of Colorado, and to strengthen maintenance, repairs, and safety at NIST's facilities.

Object Classification (in millions of dollars)

Identification code 13-0515-0-1-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent	4	5	5
11.5 Other personnel compensation			1
11.9 Total personnel compensation	4	5	6
12.1 Civilian personnel benefits	1	2	2
25.2 Other services	23	35	35
25.7 Operation and maintenance of equipment	1	1	1
26.0 Supplies and materials	4	4	4
32.0 Land and structures	17	48	38
41.0 Grants, subsidies, and contributions		82	13
99.0 Direct obligations	50	177	99
99.5 Below reporting threshold	2		
99.9 Total new obligations	52	177	99

Employment Summary

Identification code 13-0515-0-1-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	50	54	60

WORKING CAPITAL FUND

Program and Financing (in millions of dollars)

Identification code 13-4650-0-4-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
09.01 Laboratories and technical programs	162	169	151
09.02 National research facilities	4	4	6
09.09 NIST laboratories	166	173	157
09.10 Baldrige national quality program	2	3	4
09.11 Manufacturing extension partnership	1	1	
10.00 Total new obligations	169	177	161
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	132	141	141
22.00 New budget authority (gross)	178	177	160
23.90 Total budgetary resources available for obligation	310	318	301
23.95 Total new obligations	-169	-177	-161
24.40 Unobligated balance carried forward, end of year	141	141	140

New budget authority (gross), detail:
Discretionary:

42.00 Transferred from other accounts	1	1	12
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	174	176	148
58.10 Change in uncollected customer payments from Federal sources (unexpired)	3		
58.90 Spending authority from offsetting collections (total discretionary)	177	176	148
70.00 Total new budget authority (gross)	178	177	160

Change in obligated balances:

72.40 Change in obligated balances	98	102	20
73.10 Total new obligations	169	177	161
73.20 Total outlays (gross)	-162	-259	-170
74.00 Change in uncollected customer payments from Federal sources (unexpired)	-3		
74.40 Obligated balance, end of year	102	20	11

Outlays (gross), detail:

86.90 Outlays (gross), detail	117	137	120
86.93 Outlays from discretionary balances	45	122	50
87.00 Total outlays (gross)	162	259	170

Offsets:

Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Offsets	-116	-128	-101
88.40 Non-Federal sources	-58	-48	-47
88.90 Total, offsetting collections (cash)	-174	-176	-148
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	-3		

Net budget authority and outlays:

89.00 Budget authority	1	1	12
90.00 Outlays	-12	83	22

The Working Capital Fund finances research and technical services performed for other Government agencies and the public. These activities are funded through advances and reimbursements. The Fund also finances the acquisition of equipment, standard reference materials, and storeroom inventories until issued or sold.

Object Classification (in millions of dollars)

Identification code 13-4650-0-4-376	2007 actual	2008 est.	2009 est.
Reimbursable obligations:			
Personnel compensation:			
11.1 Full-time permanent	57	65	70
11.3 Other than full-time permanent	5	5	5
11.5 Other personnel compensation	1	1	1
11.9 Total personnel compensation	63	71	76
12.1 Civilian personnel benefits	17	18	19
21.0 Travel and transportation of persons	3	3	1
22.0 Transportation of things	1	1	
23.2 Rental payments to others	1		
23.3 Communications, utilities, and miscellaneous charges	8	8	7
25.1 Advisory and assistance services	3	2	1
25.2 Other services	20	20	9
25.3 Other purchases of goods and services from Government accounts	19	19	10
25.7 Operation and maintenance of equipment	4	4	2
26.0 Supplies and materials	10	9	5
31.0 Equipment	15	17	29
41.0 Grants, subsidies, and contributions	5	5	2
99.0 Reimbursable obligations	169	177	161
99.9 Total new obligations	169	177	161

Employment Summary

Identification code 13-4650-0-4-376	2007 actual	2008 est.	2009 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	681	746	779

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

Federal Funds

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), **[\$17,466,000] \$19,218,000**, to remain available until September 30, **[2009] 2010: Provided**, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended. (15 U.S.C. 1512, 1532; 47 U.S.C. 305, 606, 901 et seq.; Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-0550-0-1-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Domestic and international policy	4	6	5
00.02 Spectrum management	7	7	7
00.03 Telecommunication sciences research	7	6	7
01.00 Total, direct program	18	19	19
09.01 Spectrum management	26	37	30
09.02 Telecommunication sciences research	7	21	8
09.99 Total reimbursable program	33	58	38
10.00 Total new obligations	51	77	57
Budgetary resources available for obligation:			
21.00 Unobligated balance carried forward, start of year	22	25	.....
22.00 New budget authority (gross)	53	52	57
22.10 Resources available from recoveries of prior year obligations	1	.....	.....
23.90 Total budgetary resources available for obligation	76	77	57
23.95 Total new obligations	-51	-77	-57
24.40 Unobligated balance carried forward, end of year	25	.....	.....
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	18	17	19
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash)	36	35	38
58.10 Change in uncollected customer payments from Federal sources (unexpired)	-1	.....	.....
58.90 Spending authority from offsetting collections (total discretionary)	35	35	38
70.00 Total new budget authority (gross)	53	52	57
Change in obligated balances:			
72.40 Obligated balance, start of year	7	12	19
73.10 Total new obligations	51	77	57
73.20 Total outlays (gross)	-46	-70	-61
73.45 Recoveries of prior year obligations	-1	.....	.....
74.00 Change in uncollected customer payments from Federal sources (unexpired)	1	.....	.....
74.40 Obligated balance, end of year	12	19	15
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	38	42	45
86.93 Outlays from discretionary balances	8	28	16
87.00 Total outlays (gross)	46	70	61

Offsets:

Against gross budget authority and outlays:

88.00	Offsetting collections (cash) from: Federal sources	-36	-35	-38
	Against gross budget authority only:			
88.95	Change in uncollected customer payments from Federal sources (unexpired)	1	.....	.....
Net budget authority and outlays:				
89.00	Budget authority	18	17	19
90.00	Outlays	10	35	23

The National Telecommunications and Information Administration (NTIA) is the principal Executive Branch adviser on domestic and international telecommunications policy. NTIA manages the Federal Government's use of the radio frequency spectrum and performs extensive research in telecommunication sciences.

Object Classification (in millions of dollars)

Identification code 13-0550-0-1-376	2007 actual	2008 est.	2009 est.	
Direct obligations:				
11.1	Personnel compensation: Full-time permanent	9	11	11
12.1	Civilian personnel benefits	3	2	3
23.1	Rental payments to GSA	1	1	1
25.2	Other services	3	2	3
25.3	Other purchases of goods and services from Government accounts	1	1	.....
31.0	Equipment	1	1	1
99.0	Direct obligations	18	18	19
99.0	Reimbursable obligations	31	58	38
99.5	Below reporting threshold	2	1	.....
99.9	Total new obligations	51	77	57

Employment Summary

Identification code 13-0550-0-1-376	2007 actual	2008 est.	2009 est.	
Direct:				
1001	Civilian full-time equivalent employment	93	103	103
Reimbursable:				
2001	Civilian full-time equivalent employment	139	155	155

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of *prior year* grants, [authorized by section 392 of the Communications Act of 1934, \$18,800,000, to remain available until expended as authorized by section 391 of the Act: *Provided*, That not to exceed \$2,000,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further*, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year] *recoveries and unobligated balances of funds previously appropriated are hereafter available for the administration of all open grants until their expiration.* (Department of Commerce Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 13-0551-0-1-503	2007 actual	2008 est.	2009 est.	
Obligations by program activity:				
00.01	Grants	22	19	.....
00.02	Program management	2	3	.....
10.00	Total new obligations	24	22	.....
Budgetary resources available for obligation:				
21.40	Unobligated balance carried forward, start of year	2	3	.....
22.00	New budget authority (gross)	22	19	.....
22.10	Resources available from recoveries of prior year obligations	3	.....	.....
23.90	Total budgetary resources available for obligation	27	22	.....
23.95	Total new obligations	-24	-22	.....
24.40	Unobligated balance carried forward, end of year	3	.....	.....

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 13-0551-0-1-503	2007 actual	2008 est.	2009 est.
New budget authority (gross), detail:			
Discretionary:			
40.00 Appropriation	22	19	.....
Change in obligated balances:			
72.40 Obligated balance, start of year	52	51	41
73.10 Total new obligations	24	22	.....
73.20 Total outlays (gross)	-22	-32	-24
73.45 Recoveries of prior year obligations	-3	.....	.....
74.40 Obligated balance, end of year	51	41	17
Outlays (gross), detail:			
86.90 Outlays from new discretionary authority	2	2	.....
86.93 Outlays from discretionary balances	20	30	24
87.00 Total outlays (gross)	22	32	24
Net budget authority and outlays:			
89.00 Budget authority	22	19	.....
90.00 Outlays	22	32	24

The awarding of new Public Telecommunications Facilities, Planning and Construction grants is proposed for termination in 2009. Since 2000, almost 70 percent of PTFP awards have supported public television stations' conversion to digital broadcasting, and mandated conversion efforts are now largely completed. Funding for remaining digital conversion and other activities is available from a number of other sources.

Object Classification (in millions of dollars)

Identification code 13-0551-0-1-503	2007 actual	2008 est.	2009 est.
Direct obligations:			
11.1 Personnel compensation: Full-time permanent	1	1	.....
25.2 Other services	1	1	.....
41.0 Grants—Public facilities	22	19	.....
99.0 Direct obligations	24	21	.....
99.5 Below reporting threshold .....	.....	1	.....
99.9 Total new obligations	24	22	.....

Employment Summary

Identification code 13-0551-0-1-503	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	9	13	.....

INFORMATION INFRASTRUCTURE GRANTS

Program and Financing (in millions of dollars)

Identification code 13-0552-0-1-503	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.02 Program management .....	.....	2	.....
10.00 Total new obligations (object class 99.5) .....	.....	2	.....
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	2	2	.....
23.95 Total new obligations .....	.....	-2	.....
24.40 Unobligated balance carried forward, end of year	2	.....	.....
Change in obligated balances:			
72.40 Obligated balance, start of year	13	6	5
73.10 Total new obligations .....	.....	2	.....
73.20 Total outlays (gross)	-7	-3	-2
74.40 Obligated balance, end of year	6	5	3

Outlays (gross), detail:			
86.93 Outlays from discretionary balances	7	3	2
Net budget authority and outlays:			
89.00 Budget authority .....	.....	.....	.....
90.00 Outlays	7	3	2

This program was discontinued in 2005.

Employment Summary

Identification code 13-0552-0-1-503	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	1	.....	.....

DIGITAL TELEVISION TRANSITION AND PUBLIC SAFETY FUND

Special and Trust Fund Receipts (in millions of dollars)

Identification code 13-5396-0-2-376	2007 actual	2008 est.	2009 est.
01.00 Balance, start of year	11,036
01.99 Balance, start of year	11,036
Receipts:			
02.00 Digital Television Transition and Public Safety Fund	11,800	2,058
04.00 Total: Balances and collections	11,800	13,094
Appropriations:			
05.00 Digital Television Transition and Public Safety Fund	-11,800	-2,058
05.01 Digital Television Transition and Public Safety Fund	-5,897
05.02 Digital Television Transition and Public Safety Fund	11,036	.....
05.99 Total appropriations	-764	-7,955
07.99 Balance, end of year	11,036	5,139

Program and Financing (in millions of dollars)

Identification code 13-5396-0-2-376	2007 actual	2008 est.	2009 est.
Obligations by program activity:			
00.01 Digital-to-Analog Converter Box Program	87	429	472
00.02 Public Safety Interoperable Communications Program	975	13	7
00.03 NYC 9/11 Digital Transition Program	8	21	.....
00.04 Low Power TV Conversion Program .....	.....	8	1
00.05 Low Power TV Upgrade Program .....	.....	2	60
00.06 National Alert Program .....	.....	90	2
00.07 Remote Community Alert Program (NOAA) .....	.....	10	.....
00.08 Enhanced 9-1-1 Service Support Program .....	.....	42	.....
00.09 Essential Air Service Program (DOT) .....	.....	15	.....
00.10 National Tsunami Warning Program (NOAA) .....	.....	.....	50
10.00 Total new obligations	1,070	630	592
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year .....	.....	14	.....
22.00 New budget authority (gross)	1,084	616	592
23.90 Total budgetary resources available for obligation	1,084	630	592
23.95 Total new obligations	-1,070	-630	-592
24.40 Unobligated balance carried forward, end of year	14	.....	.....

New budget authority (gross), detail:

Mandatory:			
60.20 Appropriation (special fund) .....	.....	11,800	2,058
60.28 Appropriation (previously unavailable) .....	.....	.....	5,897
60.45 Portion precluded from obligation .....	.....	-11,036	.....
60.47 Portion applied to repay debt .....	.....	-598	.....
60.47 Transfer to Treasury .....	.....	.....	-7,363
62.50 Appropriation (total mandatory) .....	.....	166	592
67.10 Authority to borrow	1,084	450	.....
70.00 Total new budget authority (gross)	1,084	616	592

Change in obligated balances:

72.40 Obligated balance, start of year .....	.....	1,010	788
73.10 Total new obligations	1,070	630	592
73.20 Total outlays (gross)	-60	-852	-1,032
74.40 Obligated balance, end of year	1,010	788	348

Outlays (gross), detail:				
86.97	Outlays from new mandatory authority	60	430	464
86.98	Outlays from mandatory balances		422	568
87.00	Total outlays (gross)	60	852	1,032
Net budget authority and outlays:				
89.00	Budget authority	1,084	616	592
90.00	Outlays	60	852	1,032

The Digital Television Transition and Public Safety Fund, created by the Deficit Reduction Act of 2005, receives offsetting receipts from the auction of licenses to use electromagnetic spectrum recovered from analog television signals to be discontinued in February 2009, and provides funding for several one-time programs from these receipts. The Act, as amended, specifies that recovered spectrum, aside from 24 megahertz dedicated to public safety use, will be auctioned by the Federal Communications Commission in 2008 and identifies the distribution of revenue for deficit reduction and program purposes as identified below. Receipts exceeding amounts specified for authorized programs will be returned to the general fund of the Treasury. The Act also provides borrowing authority to the Department of Commerce to commence specified programs prior to the availability of auction receipts. Amounts borrowed from the Treasury will be returned without interest upon the availability of auction revenue.

Digital-to-Analog Converter Box Program.—To assist consumers during the transition from analog to digital television, coupons will be provided, upon request, a maximum of two per qualifying household, to be used to offset the cost of digital-to-analog television converter boxes. Coupons may be requested between January 1, 2008, and March 31, 2009, and will expire three months after issuance.

Public Safety Interoperable Communications.—Grants have been awarded in consultation with the Department of Homeland Security to public safety agencies to assist efforts to make their communications systems interoperable (i.e., capable of sharing voice and data signals). Public safety agencies are required to provide not less than twenty percent of the costs of acquiring and deploying the interoperable communications systems funded under this program from non-Federal sources. The program awarded the grants by September 30, 2007, in accordance with the Call Home Act of 2006 and will administer the grants to completion.

New York City 9/11 Digital Transition.—Federal assistance has been provided to the Metropolitan Television Alliance of New York City for the design and deployment of a temporary digital television broadcast system until a permanent facility atop the planned Freedom Tower is constructed. The project is scheduled to be completed by September 30, 2008.

Assistance to Low-Power Television Stations.—Eligible low-power stations may receive compensation for a digital-to-analog conversion device to convert the incoming digital signal of a full-power television station to analog for transmission on the low-power station's analog channel. Applications will be accepted and awarded through February 17, 2009. Subsequent to the completion of the digital-to-analog conversion program, eligible low-power stations may receive reimbursement to upgrade their television signals from analog to digital format.

National and Remote Alert Programs.—Title VI of the SAFE Port Act of 2006 specified the use of funds in these programs and requires the following: that public and educational broadcasters modify their towers to enable the distribution of targeted alerts by commercial mobile service providers, in consultation with the Department of Homeland Security; the establishment of a research program to support the development of technologies to increase the number of commercial mobile service devices that receive emergency alerts; and the establishment in the National Oceanic and Atmospheric Ad-

ministration (NOAA) of a grant program for outdoor alerting technologies in remote communities to enable receipt of emergency alerts.

National Tsunami Warning Program.—A tsunami warning system will be implemented by NOAA using a variety of communications technologies capable of alerting the public to emergency situations, including tsunamis and coastal vulnerability.

ENHANCE 911.—Funds will be used to implement the ENHANCE 911 Act of 2004, which created a joint effort of the Department of Commerce and the Department of Transportation to assist State and local governments in providing caller location identification capabilities for emergency 911 services and established a matching grant program for that purpose.

Essential Air Service.—Funds will be provided to the Department of Transportation for the Essential Air Service program.

Object Classification (in millions of dollars)

Identification code 13-5396-0-2-376	2007 actual	2008 est.	2009 est.
Direct obligations:			
11.1 Personnel compensation: Full-time permanent	1	2	2
12.1 Civilian personnel benefits	1		
25.2 Other services	1,068	603	540
94.0 Financial transfers		25	50
99.0 Direct obligations	1,070	630	592
99.9 Total new obligations	1,070	630	592

Employment Summary

Identification code 13-5396-0-2-376	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment	12	16	22

GENERAL FUND RECEIPT ACCOUNTS

(in millions of dollars)

	2007 actual	2008 est.	2009 est.
Offsetting receipts from the public:			
13-143500 General Fund Proprietary Interest Receipts, not Otherwise Classified	1		
13-271710 Fisheries Finance, Negative Subsidies	4	4	1
13-271730 Fisheries Finance, Downward Reestimates of Subsidies	15	22	
13-275910 Emergency Steel Guaranteed Loans, Negative Subsidies	19		
13-275930 Emergency Steel Guaranteed Loans Downward Reestimates of Subsidies	14		
13-322000 All Other General Fund Proprietary Receipts Including Budget Clearing Accounts	18		
General Fund Offsetting receipts from the public	71	26	1
Intragovernmental payments:			
13-388500 Undistributed Intragovernmental Payments and Receivables from Cancelled Accounts	-7		
General Fund Intragovernmental payments	-7		

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for

(INCLUDING TRANSFER OF FUNDS)—Continued

advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

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

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

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

【SEC. 105. (a) Section 101(k) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is amended by striking “2007” and inserting “2009”.

(b) Paragraphs (1) and (2) of section 101(b) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) are each amended by striking “in 1998” and inserting “since 1998”.

(c) Subparagraph (C) of section 101(c)(3) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is amended by striking “, in 1998” and inserting “in 1998, and thereafter”.

(d) The Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is amended by adding at the end the following:

“SEC. 103. SALARIES AND ADMINISTRATIVE EXPENSES.

“(a) In addition to funds made available under section 101(j) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note), up to \$1,000,000 in funds made available under section 101(f) of such Act may be used for salaries and administrative expenses to administer the Emergency Steel Loan Guarantee Program.

“(b) Funds made available for salaries and administrative expenses to administer the Emergency Steel Loan Guarantee Program shall remain available until expended.”.]

【SEC. 106. Hereafter, notwithstanding any other provision of law, no funds appropriated under this Act shall be used to register, issue, transfer, or enforce any trademark of the phrase “Last Best Place”.]

【SEC. 107. Section 3315(b) of title 19, United States Code, is amended by inserting “, including food when sequestered,” following “for the establishment and operations of the United States Section and for the payment of the United States share of the expenses”.]

【SEC. 108. Notwithstanding the requirements of subsection 4703(d), the personnel management demonstration project established by the Department of Commerce pursuant to 5 U.S.C. 4703 may be expanded to involve more than 5,000 individuals, and is extended indefinitely.】

【SEC. 109. Section 212(b) of the National Technical Information Act of 1988 (15 U.S.C. 3704b) is amended by striking “Under Sec-

retary of Commerce for Technology” and inserting “Director of the National Institute of Standards and Technology”.]

SEC. 【110】 105. The Secretary of Commerce is permitted to prescribe and enforce standards or regulations affecting safety and health in the context of scientific and occupational diving within the National Oceanic and Atmospheric Administration.

【SEC. 111. (a) The Secretary of Commerce is authorized to provide compensation to fishery participants who will be displaced by the 2011 fishery closure resulting from the creation by Presidential proclamation of the Papahānaumokuākea Marine National Monument.

(b) The Secretary shall promulgate regulations for the voluntary capacity reduction program that:

(1) identifies eligible participants as those individuals holding commercial Federal fishing permits for either lobster or bottomfish in the designated waters within the Papahānaumokuākea Marine National Monument;

(2) provides a mechanism to compensate eligible participants for no more than the economic value of their permits;

(3) at the option of each eligible permit holder, provides an optional mechanism for additional compensation based on the value of the fishing vessel and gear of such participants who so elect to receive these additional funds, provided that the commercial fishing vessels of such participants will not be used for fishing.

(c) There is authorized to be appropriated to the National Oceanic and Atmospheric Administration’s National Marine Fisheries Service, \$6,697,500 for fiscal year 2008.

(d) Nothing in this section is intended to enlarge or diminish Federal or State title, jurisdiction, or authority with respect to the waters of the Northwestern Hawaiian Islands or the tidal or submerged lands under any provision of State or Federal law.】

【SEC. 112. (a) For purposes of this section—

(1) the term “Under Secretary” means Under Secretary of Commerce for Oceans and Atmosphere;

(2) the term “appropriate congressional committees” means—

(A) the Committee on Appropriations and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Appropriations and the Committee on Science and Technology of the House of Representatives;

(3) the term “satellite” means the satellites proposed to be acquired for the National Oceanic and Atmospheric Administration, other than the National Polar-orbiting Operational Environmental Satellite System (NPOESS);

(4) the term “development” means the phase of a program following the formulation phase and beginning with the approval to proceed to implementation, as defined in NOAA Administrative Order 216–108, Department of Commerce Administrative Order 208–3, and NASA’s Procedural Requirements 7120.5c, dated March 22, 2005;

(5) the term “development cost” means the total of all costs, including construction of facilities and civil servant costs, from the period beginning with the approval to proceed to implementation through the achievement of operational readiness, without regard to funding source or management control, for the life of the program;

(6) the term “life-cycle cost” means the total of the direct, indirect, recurring, and nonrecurring costs, including the construction of facilities and civil servant costs, and other related expenses incurred or estimated to be incurred in the design, development, verification, production, operation, maintenance, support, and retirement of a program over its planned lifespan, without regard to funding source or management control;

(7) the term “major program” means an activity approved to proceed to implementation that has an estimated life-cycle cost of more than \$250,000,000;

(8) the term “baseline” means the program as set following contract award and critical design review of the space and ground systems.

(b)(1) NOAA shall not enter into a contract for development of a major program, unless the Under Secretary determines that—

(A) the technical, cost, and schedule risks of the program are clearly identified and the program has developed a plan to manage those risks;

(B) the technologies required for the program have been demonstrated in a relevant laboratory or test environment;

(C) the program complies with all relevant policies, regulations, and directives of NOAA and the Department of Commerce;

(D) the program has demonstrated a high likelihood of accomplishing its intended goals; and

(E) the acquisition of satellites for use in the program represents a good value to accomplishing NOAA's mission.

(2) The Under Secretary shall transmit a report describing the basis for the determination required under paragraph (1) to the appropriate congressional committees at least 30 days before entering into a contract for development under a major program.

(3) The Under Secretary may not delegate the determination requirement under this subsection, except in cases in which the Under Secretary has a conflict of interest.

(c)(1) Annually, at the same time as the President's annual budget submission to the Congress, the Under Secretary shall transmit to the appropriate congressional committees a report that includes the information required by this section for the satellite development program for which NOAA proposes to expend funds in the subsequent fiscal year. The report under this paragraph shall be known as the Major Program Annual Report.

(2) The first Major Program Annual Report for NOAA's satellite development program shall include a Baseline Report that shall, at a minimum, include—

(A) the purposes of the program and key technical characteristics necessary to fulfill those purposes;

(B) an estimate of the life-cycle cost for the program, with a detailed breakout of the development cost, program reserves, and an estimate of the annual costs until development is completed;

(C) the schedule for development, including key program milestones;

(D) the plan for mitigating technical, cost, and schedule risks identified in accordance with subsection (b)(1)(A); and

(E) the name of the person responsible for making notifications under subsection (d), who shall be an individual whose primary responsibility is overseeing the program.

(3) For the major program for which a Baseline Report has been submitted, subsequent Major Program Annual Reports shall describe any changes to the information that had been provided in the Baseline Report, and the reasons for those changes.

(d)(1) The individual identified under subsection (c)(2)(E) shall immediately notify the Under Secretary any time that individual has reasonable cause to believe that, for the major program for which he or she is responsible, the development cost of the program has exceeded the estimate provided in the Baseline Report of the program by 20 percent or more.

(2) Not later than 30 days after the notification required under paragraph (1), the individual identified under subsection (c)(2)(E) shall transmit to the Under Secretary a written notification explaining the reasons for the change in the cost of the program for which notification was provided under paragraph (1).

(3) Not later than 15 days after the Under Secretary receives a written notification under paragraph (2), the Under Secretary shall transmit the notification to the appropriate congressional committees.

(e) Not later than 30 days after receiving a written notification under subsection (d)(2), the Under Secretary shall determine whether the development cost of the program has exceeded the estimate provided in the Baseline Report of the program by 20 percent or more. If the determination is affirmative, the Under Secretary shall—

(1) transmit to the appropriate congressional committees, not later than 15 days after making the determination, a report that includes—

(A) a description of the increase in cost and a detailed explanation for the increase;

(B) a description of actions taken or proposed to be taken in response to the cost increase; and

(C) a description of any impacts the cost increase, or the actions described under subparagraph (B), will have on any other program within NOAA.

(2) if the Under Secretary intends to continue with the program, promptly initiate an analysis of the program, which shall include, at a minimum—

(A) the projected cost and schedule for completing the program if current requirements of the program are not modified;

(B) the projected cost and the schedule for completing the program after instituting the actions described under paragraph (1)(B); and

(C) a description of, and the projected cost and schedule for, a broad range of alternatives to the program. NOAA shall complete an analysis initiated under paragraph (2) not later than 6 months after the Under Secretary makes a determination under

this subsection. The Under Secretary shall transmit the analysis to the appropriate congressional committees not later than 30 days after its completion.

(f) For the purposes of determining whether cost of the Geostationary Operational Environmental Satellite Program exceeds 20 percent more than the baseline under this section, the estimate of the total life-cycle cost for GOES-R shall be the estimate provided with the NOAA Fiscal Year 2008 Presidential Budget justification (page 513).]

[SEC. 113. (a) The Secretary of Commerce may—

(1) develop, maintain, and make public a list of vessels and vessel owners engaged in illegal, unreported, or unregulated fishing, including vessels or vessel owners identified by an international fishery management organization, whether or not the United States is a party to the agreement establishing such organization; and

(2) take appropriate action against listed vessels and vessel owners, including action against fish, fish parts, or fish products from such vessels, in accordance with applicable United States law and consistent with applicable international law, including principles, rights, and obligations established in applicable international fishery management and trade agreements.

(b) Action taken by the Secretary under subsection (a)(2) that include measures to restrict use of or access to ports or port services shall apply to all ports of the United States and its territories.

(c) The Secretary may promulgate regulations to implement this section.]

[SEC. 114. (a) Of the amounts provided for the "National Oceanic and Atmospheric Administration, Operations, Research and Facilities", \$5,856,600 shall be for necessary expenses in support of an agreement between the Administrator of the National Oceanic and Atmospheric Administration and the National Academy of Sciences under which the National Academy of Sciences shall establish the Climate Change Study Committee to investigate and study the serious and sweeping issues relating to global climate change and make recommendations regarding what steps must be taken and what strategies must be adopted in response to global climate change, including the science and technology challenges thereof.

(b) The agreement shall provide for: establishment of and appointment of members to the Climate Change Study Committee by the National Academy of Sciences; organization by the National Academy of Sciences of a Summit on Global Climate Change to help define the parameters of the study, not to exceed 3 days in length and to be attended by preeminent experts on global climate change selected by the National Academy of Sciences; and issuance of a report by the Climate Change Study Committee not later than 2 years after the date the Climate Change Study Committee is first convened, containing its findings, conclusions, and recommendations. Of such amount, \$856,600 shall be for the Summit on Global Climate Change and \$5,000,000 shall be for the other activities of the Climate Change Study Committee.]

SEC. 106. Notwithstanding any other law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms or organizations are authorized pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority to use or occupy in the Herbert C. Hoover Building, Washington, D.C., or other buildings the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, as amended, on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to \$200,000, shall be credited to the appropriation or fund which initially bears the costs of such services. (Department of Commerce Appropriations Act, 2008.)

TITLE V—GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

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

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

(INCLUDING TRANSFER OF FUNDS)—Continued

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

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

SEC. 505. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year [2008] 2009, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year [2008] 2009, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of [\$500,000] \$1,000,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

[SEC. 506. Hereafter, none of the funds made available in this Act or any other Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.]

[SEC. 507. Hereafter, none of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).]

SEC. [508] 506. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

[SEC. 509. The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration, shall provide to the House and Senate Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.]

SEC. [510] 507. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere

in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

[SEC. 511. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.]

SEC. [512] 508. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

[SEC. 513. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of \$590,000,000 shall not be available for obligation until the following fiscal year.]

SEC. [514] 509. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

[SEC. 515. 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 appropriations Act.]

[SEC. 516. With the consent of the President, the Secretary of Commerce shall represent the United States Government in negotiating and monitoring international agreements regarding fisheries, marine mammals, or sea turtles: *Provided*, That the Secretary of Commerce shall be responsible for the development and interdepartmental coordination of the policies of the United States with respect to the international negotiations and agreements referred to in this section.]

[SEC. 517. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.]

[SEC. 518. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

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

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

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

[SEC. 519. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas

of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, or Director, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, or Foundation, respectively. The results shall be made available in redacted form to exclude—

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

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, or the Director, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

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

SEC. [520] 510. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. [521] 511. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

[SEC. 522. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

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

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

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.】

[SEC. 523. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.】

[SEC. 524. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

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

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

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

[SEC. 525. (a)(1) The Administrator of the National Aeronautics and Space Administration shall modify the Administration's financial management system and perform all appropriate testing and assurance activities necessary for the system to be capable of properly budgeting, accounting for, controlling, and reporting on appropriations made to the Administration for fiscal year 2009 and thereafter under the appropriation accounts set out for the Administration in H.R. 3093 of the 110th Congress, as passed by the House of Representatives.

(2) The Administrator shall transmit to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate a written report, on a monthly basis until the certification under paragraph (3) is transmitted, on progress in complying with this subsection.

(3) Not later than April 1, 2008, the Administrator shall transmit to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate a written certification that the Administration's financial management system meets the requirements of this section.

(b) Beginning for the first full month after the date of enactment of this Act, the Administrator shall report in writing to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, on the 15th business day of each month, financial information on the execution of the Administration's budget for the preceding month and for the fiscal year to date. Each report under this subsection shall provide information on the Administration's budget, obligations incurred, and disbursements made, presented by—

(1) mission area (as reflected in the appropriation accounts set out for the Administration in H.R. 3093 of the 110th Congress, as passed by the House of Representatives);

(2) program or project;

(3) Center; and

(4) object class, as well as any other financial information requested by the Committee on Appropriations of the House of Representatives or the Committee on Appropriations of the Senate.】

SEC. [526] 512. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

[SEC. 527. None of the funds appropriated or otherwise made available by this Act may be made available for a public-private competition conducted under Office of Management and Budget Circular A-76 or to convert a function performed by Federal employees to private sector performance without such a competition unless a representative designated by a majority of the employees engaged in the performance of the activity or function for which the public-private competition is conducted or which is to be converted without

(INCLUDING TRANSFER OF FUNDS)—Continued

such a competition is treated as an interested party with respect to such competition or decision to convert to private sector performance for purposes of subchapter V of chapter 35 of title 31, United States Code.]

[SEC. 528. Section 605 of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 note) is amended—

(1) in the matter preceding paragraph (1) by striking “\$25,500,000 for fiscal year 2008” and inserting “\$30,000,000 for each of fiscal years 2008 through 2010”;

(2) in each of paragraphs (1), (2), (3), (4), and (6) by striking “2008” and inserting “2010”; and

(3) in paragraph (5) by striking “fiscal year 2008” and inserting “each of fiscal years 2008 through 2010.”]

[SEC. 529. Effective January 13, 2007, section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a) is amended—

(1) by striking “association” in subsection (c)(4)(A)(iii) and inserting “association, among willing parties”;

(2) by striking paragraph (2) of subsection (i);

(3) by striking “(1) IN GENERAL.—” in subsection (i) and resetting paragraph (1) as a full measure paragraph following “(i) TRANSITION RULES.—”; and

(4) by redesignating subparagraphs (A), (B), and (C) of subsection (i)(1) (before its amendment by paragraph (3)) as paragraphs (1), (2), and (3), respectively and resetting them as indented paragraphs 2 ems from the left margin.]

[SEC. 530. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than \$75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project’s management structure is adequate to control total project or procurement costs.]

[SEC. 531. Notwithstanding section 505 of this Act, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances.]

SEC. [532] 513. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related 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 [2008] 2009 until the enactment of the Intelligence Authorization Act for Fiscal Year [2008] 2009.

[SEC. 533. (a) Subsection (a) of section 315 of the National Aeronautics and Space Administration Act of 1958 (42 U.S.C. 2459j) is amended—

(1) by striking “Notwithstanding any other provision of law, the Administrator” and inserting “The Administrator”; and

(2) by striking “any real property” and inserting “any non-excess real property and related personal property”; and

(3) by striking “at no more than two (2) National Aeronautics and Space Administration (NASA) centers”.

(b) Subsection (b) of such section is amended—

(1) in paragraph (1), by striking “consideration” and all that follows through the end of the paragraph and inserting “cash consideration for the lease at fair market value as determined by the Administrator.”;

(2) by striking paragraph (2);

(3) by redesignating paragraph (3) as paragraph (2); and

(4) in paragraph (2), as redesignated by paragraph (3) of this subsection—

(A) in subparagraph (B), by striking “maintenance” and all that follows through “centers selected for this demonstration program” and inserting “capital revitalization and construction projects and improvements of real property assets and related

personal property under the jurisdiction of the Administrator”; and

(B) by adding at the end the following new subparagraph: “(C) Amounts utilized under subparagraph (B) may not be utilized for daily operating costs.”.

(c) Subsection (e) of such section is amended—

(1) by striking “LEASE RESTRICTIONS.—NASA” and inserting the following: “LEASE RESTRICTIONS.—

“(1) NASA”; and

(2) by adding at the end the following new paragraph:

“(2) NASA is not authorized to enter into an out-lease under this section unless the Administrator certifies that such out-lease will not have a negative impact on NASA’s mission.”.

(d) Such section is further amended by adding at the end the following new subsection (f):

“(f) SUNSET.—The authority to enter into leases under this section shall expire on the date that is ten years after the date of the enactment of the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2008. The expiration under this subsection of authority to enter into leases under this section shall not affect the validity or term of leases or NASA’s retention of proceeds from leases entered into under this section before the date of the expiration of such authority.”.

(e) The heading of such section is amended by striking “Enhanced-use lease of real property demonstration” and inserting “Lease of non-excess property”.

(f) This section shall become effective on December 31, 2008.]

[SEC. 534. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

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

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.]

SEC. [535] 514. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

[SEC. 536. This section may be cited as the “ED 1.0 Act”.

(a) In this section:

(1) The term “Administrator” means the Administrator of the National Telecommunications and Information Administration.

(2) The term “eligible educational institution” means an institution that is—

(A) a historically Black college or university;

(B) a Hispanic-serving institution as that term is defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5));

(C) a tribally controlled college or university as that term is defined in section 2(a)(4) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)(4));

(D) an Alaska Native-serving institution as that term is defined in section 317(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(2)); or

(E) a Native Hawaiian-serving institution as that term is defined in section 317(b)(4) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(4)).

(3) The term “historically Black college or university” means a part B institution as that term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

(b)(1)(A) There is established within the National Telecommunications and Information Administration a pilot program under which the Administrator shall award 9 grants to eligible educational institu-

tions to enable the eligible educational institutions to develop digital and wireless networks for online educational programs of study within the eligible educational institutions. The Administrator shall award not less than 1 grant to each type of eligible educational institution, enumerated under subsection (a)(2).

(B) (i) The Administrator shall award a total of 9 grants under this subsection.

(ii) The Administrator shall make grant payments under this subsection in the amount of \$500,000.

(2)(A) In awarding grants under this subsection the Administrator shall give priority to an eligible educational institution that, according to the most recent data available (including data available from the Bureau of the Census), serves a county, or other appropriate political subdivision where no counties exist—

(i) in which 50 percent of the residents of the county, or other appropriate political subdivision where no counties exist, are members of a racial or ethnic minority;

(ii) in which less than 18 percent of the residents of the county, or other appropriate political subdivision where no counties exist, have obtained a baccalaureate degree or a higher education;

(iii) that has an unemployment rate of 7 percent or greater;

(iv) in which 20 percent or more of the residents of the county, or other appropriate political subdivision where no counties exist, live in poverty;

(v) that has a negative population growth rate; or

(vi) that has a family income of not more than \$32,000.

(B) In awarding grants under this subsection the Administrator shall give the highest priority to an eligible educational institution that meets the greatest number of requirements described in clauses (i) through (vi) of subparagraph (A).

(3) An eligible educational institution receiving a grant under this subsection may use the grant funds—

(A) to acquire equipment, instrumentation, networking capability, hardware, software, digital network technology, wireless technology, or wireless infrastructure;

(B) to develop and provide educational services, including faculty development; or

(C) to develop strategic plans for information technology investments.

(4) The Administrator shall not require an eligible educational institution to provide matching funds for a grant awarded under this subsection.

(5)(A) The Administrator shall consult with the Committee on Appropriations and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives, on a quarterly basis regarding the pilot program assisted under this subsection.

(B) Not later than 1 year after the date of enactment of this section, the Administrator shall submit to the committees described in subparagraph (A) a report evaluating the progress of the pilot program assisted under this subsection.

(c) There are authorized to be appropriated to carry out this section \$4,500,000 for each of fiscal years 2008 and 2009.

(d) The Administrator shall carry out this section only with amounts appropriated in advance specifically to carry out this section.

【SEC. 537. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.】

SEC. 【538】 515. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

【SEC. 539. Section 2301 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (47 U.S.C. 901 note) is amended by striking “the ‘Improving Emergency Communications Act of 2007.’” and inserting “the ‘911 Modernization Act’.”.】

【SEC. 540. Section 504(a)(11)(E) of the Omnibus Consolidated Revisions and Appropriations Act of 1996 (Public Law 104–134; 110 Stat. 1321–55) is amended by inserting before “an alien” the following: “a nonimmigrant worker admitted to, or permitted to remain in, the United States under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) for forestry labor or”.】

SEC. 【541】 516. None of the funds made available in this Act may be used in contravention of section 402(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 【542】 517. None of the funds in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 【543】 518. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States.

SEC. 519. *The Department of Justice shall carry out the responsibilities of the office established in 5 U.S.C. 552(h), from amounts made available in the Department of Justice appropriation for “General Administration Salaries and Expenses”. In addition, subsection (h) of section 552 of title 5, United States Code, is hereby repealed, and subsections (i) through (l) are redesignated as (h) through (k). (Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008.)*