

Union Calendar No. 109

111TH CONGRESS
1ST SESSION

H. R. 3170

[Report No. 111–202]

Making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2009

Mr. SERRANO, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes.

DEPARTMENT OF THE TREASURY

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, \$303,388,000, of which not to exceed \$21,983,000 is for executive direction program activities; not to exceed \$46,249,000 is for economic policies and programs activities; not to exceed \$48,080,000 is for financial policies and programs activities; not to exceed \$64,611,000 is for terrorism and financial intelligence activities; not to exceed \$22,679,000 is for Treasury-wide management policies and programs activities; and not to

1 exceed \$99,786,000 is for administration programs activi-
2 ties: *Provided*, That the Secretary of the Treasury is au-
3 thorized to transfer funds appropriated for any program
4 activity of the Departmental Offices to any other program
5 activity of the Departmental Offices upon notification to
6 the House and Senate Committees on Appropriations:
7 *Provided further*, That no appropriation for any program
8 activity shall be increased or decreased by more than 4
9 percent by all such transfers: *Provided further*, That any
10 change in funding greater than 4 percent shall be sub-
11 mitted for approval to the House and Senate Committees
12 on Appropriations: *Provided further*, That of the amount
13 appropriated under this heading, not to exceed
14 \$3,000,000, to remain available until September 30, 2011,
15 is for information technology modernization requirements;
16 not to exceed \$200,000 is for official reception and rep-
17 resentation expenses; and not to exceed \$258,000 is for
18 unforeseen emergencies of a confidential nature, to be allo-
19 cated and expended under the direction of the Secretary
20 of the Treasury and to be accounted for solely on his cer-
21 tificate: *Provided further*, That of the amount appro-
22 priated under this heading, \$6,787,000, to remain avail-
23 able until September 30, 2011, is for the Treasury-wide
24 Financial Statement Audit and Internal Control Program,
25 of which such amounts as may be necessary may be trans-

1 ferred to accounts of the Department's offices and bureaus
 2 to conduct audits: *Provided further*, That this transfer au-
 3 thority shall be in addition to any other provided in this
 4 Act: *Provided further*, That of the amount appropriated
 5 under this heading, \$500,000, to remain available until
 6 September 30, 2011, is for secure space requirements:
 7 *Provided further*, That of the amount appropriated under
 8 this heading, \$3,400,000, to remain available until Sep-
 9 tember 30, 2012, is to develop and implement programs
 10 within the Office of Critical Infrastructure Protection and
 11 Compliance Policy, including entering into cooperative
 12 agreements: *Provided further*, That of the amount appro-
 13 priated under this heading \$3,000,000, to remain avail-
 14 able until September 30, 2012, is for modernizing the Of-
 15 fice of Debt Management's information technology.

16 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

17 INVESTMENTS PROGRAMS

18 (INCLUDING TRANSFER OF FUNDS)

19 For development and acquisition of automatic data
 20 processing equipment, software, and services for the De-
 21 partment of the Treasury, \$9,544,000, to remain available
 22 until September 30, 2012: *Provided*, That \$4,544,000 is
 23 for repairs to the Treasury Annex Building: *Provided fur-*
 24 *ther*, That these funds shall be transferred to accounts and
 25 in amounts as necessary to satisfy the requirements of the

1 Department's offices, bureaus, and other organizations:
2 *Provided further*, That this transfer authority shall be in
3 addition to any other transfer authority provided in this
4 Act: *Provided further*, That none of the funds appropriated
5 under this heading shall be used to support or supplement
6 "Internal Revenue Service, Operations Support" or "In-
7 ternal Revenue Service, Business Systems Moderniza-
8 tion".

9 OFFICE OF INSPECTOR GENERAL

10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, not to exceed \$2,000,000 for official
14 travel expenses, including hire of passenger motor vehicles;
15 and not to exceed \$100,000 for unforeseen emergencies
16 of a confidential nature, to be allocated and expended
17 under the direction of the Inspector General of the Treas-
18 ury, \$29,700,000, of which not to exceed \$2,500 shall be
19 available for official reception and representation ex-
20 penses.

21 TREASURY INSPECTOR GENERAL FOR TAX

22 ADMINISTRATION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Treasury Inspector
25 General for Tax Administration in carrying out the In-

1 spector General Act of 1978, including purchase (not to
2 exceed 150 for replacement only for police-type use) and
3 hire of passenger motor vehicles (31 U.S.C. 1343(b));
4 services authorized by 5 U.S.C. 3109, at such rates as
5 may be determined by the Inspector General for Tax Ad-
6 ministration; \$149,000,000, of which not to exceed
7 \$6,000,000 shall be available for official travel expenses;
8 of which not to exceed \$500,000 shall be available for un-
9 foreseen emergencies of a confidential nature, to be allo-
10 cated and expended under the direction of the Inspector
11 General for Tax Administration; and of which not to ex-
12 ceed \$1,500 shall be available for official reception and
13 representation expenses.

14 FINANCIAL CRIMES ENFORCEMENT NETWORK

15 SALARIES AND EXPENSES

16 For necessary expenses of the Financial Crimes En-
17 forcement Network, including hire of passenger motor ve-
18 hicles; travel and training expenses, including for course
19 development, of non-Federal and foreign government per-
20 sonnel to attend meetings and training concerned with do-
21 mestic and foreign financial intelligence activities, law en-
22 forcement, and financial regulation; not to exceed \$14,000
23 for official reception and representation expenses; and for
24 assistance to Federal law enforcement agencies, with or
25 without reimbursement, \$102,760,000, of which not to ex-

1 ceed \$26,085,000 shall remain available until September
 2 30, 2012; and of which \$9,316,000 shall remain available
 3 until September 30, 2011: *Provided*, That funds appro-
 4 priated in this account may be used to procure personal
 5 services contracts.

6 TREASURY FORFEITURE FUND

7 (RESCISSION)

8 Of the unobligated balances available under this
 9 heading, \$50,000,000 is permanently rescinded and re-
 10 turned to the general fund.

11 FINANCIAL MANAGEMENT SERVICE

12 SALARIES AND EXPENSES

13 For necessary expenses of the Financial Management
 14 Service, \$244,132,000, of which not to exceed \$9,220,000
 15 shall remain available until September 30, 2012, for infor-
 16 mation systems modernization initiatives; and of which not
 17 to exceed \$2,500 shall be available for official reception
 18 and representation expenses.

19 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

20 SALARIES AND EXPENSES

21 For necessary expenses of carrying out section 1111
 22 of the Homeland Security Act of 2002, including hire of
 23 passenger motor vehicles, \$99,500,000; of which not to ex-
 24 ceed \$6,000 for official reception and representation ex-
 25 penses; not to exceed \$50,000 for cooperative research and

1 development programs for laboratory services; and provi-
2 sion of laboratory assistance to State and local agencies
3 with or without reimbursement.

4 UNITED STATES MINT

5 UNITED STATES MINT PUBLIC ENTERPRISE FUND

6 Pursuant to section 5136 of title 31, United States
7 Code, the United States Mint is provided funding through
8 the United States Mint Public Enterprise Fund for costs
9 associated with the production of circulating coins, numis-
10 matic coins, and protective services, including both oper-
11 ating expenses and capital investments. The aggregate
12 amount of new liabilities and obligations incurred during
13 fiscal year 2010 under such section 5136 for circulating
14 coinage and protective service capital investments of the
15 United States Mint shall not exceed \$26,700,000.

16 BUREAU OF THE PUBLIC DEBT

17 ADMINISTERING THE PUBLIC DEBT

18 For necessary expenses connected with any public-
19 debt issues of the United States, \$192,244,000, of which
20 not to exceed \$2,500 shall be available for official recep-
21 tion and representation expenses, and of which not to ex-
22 ceed \$2,000,000 shall remain available until September
23 30, 2012, for systems modernization: *Provided*, That the
24 sum appropriated herein from the general fund for fiscal
25 year 2010 shall be reduced by not more than \$10,000,000

1 as definitive security issue fees and Legacy Treasury Di-
2 rect Investor Account Maintenance fees are collected, so
3 as to result in a final fiscal year 2010 appropriation from
4 the general fund estimated at \$182,244,000. In addition,
5 \$90,000 to be derived from the Oil Spill Liability Trust
6 Fund to reimburse the Bureau for administrative and per-
7 sonnel expenses for financial management of the Fund,
8 as authorized by section 1012 of Public Law 101–380.

9 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

10 FUND PROGRAM ACCOUNT

11 (INCLUDING TRANSFER OF FUNDS)

12 To carry out the Community Development Banking
13 and Financial Institutions Act of 1994 (Public Law 103–
14 325), including services authorized by 5 U.S.C. 3109, but
15 at rates for individuals not to exceed the per diem rate
16 equivalent to the rate for ES–3, \$243,600,000, to remain
17 available until September 30, 2011, notwithstanding sub-
18 sections (d) and (e) of section 108 of such Act (12 U.S.C.
19 4707); of which \$10,000,000 shall be for financial assist-
20 ance, technical assistance, training, and outreach pro-
21 grams under sections 105 through 109 of such Act (12
22 U.S.C. 4704-4708), designed to benefit Native American,
23 Native Hawaiian, and Alaskan Native communities and
24 provided primarily through qualified community develop-
25 ment lender organizations with experience and expertise

1 in community development banking and lending in Indian
2 country, Native American organizations, tribes and tribal
3 organizations, and other suitable providers; of which
4 \$1,000,000 shall be available for the pilot project grant
5 program under section 1132(d) of division A of the Hous-
6 ing and Economic Recovery Act of 2008 (Public Law 110–
7 289); of which \$80,000,000 shall be transferred to the
8 Capital Magnet Fund, as authorized by section 1339 of
9 the Federal Housing Enterprises Financial Safety and
10 Soundness Act of 1992 (12 U.S.C. 1301 et seq.), as
11 amended by section 1131 of the Housing and Economic
12 Recovery Act of 2008 (“HERA”; Public Law 110–289),
13 to support financing for affordable housing and economic
14 development projects; of which up to \$18,000,000 may be
15 used for administrative expenses, including administration
16 of the New Markets Tax Credit Program; of which up to
17 \$7,500,000 may be used for the cost of direct loans; and
18 of which up to \$250,000 may be used for administrative
19 expenses to carry out the direct loan program: *Provided*,
20 That the cost of direct loans, including the cost of modi-
21 fying such loans, shall be as defined in section 502 of the
22 Congressional Budget Act of 1974: *Provided further*, That
23 these funds are available to subsidize gross obligations for
24 the principal amount of direct loans not to exceed
25 \$16,000,000: *Provided further*, That section 1339(h)(3) of

1 the Federal Housing Enterprises Financial Safety and
2 Soundness Act of 1992, as added by section 1131 of
3 HERA, shall be applied by substituting the term “at least
4 10 times the grant amount or such other amount that the
5 Secretary may require” for “at least 10 times the grant
6 amount”.

7 INTERNAL REVENUE SERVICE

8 TAXPAYER SERVICES

9 For necessary expenses of the Internal Revenue Serv-
10 ice to provide taxpayer services, including pre-filing assist-
11 ance and education, filing and account services, taxpayer
12 advocacy services, and other services as authorized by 5
13 U.S.C. 3109, at such rates as may be determined by the
14 Commissioner, \$2,273,830,000, of which not less than
15 \$5,100,000 shall be for the Tax Counseling for the Elderly
16 Program, of which not less than \$10,000,000 shall be
17 available for low-income taxpayer clinic grants, of which
18 not less than \$9,000,000, to remain available until Sep-
19 tember 30, 2011, shall be available for Community Volun-
20 teer Income Tax Assistance matching grants for tax re-
21 turn preparation assistance, and of which not less than
22 \$205,800,000 shall be available for operating expenses of
23 the Taxpayer Advocate Service.

1 ENFORCEMENT

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for tax enforcement activities
4 of the Internal Revenue Service to determine and collect
5 owed taxes, to provide legal and litigation support, to con-
6 duct criminal investigations, to enforce criminal statutes
7 related to violations of internal revenue laws and other fi-
8 nancial crimes, to purchase (for police-type use, not to ex-
9 ceed 850) and hire passenger motor vehicles (31 U.S.C.
10 1343(b)), and to provide other services as authorized by
11 5 U.S.C. 3109, at such rates as may be determined by
12 the Commissioner, \$4,904,000,000, of which not less than
13 \$59,206,000 shall be for the Interagency Crime and Drug
14 Enforcement program; and of which not to exceed
15 \$126,500 shall be for official reception and representation
16 expenses associated with hosting the Leeds Castle Meeting
17 in the United States during 2010: *Provided*, That up to
18 \$10,000,000 may be transferred as necessary from this
19 account to “Operations Support” solely for the purposes
20 of the Interagency Crime and Drug Enforcement program:
21 *Provided further*, That this transfer authority shall be in
22 addition to any other transfer authority provided in this
23 Act. In addition to amounts made available above,
24 \$600,000,000 shall be made available for enhanced tax en-
25 forcement activities.

OPERATIONS SUPPORT

1
2 For necessary expenses of the Internal Revenue Serv-
3 ice to support taxpayer services and enforcement pro-
4 grams, including rent payments; facilities services; print-
5 ing; postage; physical security; headquarters and other
6 IRS-wide administration activities; research and statistics
7 of income; telecommunications; information technology de-
8 velopment, enhancement, operations, maintenance, and se-
9 curity; the hire of passenger motor vehicles (31 U.S.C.
10 1343(b)); and other services as authorized by 5 U.S.C.
11 3109, at such rates as may be determined by the Commis-
12 sioner; \$4,082,984,000, of which up to \$75,000,000 shall
13 remain available until September 30, 2011, for informa-
14 tion technology support; of which not to exceed
15 \$1,000,000 shall remain available until September 30,
16 2012, for research; of which not less than \$2,000,000
17 shall be for the Internal Revenue Service Oversight Board;
18 of which not to exceed \$25,000 shall be for official recep-
19 tion and representation; and of which \$290,000,000 shall
20 be made available to support enhanced tax enforcement
21 activities: *Provided*, That of the amounts provided under
22 this heading, such sums as are necessary shall be available
23 to fully support tax enforcement and enhanced tax en-
24 forcement activities.

1 BUSINESS SYSTEMS MODERNIZATION

2 For necessary expenses of the Internal Revenue Serv-
3 ice's business systems modernization program,
4 \$253,674,000, to remain available until September 30,
5 2012, for the capital asset acquisition of information tech-
6 nology systems, including management and related con-
7 tractual costs of said acquisitions, including related Inter-
8 nal Revenue Service labor costs, and contractual costs as-
9 sociated with operations authorized by 5 U.S.C. 3109:
10 *Provided*, That, with the exception of labor costs, none of
11 these funds may be obligated until the Internal Revenue
12 Service submits to the Committees on Appropriations, and
13 such Committees approve, a plan for expenditure that: (1)
14 meets the capital planning and investment control review
15 requirements established by the Office of Management
16 and Budget, including Circular A-11; (2) complies with
17 the Internal Revenue Service's enterprise architecture, in-
18 cluding the modernization blueprint; (3) conforms with the
19 Internal Revenue Service's enterprise life cycle method-
20 ology; (4) is approved by the Internal Revenue Service,
21 the Department of the Treasury, and the Office of Man-
22 agement and Budget; (5) has been reviewed by the Gov-
23 ernment Accountability Office; and (6) complies with the
24 acquisition rules, requirements, guidelines, and systems

1 acquisition management practices of the Federal Govern-
2 ment.

3 HEALTH INSURANCE TAX CREDIT ADMINISTRATION

4 For expenses necessary to implement the health in-
5 surance tax credit included in the Trade Act of 2002
6 (Public Law 107–210), \$15,512,000.

7 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

8 SERVICE

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 101. Not to exceed 5 percent of any appropria-
11 tion made available in this Act to the Internal Revenue
12 Service or not to exceed 3 percent of appropriations under
13 the heading “Enforcement” may be transferred to any
14 other Internal Revenue Service appropriation upon the ad-
15 vance approval of the Committees on Appropriations.

16 SEC. 102. The Internal Revenue Service shall main-
17 tain a training program to ensure that Internal Revenue
18 Service employees are trained in taxpayers’ rights, in deal-
19 ing courteously with taxpayers, and in cross-cultural rela-
20 tions.

21 SEC. 103. The Internal Revenue Service shall insti-
22 tute and enforce policies and procedures that will safe-
23 guard the confidentiality of taxpayer information.

24 SEC. 104. Funds made available by this or any other
25 Act to the Internal Revenue Service shall be available for

1 improved facilities and increased staffing to provide suffi-
2 cient and effective 1-800 help line service for taxpayers.
3 The Commissioner shall continue to make the improve-
4 ment of the Internal Revenue Service 1-800 help line serv-
5 ice a priority and allocate resources necessary to increase
6 phone lines and staff to improve the Internal Revenue
7 Service 1-800 help line service.

8 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
9 TREASURY

10 (INCLUDING TRANSFERS OF FUNDS)

11 SEC. 105. Appropriations to the Department of the
12 Treasury in this Act shall be available for uniforms or al-
13 lowances therefor, as authorized by law (5 U.S.C. 5901),
14 including maintenance, repairs, and cleaning; purchase of
15 insurance for official motor vehicles operated in foreign
16 countries; purchase of motor vehicles without regard to the
17 general purchase price limitations for vehicles purchased
18 and used overseas for the current fiscal year; entering into
19 contracts with the Department of State for the furnishing
20 of health and medical services to employees and their de-
21 pendants serving in foreign countries; and services author-
22 ized by 5 U.S.C. 3109.

23 SEC. 106. Not to exceed 2 percent of any appropria-
24 tions in this Act made available to the Departmental Of-
25 fices—Salaries and Expenses, Office of Inspector General,

1 Financial Management Service, Alcohol and Tobacco Tax
2 and Trade Bureau, Financial Crimes Enforcement Net-
3 work, and Bureau of the Public Debt, may be transferred
4 between such appropriations upon the advance approval
5 of the Committees on Appropriations: *Provided*, That no
6 transfer may increase or decrease any such appropriation
7 by more than 2 percent.

8 SEC. 107. Not to exceed 2 percent of any appropria-
9 tion made available in this Act to the Internal Revenue
10 Service may be transferred to the Treasury Inspector Gen-
11 eral for Tax Administration's appropriation upon the ad-
12 vance approval of the Committees on Appropriations: *Pro-*
13 *vided*, That no transfer may increase or decrease any such
14 appropriation by more than 2 percent.

15 SEC. 108. Of the funds available for the purchase of
16 law enforcement vehicles, no funds may be obligated until
17 the Secretary of the Treasury certifies that the purchase
18 by the respective Treasury bureau is consistent with de-
19 partmental vehicle management principles: *Provided*, That
20 the Secretary may delegate this authority to the Assistant
21 Secretary for Management.

22 SEC. 109. None of the funds appropriated in this Act
23 or otherwise available to the Department of the Treasury
24 or the Bureau of Engraving and Printing may be used
25 to redesign the \$1 Federal Reserve note.

1 SEC. 110. The Secretary of the Treasury may trans-
2 fer funds from Financial Management Service, Salaries
3 and Expenses to the Debt Collection Fund as necessary
4 to cover the costs of debt collection: *Provided*, That such
5 amounts shall be reimbursed to such salaries and expenses
6 account from debt collections received in the Debt Collec-
7 tion Fund.

8 SEC. 111. Section 122(g)(1) of Public Law 105–119
9 (5 U.S.C. 3104 note), is further amended by striking “11
10 years” and inserting “12 years.”

11 SEC. 112. None of the funds appropriated or other-
12 wise made available by this or any other Act may be used
13 by the United States Mint to construct or operate any mu-
14 seum without the explicit approval of the Committees on
15 Appropriations of the House of Representatives and the
16 Senate, the House Committee on Financial Services, and
17 the Senate Committee on Banking, Housing and Urban
18 Affairs.

19 SEC. 113. None of the funds appropriated or other-
20 wise made available by this or any other Act or source
21 to the Department of the Treasury, the Bureau of Engrav-
22 ing and Printing, and the United States Mint, individually
23 or collectively, may be used to consolidate any or all func-
24 tions of the Bureau of Engraving and Printing and the
25 United States Mint without the explicit approval of the

1 House Committee on Financial Services; the Senate Com-
2 mittee on Banking, Housing, and Urban Affairs; the
3 House Committee on Appropriations; and the Senate
4 Committee on Appropriations.

5 SEC. 114. Funds appropriated by this Act, or made
6 available by the transfer of funds in this Act, for the De-
7 partment of the Treasury's intelligence or intelligence re-
8 lated activities are deemed to be specifically authorized by
9 the Congress for purposes of section 504 of the National
10 Security Act of 1947 (50 U.S.C. 414) during fiscal year
11 2010 until the enactment of the Intelligence Authorization
12 Act for Fiscal Year 2010.

13 SEC. 115. Not to exceed \$5,000 shall be made avail-
14 able from the Bureau of Engraving and Printing's Indus-
15 trial Revolving Fund for necessary official reception and
16 representation expenses.

17 SEC. 116. The Secretary is authorized to establish
18 additional Treasury accounts for the Alcohol & Tobacco
19 Tax and Trade Bureau, Department of the Treasury; U.S.
20 Customs and Border Protection, Department of Home-
21 land Security; and the Bureau of Alcohol, Tobacco Fire-
22 arms and Explosives, Department of Justice, for purposes
23 of administering refunds under 31 U.S.C. 1324.

24 This title may be cited as the "Department of the
25 Treasury Appropriations Act, 2010".

1 TITLE II
2 EXECUTIVE OFFICE OF THE PRESIDENT AND
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 COMPENSATION OF THE PRESIDENT

5 For compensation of the President, including an ex-
6 pense allowance at the rate of \$50,000 per annum as au-
7 thorized by 3 U.S.C. 102 , \$450,000: *Provided*, That none
8 of the funds made available for official expenses shall be
9 expended for any other purpose and any unused amount
10 shall revert to the Treasury pursuant to 31 U.S.C. 1552.

11 THE WHITE HOUSE
12 SALARIES AND EXPENSES

13 For necessary expenses for the White House as au-
14 thorized by law, including not to exceed \$3,850,000 for
15 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
16 subsistence expenses as authorized by 3 U.S.C. 105, which
17 shall be expended and accounted for as provided in that
18 section; hire of passenger motor vehicles, newspapers,
19 periodicals, teletype news service, and travel (not to exceed
20 \$100,000 to be expended and accounted for as provided
21 by 3 U.S.C. 103); and not to exceed \$19,000 for official
22 entertainment expenses, to be available for allocation with-
23 in the Executive Office of the President; and for necessary
24 expenses of the Office of Policy Development, including
25 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107,

1 \$59,319,000, of which not less than \$1,400,000 shall be
2 for the Office of National AIDS Policy.

3 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

4 OPERATING EXPENSES

5 For the care, maintenance, repair and alteration, re-
6 furnishing, improvement, heating, and lighting, including
7 electric power and fixtures, of the Executive Residence at
8 the White House and official entertainment expenses of
9 the President, \$13,838,000, to be expended and accounted
10 for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

11 REIMBURSABLE EXPENSES

12 For the reimbursable expenses of the Executive Resi-
13 dence at the White House, such sums as may be nec-
14 essary: *Provided*, That all reimbursable operating expenses
15 of the Executive Residence shall be made in accordance
16 with the provisions of this paragraph: *Provided further*,
17 That, notwithstanding any other provision of law, such
18 amount for reimbursable operating expenses shall be the
19 exclusive authority of the Executive Residence to incur ob-
20 ligations and to receive offsetting collections, for such ex-
21 penses: *Provided further*, That the Executive Residence
22 shall require each person sponsoring a reimbursable polit-
23 ical event to pay in advance an amount equal to the esti-
24 mated cost of the event, and all such advance payments
25 shall be credited to this account and remain available until

1 expended: *Provided further*, That the Executive Residence
2 shall require the national committee of the political party
3 of the President to maintain on deposit \$25,000, to be
4 separately accounted for and available for expenses relat-
5 ing to reimbursable political events sponsored by such
6 committee during such fiscal year: *Provided further*, That
7 the Executive Residence shall ensure that a written notice
8 of any amount owed for a reimbursable operating expense
9 under this paragraph is submitted to the person owing
10 such amount within 60 days after such expense is in-
11 curred, and that such amount is collected within 30 days
12 after the submission of such notice: *Provided further*, That
13 the Executive Residence shall charge interest and assess
14 penalties and other charges on any such amount that is
15 not reimbursed within such 30 days, in accordance with
16 the interest and penalty provisions applicable to an out-
17 standing debt on a United States Government claim under
18 31 U.S.C. 3717: *Provided further*, That each such amount
19 that is reimbursed, and any accompanying interest and
20 charges, shall be deposited in the Treasury as miscella-
21 neous receipts: *Provided further*, That the Executive Resi-
22 dence shall prepare and submit to the Committees on Ap-
23 propriations, by not later than 90 days after the end of
24 the fiscal year covered by this Act, a report setting forth
25 the reimbursable operating expenses of the Executive Res-

1 idence during the preceding fiscal year, including the total
2 amount of such expenses, the amount of such total that
3 consists of reimbursable official and ceremonial events, the
4 amount of such total that consists of reimbursable political
5 events, and the portion of each such amount that has been
6 reimbursed as of the date of the report: *Provided further*,
7 That the Executive Residence shall maintain a system for
8 the tracking of expenses related to reimbursable events
9 within the Executive Residence that includes a standard
10 for the classification of any such expense as political or
11 nonpolitical: *Provided further*, That no provision of this
12 paragraph may be construed to exempt the Executive Res-
13 idence from any other applicable requirement of sub-
14 chapter I or II of chapter 37 of title 31, United States
15 Code.

16 WHITE HOUSE REPAIR AND RESTORATION

17 For the repair, alteration, and improvement of the
18 Executive Residence at the White House, \$2,500,000, to
19 remain available until expended, for required maintenance,
20 resolution of safety and health issues, and continued pre-
21 ventative maintenance.

1 COUNCIL OF ECONOMIC ADVISERS

2 SALARIES AND EXPENSES

3 For necessary expenses of the Council of Economic
4 Advisers in carrying out its functions under the Employ-
5 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,200,000.

6 NATIONAL SECURITY COUNCIL

7 SALARIES AND EXPENSES

8 For necessary expenses of the National Security
9 Council, including services as authorized by 5 U.S.C.
10 3109, \$12,231,000.

11 OFFICE OF ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Office of Administra-
14 tion, including services as authorized by 5 U.S.C. 3109
15 and 3 U.S.C. 107, and hire of passenger motor vehicles,
16 \$115,280,000, of which \$16,768,000 shall remain avail-
17 able until expended for continued modernization of the in-
18 formation technology infrastructure within the Executive
19 Office of the President.

20 OFFICE OF MANAGEMENT AND BUDGET

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of Management
23 and Budget, including hire of passenger motor vehicles
24 and services as authorized by 5 U.S.C. 3109 and to carry
25 out the provisions of chapter 35 of title 44, United States

1 Code, \$92,687,000, of which not to exceed \$3,000 shall
2 be available for official representation expenses: *Provided*,
3 That none of the funds appropriated in this Act for the
4 Office of Management and Budget may be used for the
5 purpose of reviewing any agricultural marketing orders or
6 any activities or regulations under the provisions of the
7 Agricultural Marketing Agreement Act of 1937 (7 U.S.C.
8 601 et seq.): *Provided further*, That none of the funds
9 made available for the Office of Management and Budget
10 by this Act may be expended for the altering of the tran-
11 script of actual testimony of witnesses, except for testi-
12 mony of officials of the Office of Management and Budget,
13 before the Committees on Appropriations or their sub-
14 committees: *Provided further*, That none of the funds pro-
15 vided in this or prior Acts shall be used, directly or indi-
16 rectly, by the Office of Management and Budget, for eval-
17 uating or determining if water resource project or study
18 reports submitted by the Chief of Engineers acting
19 through the Secretary of the Army are in compliance with
20 all applicable laws, regulations, and requirements relevant
21 to the Civil Works water resource planning process: *Pro-*
22 *vided further*, That the Office of Management and Budget
23 shall have not more than 60 days in which to perform
24 budgetary policy reviews of water resource matters on
25 which the Chief of Engineers has reported: *Provided fur-*

1 *ther*, That the Director of the Office of Management and
 2 Budget shall notify the appropriate authorizing and ap-
 3 propriating committees when the 60-day review is initi-
 4 ated: *Provided further*, That if water resource reports have
 5 not been transmitted to the appropriate authorizing and
 6 appropriating committees within 15 days after the end of
 7 the Office of Management and Budget review period based
 8 on the notification from the Director, Congress shall as-
 9 sume Office of Management and Budget concurrence with
 10 the report and act accordingly.

11 OFFICE OF NATIONAL DRUG CONTROL POLICY

12 SALARIES AND EXPENSES

13 For necessary expenses of the Office of National
 14 Drug Control Policy; for research activities pursuant to
 15 the Office of National Drug Control Policy Reauthoriza-
 16 tion Act of 2006 (Public Law 109–469); not to exceed
 17 \$10,000 for official reception and representation expenses;
 18 and for participation in joint projects or in the provision
 19 of services on matters of mutual interest with nonprofit,
 20 research, or public organizations or agencies, with or with-
 21 out reimbursement, \$27,575,000; of which \$1,300,000
 22 shall remain available until expended for policy research
 23 and evaluation: *Provided*, That the Office is authorized to
 24 accept, hold, administer, and utilize gifts, both real and
 25 personal, public and private, without fiscal year limitation,

1 for the purpose of aiding or facilitating the work of the
2 Office.

3 FEDERAL DRUG CONTROL PROGRAMS

4 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses of the Office of National
7 Drug Control Policy's High Intensity Drug Trafficking
8 Areas Program, \$248,000,000, to remain available until
9 September 30, 2011, for drug control activities consistent
10 with the approved strategy for each of the designated
11 High Intensity Drug Trafficking Areas ("HIDTAs"), of
12 which not less than 51 percent shall be transferred to
13 State and local entities for drug control activities and shall
14 be obligated not later than 120 days after enactment of
15 this Act: *Provided*, That up to 49 percent may be trans-
16 ferred to Federal agencies and departments in amounts
17 determined by the Director of the Office of National Drug
18 Control Policy ("the Director"), of which up to
19 \$2,700,000 may be used for auditing services and associ-
20 ated activities (including up to \$250,000 to ensure the
21 continued operation and maintenance of the Performance
22 Management System): *Provided further*, That each High
23 Intensity Drug Trafficking Area designated as of Sep-
24 tember 30, 2009, shall be funded at not less than the fiscal
25 year 2009 base level, unless the Director submits to the

1 Committees on Appropriations of the House of Represent-
2 atives and the Senate justification for changes to those
3 levels based on clearly articulated priorities and published
4 Office of National Drug Control Policy performance meas-
5 ures of effectiveness: *Provided further*, That the Director
6 shall notify the Committees on Appropriations of the ini-
7 tial allocation of fiscal year 2010 funding among HIDTAs
8 not later than 45 days after enactment of this Act, and
9 shall notify the Committees of planned uses of discre-
10 tionary HIDTA funding, as determined in consultation
11 with the HIDTA Directors, not later than 90 days after
12 enactment of this Act.

13 OTHER FEDERAL DRUG CONTROL PROGRAMS

14 (INCLUDING TRANSFER OF FUNDS)

15 For other drug control activities authorized by the
16 Office of National Drug Control Policy Reauthorization
17 Act of 2006 (Public Law 109–469), \$132,400,000, to re-
18 main available until expended, which shall be available as
19 follows: \$20,000,000 for outreach and media activities re-
20 lated to drug abuse prevention; \$98,000,000 for the Drug-
21 Free Communities Program, of which \$2,000,000 shall be
22 made available as directed by section 4 of Public Law
23 107–82, as amended by Public Law 109–469 (21 U.S.C.
24 1521 note); \$1,000,000 for the National Drug Court In-
25 stitute; \$10,000,000 for the United States Anti-Doping

1 Agency for anti-doping activities; \$1,900,000 for the
 2 United States membership dues to the World Anti-Doping
 3 Agency; \$1,250,000 for the National Alliance for Model
 4 State Drug Laws; and \$250,000 for evaluations and re-
 5 search related to National Drug Control Program per-
 6 formance measures, which may be transferred to other
 7 Federal departments and agencies to carry out such activi-
 8 ties: *Provided*, That any grantee under the Drug-Free
 9 Communities Program seeking a renewal grant (year 2
 10 through 5, or year 7 through 10) that is not awarded re-
 11 newal funding shall be afforded a fair, timely, and inde-
 12 pendent appeal of the non-renewal decision prior to the
 13 beginning of the funding year.

14 UNANTICIPATED NEEDS

15 For expenses necessary to enable the President to
 16 meet unanticipated needs, in furtherance of the national
 17 interest, security, or defense which may arise at home or
 18 abroad during the current fiscal year, as authorized by
 19 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
 20 tember 30, 2011.

21 PARTNERSHIP FUND FOR PROGRAM INTEGRITY

22 INNOVATION

23 (INCLUDING TRANSFER OF FUNDS)

24 To execute the Partnership Fund for Program Integ-
 25 rity Innovation, \$40,000,000, to remain available until

1 September 30, 2012, which may be used for grants, con-
2 tracts, cooperative agreements, and administrative costs
3 for carrying out Partnership Fund for Program Integrity
4 Innovation pilot projects: *Provided*, That funds made
5 available under this heading may be transferred by the
6 Director of the Office of Management and Budget to ap-
7 propriate agencies to carry out pilot projects and to con-
8 duct or provide for evaluation of such projects: *Provided*
9 *further*, That no funds may be obligated for any pilot
10 project unless the Director of the Office of Management
11 and Budget has determined that the project (1) addresses
12 programs that have a substantial state role in eligibility
13 determination or administration or where Federal-state
14 cooperation could otherwise be beneficial, (2) in aggregate,
15 is expected to save at least as much money as it costs,
16 (3) demonstrates the potential to streamline administra-
17 tion and/or strengthen program integrity, and (4) does not
18 achieve savings primarily by reducing the participation of
19 eligible beneficiaries: *Provided further*, That the Director
20 shall notify the Committees on Appropriations of the
21 House of Representatives and the Senate of each deter-
22 mination required by the preceding proviso at least 15
23 days in advance of obligating funds for the pilot project
24 involved, and shall include in the notification a statement
25 of the purposes and objectives of the pilot project and a

1 plan for evaluating its results: *Provided further*, That the
 2 Director shall submit a progress report on activities fund-
 3 ed under this heading to the Committee on Appropriations
 4 not later than September 30, 2010, and annually there-
 5 after for the next four years.

6 SPECIAL ASSISTANCE TO THE PRESIDENT

7 SALARIES AND EXPENSES

8 For necessary expenses to enable the Vice President
 9 to provide assistance to the President in connection with
 10 specially assigned functions; services as authorized by 5
 11 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
 12 penses as authorized by 3 U.S.C. 106, which shall be ex-
 13 pended and accounted for as provided in that section; and
 14 hire of passenger motor vehicles, \$4,604,000.

15 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

16 OPERATING EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For the care, operation, refurnishing, improvement,
 19 and to the extent not otherwise provided for, heating and
 20 lighting, including electric power and fixtures, of the offi-
 21 cial residence of the Vice President; the hire of passenger
 22 motor vehicles; and not to exceed \$90,000 for official en-
 23 tertainment expenses of the Vice President, to be ac-
 24 counted for solely on his certificate, \$330,000: *Provided*,
 25 That advances or repayments or transfers from this ap-

1 appropriation may be made to any department or agency for
2 expenses of carrying out such activities.

3 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
4 THE PRESIDENT AND FUNDS APPROPRIATED TO
5 THE PRESIDENT

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 201. From funds made available in this Act
8 under the headings “The White House”, “Executive Resi-
9 dence at the White House”, “White House Repair and
10 Restoration”, “Council of Economic Advisers”, “National
11 Security Council”, “Office of Administration”, “Special
12 Assistance to the President”, and “Official Residence of
13 the Vice President”, the Director of the Office of Manage-
14 ment and Budget (or such other officer as the President
15 may designate in writing), may, 15 days after giving no-
16 tice to the Committees on Appropriations of the House
17 of Representatives and the Senate, transfer not to exceed
18 10 percent of any such appropriation to any other such
19 appropriation, to be merged with and available for the
20 same time and for the same purposes as the appropriation
21 to which transferred: *Provided*, That the amount of an ap-
22 propriation shall not be increased by more than 50 percent
23 by such transfers: *Provided further*, That no amount shall
24 be transferred from “Special Assistance to the President”

1 or “Official Residence of the Vice President” without the
2 approval of the Vice President.

3 SEC. 202. The Director of the Office of National
4 Drug Control Policy shall submit to the Committees on
5 Appropriations of the House of Representatives and the
6 Senate not later than 60 days after the date of enactment
7 of this Act, and prior to the initial obligation of more than
8 20 percent of the funds appropriated in any account under
9 the headings “Office of National Drug Control Policy”
10 and “Federal Drug Control Programs”, a detailed nar-
11 rative and financial plan on the proposed uses of all funds
12 under the account by program, project, and activity: *Pro-*
13 *vided*, That the reports required by this section shall be
14 updated and submitted to the Committees on Appropria-
15 tions every 6 months and shall include information detail-
16 ing how the estimates and assumptions contained in pre-
17 vious reports have changed.

18 SEC. 203. Not to exceed 2 percent of any appropria-
19 tions in this Act made available to the Office of National
20 Drug Control Policy may be transferred between appro-
21 priated programs upon the advance approval of the Com-
22 mittees on Appropriations: *Provided*, That no transfer
23 may increase or decrease any such appropriation by more
24 than 3 percent.

8 TITLE III
9 THE JUDICIARY

11 SALARIES AND EXPENSES

23 CARE OF THE BUILDING AND GROUNDS

24 For such expenditures as may be necessary to enable
25 the Architect of the Capitol to carry out the duties im-

1 posed upon the Architect by 40 U.S.C. 6111,
2 \$14,525,000, which shall remain available until expended.

3 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
4 CIRCUIT

5 SALARIES AND EXPENSES

6 For salaries of the chief judge, judges, and other offi-
7 cers and employees, and for necessary expenses of the
8 court, as authorized by law, \$33,577,000.

9 UNITED STATES COURT OF INTERNATIONAL TRADE

10 SALARIES AND EXPENSES

11 For salaries of the chief judge and eight judges, sala-
12 ries of the officers and employees of the court, services,
13 and necessary expenses of the court, as authorized by law,
14 \$21,350,000.

15 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

16 JUDICIAL SERVICES

17 SALARIES AND EXPENSES

18 For the salaries of circuit and district judges (includ-
19 ing judges of the territorial courts of the United States),
20 justices and judges retired from office or from regular ac-
21 tive service, judges of the United States Court of Federal
22 Claims, bankruptcy judges, magistrate judges, and all
23 other officers and employees of the Federal Judiciary not
24 otherwise specifically provided for, and necessary expenses
25 of the courts, as authorized by law, \$5,080,709,000 (in-

cluding the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed \$5,428,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A, and also under 18 U.S.C. 3599, in cases in which a defendant is charged with a crime that may be punishable by death; the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services under 18 U.S.C. 3006A(e), and also under 18 U.S.C. 3599(f) and (g)(2), in cases in which a defendant is charged with a crime that may be punishable by death; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in crimi-

1 nal cases where the defendant has waived representation
2 by counsel; the compensation and reimbursement of travel
3 expenses of guardians ad litem acting on behalf of finan-
4 cially eligible minor or incompetent offenders in connec-
5 tion with transfers from the United States to foreign coun-
6 tries with which the United States has a treaty for the
7 execution of penal sentences; the compensation and reim-
8 bursement of expenses of attorneys appointed to represent
9 jurors in civil actions for the protection of their employ-
10 ment, as authorized by 28 U.S.C. 1875(d); the compensa-
11 tion and reimbursement of expenses of attorneys ap-
12 pointed under 18 U.S.C. 983(b)(1) in connection with cer-
13 tain judicial civil forfeiture proceedings; and for necessary
14 training and general administrative expenses,
15 \$982,699,000, to remain available until expended.

16 FEES OF JURORS AND COMMISSIONERS

17 For fees and expenses of jurors as authorized by 28
18 U.S.C. 1871 and 1876; compensation of jury commis-
19 sioners as authorized by 28 U.S.C. 1863; and compensa-
20 tion of commissioners appointed in condemnation cases
21 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
22 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$62,275,000,
23 to remain available until expended: *Provided*, That the
24 compensation of land commissioners shall not exceed the

1 daily equivalent of the highest rate payable under 5 U.S.C.
2 5332.

3 COURT SECURITY

4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 incident to the provision of protective guard services for
7 United States courthouses and other facilities housing
8 Federal court operations, and the procurement, installa-
9 tion, and maintenance of security systems and equipment
10 for United States courthouses and other facilities housing
11 Federal court operations, including building ingress-egress
12 control, inspection of mail and packages, directed security
13 patrols, perimeter security, basic security services provided
14 by the Federal Protective Service, and other similar activi-
15 ties as authorized by section 1010 of the Judicial Improve-
16 ment and Access to Justice Act (Public Law 100–702),
17 \$457,353,000, of which not to exceed \$15,000,000 shall
18 remain available until expended, to be expended directly
19 or transferred to the United States Marshals Service,
20 which shall be responsible for administering the Judicial
21 Facility Security Program consistent with standards or
22 guidelines agreed to by the Director of the Administrative
23 Office of the United States Courts and the Attorney Gen-
24 eral.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$83,075,000, of which not to exceed \$8,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90–219, \$27,328,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2011, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,500 is authorized for official reception and representa-
19 tion expenses.

20 JUDICIAL RETIREMENT FUNDS

21 PAYMENT TO JUDICIARY TRUST FUNDS

22 For payment to the Judicial Officers' Retirement
23 Fund, as authorized by 28 U.S.C. 377(o), \$71,874,000;
24 to the Judicial Survivors' Annuities Fund, as authorized
25 by 28 U.S.C. 376(c), \$6,500,000; and to the United

1 States Court of Federal Claims Judges' Retirement Fund,
2 as authorized by 28 U.S.C. 178(l), \$4,000,000.

3 UNITED STATES SENTENCING COMMISSION

4 SALARIES AND EXPENSES

5 For the salaries and expenses necessary to carry out
6 the provisions of chapter 58 of title 28, United States
7 Code, \$16,837,000, of which not to exceed \$1,000 is au-
8 thorized for official reception and representation expenses.

9 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 301. Appropriations and authorizations made in
12 this title which are available for salaries and expenses shall
13 be available for services as authorized by 5 U.S.C. 3109.

14 SEC. 302. Not to exceed 5 percent of any appropria-
15 tion made available for the current fiscal year for the Judi-
16 ciary in this Act may be transferred between such appropria-
17 tions, but no such appropriation, except “Courts of
18 Appeals, District Courts, and Other Judicial Services—
19 Defender Services” and “Courts of Appeals, District
20 Courts, and Other Judicial Services—Fees of Jurors and
21 Commissioners”, shall be increased by more than 10 per-
22 cent by any such transfers: *Provided*, That any transfer
23 pursuant to this section shall be treated as a reprogram-
24 ming of funds under sections 604 and 608 of this Act and

1 shall not be available for obligation or expenditure except
2 in compliance with the procedures set forth in section 608.

3 SEC. 303. Notwithstanding any other provision of
4 law, the salaries and expenses appropriation for “Courts
5 of Appeals, District Courts, and Other Judicial Services”
6 shall be available for official reception and representation
7 expenses of the Judicial Conference of the United States:
8 *Provided*, That such available funds shall not exceed
9 \$11,000 and shall be administered by the Director of the
10 Administrative Office of the United States Courts in the
11 capacity as Secretary of the Judicial Conference.

12 SEC. 304. Within 90 days after the date of the enact-
13 ment of this Act, the Administrative Office of the U.S.
14 Courts shall submit to the Committees on Appropriations
15 a comprehensive financial plan for the Judiciary allocating
16 all sources of available funds including appropriations, fee
17 collections, and carryover balances, to include a separate
18 and detailed plan for the Judiciary Information Tech-
19 nology Fund, which will establish the baseline referred to
20 in the second proviso of section 608.

21 SEC. 305. Section 3314(a) of title 40, United States
22 Code, shall be applied by substituting “Federal” for “exec-
23 utive” each place it appears.

24 SEC. 306. In accordance with 28 U.S.C. 561–569,
25 and notwithstanding any other provision of law, the

1 United States Marshals Service shall provide, for such
2 courthouses as its Director may designate in consultation
3 with the Director of the Administrative Office of the
4 United States Courts, for purposes of a pilot program, the
5 security services that 40 U.S.C. 1315 authorizes the De-
6 partment of Homeland Security to provide, except for the
7 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
8 ing-specific security services at these courthouses, the Di-
9 rector of the Administrative Office of the United States
10 Courts shall reimburse the United States Marshals Service
11 rather than the Department of Homeland Security.

12 SEC. 307. Section 203(c) of the Judicial Improve-
13 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
14 note), is amended—

15 (1) in the third sentence (relating to the Dis-
16 trict of Kansas), by striking “18 years” and insert-
17 ing “19 years”; and

18 (2) in the sixth sentence (relating to the North-
19 ern District of Ohio), by striking “18 years” and in-
20 serting “19 years”.

21 This title may be cited as the “Judiciary Appropria-
22 tions Act, 2010”.

1 TITLE IV
2 DISTRICT OF COLUMBIA
3 FEDERAL FUNDS
4 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT
5 For a Federal payment to the District of Columbia,
6 to be deposited into a dedicated account, for a nationwide
7 program to be administered by the Mayor, for District of
8 Columbia resident tuition support, \$35,100,000, to remain
9 available until expended: *Provided*, That such funds, in-
10 cluding any interest accrued thereon, may be used on be-
11 half of eligible District of Columbia residents to pay an
12 amount based upon the difference between in-State and
13 out-of-State tuition at public institutions of higher edu-
14 cation, or to pay up to \$2,500 each year at eligible private
15 institutions of higher education: *Provided further*, That the
16 awarding of such funds may be prioritized on the basis
17 of a resident's academic merit, the income and need of
18 eligible students and such other factors as may be author-
19 ized: *Provided further*, That the District of Columbia gov-
20 ernment shall maintain a dedicated account for the Resi-
21 dent Tuition Support Program that shall consist of the
22 Federal funds appropriated to the Program in this Act
23 and any subsequent appropriations, any unobligated bal-
24 ances from prior fiscal years, and any interest earned in
25 this or any fiscal year: *Provided further*, That the account

1 shall be under the control of the District of Columbia
2 Chief Financial Officer, who shall use those funds solely
3 for the purposes of carrying out the Resident Tuition Sup-
4 port Program: *Provided further*, That the Office of the
5 Chief Financial Officer shall provide a quarterly financial
6 report to the Committees on Appropriations of the House
7 of Representatives and the Senate for these funds show-
8 ing, by object class, the expenditures made and the pur-
9 pose therefor.

10 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
11 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

12 For a Federal payment of necessary expenses, as de-
13 termined by the Mayor of the District of Columbia in writ-
14 ten consultation with the elected county or city officials
15 of surrounding jurisdictions, \$15,000,000, to remain
16 available until expended and in addition any funds that
17 remain available from prior year appropriations under this
18 heading for the District of Columbia Government, for the
19 costs of providing public safety at events related to the
20 presence of the national capital in the District of Colum-
21 bia, including support requested by the Director of the
22 United States Secret Service Division in carrying out pro-
23 tective duties under the direction of the Secretary of
24 Homeland Security, and for the costs of providing support
25 to respond to immediate and specific terrorist threats or

1 attacks in the District of Columbia or surrounding juris-
2 ditions.

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
4 COURTS

5 For salaries and expenses for the District of Colum-
6 bia Courts, \$268,920,000 to be allocated as follows: for
7 the District of Columbia Court of Appeals, \$12,022,000,
8 of which not to exceed \$1,500 is for official reception and
9 representation expenses; for the District of Columbia Su-
10 perior Court, \$108,524,000, of which not to exceed \$1,500
11 is for official reception and representation expenses; for
12 the District of Columbia Court System, \$65,114,000, of
13 which not to exceed \$1,500 is for official reception and
14 representation expenses; and \$83,260,000, to remain
15 available until September 30, 2011, for capital improve-
16 ments for District of Columbia courthouse facilities, in-
17 cluding structural improvements to the District of Colum-
18 bia cell block at the Moultrie Courthouse: *Provided*, That
19 funds made available for capital improvements shall be ex-
20 pended consistent with the General Services Administra-
21 tion (GSA) master plan study and building evaluation re-
22 port: *Provided further*, That notwithstanding any other
23 provision of law, all amounts under this heading shall be
24 apportioned quarterly by the Office of Management and
25 Budget and obligated and expended in the same manner

1 as funds appropriated for salaries and expenses of other
2 Federal agencies, with payroll and financial services to be
3 provided on a contractual basis with the GSA, and such
4 services shall include the preparation of monthly financial
5 reports, copies of which shall be submitted directly by GSA
6 to the President and to the Committees on Appropriations
7 of the House of Representatives and the Senate, the Com-
8 mittee on Oversight and Government Reform of the House
9 of Representatives, and the Committee on Homeland Se-
10 curity and Governmental Affairs of the Senate: *Provided*
11 *further*, That 30 days after providing written notice to the
12 Committees on Appropriations of the House of Represent-
13 atives and the Senate, the District of Columbia Courts
14 may reallocate not more than \$1,000,000 of the funds pro-
15 vided under this heading among the items and entities
16 funded under this heading for operations, and not more
17 than 4 percent of the funds provided under this heading
18 for facilities.

19 DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

20 For payments authorized under section 11–2604 and
21 section 11–2605, D.C. Official Code (relating to represen-
22 tation provided under the District of Columbia Criminal
23 Justice Act), payments for counsel appointed in pro-
24 ceedings in the Family Court of the Superior Court of the
25 District of Columbia under chapter 23 of title 16, D.C.

1 Official Code, or pursuant to contractual agreements to
2 provide guardian ad litem representation, training, tech-
3 nical assistance, and such other services as are necessary
4 to improve the quality of guardian ad litem representation,
5 payments for counsel appointed in adoption proceedings
6 under chapter 3 of title 16, D.C. Official Code, and pay-
7 ments for counsel authorized under section 21–2060, D.C.
8 Official Code (relating to representation provided under
9 the District of Columbia Guardianship, Protective Pro-
10 ceedings, and Durable Power of Attorney Act of 1986),
11 \$55,000,000, to remain available until expended: *Pro-*
12 *vided*, That the funds provided in this Act under the head-
13 ing “Federal Payment to the District of Columbia Courts”
14 (other than the \$83,260,000 provided under such heading
15 for capital improvements for District of Columbia court-
16 house facilities) may also be used for payments under this
17 heading: *Provided further*, That in addition to the funds
18 provided under this heading, the Joint Committee on Ju-
19 dicial Administration in the District of Columbia may use
20 funds provided in this Act under the heading “Federal
21 Payment to the District of Columbia Courts” (other than
22 the \$83,260,000 provided under such heading for capital
23 improvements for District of Columbia courthouse facili-
24 ties), to make payments described under this heading for
25 obligations incurred during any fiscal year: *Provided fur-*

1 *ther*, That funds provided under this heading shall be ad-
2 ministered by the Joint Committee on Judicial Adminis-
3 tration in the District of Columbia: *Provided further*, That
4 notwithstanding any other provision of law, this appro-
5 priation shall be apportioned quarterly by the Office of
6 Management and Budget and obligated and expended in
7 the same manner as funds appropriated for expenses of
8 other Federal agencies, with payroll and financial services
9 to be provided on a contractual basis with the General
10 Services Administration (GSA), and such services shall in-
11 clude the preparation of monthly financial reports, copies
12 of which shall be submitted directly by GSA to the Presi-
13 dent and to the Committees on Appropriations of the
14 House of Representatives and the Senate, the Committee
15 on Oversight and Government Reform of the House of
16 Representatives, and the Committee on Homeland Secu-
17 rity and Governmental Affairs of the Senate.

18 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
19 FENDER SUPERVISION AGENCY FOR THE DISTRICT
20 OF COLUMBIA

21 For salaries and expenses, including the transfer and
22 hire of motor vehicles, of the Court Services and Offender
23 Supervision Agency for the District of Columbia, as au-
24 thorized by the National Capital Revitalization and Self-
25 Government Improvement Act of 1997, \$212,408,000, of

1 which not to exceed \$2,000 is for official reception and
2 representation expenses related to Community Supervision
3 and Pretrial Services Agency programs; of which not to
4 exceed \$25,000 is for dues and assessments relating to
5 the implementation of the Court Services and Offender
6 Supervision Agency Interstate Supervision Act of 2002;
7 of which \$153,856,000 shall be for necessary expenses of
8 Community Supervision and Sex Offender Registration, to
9 include expenses relating to the supervision of adults sub-
10 ject to protection orders or the provision of services for
11 or related to such persons; of which \$58,552,000 shall be
12 available to the Pretrial Services Agency: *Provided*, That
13 notwithstanding any other provision of law, all amounts
14 under this heading shall be apportioned quarterly by the
15 Office of Management and Budget and obligated and ex-
16 pended in the same manner as funds appropriated for sal-
17 aries and expenses of other Federal agencies: *Provided fur-*
18 *ther*, That not less than \$2,000,000 shall be available for
19 re-entrant housing in the District of Columbia: *Provided*
20 *further*, That the Director is authorized to accept and use
21 gifts in the form of in-kind contributions of space and hos-
22 pitality to support offender and defendant programs, and
23 equipment and vocational training services to educate and
24 train offenders and defendants: *Provided further*, That the
25 Director shall keep accurate and detailed records of the

1 acceptance and use of any gift or donation under the pre-
2 vious proviso, and shall make such records available for
3 audit and public inspection: *Provided further*, That the
4 Court Services and Offender Supervision Agency Director
5 is authorized to accept and use reimbursement from the
6 District of Columbia Government for space and services
7 provided on a cost reimbursable basis.

8 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
9 PUBLIC DEFENDER SERVICE

10 For salaries and expenses, including the transfer and
11 hire of motor vehicles, of the District of Columbia Public
12 Defender Service, as authorized by the National Capital
13 Revitalization and Self-Government Improvement Act of
14 1997, \$37,316,000: *Provided*, That notwithstanding any
15 other provision of law, all amounts under this heading
16 shall be apportioned quarterly by the Office of Manage-
17 ment and Budget and obligated and expended in the same
18 manner as funds appropriated for salaries and expenses
19 of Federal agencies.

20 FEDERAL PAYMENT FOR WATER AND SEWER SERVICES

21 For a Federal payment for water and sewer services,
22 \$20,400,000, which shall be used as follows: \$20,000,000
23 for a payment to the District of Columbia Water and
24 Sewer Authority (WASA), to remain available until ex-
25 pended, to continue implementation of the Combined

1 Sewer Overflow Long-Term Plan and subject to a 100 per-
2 cent match from WASA; \$400,000 for the District of Co-
3 lumbia Department of the Environment, to conduct a
4 study of lead levels in the District's drinking water.

5 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

6 COORDINATING COUNCIL

7 For a Federal payment to the Criminal Justice Co-
8 ordinating Council, \$2,000,000, to remain available until
9 expended, to support initiatives related to the coordination
10 of Federal and local criminal justice resources in the Dis-
11 trict of Columbia.

12 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

13 For a Federal payment to the Commission on Judi-
14 cial Disabilities and Tenure, \$295,000, and for the Judi-
15 cial Nomination Commission, \$205,000, to remain avail-
16 able until September 30, 2011.

17 FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF

18 FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

19 For a Federal payment to the Office of the Chief Fi-
20 nancial Officer of the District of Columbia, \$1,700,000:
21 *Provided*, That each entity that receives funding under
22 this heading shall submit to the Office of the Chief Finan-
23 cial Officer of the District of Columbia (CFO), not later
24 than 60 days after enactment of this Act, a detailed budg-
25 et and comprehensive description of the activities to be

1 carried out with such funds, and the CFO shall submit
2 a comprehensive report to the Committees on Appropria-
3 tions of the House of Representatives and the Senate not
4 later than June 1, 2010.

5 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

6 For a Federal payment for a school improvement pro-
7 gram in the District of Columbia, \$74,400,000, to be allo-
8 cated as follows: for the District of Columbia Public
9 Schools, \$42,200,000 to improve public school education
10 in the District of Columbia; for the State Education Of-
11 fice, \$20,000,000 to expand quality public charter schools
12 in the District of Columbia, to remain available until ex-
13 pended; for the Secretary of Education, \$12,200,000 to
14 provide opportunity scholarships for students in the Dis-
15 trict of Columbia in accordance with division C, title III
16 of the District of Columbia Appropriations Act, 2004
17 (Public Law 108–199; 118 Stat. 126), of which up to
18 \$1,000,000 may be used to administer and fund assess-
19 ments: *Provided*, That notwithstanding the second proviso
20 under this heading in Public Law 111–8, funds provided
21 herein may be used to provide opportunity scholarships to
22 students who received scholarships in the 2009–2010
23 school year: *Provided further*, That funds available under
24 this heading for opportunity scholarships, including from
25 prior-year appropriations acts, may be made available for

1 scholarships to students who received scholarships in the
2 2009–2010 school year: *Provided further*, That none of the
3 funds provided in this Act or any other Act for oppor-
4 tunity scholarships may be used by an eligible student to
5 enroll in a participating school under the DC School
6 Choice Incentive Act of 2003 unless (1) the participating
7 school has and maintains a valid certificate of occupancy
8 issued by the District of Columbia; and (2) the core sub-
9 ject matter teachers of the eligible student hold 4-year
10 bachelor’s degrees.

11 FEDERAL PAYMENT FOR CONSOLIDATED LABORATORY
12 FACILITY

13 For a Federal payment to the District of Columbia,
14 \$15,000,000, to remain available until September 30,
15 2011, for costs associated with the construction of a con-
16 solidated bioterrorism and forensics laboratory: *Provided*,
17 That the District of Columbia provides a 100 percent
18 match for this payment.

19 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA
20 NATIONAL GUARD

21 For a Federal payment to the District of Columbia,
22 \$2,375,000, of which \$2,000,000 is to remain available
23 until September 30, 2011, to support costs associated with
24 the District of Columbia National Guard; and of which
25 \$375,000 is to remain available until expended for the

1 District of Columbia National Guard retention and college
 2 access programs, which shall hereafter be known as the
 3 “Major General David F. Wherley, Jr. District of Colum-
 4 bia National Guard Retention and College Access Pro-
 5 gram”.

6 FEDERAL PAYMENT FOR HOUSING FOR THE HOMELESS

7 For a Federal payment to the District of Columbia,
 8 \$19,200,000, to remain available until September 30,
 9 2011, to support permanent supportive housing programs
 10 in the District.

11 FEDERAL PAYMENT FOR YOUTH SERVICES

12 For a Federal payment to the District of Columbia,
 13 \$5,000,000, to remain available until September 30, 2011,
 14 to support the “Reconnecting Disconnected Youth” initia-
 15 tive.

16 FEDERAL PAYMENT FOR PUBLIC HEALTH SERVICES

17 For a Federal payment to the District of Columbia,
 18 \$4,000,000, to remain available until September 30, 2011,
 19 for HIV/AIDS prevention programs in the District.

20 DISTRICT OF COLUMBIA FUNDS

21 The following amounts are appropriated for the Dis-
 22 trict of Columbia for the current fiscal year out of the
 23 General Fund of the District of Columbia (“General
 24 Fund”), except as otherwise specifically provided: *Pro-*
 25 *vided*, That notwithstanding any other provision of law,

1 except as provided in section 450A of the District of Co-
2 lumbia Home Rule Act, (114 Stat. 2440; D.C. Official
3 Code, section 1-204.50a) and provisions of this Act, the
4 total amount appropriated in this Act for operating ex-
5 penses for the District of Columbia for fiscal year 2010
6 under this heading shall not exceed the lesser of the sum
7 of the total revenues of the District of Columbia for such
8 fiscal year or \$8,858,278,000 (of which \$5,721,742,000
9 shall be from local funds, (including \$313,789,000 from
10 dedicated taxes) \$2,575,447,000 shall be from Federal
11 grant funds, \$556,429,000 shall be from other funds, and
12 \$4,660,000 shall be from private funds); in addition,
13 \$125,274,000 from funds previously appropriated in this
14 Act as Federal payments, which does not include funds
15 appropriated under the American Recovery and Reinvest-
16 ment Act of 2009 (123 Stat. 115; 26 U.S.C. Section 1,
17 note): *Provided further*, That of the local funds, such
18 amounts as may be necessary may be derived from the
19 District's General Fund balance: *Provided further*, That
20 of these funds the District's intradistrict authority shall
21 be \$712,697,000: in addition for capital construction
22 projects, an increase of \$2,963,810,000, of which
23 \$2,373,879,000 shall be from local funds, \$54,893,000
24 from the District of Columbia Highway Trust fund,
25 \$212,854,000 from the Local Street Maintenance fund,

1 \$322,184,000 from Federal grant funds, and a rescission
2 of \$1,833,594,000 from local funds and a rescission of
3 \$91,327,000 from Local Street Maintenance funds appro-
4 priated under this heading in prior fiscal years for a net
5 amount of \$1,038,889,000, to remain available until ex-
6 pended: *Provided further*, That the amounts provided
7 under this heading are to be available, allocated and ex-
8 pended as proposed under “Title III—District of Colum-
9 bia Funds Division of Expenses” of the Fiscal Year 2010
10 Proposed Budget and Financial Plan transmitted to the
11 Mayor by the District of Columbia Council on June 5,
12 2009: *Provided further*, That this amount may be in-
13 creased by proceeds of one-time transactions, which are
14 expended for emergency or unanticipated operating or
15 capital needs: *Provided further*, That such increases shall
16 be approved by enactment of local District law and shall
17 comply with all reserve requirements contained in the Dis-
18 trict of Columbia Home Rule Act (87 Stat. 777; D.C. Offi-
19 cial Code §1-201.01 et seq.): *Provided further*, That the
20 Chief Financial Officer of the District of Columbia shall
21 take such steps as are necessary to assure that the Dis-
22 trict of Columbia meets these requirements, including the
23 apportioning by the Chief Financial Officer of the appro-
24 priations and funds made available to the District during
25 fiscal year 2010, except that the Chief Financial Officer

1 may not reprogram for operating expenses any funds de-
2 rived from bonds, notes, or other obligations issued for
3 capital projects.

4 This title may be cited as the “District of Columbia
5 Appropriations Act, 2010”.

6 TITLE V

7 INDEPENDENT AGENCIES

8 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

9 SALARIES AND EXPENSES

10 For necessary expenses of the Administrative Con-
11 ference of the United States, authorized by 5 U.S.C. 591
12 et seq., \$1,500,000, of which, not to exceed \$1,000 is for
13 official reception and representation expenses.

14 CONSUMER PRODUCT SAFETY COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Consumer Product
17 Safety Commission (CPSC), including hire of passenger
18 motor vehicles, services as authorized by 5 U.S.C. 3109,
19 but at rates for individuals not to exceed the per diem
20 rate equivalent to the maximum rate payable under 5
21 U.S.C. 5376, purchase of nominal awards to recognize
22 non-Federal officials’ contributions to Commission activi-
23 ties, and not to exceed \$2,000 for official reception and
24 representation expenses, \$113,325,000, of which
25 \$2,000,000 shall remain available for obligation until Sep-

1 tember 30, 2011 to implement the Virginia Graeme Baker
 2 Pool and Spa Safety Act grant program as provided by
 3 section 1405 of Public Law 110–140 (15 U.S.C. 8004).

4 ELECTION ASSISTANCE COMMISSION

5 SALARIES AND EXPENSES

6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses to carry out the Help Amer-
 8 ica Vote Act of 2002, \$17,959,000, of which \$3,500,000
 9 shall be transferred to the National Institute of Standards
 10 and Technology for election reform activities authorized
 11 under the Help America Vote Act of 2002: *Provided*, That
 12 \$750,000 shall be for the Help America Vote College Pro-
 13 gram as provided by the Help America Vote Act of 2002
 14 (Public Law 107–252): *Provided further*, That \$300,000
 15 shall be for a competitive grant program to support com-
 16 munity involvement in student and parent mock elections.

17 ELECTION REFORM PROGRAMS

18 For necessary expenses relating to election reform
 19 programs, \$106,000,000, to remain available until ex-
 20 pended, of which \$100,000,000 shall be for requirements
 21 payments under part 1 of subtitle D of title II of the Help
 22 America Vote Act of 2002 (Public Law 107–252),
 23 \$4,000,000 shall be for grants to carry out research on
 24 voting technology improvements as authorized under part
 25 3 of subtitle D of title II of such Act, and \$2,000,000,

1 shall be to conduct a pilot program for grants to States
 2 and units of local government for pre-election logic and
 3 accuracy testing and post-election voting systems
 4 verification.

5 FEDERAL COMMUNICATIONS COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Federal Communica-
 8 tions Commission, as authorized by law, including uni-
 9 forms and allowances therefor, as authorized by 5 U.S.C.
 10 5901–5902; not to exceed \$4,000 for official reception and
 11 representation expenses; purchase and hire of motor vehi-
 12 cles; special counsel fees; and services as authorized by
 13 5 U.S.C. 3109, \$335,794,000: *Provided*, That
 14 \$334,794,000 of offsetting collections shall be assessed
 15 and collected pursuant to section 9 of title I of the Com-
 16 munications Act of 1934, shall be retained and used for
 17 necessary expenses in this appropriation, and shall remain
 18 available until expended: *Provided further*, That the sum
 19 herein appropriated shall be reduced as such offsetting
 20 collections are received during fiscal year 2010 so as to
 21 result in a final fiscal year 2010 appropriation estimated
 22 at \$1,000,000: *Provided further*, That any offsetting col-
 23 lections received in excess of \$334,794,000 in fiscal year
 24 2010 shall not be available for obligation: *Provided further*,
 25 That remaining offsetting collections from prior years col-

1 lected in excess of the amount specified for collection in
 2 each such year and otherwise becoming available on Octo-
 3 ber 1, 2009, shall not be available for obligation: *Provided*
 4 *further*, That notwithstanding 47 U.S.C. 309(j)(8)(B),
 5 proceeds from the use of a competitive bidding system that
 6 may be retained and made available for obligation shall
 7 not exceed \$85,000,000 for fiscal year 2010.

8 FEDERAL DEPOSIT INSURANCE CORPORATION

9 OFFICE OF THE INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
 11 General in carrying out the provisions of the Inspector
 12 General Act of 1978, \$37,942,000, to be derived from the
 13 Deposit Insurance Fund or, only when appropriate, the
 14 FSLIC Resolution Fund.

15 FEDERAL ELECTION COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses to carry out the provisions
 18 of the Federal Election Campaign Act of 1971, as amend-
 19 ed, \$65,100,000, of which not to exceed \$5,000 shall be
 20 available for reception and representation expenses.

21 FEDERAL LABOR RELATIONS AUTHORITY

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out functions of the
 24 Federal Labor Relations Authority, pursuant to Reorga-
 25 nization Plan Numbered 2 of 1978, and the Civil Service

1 Reform Act of 1978, including services authorized by 5
2 U.S.C. 3109, and including hire of experts and consult-
3 ants, hire of passenger motor vehicles, and rental of con-
4 ference rooms in the District of Columbia and elsewhere,
5 \$24,773,000: *Provided*, That public members of the Fed-
6 eral Service Impasses Panel may be paid travel expenses
7 and per diem in lieu of subsistence as authorized by law
8 (5 U.S.C. 5703) for persons employed intermittently in
9 the Government service, and compensation as authorized
10 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
11 31 U.S.C. 3302, funds received from fees charged to non-
12 Federal participants at labor-management relations con-
13 ferences shall be credited to and merged with this account,
14 to be available without further appropriation for the costs
15 of carrying out these conferences.

16 FEDERAL TRADE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Trade Com-
19 mission, including uniforms or allowances therefor, as au-
20 thorized by 5 U.S.C. 5901–5902; services as authorized
21 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
22 not to exceed \$2,000 for official reception and representa-
23 tion expenses, \$291,700,000, to remain available until ex-
24 pended: *Provided*, That not to exceed \$300,000 shall be
25 available for use to contract with a person or persons for

1 collection services in accordance with the terms of 31
2 U.S.C. 3718: *Provided further*, That, notwithstanding any
3 other provision of law, not to exceed \$102,000,000 of off-
4 setting collections derived from fees collected for
5 premerger notification filings under the Hart-Scott-Ro-
6 dino Antitrust Improvements Act of 1976 (15 U.S.C.
7 18a), regardless of the year of collection, shall be retained
8 and used for necessary expenses in this appropriation:
9 *Provided further*, That, notwithstanding any other provi-
10 sion of law, not to exceed \$19,000,000 in offsetting collec-
11 tions derived from fees sufficient to implement and enforce
12 the Telemarketing Sales Rule, promulgated under the
13 Telemarketing and Consumer Fraud and Abuse Preven-
14 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
15 account, and be retained and used for necessary expenses
16 in this appropriation: *Provided further*, That the sum here-
17 in appropriated from the general fund shall be reduced
18 as such offsetting collections are received during fiscal
19 year 2010, so as to result in a final fiscal year 2010 appro-
20 priation from the general fund estimated at not more than
21 \$170,700,000: *Provided further*, That none of the funds
22 made available to the Federal Trade Commission may be
23 used to implement subsection (e)(2)(B) of section 43 of
24 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

1 GENERAL SERVICES ADMINISTRATION

2 REAL PROPERTY ACTIVITIES

3 FEDERAL BUILDINGS FUND

4 LIMITATIONS ON AVAILABILITY OF REVENUE

5 For an additional amount to be deposited in the Fed-
6 eral Buildings Fund, \$459,900,000. Amounts in the
7 Fund, including revenues and collections deposited into
8 the Fund shall be available for necessary expenses of real
9 property management and related activities not otherwise
10 provided for, including operation, maintenance, and pro-
11 tection of federally owned and leased buildings; rental of
12 buildings in the District of Columbia; restoration of leased
13 premises; moving governmental agencies (including space
14 adjustments and telecommunications relocation expenses)
15 in connection with the assignment, allocation and transfer
16 of space; contractual services incident to cleaning or serv-
17 icing buildings, and moving; repair and alteration of feder-
18 ally owned buildings including grounds, approaches and
19 appurtenances; care and safeguarding of sites; mainte-
20 nance, preservation, demolition, and equipment; acquisi-
21 tion of buildings and sites by purchase, condemnation, or
22 as otherwise authorized by law; acquisition of options to
23 purchase buildings and sites; conversion and extension of
24 federally owned buildings; preliminary planning and de-
25 sign of projects by contract or otherwise; construction of

1 new buildings (including equipment for such buildings);
2 and payment of principal, interest, and any other obliga-
3 tions for public buildings acquired by installment purchase
4 and purchase contract; in the aggregate amount of
5 \$8,465,585,000, of which: (1) \$722,537,000 shall remain
6 available until expended for construction (including funds
7 for sites and expenses and associated design and construc-
8 tion services) of additional projects at the following loca-
9 tions:

10 New Construction:

11 Alabama:

12 Mobile, United States Courthouse,
13 \$96,000,000.

14 California:

15 Calexico, Calexico West, Land Port of
16 Entry, \$9,437,000.

17 Colorado:

18 Lakewood, Denver Federal Center Remedi-
19 ation, \$9,962,000.

20 District of Columbia:

21 Columbia Plaza, \$100,000,000.

22 Southeast Federal Center Remediation,
23 \$15,000,000.

24 Florida:

1 Miami, Federal Bureau of Investigation
2 Field Office Consolidation, \$190,675,000.

3 Georgia:

4 Savannah, United States Courthouse,
5 \$7,900,000

6 Maine:

7 Madawaska, Land Port of Entry,
8 \$50,127,000.

9 Maryland:

10 White Oak, Food and Drug Administration
11 Consolidation, \$137,871,000.

12 Greenbelt, United States Courthouse,
13 \$10,000,000.

14 Texas:

15 El Paso, Tornillo-Guadalupe, Land Port of
16 Entry, \$91,565,000.

17 San Antonio, United States Courthouse,
18 \$4,000,000:

19 *Provided*, That each of the foregoing limits of costs
20 on new construction projects may be exceeded to the ex-
21 tent that savings are effected in other such projects, but
22 not to exceed 10 percent of the amounts included in an
23 approved prospectus, if required, unless advance approval
24 is obtained from the Committees on Appropriations of a
25 greater amount: *Provided further*, That all funds for direct

1 construction projects shall expire on September 30, 2011
2 and remain in the Federal Buildings Fund except for
3 funds for projects as to which funds for design or other
4 funds have been obligated in whole or in part prior to such
5 date; (2) \$400,276,000 shall remain available until ex-
6 pended for repairs and alterations, which includes associ-
7 ated design and construction services:

8 Repairs and Alterations:

9 District of Columbia:

10 East Wing Infrastructure Systems Re-
11 placement, \$35,000,000.

12 Eisenhower Executive Office Building (roof
13 replacement), \$15,000,000.

14 New Executive Office Building,
15 \$30,276,000.

16 Special Emphasis Programs:

17 Fire and Life Safety Program,
18 \$20,000,000.

19 Energy and Water Retrofit and Conserva-
20 tion Measures, \$20,000,000.

21 Federal High-Performance Green Build-
22 ings—Energy Independence and Security Act of
23 2007, \$20,000,000.

24 Basic Repairs and Alterations,
25 \$260,000,000:

1 *Provided further*, That funds made available in this
2 or any previous Act in the Federal Buildings Fund for
3 Repairs and Alterations shall, for prospectus projects, be
4 limited to the amount identified for each project, except
5 each project in this or any previous Act may be increased
6 by an amount not to exceed 10 percent unless advance
7 approval is obtained from the Committees on Appropria-
8 tions of a greater amount: *Provided further*, That addi-
9 tional projects for which prospectuses have been fully ap-
10 proved may be funded under this category only if advance
11 approval is obtained from the Committees on Appropria-
12 tions: *Provided further*, That the amounts provided in this
13 or any prior Act for “Repairs and Alterations” may be
14 used to fund costs associated with implementing security
15 improvements to buildings necessary to meet the minimum
16 standards for security in accordance with current law and
17 in compliance with the reprogramming guidelines of the
18 appropriate Committees of the House and Senate: *Pro-*
19 *vided further*, That the difference between the funds ap-
20 propriated and expended on any projects in this or any
21 prior Act, under the heading “Repairs and Alterations”,
22 may be transferred to Basic Repairs and Alterations or
23 used to fund authorized increases in prospectus projects:
24 *Provided further*, That all funds for repairs and alterations
25 prospectus projects shall expire on September 30, 2011

1 and remain in the Federal Buildings Fund except funds
2 for projects as to which funds for design or other funds
3 have been obligated in whole or in part prior to such date:
4 *Provided further*, That the amount provided in this or any
5 prior Act for Basic Repairs and Alterations may be used
6 to pay claims against the Government arising from any
7 projects under the heading “Repairs and Alterations” or
8 used to fund authorized increases in prospectus projects;
9 (3) \$140,525,000 for installment acquisition payments in-
10 cluding payments on purchase contracts which shall re-
11 main available until expended; (4) \$4,861,871,000 for
12 rental of space which shall remain available until ex-
13 pended; and (5) \$2,340,376,000 for building operations
14 which shall remain available until expended: *Provided fur-*
15 *ther*, That funds available to the General Services Admin-
16 istration shall not be available for expenses of any con-
17 struction, repair, alteration and acquisition project for
18 which a prospectus, if required by the Public Buildings
19 Act of 1959, has not been approved, except that necessary
20 funds may be expended for each project for required ex-
21 penses for the development of a proposed prospectus: *Pro-*
22 *vided further*, That funds available in the Federal Build-
23 ings Fund may be expended for emergency repairs when
24 advance approval is obtained from the Committees on Ap-
25 propriations: *Provided further*, That amounts necessary to

1 provide reimbursable special services to other agencies
2 under 40 U.S.C. 592(b)(2), and amounts to provide such
3 reimbursable fencing, lighting, guard booths, and other fa-
4 cilities on private or other property not in Government
5 ownership or control as may be appropriate to enable the
6 United States Secret Service to perform its protective
7 functions pursuant to 18 U.S.C. 3056, shall be available
8 from such revenues and collections: *Provided further*, That
9 revenues and collections and any other sums accruing to
10 this Fund during fiscal year 2010, excluding reimburse-
11 ments under 40 U.S.C. 592(b)(2) in excess of the aggre-
12 gate new obligational authority authorized for Real Prop-
13 erty Activities of the Federal Buildings Fund in this Act
14 shall remain in the Fund and shall not be available for
15 expenditure except as authorized in appropriations Acts.

16 GENERAL ACTIVITIES

17 GOVERNMENT-WIDE POLICY

18 For expenses authorized by law, not otherwise pro-
19 vided for, for Government-wide policy and evaluation ac-
20 tivities associated with the management of real and per-
21 sonal property assets and certain administrative services;
22 Government-wide policy support responsibilities relating to
23 acquisition, telecommunications, information technology
24 management, and related technology activities; and serv-
25 ices as authorized by 5 U.S.C. 3109; \$63,165,000, of

1 which \$3,000,000, to be available until expended, is pro-
2 vided for the Office of Federal High-Performance Green
3 Buildings.

4 OPERATING EXPENSES

5 For expenses authorized by law, not otherwise pro-
6 vided for, for Government-wide activities associated with
7 utilization and donation of surplus personal property; dis-
8 posal of real property; agency-wide policy direction, man-
9 agement, and communications; the Civilian Board of Con-
10 tract Appeals; services as authorized by 5 U.S.C. 3109;
11 and not to exceed \$7,500 for official reception and rep-
12 resentation expenses; \$72,881,000, of which \$1,000,000
13 shall be for a payment to the Oklahoma City National Me-
14 morial Foundation as authorized by 16 U.S.C. 450ss–5.

15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General and service authorized by 5 U.S.C. 3109,
18 \$60,080,000: *Provided*, That not to exceed \$15,000 shall
19 be available for payment for information and detection of
20 fraud against the Government, including payment for re-
21 covery of stolen Government property: *Provided further*,
22 That not to exceed \$2,500 shall be available for awards
23 to employees of other Federal agencies and private citizens
24 in recognition of efforts and initiatives resulting in en-
25 hanced Office of Inspector General effectiveness.

1 ELECTRONIC GOVERNMENT FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses in support of interagency
4 projects that enable the Federal Government to expand
5 its ability to conduct activities electronically, through the
6 development and implementation of innovative uses of the
7 Internet and other electronic methods, \$33,000,000, to re-
8 main available until expended: *Provided*, That these funds
9 may be transferred to Federal agencies to carry out the
10 purpose of the Fund: *Provided further*, That this transfer
11 authority shall be in addition to any other transfer author-
12 ity provided in this Act: *Provided further*, That such trans-
13 fers may not be made until 10 days after a proposed
14 spending plan and explanation for each project to be un-
15 dertaken has been submitted to the Committees on Appro-
16 priations of the House of Representatives and the Senate.

17 ALLOWANCES AND OFFICE STAFF FOR FORMER

18 PRESIDENTS

19 For carrying out the provisions of the Act of August
20 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138,
21 \$3,756,000.

22 FEDERAL CITIZEN SERVICES FUND

23 For necessary expenses of the Office of Citizen Serv-
24 ices, including services authorized by 5 U.S.C. 3109,
25 \$36,515,000, to be deposited into the Federal Citizen

1 Services Fund: *Provided*, That the appropriations, reve-
2 nues, and collections deposited into the Fund shall be
3 available for necessary expenses of Federal Citizen Serv-
4 ices activities in the aggregate amount not to exceed
5 \$61,000,000. Appropriations, revenues, and collections ac-
6 cruing to this Fund during fiscal year 2010 in excess of
7 such amount shall remain in the Fund and shall not be
8 available for expenditure except as authorized in appro-
9 priations Acts.

10 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

11 ADMINISTRATION

12 (INCLUDING TRANSFERS OF FUNDS)

13 SEC. 501. Funds available to the General Services
14 Administration shall be available for the hire of passenger
15 motor vehicles.

16 SEC. 502. Funds in the Federal Buildings Fund
17 made available for fiscal year 2010 for Federal Buildings
18 Fund activities may be transferred between such activities
19 only to the extent necessary to meet program require-
20 ments: *Provided*, That any proposed transfers shall be ap-
21 proved in advance by the Committees on Appropriations.

22 SEC. 503. Except as otherwise provided in this title,
23 funds made available by this Act shall be used to transmit
24 a fiscal year 2011 request for United States Courthouse
25 construction only if the request: (1) meets the design guide

1 standards for construction as established and approved by
2 the General Services Administration, the Judicial Con-
3 ference of the United States, and the Office of Manage-
4 ment and Budget; (2) reflects the priorities of the Judicial
5 Conference of the United States as set out in its approved
6 5-year construction plan; and (3) includes a standardized
7 courtroom utilization study of each facility to be con-
8 structed, replaced, or expanded.

9 SEC. 504. None of the funds provided in this Act may
10 be used to increase the amount of occupiable square feet,
11 provide cleaning services, security enhancements, or any
12 other service usually provided through the Federal Build-
13 ings Fund, to any agency that does not pay the rate per
14 square foot assessment for space and services as deter-
15 mined by the General Services Administration in compli-
16 ance with the Public Buildings Amendments Act of 1972
17 (Public Law 92–313).

18 SEC. 505. From funds made available under the
19 heading “Federal Buildings Fund, Limitations on Avail-
20 ability of Revenue”, claims against the Government of less
21 than \$250,000 arising from direct construction projects
22 and acquisition of buildings may be liquidated from sav-
23 ings effected in other construction projects with prior noti-
24 fication to the Committees on Appropriations.

1 SEC. 506. In any case in which the Committee on
2 Transportation and Infrastructure of the House of Rep-
3 resentatives and the Committee on Environment and Pub-
4 lic Works of the Senate adopt a resolution granting lease
5 authority pursuant to a prospectus transmitted to Con-
6 gress by the Administrator of General Services under 40
7 U.S.C. 3307, the Administrator shall ensure that the de-
8 lineated area of procurement is identical to the delineated
9 area included in the prospectus for all lease agreements,
10 except that, if the Administrator determines that the de-
11 lineated area of the procurement should not be identical
12 to the delineated area included in the prospectus, the Ad-
13 ministrator shall provide an explanatory statement to each
14 of such committees and the House and Senate Committees
15 on Appropriations prior to exercising any lease authority
16 provided in the resolution.

17 SEC. 507. In furtherance of the emergency manage-
18 ment policy set forth in the Robert T. Stafford Disaster
19 Relief and Emergency Assistance Act, the Administrator
20 of the General Services Administration may provide for
21 the use of the Federal supply schedules of the General
22 Services Administration by relief and disaster assistance
23 organizations as described in section 309 of that Act. Pur-
24 chases under this authority shall be limited to use in prep-

1 aration for, response to, and recovery from hazards as de-
2 fined in section 602 of that Act.

3 MERIT SYSTEMS PROTECTION BOARD

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out functions of the
7 Merit Systems Protection Board pursuant to Reorganiza-
8 tion Plan Numbered 2 of 1978, the Civil Service Reform
9 Act of 1978, and the Whistleblower Protection Act of
10 1989 (5 U.S.C. 5509 note), including services as author-
11 ized by 5 U.S.C. 3109, rental of conference rooms in the
12 District of Columbia and elsewhere, hire of passenger
13 motor vehicles, direct procurement of survey printing, and
14 not to exceed \$2,000 for official reception and representa-
15 tion expenses, \$40,339,000 together with not to exceed
16 \$2,579,000 for administrative expenses to adjudicate re-
17 tirement appeals to be transferred from the Civil Service
18 Retirement and Disability Fund in amounts determined
19 by the Merit Systems Protection Board.

1 MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN
2 NATIONAL ENVIRONMENTAL POLICY FOUNDATION
3 MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN
4 NATIONAL ENVIRONMENTAL POLICY TRUST FUND
5 (INCLUDING TRANSFER OF FUNDS)

6 For payment to the Morris K. Udall Scholarship and
7 Excellence in National Environmental Policy Trust Fund,
8 pursuant to the Morris K. Udall Scholarship and Excel-
9 lence in National Environmental and Native American
10 Public Policy Act of 1992 (20 U.S.C. 5601 et seq.),
11 \$2,200,000, to remain available until expended, of which
12 up to \$50,000 shall be used to conduct financial audits
13 pursuant to the Accountability of Tax Dollars Act of 2002
14 (Public Law 107–289) notwithstanding sections 8 and 9
15 of Public Law 102–259: *Provided*, That up to 60 percent
16 of such funds may be transferred by the Morris K. Udall
17 Scholarship and Excellence in National Environmental
18 Policy Foundation for the necessary expenses of the Na-
19 tive Nations Institute.

20 ENVIRONMENTAL DISPUTE RESOLUTION FUND

21 For payment to the Environmental Dispute Resolu-
22 tion Fund to carry out activities authorized in the Envi-
23 ronmental Policy and Conflict Resolution Act of 1998,
24 \$3,800,000, to remain available until expended.

14 OFFICE OF INSPECTOR GENERAL

21 ELECTRONIC RECORDS ARCHIVES

•HR 3170 RH

1 \$85,500,000, of which \$61,757,000 shall remain available
2 until September 30, 2012: *Provided*, That none of the
3 multi-year funds may be obligated until the National Ar-
4 chives and Records Administration submits to the Com-
5 mittees on Appropriations, and such Committees approve,
6 a plan for expenditure that: (1) meets the capital planning
7 and investment control review requirements established by
8 the Office of Management and Budget, including Circular
9 A-11; (2) complies with the National Archives and
10 Records Administration's enterprise architecture; (3) con-
11 forms with the National Archives and Records Adminis-
12 tration's enterprise life cycle methodology; (4) is approved
13 by the National Archives and Records Administration and
14 the Office of Management and Budget; (5) has been re-
15 viewed by the Government Accountability Office; and (6)
16 complies with the acquisition rules, requirements, guide-
17 lines, and systems acquisition management practices of
18 the Federal Government.

19 REPAIRS AND RESTORATION

20 For the repair, alteration, and improvement of ar-
21 chives facilities, and to provide adequate storage for hold-
22 ings, \$27,500,000, to remain available until expended.

1 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

2 COMMISSION

3 GRANTS PROGRAM

4 For necessary expenses for allocations and grants for
5 historical publications and records as authorized by 44
6 U.S.C. 2504, \$13,000,000, to remain available until ex-
7 pended.

8 NATIONAL CREDIT UNION ADMINISTRATION

9 CENTRAL LIQUIDITY FACILITY

10 During fiscal year 2010, gross obligations of the Cen-
11 tral Liquidity Facility for the principal amount of new di-
12 rect loans to member credit unions, as authorized by 12
13 U.S.C. 1795 et seq., shall be the amount authorized by
14 section 307(a)(4)(A) of the Federal Credit Union Act (12
15 U.S.C. 1795f(a)(4)(A)): *Provided*, That administrative ex-
16 penses of the Central Liquidity Facility in fiscal year 2010
17 shall not exceed \$1,250,000.

18 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

19 For the Community Development Revolving Loan
20 Fund program as authorized by 42 U.S.C. 9812, 9822
21 and 9910, \$1,000,000 shall be available until September
22 30, 2011 for technical assistance to low-income designated
23 credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed \$1,500 for official reception and representation expenses, \$14,415,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of

1 January 9, 1953; and payment of per diem and/or subsist-
2 ence allowances to employees where Voting Rights Act ac-
3 tivities require an employee to remain overnight at his or
4 her post of duty, \$97,970,000, of which \$5,908,000 shall
5 remain available until expended for the Enterprise Human
6 Resources Integration project; \$1,364,000 shall remain
7 available until expended for the Human Resources Line
8 of Business project; and in addition \$113,238,000 for ad-
9 ministrative expenses, to be transferred from the appro-
10 priate trust funds of the Office of Personnel Management
11 without regard to other statutes, including direct procure-
12 ment of printed materials, for the retirement and insur-
13 ance programs, of which \$9,364,000 shall remain available
14 until expended for the cost of implementing the new inte-
15 grated financial system, and of which \$4,248,000 shall re-
16 main available until expended for the cost of automating
17 the retirement recordkeeping systems: *Provided*, That the
18 provisions of this appropriation shall not affect the author-
19 ity to use applicable trust funds as provided by sections
20 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States
21 Code: *Provided further*, That no part of this appropriation
22 shall be available for salaries and expenses of the Legal
23 Examining Unit of the Office of Personnel Management
24 established pursuant to Executive Order No. 9358 of July
25 1, 1943, or any successor unit of like purpose: *Provided*

1 *further*, That the President's Commission on White House
2 Fellows, established by Executive Order No. 11183 of Oc-
3 tober 3, 1964, may, during fiscal year 2010, accept dona-
4 tions of money, property, and personal services: *Provided*
5 *further*, That such donations, including those from prior
6 years, may be used for the development of publicity mate-
7 rials to provide information about the White House Fel-
8 lows, except that no such donations shall be accepted for
9 travel or reimbursement of travel expenses, or for the sala-
10 ries of employees of such Commission.

11 OFFICE OF INSPECTOR GENERAL

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF TRUST FUNDS)

14 For necessary expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, including services as authorized by
17 5 U.S.C. 3109, hire of passenger motor vehicles,
18 \$3,148,000, and in addition, not to exceed \$20,428,000
19 for administrative expenses to audit, investigate, and pro-
20 vide other oversight of the Office of Personnel Manage-
21 ment's retirement and insurance programs, to be trans-
22 ferred from the appropriate trust funds of the Office of
23 Personnel Management, as determined by the Inspector
24 General: *Provided*, That the Inspector General is author-

1 ized to rent conference rooms in the District of Columbia
2 and elsewhere.

3 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

4 HEALTH BENEFITS

5 For payment of Government contributions with re-
6 spect to retired employees, as authorized by chapter 89
7 of title 5, United States Code, and the Retired Federal
8 Employees Health Benefits Act (74 Stat. 849), such sums
9 as may be necessary.

10 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE

11 LIFE INSURANCE

12 For payment of Government contributions with re-
13 spect to employees retiring after December 31, 1989, as
14 required by chapter 87 of title 5, United States Code, such
15 sums as may be necessary.

16 PAYMENT TO CIVIL SERVICE RETIREMENT AND

17 DISABILITY FUND

18 For financing the unfunded liability of new and in-
19 creased annuity benefits becoming effective on or after Oc-
20 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
21 nuities under special Acts to be credited to the Civil Serv-
22 ice Retirement and Disability Fund, such sums as may
23 be necessary: *Provided*, That annuities authorized by the
24 Act of May 29, 1944, and the Act of August 19, 1950

1 (33 U.S.C. 771–775), may hereafter be paid out of the
2 Civil Service Retirement and Disability Fund.

3 OFFICE OF SPECIAL COUNSEL

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out functions of the
6 Office of Special Counsel pursuant to Reorganization Plan
7 Numbered 2 of 1978, the Civil Service Reform Act of
8 1978 (Public Law 95–454), the Whistleblower Protection
9 Act of 1989 (Public Law 101–12), Public Law 107–304,
10 and the Uniformed Services Employment and Reemploy-
11 ment Rights Act of 1994 (Public Law 103–353), including
12 services as authorized by 5 U.S.C. 3109, payment of fees
13 and expenses for witnesses, rental of conference rooms in
14 the District of Columbia and elsewhere, and hire of pas-
15 senger motor vehicles; \$18,495,000.

16 POSTAL REGULATORY COMMISSION

17 SALARIES AND EXPENSES

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses of the Postal Regulatory
20 Commission in carrying out the provisions of the Postal
21 Accountability and Enhancement Act (Public Law 109–
22 435), up to \$14,333,000, to be derived by transfer from
23 the Postal Service Fund and expended as authorized by
24 section 603(a) of such Act: *Provided*, That unobligated
25 balances remaining in this account on October 1, 2009

1 shall be transferred back to the Postal Service Fund: *Pro-*
2 *vided further*, That unobligated balances remaining in this
3 account on October 1, 2010 shall be transferred back to
4 the Postal Service Fund.

5 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

6 SALARIES AND EXPENSES

7 For necessary expenses of the Privacy and Civil Lib-
8 erties Oversight Board, as authorized by section 1061 of
9 the Intelligence Reform and Terrorism Prevention Act of
10 2004 (5 U.S.C. 601 note), \$2,000,000, to remain available
11 until September 30, 2011.

12 SECURITIES AND EXCHANGE COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses for the Securities and Ex-
15 change Commission, including services as authorized by
16 5 U.S.C. 3109, the rental of space (to include multiple
17 year leases) in the District of Columbia and elsewhere, and
18 not to exceed \$3,500 for official reception and representa-
19 tion expenses, \$1,036,000,000, to remain available until
20 expended; of which not less than \$4,400,000 shall be for
21 the Office of Inspector General; of which not to exceed
22 \$20,000 may be used toward funding a permanent secre-
23 tariat for the International Organization of Securities
24 Commissions; and of which not to exceed \$100,000 shall
25 be available for expenses for consultations and meetings

1 hosted by the Commission with foreign governmental and
2 other regulatory officials, members of their delegations,
3 appropriate representatives and staff to exchange views
4 concerning developments relating to securities matters, de-
5 velopment and implementation of cooperation agreements
6 concerning securities matters and provision of technical
7 assistance for the development of foreign securities mar-
8 kets, such expenses to include necessary logistic and ad-
9 ministrative expenses and the expenses of Commission
10 staff and foreign invitees in attendance at such consulta-
11 tions and meetings including: (1) such incidental expenses
12 as meals taken in the course of such attendance; (2) any
13 travel and transportation to or from such meetings; and
14 (3) any other related lodging or subsistence: *Provided*,
15 That fees and charges authorized by sections 6(b) of the
16 Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and
17 13(e), 14(g) and 31 of the Securities Exchange Act of
18 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be cred-
19 ited to this account as offsetting collections: *Provided fur-*
20 *ther*, That not to exceed \$1,025,780,000 of such offsetting
21 collections shall be available until expended for necessary
22 expenses of this account: *Provided further*, That
23 \$10,220,000 shall be derived from prior year unobligated
24 balances from funds previously appropriated to the Securi-
25 ties and Exchange Commission: *Provided further*, That the

1 total amount appropriated under this heading from the
2 general fund for fiscal year 2010 shall be reduced as such
3 offsetting fees are received so as to result in a final total
4 fiscal year 2010 appropriation from the general fund esti-
5 mated at not more than \$0.

6 SELECTIVE SERVICE SYSTEM

7 SALARIES AND EXPENSES

8 For necessary expenses of the Selective Service Sys-
9 tem, including expenses of attendance at meetings and of
10 training for uniformed personnel assigned to the Selective
11 Service System, as authorized by 5 U.S.C. 4101–4118 for
12 civilian employees; purchase of uniforms, or allowances
13 therefor, as authorized by 5 U.S.C. 5901–5902; hire of
14 passenger motor vehicles; services as authorized by 5
15 U.S.C. 3109; and not to exceed \$750 for official reception
16 and representation expenses; \$24,150,000: *Provided*, That
17 during the current fiscal year, the President may exempt
18 this appropriation from the provisions of 31 U.S.C. 1341,
19 whenever the President deems such action to be necessary
20 in the interest of national defense: *Provided further*, That
21 none of the funds appropriated by this Act may be ex-
22 pended for or in connection with the induction of any per-
23 son into the Armed Forces of the United States.

1 SMALL BUSINESS ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses, not otherwise provided for,
4 of the Small Business Administration as authorized by
5 Public Law 108–447, including hire of passenger motor
6 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
7 not to exceed \$3,500 for official reception and representa-
8 tion expenses, \$428,387,000: *Provided*, That the Adminis-
9 trator is authorized to charge fees to cover the cost of pub-
10 lications developed by the Small Business Administration,
11 and certain loan program activities, including fees author-
12 ized by section 5(b) of the Small Business Act: *Provided*
13 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
14 received from all such activities shall be credited to this
15 account, to remain available until expended, for carrying
16 out these purposes without further appropriations: *Pro-*
17 *vided further*, That \$110,000,000 shall be available to
18 fund grants for performance in fiscal year 2010 or fiscal
19 year 2011 as authorized, of which \$1,000,000 shall be for
20 the Veterans Assistance and Services Program authorized
21 by section 21(n) of the Small Business Act, as added by
22 section 107 of Public Law 110–186, and of which
23 \$1,000,000 shall be for the Small Business Energy Effi-
24 ciency Program authorized by section 1203(c) of Public
25 Law 110–140: *Provided further*, That \$11,690,500 shall

1 be available for the Loan Modernization and Accounting
2 System, to be available until September 30, 2011: *Pro-*
3 *vided further*, That \$10,000,000, to remain available until
4 September 30, 2011, shall be for expenses for the reloca-
5 tion of the headquarters of the Small Business Adminis-
6 tration.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, \$16,300,000.

11 SURETY BOND GUARANTEES REVOLVING FUND

12 For additional capital for the Surety Bond Guarant-
13 tees Revolving Fund, authorized by the Small Business
14 Investment Act of 1958, \$1,000,000, to remain available
15 until expended.

16 BUSINESS LOANS PROGRAM ACCOUNT

17 (INCLUDING TRANSFERS OF FUNDS)

18 For the cost of direct loans, \$3,000,000, to remain
19 available until expended, and for the cost of guaranteed
20 loans, \$80,000,000, as authorized by section 7(a) of the
21 Small Business Act, to remain available until expended:
22 *Provided*, That such costs, including the cost of modifying
23 such loans, shall be as defined in section 502 of the Con-
24 gressional Budget Act of 1974: *Provided further*, That
25 subject to section 502 of the Congressional Budget Act

1 of 1974, during fiscal year 2010 commitments to guar-
 2 antee loans under section 503 of the Small Business In-
 3 vestment Act of 1958 shall not exceed \$7,500,000,000:
 4 *Provided further*, That during fiscal year 2010 commit-
 5 ments for general business loans authorized under section
 6 7(a) of the Small Business Act shall not exceed
 7 \$17,500,000,000: *Provided further*, That during fiscal
 8 year 2010 commitments to guarantee loans for debentures
 9 under section 303(b) of the Small Business Investment
 10 Act of 1958, shall not exceed \$3,000,000,000: *Provided*
 11 *further*, That during fiscal year 2010, guarantees of trust
 12 certificates authorized by section 5(g) of the Small Busi-
 13 ness Act shall not exceed a principal amount of
 14 \$12,000,000,000. In addition, for administrative expenses
 15 to carry out the direct and guaranteed loan programs,
 16 \$153,000,000, which may be paid to the appropriations
 17 account for Salaries and Expenses.

18 DISASTER LOANS PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For the cost of guaranteed loans, including the cost
 21 of modifying loans, as defined in section 502 of the Con-
 22 gressional Budget Act of 1974, \$1,690,000, to remain
 23 available until expended, of which \$352,357 is for loan
 24 guarantees as authorized by section 42 of the Small Busi-

1 ness Act, and \$1,337,643 is for loan guarantees as author-
2 ized by section 12085 of Public Law 110–246.

3 In addition, for administrative expenses to carry out
4 the direct and guaranteed loan programs, \$102,310,000,
5 to be available until expended, of which \$91,000,000 is
6 for direct administrative expenses of loan making and
7 servicing to carry out the direct loan program, which may
8 be paid to the appropriations for Salaries and Expenses;
9 of which \$9,000,000 is for indirect administrative ex-
10 penses for the direct loan program, which may be paid
11 to the appropriations for Salaries and Expenses; of which
12 \$1,000,000 is for the Office of Inspector General of the
13 Small Business Administration for audits and reviews of
14 disaster loans and the disaster loan programs and shall
15 be paid to the appropriations for the Office of Inspector
16 General; and of which \$1,310,000 is for administrative ex-
17 penses to carry out the guaranteed loan programs, which
18 may be paid to the appropriations account for Salaries and
19 Expenses.

20 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

21 ADMINISTRATION

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 510. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the
25 Small Business Administration in this Act may be trans-

1 ferred between such appropriations, but no such appro-
 2 priation shall be increased by more than 10 percent by
 3 any such transfers: *Provided*, That any transfer pursuant
 4 to this paragraph shall be treated as a reprogramming of
 5 funds under section 608 of this Act and shall not be avail-
 6 able for obligation or expenditure except in compliance
 7 with the procedures set forth in that section.

8 SEC. 511. For an additional amount under the head-
 9 ing “Small Business Administration—Salaries and Ex-
 10 penses”, \$62,300,000, to remain available until September
 11 30, 2011, which shall be for initiatives related to small
 12 business development and entrepreneurship, including pro-
 13 grammatic and construction activities, in the amounts and
 14 for the purposes specified in the table that appears under
 15 the heading “Administrative Provisions—Small Business
 16 Administration” in the reports of the Committees on Ap-
 17 propriations of the House of Representatives and the Sen-
 18 ate accompanying this Act.

19 UNITED STATES POSTAL SERVICE

20 PAYMENT TO THE POSTAL SERVICE FUND

21 For payment to the Postal Service Fund for revenue
 22 forgone on free and reduced rate mail, pursuant to sub-
 23 sections (c) and (d) of section 2401 of title 39, United
 24 States Code, \$118,328,000, of which \$89,328,000 shall
 25 not be available for obligation until October 1, 2010: *Pro-*

1 *vided*, That mail for overseas voting and mail for the blind
 2 shall continue to be free: *Provided further*, That 6-day de-
 3 livery and rural delivery of mail shall continue at not less
 4 than the 1983 level: *Provided further*, That none of the
 5 funds made available to the Postal Service by this Act
 6 shall be used to implement any rule, regulation, or policy
 7 of charging any officer or employee of any State or local
 8 child support enforcement agency, or any individual par-
 9 ticipating in a State or local program of child support en-
 10 forcement, a fee for information requested or provided
 11 concerning an address of a postal customer: *Provided fur-*
 12 *ther*, That none of the funds provided in this Act shall
 13 be used to consolidate or close small rural and other small
 14 post offices in fiscal year 2010.

15 OFFICE OF INSPECTOR GENERAL

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of the Office of Inspector
 18 General in carrying out the provisions of the Inspector
 19 General Act of 1978, up to \$244,397,000, to be derived
 20 by transfer from the Postal Service Fund and expended
 21 as authorized by section 603(b)(3) of the Postal Account-
 22 ability and Enhancement Act (Public Law 109–435): *Pro-*
 23 *vided*, That unobligated balances remaining in this ac-
 24 count on October 1, 2009 shall be transferred back to the
 25 Postal Service Fund: *Provided further*, That unobligated

1 balances remaining in this account on October 1, 2010
2 shall be transferred back to the Postal Service Fund

3 UNITED STATES TAX COURT

4 SALARIES AND EXPENSES

5 For necessary expenses, including contract reporting
6 and other services as authorized by 5 U.S.C. 3109,
7 \$49,242,000: *Provided*, That travel expenses of the judges
8 shall be paid upon the written certificate of the judge.

9 TITLE VI

10 GENERAL PROVISIONS—THIS ACT

11 SEC. 601. None of the funds in this Act shall be used
12 for the planning or execution of any program to pay the
13 expenses of, or otherwise compensate, non-Federal parties
14 intervening in regulatory or adjudicatory proceedings
15 funded in this Act.

16 SEC. 602. None of the funds appropriated in this Act
17 shall remain available for obligation beyond the current
18 fiscal year, nor may any be transferred to other appropria-
19 tions, unless expressly so provided herein.

20 SEC. 603. The expenditure of any appropriation
21 under this Act for any consulting service through procure-
22 ment contract pursuant to 5 U.S.C. 3109, shall be limited
23 to those contracts where such expenditures are a matter
24 of public record and available for public inspection, except

1 where otherwise provided under existing law, or under ex-
2 isting Executive order issued pursuant to existing law.

3 SEC. 604. None of the funds made available in this
4 Act may be transferred to any department, agency, or in-
5 strumentality of the United States Government, except
6 pursuant to a transfer made by, or transfer authority pro-
7 vided in, this Act or any other appropriations Act.

8 SEC. 605. None of the funds made available by this
9 Act shall be available for any activity or for paying the
10 salary of any Government employee where funding an ac-
11 tivity or paying a salary to a Government employee would
12 result in a decision, determination, rule, regulation, or pol-
13 icy that would prohibit the enforcement of section 307 of
14 the Tariff Act of 1930 (19 U.S.C. 1307).

15 SEC. 606. No funds appropriated pursuant to this
16 Act may be expended by an entity unless the entity agrees
17 that in expending the assistance the entity will comply
18 with the Buy American Act (41 U.S.C. 10a–10c).

19 SEC. 607. No funds appropriated or otherwise made
20 available under this Act shall be made available to any
21 person or entity that has been convicted of violating the
22 Buy American Act (41 U.S.C. 10a–10c).

23 SEC. 608. Except as otherwise provided in this Act,
24 none of the funds provided in this Act, provided by pre-
25 vious appropriations Acts to the agencies or entities fund-

1 ed in this Act that remain available for obligation or ex-
2 penditure in fiscal year 2010, or provided from any ac-
3 counts in the Treasury derived by the collection of fees
4 and available to the agencies funded by this Act, shall be
5 available for obligation or expenditure through a re-
6 programming of funds that: (1) creates a new program;
7 (2) eliminates a program, project, or activity; (3) increases
8 funds or personnel for any program, project, or activity
9 for which funds have been denied or restricted by the Con-
10 gress; (4) proposes to use funds directed for a specific ac-
11 tivity by either the House or Senate Committees on Ap-
12 propriations for a different purpose; (5) augments existing
13 programs, projects, or activities in excess of \$5,000,000
14 or 10 percent, whichever is less; (6) reduces existing pro-
15 grams, projects, or activities by \$5,000,000 or 10 percent,
16 whichever is less; or (7) creates or reorganizes offices, pro-
17 grams, or activities unless prior approval is received from
18 the Committees on Appropriations of the House of Rep-
19 resentatives and the Senate: *Provided*, That prior to any
20 significant reorganization or restructuring of offices, pro-
21 grams, or activities, each agency or entity funded in this
22 Act shall consult with the Committees on Appropriations
23 of the House of Representatives and the Senate: *Provided*
24 *further*, That not later than 60 days after the date of en-
25 actment of this Act, each agency funded by this Act shall

1 submit a report to the Committees on Appropriations of
2 the House of Representatives and the Senate to establish
3 the baseline for application of reprogramming and trans-
4 fer authorities for the current fiscal year: *Provided further*,
5 That the report shall include: (1) a table for each appro-
6 priation with a separate column to display the President's
7 budget request, adjustments made by Congress, adjust-
8 ments due to enacted rescissions, if appropriate, and the
9 fiscal year enacted level; (2) a delineation in the table for
10 each appropriation both by object class and program,
11 project, and activity as detailed in the budget appendix
12 for the respective appropriation; and (3) an identification
13 of items of special congressional interest: *Provided further*,
14 That the amount appropriated or limited for salaries and
15 expenses for an agency shall be reduced by \$100,000 per
16 day for each day after the required date that the report
17 has not been submitted to the Congress.

18 SEC. 609. Except as otherwise specifically provided
19 by law, not to exceed 50 percent of unobligated balances
20 remaining available at the end of fiscal year 2010 from
21 appropriations made available for salaries and expenses
22 for fiscal year 2010 in this Act, shall remain available
23 through September 30, 2011, for each such account for
24 the purposes authorized: *Provided*, That a request shall
25 be submitted to the Committees on Appropriations of the

1 House of Representatives and the Senate for approval
2 prior to the expenditure of such funds: *Provided further*,
3 That these requests shall be made in compliance with re-
4 programming guidelines.

5 SEC. 610. None of the funds made available in this
6 Act may be used by the Executive Office of the President
7 to request from the Federal Bureau of Investigation any
8 official background investigation report on any individual,
9 except when—

10 (1) such individual has given his or her express
11 written consent for such request not more than 6
12 months prior to the date of such request and during
13 the same presidential administration; or

14 (2) such request is required due to extraor-
15 dinary circumstances involving national security.

16 SEC. 611. The cost accounting standards promul-
17 gated under section 26 of the Office of Federal Procure-
18 ment Policy Act (Public Law 93–400; 41 U.S.C. 422)
19 shall not apply with respect to a contract under the Fed-
20 eral Employees Health Benefits Program established
21 under chapter 89 of title 5, United States Code.

22 SEC. 612. For the purpose of resolving litigation and
23 implementing any settlement agreements regarding the
24 nonforeign area cost-of-living allowance program, the Of-
25 fice of Personnel Management may accept and utilize

1 (without regard to any restriction on unanticipated travel
2 expenses imposed in an Appropriations Act) funds made
3 available to the Office of Personnel Management pursuant
4 to court approval.

5 SEC. 613. No funds appropriated by this Act shall
6 be available to pay for an abortion, or the administrative
7 expenses in connection with any health plan under the
8 Federal employees health benefits program which provides
9 any benefits or coverage for abortions.

10 SEC. 614. The provision of section 613 shall not
11 apply where the life of the mother would be endangered
12 if the fetus were carried to term, or the pregnancy is the
13 result of an act of rape or incest.

14 SEC. 615. In order to promote Government access to
15 commercial information technology, the restriction on pur-
16 chasing nondomestic articles, materials, and supplies set
17 forth in the Buy American Act (41 U.S.C. 10a et seq.),
18 shall not apply to the acquisition by the Federal Govern-
19 ment of information technology (as defined in section
20 11101 of title 40, United States Code), that is a commer-
21 cial item (as defined in section 4(12) of the Office of Fed-
22 eral Procurement Policy Act (41 U.S.C. 403(12))).

23 SEC. 616. Notwithstanding section 1353 of title 31,
24 United States Code, no officer or employee of any regu-
25 latory agency or commission funded by this Act may ac-

1 cept on behalf of that agency, nor may such agency or
2 commission accept, payment or reimbursement from a
3 non-Federal entity for travel, subsistence, or related ex-
4 penses for the purpose of enabling an officer or employee
5 to attend and participate in any meeting or similar func-
6 tion relating to the official duties of the officer or em-
7 ployee when the entity offering payment or reimbursement
8 is a person or entity subject to regulation by such agency
9 or commission, or represents a person or entity subject
10 to regulation by such agency or commission, unless the
11 person or entity is an organization described in section
12 501(c)(3) of the Internal Revenue Code of 1986 and ex-
13 empt from tax under section 501(a) of such Code.

14 SEC. 617. The Public Company Accounting Oversight
15 Board shall have authority to obligate funds for the schol-
16 arship program established by section 109(c)(2) of the
17 Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an
18 aggregate amount not exceeding the amount of funds col-
19 lected by the Board as of December 31, 2009, including
20 accrued interest, as a result of the assessment of monetary
21 penalties. Funds available for obligation in fiscal year
22 2010 shall remain available until expended.

23 SEC. 618. During fiscal year 2010, for purposes of
24 section 908(b)(1) of the Trade Sanctions Reform and Ex-
25 port Enhancement Act of 2000 (22 U.S.C. 7207(b)(1)),

1 the term “payment of cash in advance” shall be inter-
2 preted as payment before the transfer of title to, and con-
3 trol of, the exported items to the Cuban purchaser.

4 SEC. 619. None of the funds made available in this
5 Act may be used to implement or enforce section 101(a)
6 of the Consumer Product Safety Improvement Act of 2008
7 in regards to off-highway vehicles. For purposes of this
8 section the term “off-highway vehicles” mean motorized
9 vehicle designed to travel on 2, 3, or 4 wheels, having a
10 seat designed to be straddled by the operator and handle-
11 bars for steering control, and such term includes snowmo-
12 biles.

13 SEC. 620. (a) Section 101(a)(1) of the Federal and
14 District of Columbia Government Real Property Act of
15 2006 (Public Law 109-396; 120 Stat. 2711) is amended
16 to read as follows:

17 “(1) IN GENERAL.—

18 “(A) U.S. RESERVATION 13.—On the date
19 on which the District of Columbia conveys to
20 the Administrator of General Services all right,
21 title, and interest of the District of Columbia in
22 the property described in subsection (c), the
23 Administrator shall convey to the District of
24 Columbia all right, title, and interest of the

1 United States in U.S. Reservation 13, subject
2 to the conditions described in subsection (b).

3 “(B) OLD NAVAL HOSPITAL.—Not later
4 than 60 days after the date of the enactment of
5 the Financial Services and General Government
6 Appropriations Act, 2010, the Administrator
7 shall convey to the District of Columbia all
8 right, title, and interest of the United States in
9 Old Naval Hospital.”.

10 (b) The amendment made by subsection (a) shall take
11 effect as if included in the enactment of the Federal and
12 District of Columbia Government Real Property Act of
13 2006.

14 TITLE VII

15 GENERAL PROVISIONS—GOVERNMENT-WIDE

16 DEPARTMENTS, AGENCIES, AND CORPORATIONS

17 SEC. 701. No department, agency, or instrumentality
18 of the United States receiving appropriated funds under
19 this or any other Act for fiscal year 2010 shall obligate
20 or expend any such funds, unless such department, agen-
21 cy, or instrumentality has in place, and will continue to
22 administer in good faith, a written policy designed to en-
23 sure that all of its workplaces are free from the illegal
24 use, possession, or distribution of controlled substances
25 (as defined in the Controlled Substances Act (21 U.S.C.

1 802)) by the officers and employees of such department,
2 agency, or instrumentality.

3 SEC. 702. Unless otherwise specifically provided, the
4 maximum amount allowable during the current fiscal year
5 in accordance with section 16 of the Act of August 2, 1946
6 (60 Stat. 810), for the purchase of any passenger motor
7 vehicle (exclusive of buses, ambulances, law enforcement,
8 and undercover surveillance vehicles), is hereby fixed at
9 \$13,197 except station wagons for which the maximum
10 shall be \$13,631: *Provided*, That these limits may be ex-
11 ceeded by not to exceed \$3,700 for police-type vehicles,
12 and by not to exceed \$4,000 for special heavy-duty vehi-
13 cles: *Provided further*, That the limits set forth in this sec-
14 tion may not be exceeded by more than 5 percent for elec-
15 tric or hybrid vehicles purchased for demonstration under
16 the provisions of the Electric and Hybrid Vehicle Re-
17 search, Development, and Demonstration Act of 1976:
18 *Provided further*, That the limits set forth in this section
19 may be exceeded by the incremental cost of clean alter-
20 native fuels vehicles acquired pursuant to Public Law
21 101-549 over the cost of comparable conventionally fueled
22 vehicles.

23 SEC. 703. Appropriations of the executive depart-
24 ments and independent establishments for the current fis-
25 cal year available for expenses of travel, or for the ex-

1 penses of the activity concerned, are hereby made available
2 for quarters allowances and cost-of-living allowances, in
3 accordance with 5 U.S.C. 5922–5924.

4 SEC. 704. Unless otherwise specified during the cur-
5 rent fiscal year, no part of any appropriation contained
6 in this or any other Act shall be used to pay the compensa-
7 tion of any officer or employee of the Government of the
8 United States (including any agency the majority of the
9 stock of which is owned by the Government of the United
10 States) whose post of duty is in the continental United
11 States unless such person: (1) is a citizen of the United
12 States; (2) is a person in the service of the United States
13 on the date of the enactment of this Act who, being eligible
14 for citizenship, has filed a declaration of intention to be-
15 come a citizen of the United States prior to such date and
16 is actually residing in the United States; (3) is a person
17 who owes allegiance to the United States; (4) is an alien
18 from Cuba, Poland, South Vietnam, the countries of the
19 former Soviet Union, or the Baltic countries lawfully ad-
20 mitted to the United States for permanent residence; (5)
21 is a South Vietnamese, Cambodian, or Laotian refugee pa-
22 roled in the United States after January 1, 1975; or (6)
23 is a national of the People’s Republic of China who quali-
24 fies for adjustment of status pursuant to the Chinese Stu-
25 dent Protection Act of 1992 (Public Law 102–404): *Pro-*

1 *vided*, That for the purpose of this section, an affidavit
2 signed by any such person shall be considered prima facie
3 evidence that the requirements of this section with respect
4 to his or her status have been complied with: *Provided fur-*
5 *ther*, That any person making a false affidavit shall be
6 guilty of a felony, and, upon conviction, shall be fined no
7 more than \$4,000 or imprisoned for not more than 1 year,
8 or both: *Provided further*, That the above penal clause
9 shall be in addition to, and not in substitution for, any
10 other provisions of existing law: *Provided further*, That
11 any payment made to any officer or employee contrary to
12 the provisions of this section shall be recoverable in action
13 by the Federal Government. This section shall not apply
14 to citizens of Ireland, Israel, or the Republic of the Phil-
15 ippines, or to nationals of those countries allied with the
16 United States in a current defense effort, or to inter-
17 national broadcasters employed by the Broadcasting
18 Board of Governors, or to temporary employment of trans-
19 lators, or to temporary employment in the field service
20 (not to exceed 60 days) as a result of emergencies: *Pro-*
21 *vided further*, That this section does not apply to the em-
22 ployment as Wildland firefighters for not more than 120
23 days of nonresident aliens employed by the Department
24 of the Interior or the USDA Forest Service pursuant to
25 an agreement with another country.

1 SEC. 705. Appropriations available to any depart-
2 ment or agency during the current fiscal year for nec-
3 essary expenses, including maintenance or operating ex-
4 penses, shall also be available for payment to the General
5 Services Administration for charges for space and services
6 and those expenses of renovation and alteration of build-
7 ings and facilities which constitute public improvements
8 performed in accordance with the Public Buildings Act of
9 1959 (73 Stat. 479), the Public Buildings Amendments
10 of 1972 (86 Stat. 216), or other applicable law.

11 SEC. 706. In addition to funds provided in this or
12 any other Act, all Federal agencies are authorized to re-
13 ceive and use funds resulting from the sale of materials,
14 including Federal records disposed of pursuant to a
15 records schedule recovered through recycling or waste pre-
16 vention programs. Such funds shall be available until ex-
17 pended for the following purposes:

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

23 (2) Other Federal agency environmental man-
24 agement programs, including, but not limited to, the

1 development and implementation of hazardous waste
2 management and pollution prevention programs.

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

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

20 SEC. 708. No part of any appropriation contained in
21 this or any other Act shall be available for interagency
22 financing of boards (except Federal Executive Boards),
23 commissions, councils, committees, or similar groups
24 (whether or not they are interagency entities) which do
25 not have a prior and specific statutory approval to receive

1 financial support from more than one agency or instru-
2 mentality.

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

8 SEC. 710. (a) Notwithstanding any other provision
9 of law, and except as otherwise provided in this section,
10 no part of any of the funds appropriated for fiscal year
11 2010, by this or any other Act, may be used to pay any
12 prevailing rate employee described in section
13 5342(a)(2)(A) of title 5, United States Code—

14 (1) during the period from the date of expira-
15 tion of the limitation imposed by the comparable sec-
16 tion for previous fiscal years until the normal effec-
17 tive date of the applicable wage survey adjustment
18 that is to take effect in fiscal year 2010, in an
19 amount that exceeds the rate payable for the appli-
20 cable grade and step of the applicable wage schedule
21 in accordance with such section; and

22 (2) during the period consisting of the remain-
23 der of fiscal year 2010, in an amount that exceeds,
24 as a result of a wage survey adjustment, the rate

1 payable under paragraph (1) by more than the sum
2 of—

3 (A) the percentage adjustment taking ef-
4 fect in fiscal year 2010 under section 5303 of
5 title 5, United States Code, in the rates of pay
6 under the General Schedule; and

7 (B) the difference between the overall aver-
8 age percentage of the locality-based com-
9 parability payments taking effect in fiscal year
10 2010 under section 5304 of such title (whether
11 by adjustment or otherwise), and the overall av-
12 erage percentage of such payments which was
13 effective in the previous fiscal year under such
14 section.

15 (b) Notwithstanding any other provision of law, no
16 prevailing rate employee described in subparagraph (B) or
17 (C) of section 5342(a)(2) of title 5, United States Code,
18 and no employee covered by section 5348 of such title,
19 may be paid during the periods for which subsection (a)
20 is in effect at a rate that exceeds the rates that would
21 be payable under subsection (a) were subsection (a) appli-
22 cable to such employee.

23 (c) For the purposes of this section, the rates payable
24 to an employee who is covered by this section and who
25 is paid from a schedule not in existence on September 30,

1 2009, shall be determined under regulations prescribed by
2 the Office of Personnel Management.

3 (d) Notwithstanding any other provision of law, rates
4 of premium pay for employees subject to this section may
5 not be changed from the rates in effect on September 30,
6 2009, except to the extent determined by the Office of
7 Personnel Management to be consistent with the purpose
8 of this section.

9 (e) This section shall apply with respect to pay for
10 service performed after September 30, 2009.

11 (f) For the purpose of administering any provision
12 of law (including any rule or regulation that provides pre-
13 mium pay, retirement, life insurance, or any other em-
14 ployee benefit) that requires any deduction or contribu-
15 tion, or that imposes any requirement or limitation on the
16 basis of a rate of salary or basic pay, the rate of salary
17 or basic pay payable after the application of this section
18 shall be treated as the rate of salary or basic pay.

19 (g) Nothing in this section shall be considered to per-
20 mit or require the payment to any employee covered by
21 this section at a rate in excess of the rate that would be
22 payable were this section not in effect.

23 (h) The Office of Personnel Management may provide
24 for exceptions to the limitations imposed by this section
25 if the Office determines that such exceptions are necessary

1 to ensure the recruitment or retention of qualified employ-
2 ees.

3 SEC. 711. During the period in which the head of
4 any department or agency, or any other officer or civilian
5 employee of the Federal Government appointed by the
6 President of the United States, holds office, no funds may
7 be obligated or expended in excess of \$5,000 to furnish
8 or redecorate the office of such department head, agency
9 head, officer, or employee, or to purchase furniture or
10 make improvements for any such office, unless advance
11 notice of such furnishing or redecoration is transmitted
12 to the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate. For the purposes of this sec-
14 tion, the term “office” shall include the entire suite of of-
15 fices assigned to the individual, as well as any other space
16 used primarily by the individual or the use of which is
17 directly controlled by the individual.

18 SEC. 712. Notwithstanding section 31 U.S.C 1346,
19 or section 708 of this Act, funds made available for the
20 current fiscal year by this or any other Act shall be avail-
21 able for the interagency funding of national security and
22 emergency preparedness telecommunications initiatives
23 which benefit multiple Federal departments, agencies, or
24 entities, as provided by Executive Order No. 12472 (April
25 3, 1984).

1 SEC. 713. (a) None of the funds appropriated by this
2 or any other Act may be obligated or expended by any
3 Federal department, agency, or other instrumentality for
4 the salaries or expenses of any employee appointed to a
5 position of a confidential or policy-determining character
6 excepted from the competitive service pursuant to 5
7 U.S.C. 3302, without a certification to the Office of Per-
8 sonnel Management from the head of the Federal depart-
9 ment, agency, or other instrumentality employing the
10 Schedule C appointee that the Schedule C position was
11 not created solely or primarily in order to detail the em-
12 ployee to the White House.

13 (b) The provisions of this section shall not apply to
14 Federal employees or members of the armed forces de-
15 tailed to or from—

16 (1) the Central Intelligence Agency;

17 (2) the National Security Agency;

18 (3) the Defense Intelligence Agency;

19 (4) the National Geospatial-Intelligence Agency;

20 (5) the offices within the Department of De-

21 fense for the collection of specialized national foreign

22 intelligence through reconnaissance programs;

23 (6) the Bureau of Intelligence and Research of

24 the Department of State;

1 (7) any agency, office, or unit of the Army,
2 Navy, Air Force, and Marine Corps, the Department
3 of Homeland Security, the Federal Bureau of Inves-
4 tigation and the Drug Enforcement Administration
5 of the Department of Justice, the Department of
6 Transportation, the Department of the Treasury,
7 and the Department of Energy performing intel-
8 ligence functions; and

9 (8) the Director of National Intelligence or the
10 Office of the Director of National Intelligence.

11 SEC. 714. No part of any appropriation contained in
12 this or any other Act shall be available for the payment
13 of the salary of any officer or employee of the Federal
14 Government, who—

15 (1) prohibits or prevents, or attempts or threat-
16 ens to prohibit or prevent, any other officer or em-
17 ployee of the Federal Government from having any
18 direct oral or written communication or contact with
19 any Member, committee, or subcommittee of the
20 Congress in connection with any matter pertaining
21 to the employment of such other officer or employee
22 or pertaining to the department or agency of such
23 other officer or employee in any way, irrespective of
24 whether such communication or contact is at the ini-
25 tiative of such other officer or employee or in re-

1 sponse to the request or inquiry of such Member,
2 committee, or subcommittee; or

3 (2) removes, suspends from duty without pay,
4 demotes, reduces in rank, seniority, status, pay, or
5 performance or efficiency rating, denies promotion
6 to, relocates, reassigns, transfers, disciplines, or dis-
7 criminate in regard to any employment right, enti-
8 tlement, or benefit, or any term or condition of em-
9 ployment of, any other officer or employee of the
10 Federal Government, or attempts or threatens to
11 commit any of the foregoing actions with respect to
12 such other officer or employee, by reason of any
13 communication or contact of such other officer or
14 employee with any Member, committee, or sub-
15 committee of the Congress as described in paragraph
16 (1).

17 SEC. 715. (a) None of the funds made available in
18 this or any other Act may be obligated or expended for
19 any employee training that—

20 (1) does not meet identified needs for knowl-
21 edge, skills, and abilities bearing directly upon the
22 performance of official duties;

23 (2) contains elements likely to induce high lev-
24 els of emotional response or psychological stress in
25 some participants;

1 (3) does not require prior employee notification
2 of the content and methods to be used in the train-
3 ing and written end of course evaluation;

4 (4) contains any methods or content associated
5 with religious or quasireligious belief systems or
6 “new age” belief systems as defined in Equal Em-
7 ployment Opportunity Commission Notice N-
8 915.022, dated September 2, 1988; or

9 (5) is offensive to, or designed to change, par-
10 ticipants’ personal values or lifestyle outside the
11 workplace.

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

15 SEC. 716. No funds appropriated in this or any other
16 Act may be used to implement or enforce the agreements
17 in Standard Forms 312 and 4414 of the Government or
18 any other nondisclosure policy, form, or agreement if such
19 policy, form, or agreement does not contain the following
20 provisions: “These restrictions are consistent with and do
21 not supersede, conflict with, or otherwise alter the em-
22 ployee obligations, rights, or liabilities created by Execu-
23 tive Order No. 12958; section 7211 of title 5, United
24 States Code (governing disclosures to Congress); section
25 1034 of title 10, United States Code, as amended by the

1 Military Whistleblower Protection Act (governing disclo-
2 sure to Congress by members of the military); section
3 2302(b)(8) of title 5, United States Code, as amended by
4 the Whistleblower Protection Act of 1989 (governing dis-
5 closures of illegality, waste, fraud, abuse or public health
6 or safety threats); the Intelligence Identities Protection
7 Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures
8 that could expose confidential Government agents); and
9 the statutes which protect against disclosure that may
10 compromise the national security, including sections 641,
11 793, 794, 798, and 952 of title 18, United States Code,
12 and section 4(b) of the Subversive Activities Act of 1950
13 (50 U.S.C. 783(b)). The definitions, requirements, obliga-
14 tions, rights, sanctions, and liabilities created by said Ex-
15 ecutive order and listed statutes are incorporated into this
16 agreement and are controlling.”: *Provided*, That notwith-
17 standing the preceding paragraph, a nondisclosure policy
18 form or agreement that is to be executed by a person con-
19 nected with the conduct of an intelligence or intelligence-
20 related activity, other than an employee or officer of the
21 United States Government, may contain provisions appro-
22 priate to the particular activity for which such document
23 is to be used. Such form or agreement shall, at a min-
24 imum, require that the person will not disclose any classi-
25 fied information received in the course of such activity un-

1 less specifically authorized to do so by the United States
2 Government. Such nondisclosure forms shall also make it
3 clear that they do not bar disclosures to Congress, or to
4 an authorized official of an executive agency or the De-
5 partment of Justice, that are essential to reporting a sub-
6 stantial violation of law.

7 SEC. 717. No part of any funds appropriated in this
8 or any other Act shall be used by an agency of the execu-
9 tive branch, other than for normal and recognized execu-
10 tive-legislative relationships, for publicity or propaganda
11 purposes, and for the preparation, distribution or use of
12 any kit, pamphlet, booklet, publication, radio, television,
13 or film presentation designed to support or defeat legisla-
14 tion pending before the Congress, except in presentation
15 to the Congress itself.

16 SEC. 718. None of the funds appropriated by this or
17 any other Act may be used by an agency to provide a Fed-
18 eral employee's home address to any labor organization
19 except when the employee has authorized such disclosure
20 or when such disclosure has been ordered by a court of
21 competent jurisdiction.

22 SEC. 719. None of the funds made available in this
23 Act or any other Act may be used to provide any non-
24 public information such as mailing or telephone lists to
25 any person or any organization outside of the Federal

1 Government without the approval of the Committees on
2 Appropriations of the House of Representatives and the
3 Senate.

4 SEC. 720. No part of any appropriation contained in
5 this or any other Act shall be used directly or indirectly,
6 including by private contractor, for publicity or propa-
7 ganda purposes within the United States not heretofore
8 authorized by the Congress.

9 SEC. 721. (a) In this section, the term “agency”—

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

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

15 (3) shall not include the Government Account-
16 ability Office.

17 (b) Unless authorized in accordance with law or regu-
18 lations to use such time for other purposes, an employee
19 of an agency shall use official time in an honest effort
20 to perform official duties. An employee not under a leave
21 system, including a Presidential appointee exempted under
22 5 U.S.C. 6301(2), has an obligation to expend an honest
23 effort and a reasonable proportion of such employee’s time
24 in the performance of official duties.

SEC. 723. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse “General Services Administration, Government-wide Policy” with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the President’s Management Council for overall management improvement initiatives, the Chief Financial Officers Council

1 for financial management initiatives, the Chief Informa-
2 tion Officers Council for information technology initia-
3 tives, the Chief Human Capital Officers Council for
4 human capital initiatives, the Chief Acquisition Officers
5 Council for procurement initiatives, and the Performance
6 Improvement Council for performance improvement initia-
7 tives): *Provided further*, That the total funds transferred
8 or reimbursed shall not exceed \$17,000,000: *Provided fur-*
9 *ther*, That such transfers or reimbursements may only be
10 made after 15 days following notification of the Commit-
11 tees on Appropriations by the Director of the Office of
12 Management and Budget.

13 SEC. 724. Notwithstanding any other provision of
14 law, a woman may breastfeed her child at any location
15 in a Federal building or on Federal property, if the woman
16 and her child are otherwise authorized to be present at
17 the location.

18 SEC. 725. Notwithstanding 31 U.S.C. 1346, or sec-
19 tion 708 of this Act, funds made available for the current
20 fiscal year by this or any other Act shall be available for
21 the interagency funding of specific projects, workshops,
22 studies, and similar efforts to carry out the purposes of
23 the National Science and Technology Council (authorized
24 by Executive Order No. 12881), which benefit multiple
25 Federal departments, agencies, or entities: *Provided*, That

1 the Office of Management and Budget shall provide a re-
2 port describing the budget of and resources connected with
3 the National Science and Technology Council to the Com-
4 mittees on Appropriations, the House Committee on
5 Science and Technology, and the Senate Committee on
6 Commerce, Science, and Transportation 90 days after en-
7 actment of this Act.

8 SEC. 726. Any request for proposals, solicitation,
9 grant application, form, notification, press release, or
10 other publications involving the distribution of Federal
11 funds shall indicate the agency providing the funds, the
12 Catalog of Federal Domestic Assistance Number, as appli-
13 cable, and the amount provided: *Provided*, That this provi-
14 sion shall apply to direct payments, formula funds, and
15 grants received by a State receiving Federal funds.

16 SEC. 727. (a) PROHIBITION OF FEDERAL AGENCY
17 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
18 the funds made available in this or any other Act may
19 be used by any Federal agency—

20 (1) to collect, review, or create any aggregation
21 of data, derived from any means, that includes any
22 personally identifiable information relating to an in-
23 dividual's access to or use of any Federal Govern-
24 ment Internet site; or

1 (2) to enter into any agreement with a third
2 party (including another government agency) to col-
3 lect, review, or obtain any aggregation of data, de-
4 rived from any means, that includes any personally
5 identifiable information relating to an individual's
6 access to or use of any non-Federal government
7 Internet site.

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

10 (1) any record of aggregate data that does not iden-
11 tify particular persons;

12 (2) any voluntary submission to the Federal govern-
13 ment of personally identifiable information;

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

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

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

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

1 (2) The term “supervisory” means examinations of
2 the agency’s supervised institutions, including assessing
3 safety and soundness, overall financial condition, manage-
4 ment practices and policies and compliance with applicable
5 standards as provided in law.

6 SEC. 728. (a) None of the funds appropriated by this
7 Act may be used to enter into or renew a contract which
8 includes a provision providing prescription drug coverage,
9 except where the contract also includes a provision for con-
10 traceptive coverage.

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

13 (1) any of the following religious plans:

14 (A) Personal Care’s HMO; and

15 (B) OSF HealthPlans, Inc.; and

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

19 (c) In implementing this section, any plan that enters
20 into or renews a contract under this section may not sub-
21 ject any individual to discrimination on the basis that the
22 individual refuses to prescribe or otherwise provide for
23 contraceptives because such activities would be contrary
24 to the individual’s religious beliefs or moral convictions.

1 (d) Nothing in this section shall be construed to re-
2 quire coverage of abortion or abortion-related services.

3 SEC. 729. The Congress of the United States recog-
4 nizes the United States Anti-Doping Agency (USADA) as
5 the official anti-doping agency for Olympic, Pan Amer-
6 ican, and Paralympic sport in the United States.

7 SEC. 730. Notwithstanding any other provision of
8 law, funds appropriated for official travel by Federal de-
9 partments and agencies may be used by such departments
10 and agencies, if consistent with Office of Management and
11 Budget Circular A–126 regarding official travel for Gov-
12 ernment personnel, to participate in the fractional aircraft
13 ownership pilot program.

14 SEC. 731. Notwithstanding any other provision of
15 law, none of the funds appropriated or made available
16 under this Act or any other appropriations Act may be
17 used to implement or enforce restrictions or limitations on
18 the Coast Guard Congressional Fellowship Program, or to
19 implement the proposed regulations of the Office of Per-
20 sonnel Management to add sections 300.311 through
21 300.316 to part 300 of title 5 of the Code of Federal Reg-
22 ulations, published in the Federal Register, volume 68,
23 number 174, on September 9, 2003 (relating to the detail
24 of executive branch employees to the legislative branch).

1 SEC. 732. Notwithstanding any other provision of
2 law, no executive branch agency shall purchase, construct,
3 and/or lease any additional facilities, except within or con-
4 tiguous to existing locations, to be used for the purpose
5 of conducting Federal law enforcement training without
6 the advance approval of the Committees on Appropria-
7 tions, except that the Federal Law Enforcement Training
8 Center is authorized to obtain the temporary use of addi-
9 tional facilities by lease, contract, or other agreement for
10 training which cannot be accommodated in existing Center
11 facilities.

12 SEC. 733. (a) For fiscal year 2010, no funds shall
13 be available for transfers or reimbursements to the E-Gov-
14 ernment initiatives sponsored by the Office of Manage-
15 ment and Budget prior to 15 days following submission
16 of a report to the Committees on Appropriations by the
17 Director of the Office of Management and Budget and re-
18 ceipt of approval to transfer funds by the Committees on
19 Appropriations of the House of Representatives and the
20 Senate.

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

23 (1) a description of each initiative including but
24 not limited to its objectives, benefits, development
25 status, risks, cost effectiveness (including estimated

1 net costs or savings to the government), and the es-
2 timated date of full operational capability;

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

8 (3) the sources and distribution of funding by
9 fiscal year and by agency and bureau for each initia-
10 tive including agency contributions to date and esti-
11 mated future contributions by agency.

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

16 SEC. 734. None of the funds appropriated or other-
17 wise made available by this or any other Act may be used
18 to begin or announce a study or public-private competition
19 regarding the conversion to contractor performance of any
20 function performed by Federal employees pursuant to Of-
21 fice of Management and Budget Circular A-76 or any
22 other administrative regulation, directive, or policy.

23 SEC. 735. Unless otherwise authorized by existing
24 law, none of the funds provided in this Act or any other
25 Act may be used by an executive branch agency to produce

1 any prepackaged news story intended for broadcast or dis-
2 tribution in the United States, unless the story includes
3 a clear notification within the text or audio of the pre-
4 packaged news story that the prepackaged news story was
5 prepared or funded by that executive branch agency.

6 SEC. 736. None of the funds made available in this
7 Act may be used in contravention of section 552a of title
8 5, United States Code (popularly known as the Privacy
9 Act) and regulations implementing that section.

10 SEC. 737. Each executive department and agency
11 shall evaluate the creditworthiness of an individual before
12 issuing the individual a government travel charge card.
13 Such evaluations for individually-billed travel charge cards
14 shall include an assessment of the individual's consumer
15 report from a consumer reporting agency as those terms
16 are defined in section 603 of the Fair Credit Reporting
17 Act (Public Law 91-508): *Provided*, That the department
18 or agency may not issue a government travel charge card
19 to an individual that either lacks a credit history or is
20 found to have an unsatisfactory credit history as a result
21 of this evaluation: *Provided further*, That this restriction
22 shall not preclude issuance of a restricted-use charge,
23 debit, or stored value card made in accordance with agency
24 procedures to: (1) an individual with an unsatisfactory
25 credit history where such card is used to pay travel ex-

1 penses and the agency determines there is no suitable al-
2 ternative payment mechanism available before issuing the
3 card; or (2) an individual who lacks a credit history. Each
4 executive department and agency shall establish guidelines
5 and procedures for disciplinary actions to be taken against
6 agency personnel for improper, fraudulent, or abusive use
7 of government charge cards, which shall include appro-
8 priate disciplinary actions for use of charge cards for pur-
9 poses, and at establishments, that are inconsistent with
10 the official business of the Department or agency or with
11 applicable standards of conduct.

12 SEC. 738. (a) DEFINITIONS.—For purposes of this
13 section the following definitions apply:

14 (1) GREAT LAKES.—The terms “Great Lakes”
15 and “Great Lakes State” have the same meanings
16 as such terms have in section 506 of the Water Re-
17 sources Development Act of 2000 (42 U.S.C.
18 1962d–22).

19 (2) GREAT LAKES RESTORATION ACTIVITIES.—
20 The term “Great Lakes restoration activities”
21 means any Federal or State activity primarily or en-
22 tirely within the Great Lakes watershed that seeks
23 to improve the overall health of the Great Lakes eco-
24 system.

1 (b) REPORT.—Not later than 45 days after submis-
2 sion of the budget of the President to Congress, the Direc-
3 tor of the Office of Management and Budget, in coordina-
4 tion with the Governor of each Great Lakes State and the
5 Great Lakes Interagency Task Force, shall submit to the
6 appropriate authorizing and appropriating committees of
7 the Senate and the House of Representatives a financial
8 report, certified by the Secretary of each agency that has
9 budget authority for Great Lakes restoration activities,
10 containing—

11 (1) an interagency budget crosscut report
12 that—

13 (A) displays the budget proposed, including
14 any planned interagency or intra-agency trans-
15 fer, for each of the Federal agencies that car-
16 ries out Great Lakes restoration activities in
17 the upcoming fiscal year, separately reporting
18 the amount of funding to be provided under ex-
19 isting laws pertaining to the Great Lakes eco-
20 system; and

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

1 (2) a detailed accounting of all funds received
2 and obligated by all Federal agencies and, to the ex-
3 tent available, State agencies using Federal funds,
4 for Great Lakes restoration activities during the cur-
5 rent and previous fiscal years;

6 (3) a budget for the proposed projects (includ-
7 ing a description of the project, authorization level,
8 and project status) to be carried out in the upcom-
9 ing fiscal year with the Federal portion of funds for
10 activities; and

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

14 SEC. 739. (a) IN GENERAL.—None of the funds ap-
15 propriated or otherwise made available by this or any
16 other Act may be used for any Federal Government con-
17 tract with any foreign incorporated entity which is treated
18 as an inverted domestic corporation under section 835(b)
19 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
20 or any subsidiary of such an entity.

21 (b) WAIVERS.—

22 (1) IN GENERAL.—Any Secretary shall waive
23 subsection (a) with respect to any Federal Govern-
24 ment contract under the authority of such Secretary

1 if the Secretary determines that the waiver is re-
2 quired in the interest of national security.

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

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

10 SEC. 740. None of the funds made available by this
11 or any other Act may be used to implement, administer,
12 enforce, or apply the rule entitled “Competitive Area”
13 published by the Office of Personnel Management in the
14 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
15 et seq.).

16 SEC. 741. Notwithstanding section 748 of division D
17 of the Omnibus Appropriations Act, 2009, the President
18 may modify or replace Executive Order 13423 if the Presi-
19 dent determines that a revised or new Executive Order
20 will achieve equal or better environmental or energy effi-
21 ciency results in terms of emission of greenhouse gases,
22 use of renewable energy, reduction in water use, sustain-
23 able environmental practices, toxic and hazardous chemi-
24 cals, construction and renovation practices, vehicle con-
25 sumption of petroleum products, and use of electronic

1 equipment and its disposition and notifies the appropriate
2 committees of Congress at least 15 days in advance of the
3 change.

4 SEC. 742. Not later than 120 days after enactment
5 of this Act, each executive department and agency shall
6 submit to the Director of the Office of Management and
7 Budget a report stating the total size of its workforce, dif-
8 ferentiated by number of civilian, military, and contract
9 workers as of December 31, 2009. Not later than 180 days
10 after enactment of this Act, the Director of the Office of
11 Management and Budget shall submit to the Committee
12 a comprehensive statement delineating the workforce data
13 by individual department and agency, as well as aggregate
14 totals of civilian, military, and contract workers.

15 SEC. 743. (a)(1) Not later than the end of the third
16 quarter of fiscal year 2010 and each subsequent fiscal
17 year, and for each department or agency not later than
18 its inventory required under the Federal Activities Inven-
19 tory Reform Act of 1998 (Public Law 105-270), the head
20 of each Federal department or agency (other than the De-
21 partment of Defense) shall submit to Congress an annual
22 inventory of the activities performed during the preceding
23 fiscal year pursuant to contracts for services for or on be-
24 half of such department or agency, as the case may be.
25 The entry for an activity on an inventory under this sec-

1 tion shall include, for the fiscal year covered by such entry,
2 the following:

3 (A) The functions performed by the contractor.

4 (B) The contracting organization, the compo-
5 nent of the department or agency administering the
6 contract, and the organization whose requirements
7 are being met through contractor performance of the
8 function.

9 (C) The dollar size and funding source for the
10 contract under which the function is performed by
11 appropriation and operating agency.

12 (D) The fiscal year for which the activity first
13 appeared on an inventory under this section.

14 (E) The number of full-time contractor employ-
15 ees (or its equivalent) paid for the performance of
16 the activity.

17 (F) A determination whether the contract pur-
18 suant to which the activity is performed is a per-
19 sonal services contract.

20 (G) Whether the contract has been performed
21 pursuant to a contract awarded on a noncompetitive
22 basis, either originally or upon a subsequent re-
23 newal.

24 (H) Whether the contract has been performed
25 poorly, as determined by a contracting officer, dur-

1 ing the 5-year period preceding the date of such de-
2 termination, because of excessive costs or inferior
3 quality.

4 (2) The inventory required under this subsection shall
5 be submitted in unclassified form, but may include a clas-
6 sified annex.

7 (b) Not later than 30 days after the date on which
8 an inventory with respect to a department or agency is
9 required to be submitted to Congress under subsection (a),
10 the head of such department or agency shall—

11 (1) make the inventory available to the public;
12 and

13 (2) publish in the Federal Register a notice
14 that the inventory is available to the public.

15 (c) Not later than 90 days after the date on which
16 an inventory is submitted under subsection (a), the head
17 of the department or agency, or component thereof, re-
18 sponsible for activities in the inventory shall—

19 (1) review the contracts and activities in the in-
20 ventory for which such head is responsible;

21 (2) ensure that—

22 (A) each contract on the list that is a per-
23 sonal services contract has been entered into,
24 and is being performed, in accordance with ap-
25 plicable statutory and regulatory requirements;

1 (B) the activities on the list do not include
2 any inherently governmental functions; and

3 (C) to the maximum extent practicable, the
4 activities on the list do not include any func-
5 tions closely associated with inherently govern-
6 mental functions;

7 (3) identify activities that should be considered
8 for conversion—

9 (A) to performance by employees of the de-
10 partment or agency; or

11 (B) to an acquisition approach that would
12 be more advantageous to the department or
13 agency; and

14 (4) develop a plan to provide for appropriate
15 consideration of the conversion of activities identified
16 under paragraph (3) within a reasonable period of
17 time.

18 (d) Nothing in this section shall be construed to au-
19 thorize the performance of personal services by a con-
20 tractor except where expressly authorized by a provision
21 of law other than this section.

22 (e)(1) The term “function closely associated with in-
23 herently governmental functions” means the functions de-
24 scribed in section 7.503(d) of the Federal Acquisition Reg-
25 ulation.

1 (2) The term “inherently governmental functions”
2 has the meaning given such term in subpart 7.5 of part
3 7 of the Federal Acquisition Regulation.

4 (3) The term “personal services contract” means a
5 contract under which, as a result of its terms or conditions
6 or the manner of its administration during performance,
7 contractor personnel are subject to the relatively contin-
8 uous supervision and control of one or more Government
9 officers or employees, except that the giving of an order
10 for a specific article or service, with the right to reject
11 the finished product or result, is not the type of super-
12 vision or control that makes a contract a personal services
13 contract.

14 SEC. 744. Congress requests the President, and di-
15 rects the Attorney General, to transmit to each House of
16 Congress, not later than 14 days after the date of the
17 adoption of this Act, copies of any portions of all docu-
18 ments, records, and communications in their possession
19 referring or relating to the notification of rights under *Mi-*
20 *randa v. Arizona*, 384 U.S. 436 (1966), by the Depart-
21 ment of Justice, including all component agencies, to cap-
22 tured foreign persons who are suspected of terrorism and
23 detainees in the custody of the Armed Forces of the
24 United States.

1 SEC. 745. (a) None of the funds made available in
2 this or any other Act may be used to obtain a financial
3 or ownership interest (or right to acquire such an interest)
4 in an automobile manufacturer that deprives an auto-
5 mobile dealer of its economic rights under a dealer agree-
6 ment and does not assume (or assign to a successor in
7 interest) each dealer agreement which is valid and in exist-
8 ence (and has not been lawfully terminated under applica-
9 ble State law) before the date of the commencement of
10 a case under title 11 of the United States Code by such
11 automobile manufacturer.

12 (b) Any automobile manufacturer with respect to
13 which the Federal Government has a financial or owner-
14 ship interest (or right to acquire such an interest) shall,
15 to the extent that a valid dealer agreement existing imme-
16 diately before the date of the commencement of a case
17 under title 11 of the United States Code by such auto-
18 mobile manufacturer is not assumed by or assigned to an-
19 other automobile manufacturer, require any new entity
20 created in such case to enter into a new dealer agreement
21 with the dealer whose agreement was not so assumed or
22 assigned, and on the same terms as existed immediately
23 before such date.

24 SEC. 746. Except as expressly provided otherwise,
25 any reference to “this Act” contained in any title other

1 than title IV or VIII shall not apply to such title IV or
2 VIII.

3 TITLE VIII
4 GENERAL PROVISIONS—DISTRICT OF
5 COLUMBIA
6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 801. Whenever in this Act, an amount is speci-
8 fied within an appropriation for particular purposes or ob-
9 jects of expenditure, such amount, unless otherwise speci-
10 fied, shall be considered as the maximum amount that
11 may be expended for said purpose or object rather than
12 an amount set apart exclusively therefor.

13 SEC. 802. Appropriations in this Act shall be avail-
14 able for expenses of travel and for the payment of dues
15 of organizations concerned with the work of the District
16 of Columbia government, when authorized by the Mayor,
17 or, in the case of the Council of the District of Columbia,
18 funds may be expended with the authorization of the
19 Chairman of the Council.

20 SEC. 803. There are appropriated from the applicable
21 funds of the District of Columbia such sums as may be
22 necessary for making refunds and for the payment of legal
23 settlements or judgments that have been entered against
24 the District of Columbia government.

1 SEC. 804. (a) None of the Federal funds provided in
2 this Act shall be used for publicity or propaganda purposes
3 or implementation of any policy including boycott designed
4 to support or defeat legislation pending before Congress
5 or any State legislature.

6 (b) The District of Columbia may use local funds pro-
7 vided in this title to carry out lobbying activities on any
8 matter.

9 SEC. 805. (a) None of the Federal funds provided
10 under this Act to the agencies funded by this Act, both
11 Federal and District government agencies, that remain
12 available for obligation or expenditure in fiscal year 2010,
13 or provided from any accounts in the Treasury of the
14 United States derived by the collection of fees available
15 to the agencies funded by this Act, shall be available for
16 obligation or expenditures for an agency through a re-
17 programming of funds which—

18 (1) creates new programs;

19 (2) eliminates a program, project, or responsi-
20 bility center;

21 (3) establishes or changes allocations specifi-
22 cally denied, limited or increased under this Act;

23 (4) increases funds or personnel by any means
24 for any program, project, or responsibility center for
25 which funds have been denied or restricted;

1 (5) reestablishes any program or project pre-
2 viously deferred through reprogramming;

3 (6) augments any existing program, project, or
4 responsibility center through a reprogramming of
5 funds in excess of \$3,000,000 or 10 percent, which-
6 ever is less; or

7 (7) increases by 20 percent or more personnel
8 assigned to a specific program, project or responsi-
9 bility center,

10 unless the Committees on Appropriations of the House of
11 Representatives and the Senate and the President are no-
12 tified in writing 15 days in advance of the reprogramming.

13 (b) The District of Columbia government is author-
14 ized to approve and execute reprogramming and transfer
15 requests of local funds under this title through November
16 1, 2010.

17 SEC. 806. Consistent with the provisions of section
18 1301(a) of title 31, United States Code, appropriations
19 under this Act shall be applied only to the objects for
20 which the appropriations were made except as otherwise
21 provided by law.

22 SEC. 807. None of the Federal funds provided in this
23 Act may be used by the District of Columbia to provide
24 for salaries, expenses, or other costs associated with the
25 offices of United States Senator or United States Rep-

1 representative under section 4(d) of the District of Columbia
2 Statehood Constitutional Convention Initiatives of 1979
3 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

4 SEC. 808. Except as otherwise provided in this sec-
5 tion, none of the funds made available by this Act or by
6 any other Act may be used to provide any officer or em-
7 ployee of the District of Columbia with an official vehicle
8 unless the officer or employee uses the vehicle only in the
9 performance of the officer’s or employee’s official duties.
10 For purposes of this section, the term “official duties”
11 does not include travel between the officer’s or employee’s
12 residence and workplace, except in the case of—

13 (1) an officer or employee of the Metropolitan
14 Police Department who resides in the District of Co-
15 lumbia or a District of Columbia government em-
16 ployee as may otherwise be designated by the Chief
17 of the Department;

18 (2) at the discretion of the Fire Chief, an offi-
19 cer or employee of the District of Columbia Fire and
20 Emergency Medical Services Department who re-
21 sides in the District of Columbia and is on call 24
22 hours a day or is otherwise designated by the Fire
23 Chief;

24 (3) at the discretion of the Director of the De-
25 partment of Corrections, an officer or employee of

1 the District of Columbia Department of Corrections
2 who resides in the District of Columbia and is on
3 call 24 hours a day or is otherwise designated by the
4 Director;

5 (4) the Mayor of the District of Columbia; and
6 (5) the Chairman of the Council of the District
7 of Columbia.

8 SEC. 809. (a) None of the Federal funds contained
9 in this Act may be used by the District of Columbia Attor-
10 ney General or any other officer or entity of the District
11 government to provide assistance for any petition drive or
12 civil action which seeks to require Congress to provide for
13 voting representation in Congress for the District of Co-
14 lumbia.

15 (b) Nothing in this section bars the District of Co-
16 lumbia Attorney General from reviewing or commenting
17 on briefs in private lawsuits, or from consulting with offi-
18 cials of the District government regarding such lawsuits.

19 SEC. 810. Nothing in this Act may be construed to
20 prevent the Council or Mayor of the District of Columbia
21 from addressing the issue of the provision of contraceptive
22 coverage by health insurance plans, but it is the intent
23 of Congress that any legislation enacted on such issue
24 should include a “conscience clause” which provides excep-
25 tions for religious beliefs and moral convictions.

1 SEC. 811. None of the Federal funds contained in
2 this Act may be used to enact or carry out any law, rule,
3 or regulation to legalize or otherwise reduce penalties asso-
4 ciated with the possession, use, or distribution of any
5 schedule I substance under the Controlled Substances Act
6 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
7 rivative.

8 SEC. 812. None of the Federal funds appropriated
9 under this Act shall be expended for any abortion except
10 where the life of the mother would be endangered if the
11 fetus were carried to term or where the pregnancy is the
12 result of an act of rape or incest.

13 SEC. 813. (a) No later than 30 calendar days after
14 the date of the enactment of this Act, the Chief Financial
15 Officer of the District of Columbia shall submit to the ap-
16 propriate committees of Congress, the Mayor, and the
17 Council of the District of Columbia, a revised appropriated
18 funds operating budget in the format of the budget that
19 the District of Columbia government submitted pursuant
20 to section 442 of the District of Columbia Home Rule Act
21 (D.C. Official Code, sec. 1-204.42), for all agencies of the
22 District of Columbia government for fiscal year 2010 that
23 is in the total amount of the approved appropriation and
24 that realigns all budgeted data for personal services and

1 other-than-personal-services, respectively, with anticipated
2 actual expenditures.

3 (b) This section shall apply only to an agency for
4 which the Chief Financial Officer of the District of Colum-
5 bia certifies that a reallocation is required to address un-
6 anticipated changes in program requirements.

7 SEC. 814. No later than 30 calendar days after the
8 date of the enactment of this Act, the Chief Financial Offi-
9 cer of the District of Columbia shall submit to the appro-
10 priate committees of Congress, the Mayor, and the Council
11 for the District of Columbia, a revised appropriated funds
12 operating budget for the District of Columbia Public
13 Schools that aligns schools budgets to actual enrollment.
14 The revised appropriated funds budget shall be in the for-
15 mat of the budget that the District of Columbia govern-
16 ment submitted pursuant to section 442 of the District
17 of Columbia Home Rule Act (D.C. Official Code, Sec. 1-
18 204.42).

19 SEC. 815. Amounts appropriated in this Act as oper-
20 ating funds may be transferred to the District of Colum-
21 bia's enterprise and capital funds and such amounts, once
22 transferred, shall retain appropriation authority consistent
23 with the provisions of this Act.

24 SEC. 816. None of the funds contained in this Act
25 may be used to distribute any needle or syringe for the

1 hypodermic injection of any illegal drug in any area of the
2 District of Columbia which is within 1,000 feet of a public
3 or private day care center, elementary school, vocational
4 school, secondary school, college, junior college, or univer-
5 sity, or any public swimming pool, park, playground, video
6 arcade, or youth center, or an event sponsored by any such
7 entity.

8 SEC. 817. Except as expressly provided otherwise,
9 any reference to “this Act” contained in this title or in
10 title IV shall be treated as referring only to the provisions
11 of this title or of title IV.

12 This Act may be cited as the “Financial Services and
13 General Government Appropriations Act, 2010”.

Union Calendar No. 109

11TH CONGRESS
1ST Session

H. R. 3170

[Report No. 111-202]

A BILL

Making appropriations for financial services and
general government for the fiscal year ending
September 30, 2010, and for other purposes.

JULY 10, 2009

Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed